

MINUTES OF REGULAR MEETING HELD FEBRUARY 4, 2014

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday evening, February 4, 2014 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, 2013. 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, LoGrippo, Della Fera, Kimmins, Oliveira, Loughlin

ABSENT: Council Members Neylan, Foerst

Invocation was given by Councilman LoGrippo

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman Oliveira, seconded by Councilman LoGrippo Council approved the Minutes of the Organization Meeting held January 2, 2014.

PETITIONS AND COMMUNICATIONS**OPEN DISCUSSION BY CITIZENS**

Greg Kasko of 434 Everson Place spoke regarding the Mobile Command Center's use in Hoboken and asked who was paying for it when it went to other towns.

Chief Wayman explained the use of the Command Center in Hoboken as part of counterterrorism during the Super Bowl activities. He explained that the counterterrorism events provided a unique and excellent training opportunity for the members of the police department. He explained, as he also had done in the Conference Session earlier the same evening, that there was no overtime for the officers taking part in the events and the opportunity allowed the Police Department Administrators to have a chance to gain practical experience and develop relationships with many agencies including the Department of Homeland Security, the FBI, NJ Office of Emergency Management and NJ Transit. He said the experience helped them get invaluable training and that training could be modified to be used in the Town of Westfield should the need arise.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$66,327.71 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 Oliveira were unanimously adopted.

(28) 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 \$14,827.00 to the TREASURER, STATE OF NEW JERSEY for the fourth quarter Construction Official's State permit fees for 2013.

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.

(29) WHEREAS, certain claims have been asserted against the Town of Westfield, as a defendant, in the action entitled Robert Ball and Adele Ball v. Westfield Town, bearing Docket No. 018445-2012 (the "Litigation") regarding a challenge to an added assessment to certain real property; and

WHEREAS, the Town of Westfield engaged in settlement negotiations with Robert Ball and Adele Ball ("Plaintiffs") toward the resolution of the Litigation; and

WHEREAS, the parties have settled the Litigation, pursuant to which the Litigation shall be withdrawn.

NOW, THEREFORE, BE IT RESOLVED, that the settlement of the Litigation is hereby approved whereby Plaintiffs will receive a One Thousand Dollar (\$1,000.00) credit against their outstanding added assessment tax bill and the Town Attorney is hereby directed to sign or otherwise consent to any required stipulations or orders of dismissal in order to accomplish same.

(30) 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 2013:

| <u>BLOCK/LOT</u> | <u>PROPERTY ADDRESS</u> | <u>YEAR</u> | <u>AMOUNT</u> |
|---|-------------------------|-------------|---------------|
| 101/12 REILLY, GEORGE & MAHLSTEDT, DONNA | 1619 Rising Way | 2013 | \$279.38 |
| 201/16 KELLY, WILLIAM C & JILL M | 1127 Prospect Street | 2013 | \$4,481.34 |
| 406/6 CHA, THOMAS Y & ELAINE K | 352 Orenda Circle | 2013 | \$3,899.08 |
| 406/36 SMITH, CHARLES & FELTMAN, KELLY | 306 Roanoke Road | 2013 | \$383.02 |
| 808/2 SHUMAN, EDWARD & ELIZABETH | 614 Hanford Place | 2013 | \$126.18 |
| 901/24 HAWKINS, JOHN D. & KAREN L. | 434 Birch Place | 2013 | \$3,325.06 |

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|---|-------------------------|------|------------|
| 906/29 DEGNAN, ROBERT F & MARIE E | 844 North Avenue West | 2013 | \$192.83 |
| 1003/12/C0004 TAFURI, MARY C/O Joyce Wegbreit 218 Avon Road Westfield, New Jersey 07090 | 34 Cowperthwaite Place | 2013 | \$2,765.92 |
| 1304/3 MAEHL, KENNETH & BARBARA | 809 Oak Avenue | 2013 | \$2,470.64 |
| 1410/16 GILLIN, J SCOTT & ELIZABETH | 400 Wychwood Road | 2013 | \$327.83 |
| 1902/12 WAGENHEIM, CHAD & ROCHELLE | 215 Sunset Avenue | 2013 | \$442.92 |
| 1904/13 BETANCOURT, RAFAEL & ESPERANZA | 233 Golf Edge | 2013 | \$168.13 |
| 2207/6 KIM, SONG H & LEE, KYUK J | 416 Jefferson Avenue | 2013 | \$1,851.14 |
| 2211/6 LIEBOWITZ, GARY & LINDA | 111 Linden Avenue | 2013 | \$3,246.35 |
| 2506/8.01/C0032 GRABOWSKI, EDWARD & LENORE | 111 Prospect Street, 4C | 2013 | \$7,836.45 |
| 2707/5 PETERSON, JAMES & CAROL WANTS TO PICK UP CHECK AS SOON AS READY | 561 Cumberland Street | 2013 | \$2,434.27 |
| 2808/6 GOLUB, PETER G & NATALIE | 850 Shackamaxon Drive | 2013 | \$833.62 |
| 2808/11 O'BRIEN, EDWARD & D'AGOSTINO, MARYANN | 881 Shadowlawn Drive | 2013 | \$555.97 |
| 2903/2 MILLER, BRUCE | 534 Rahway Avenue | 2013 | \$519.08 |
| 2904/16 REILLY, DENNIS G & MARY K | 524 Dorian Road | 2013 | \$3,308.06 |

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|---|-----------------------|------|------------|
| 3003/1 ROOT ASSOCIATES I, LLC 627 Shadowlawn Drive Westfield, NJ 07090 | 435 South Avenue West | 2013 | \$853.80 |
| 3004/10 METZGER, TIMOTHY M & OLFF, JULIA ADRIAN | 318 Temple Place | 2013 | \$3,001.32 |
| 3006/18 TERJESEN, LINDA & MURAWSKI, ROBERT | 545 Carleton Road | 2013 | \$3,037.03 |
| 3011/22 TAYLOR, HENRY AUGUSTUS | 507 Rahway Avenue | 2013 | \$1,194.42 |
| 3507/4 SUN, YI & JIANWEI, GUAN | 742 Marcellus Drive | 2013 | \$1,156.62 |
| 4008/6 GRIFFIN-MARTINEZ, LINDA | 140 Myrtle Avenue | 2013 | \$1,885.76 |
| 4202/21 KILEY, PAUL & CRISTINA | 413 Washington Street | 2013 | \$2,792.98 |
| 4301/6 DAUBER, SUSAN | 6 Westbrook Road | 2013 | \$2,456.88 |
| 4601/1 AHMED, DILSHAD & ISMAIL, FATHIMA | 629 Vermont Street | 2013 | \$3,443.55 |
| 4603/9 PINELLI, FRANCESCO & FRANCESCA | 1060 Rahway Avenue | 2013 | \$2,452.94 |
| 4702/31 NG, CHARLES & CHEN, SHUN LING | 860 TICE PLACE | 2013 | \$4,266.03 |
| 4801/44 MACDOUGALL, LEE A | 944 Beverly Drive | 2013 | \$2,036.26 |
| 4801/65 GORELICK, STEVEN & GREEN, AMY | 837 Carleton Road | 2013 | \$3,182.15 |
| 4810/15 ROMER, GREGORY | 1019 Irving Avenue | 2013 | \$243.65 |
| 4911/20 SEERY, ALECIA | 136 Harrow Road | 2013 | \$2,372.61 |

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|---|---------------------|------|------------|
| 5010/7 STRYCHARZ, MATTHEW & JOHNNA | 120 Marlboro Street | 2013 | \$2,185.53 |
| 5117/33 GALLIN, FREDRIC P & LISA S 5 Robin Road Warren, NJ 07059 | 509 Clifton Street | 2013 | \$141.13 |
| 5503/18 MARTIN, KEVIN B & EILEEN A | 44 Bell Drive | 2013 | \$2,950.89 |
| 5709/22 BRACCO, CHRISTOPHER & DARCY | 226 Maryland Street | 2013 | \$3,473.88 |

(31) RESOLVED that the Chief Financial Officer be and she hereby is authorized to draw warrants to the following persons, this amount being overpaid due to Veteran and Senior Citizen deductions:

| BLOCK AND LOT NAME AND ADDRESS | PROPERTY | AMOUNT |
|---|-------------------|----------|
| 701/5 NUSSE, James & Janice | 280 Seneca Place | \$250.00 |
| 3901/1/c0004 DYKE, Kermit R & Martha K | 4 Eastgate Square | \$250.00 |
| 5004/74 SKOWRONSKI, Eugene & Linda | 145 Tudor Oval | \$250.00 |

(32) RESOLVED that the Treasurer be and she hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2010 and part of 2011 pursuant to the Tax Court of New Jersey:

| BLOCK/LOT NAME | ADDRESS | YEAR | AMOUNT |
|-------------------|-----------------------|------|-------------|
| 3103/8 | 251 North Avenue West | 2010 | \$14,273.61 |
| | | 2011 | \$ 726.39 |

Check Payable to:
251 North Ave. West c/o Budd Larner, PC
Mail To:
150 John F. Kennedy Parkway
Short Hills, NJ 07078

(33) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$938.40 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 January 2014.

(34) WHEREAS, the Town of Westfield needs to upgrade its computer software and hardware to continue to keep its security and support current, and

WHEREAS, in accordance with the requirements of the Local Public Contracts Law N.J.S.A. 40A:11-12 et seq., and the regulations promulgated thereunder, contracts without competitive bids may be awarded to vendors with State Contract, and

WHEREAS, the Purchasing Agent has reviewed the proposal submitted by Dell, a qualified company operating under NJ State Contract #WN88ABZ, for computer equipment, and

WHEREAS, Certificate of the Town Treasurer, certifying to 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 to be charged to Budget Computer Account 100-253.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract be awarded to Dell, 1 Dell Way, Round Rock, TX 78682 , in an amount not to exceed \$30,000.00, pursuant to the State Contract.

The following resolution, introduced by Councilman Della Fera, seconded by Councilman LoGrippo was adopted by the following roll call vote:

(35) RESOLVED that the Chief Financial Officer be authorized to make the following transfer in the 2013 budget accounts:

| | <u>OUT</u> | <u>IN</u> |
|--------------------------------------|-------------|-------------|
| POLICE DEPT. – S&W 3-01-130-100 | \$23,500.00 | |
| LEGAL SERVICES – O/E 3-01-120-200 | | \$10,000.00 |
| STREET LIGHTING 3-01-167-200 | | \$13,500.00 |

Yeas: Arena
LoGrippto
Della Fera
Kimmins
Oliveira
Loughlin
Mayor Skibitsky

Nays:

Absent: Neylan
Foerst

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolution, introduced by Councilman LoGrippto, Vice-Chairman of the Code Review & Town Property Committee, seconded by Councilman Oliveira was unanimously adopted.

(36) WHEREAS, Michael Mahoney LLC, made an application to the Town of Westfield to demolish a single-family dwelling, located at 229 Golf Edge, Block 1904, 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 at 229 Golf Edge, Block 1904, Lot 11, Westfield, New Jersey.

Public Works Committee

The following resolution, introduced by Councilman Arena, Chairman of the Public Works Committee, seconded by Councilwoman Kimmins was unanimously adopted.

(37) WHEREAS, the Town has identified a need to develop and prepare design plans and contract specifications for the dredging of Mindowaskin Pond, and

WHEREAS, proposals were received on September 27, 2013 from two companies to provide the professional services necessary to address the aforementioned scope of services, and

WHEREAS, the Town Engineer has reviewed the Proposals and recommends that a professional services contract for the aforementioned services as outlined in the Proposal dated September 27, 2013, be awarded to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830-4112, and

WHEREAS, Certificate of the Town Treasurer, certifying to 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 to be charged to S.O. 2008 and S.O. 2186.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional engineering services required for the contract plans and specifications for the dredging of Mindowaskin Pond be awarded to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ 08830-4112, in an amount not to exceed \$42,000.00.

Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$19,326,730.93 and Investments of \$374,087.86 was received, read and ordered filed.

Upon motion by Councilwoman Kimmins, seconded by Councilman LoGrippo the meeting was adjourned at 8:13 p.m.

Claire J. Gray
Town Clerk