

## **MINUTES OF REGULAR MEETING HELD FEBRUARY 10, 2015**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, February 10, 2015 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 16, 2014. 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, Foerst, Della Fera, Kimmins, Oliveira, Loughlin

**ABSENT:** Council Members Neylan and LoGrippo

Invocation was given by Councilman Foerst

### **PRESENTATIONS**

### **APPOINTMENT**

### **ADVERTISED HEARINGS**

### **PENDING BUSINESS**

### **BIDS**

### **MINUTES**

On a motion by Councilman Loughlin, seconded by Councilman Oliveira, Council approved the Minutes of the Town Council Meeting held January 27, 2015 with Mayor Skibitsky and Council Members Arena and Kimmins abstaining.

On a motion by Councilman Oliveira, seconded by Councilman Della Fera, Council approved the Minutes of the Conference Session held January 27, 2015 with Mayor Skibitsky and Council Members Arena and Kimmins abstaining.

### **PETITIONS AND COMMUNICATIONS**

### **OPEN DISCUSSION BY CITIZENS**

### **BILLS AND CLAIMS**

Introduced by Councilman Della Fera, seconded by Councilwoman Kimmins and adopted.

RESOLVED that the bills and claims in the amount of \$238,100.13 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 Loughlin were unanimously adopted.

(43) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$740.40 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 2015.

(44) WHEREAS, the Town Council passed General Ordinance No. 2034 pursuant to which Sections 20-23 and 20-25 of the Town Code were amended and a schedule of maximum annual sewer user fees for properties in the Town was established; and

WHEREAS, the sewer user fee for a single-family residence was set to not exceed \$195.00 per annum; and

WHEREAS, the sewer user fee for commercial and industrial properties was set to not exceed \$875.00 per annum; and

WHEREAS, the sewer user fee for each multi-family unit on a property was established to not exceed \$125.00 per annum; and

WHEREAS, Section 20-25 of the Town Code provides that by February 24 of each year, the Town Council, by resolution, shall determine the exact sewer fee for the then calendar year, subject to the maximum amounts set forth in Section 20-23; and

WHEREAS, the Town Council has received notice of the sewer charges imposed by the Rahway Valley Sewerage Authority and wishes to establish the sewer fees for the calendar year 2015.

NOW, THEREFORE, be it resolved that the following sewer fees are hereby established for the calendar year 2015:

- a. The sewer user fee for a single-family residence shall be \$170.00.
- b. The sewer user fee for a commercial and industrial property shall be \$315.00.
- c. The sewer user fee for each multi-family unit on a property shall be \$100.00.

(45) 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 years 2014 and 2015.

Block/Lot Name	Property Location	Year	Amount
201/22 Patel, Hersh & Monal	31 Fairhill Road	2014	\$954.98

303/14 Klass, Terri F	117 Barchester Road	2014	\$211.29
306/76.01 Leighton, Shelley Novick	153 Hamilton Avenue	2014	\$287.74
306/79 Eskow, Scott & Michele	137 Hamilton Avenue	2014	\$69.00
406/15 Athenson, Peter & Ellen B M	334 Orenda Circle	2014	\$40.00
501/31 Tanella, Michael A & Heather R	309 Sinclair Place	2014	\$5017.11
1109/11 Passante, Thomas & Juliet T	512 Alden Avenue	2015	\$327.31
2305/10 Rice, Mary J & Mahoney, Dennis M	606 Arlington Avenue	2014	\$39.29
2308/2 Slater, Mitchell P & Leslie Dickstein	561 Tremont Avenue	2014	\$6,282.96
2311/5 Stabler, Barton & Nancy Katsin	122 Archbold Place	2014	\$3,449.60
2311/9 Kennedy, Mary Ann	523 Lenox Avenue	2014	\$127.64
2609/18 Wells Fargo Real Estate Tax Services and Linda Stone MAC X2302-04D 1 Home Campus Des Moines, IA 50328	630 Roosevelt Street	2014	\$539.09
2707/37 Bencivenga, Ralph	564 Downer Street	2014	\$1,768.42
2811/44 Fox + Foxx Development 940 Amboy Avenue Suite 101 Edison, NJ 08837	785 Warren Street	2014	\$417.84
2814/14 Crenshaw, David	756 Warren Street	2014	\$418.60
3110/15 Grom, Timothy C & Holly	417 St Marks Avenue	2014	\$4,052.63
3301/4 McGrath, Joann Vella	647 Fairmont Avenue	2014	\$120.70
3304/2/C0006 Rinshawn Fourth Ave, LLC PO Box 96 Fanwood, NJ 07023	610 Fourth Avenue	2014	\$1,667.87
3407/17 Carlucci, Michael & Bresch, Debora	609 Salter Place	2014	\$2,871.31
3408/21 Grygiel, Paul & Christine	622 Salter Place	2014	\$4,782.57
4302/27 Halloran, Frank & Catherine	757 Hyslip Avenue	2014	\$571.02
4401/18 Gasson, Richard & Robin	748 Norgate	2014	\$1,441.23
4401/25 Ceria, Patrick F & Lauran Cogan	776 Norgate	2014	\$4,286.88
4601/46 Russell, Frank Jr & Allison	887 Pennsylvania Avenue	2014	\$291.08
4603/15 Boran, Keith A & Aislyn	1053 Seward Avenue	2014	\$139.01
4810/16 Paulan, Gary S & Lenore	1015 Irving Avenue	2014	\$20.23
4812/17 Brown, Lance & Sharon S	931 Ripley Avenue	2014	\$2,434.45
4903/6	1445 Grandview Avenue	2014	\$160.64

Weinstein, Daniel L & Laura B Thorne 5010/7	120 Marlboro Street	2014	\$89.85
Strycharz, Matthew & Johnna 5107/3	1252 Summit Avenue	2014	\$1,202.33
Zelawski, John Z & Suzanne 5112/2	87 North Cottage Place	2014	\$2,927.13
Rizkalla, Paul A & Marie B 5117/9	40 Mohawk Trail	2014	\$168.37
Lupkin, Ira & Andrea 5509/41	1 Burgess Court	2014	\$3,827.12
Levay, Michael & Pieretti, Janice 5716/7	1533 Central Avenue	2014	\$245.93
Berzanskis, Joseph C 1210 Sunnyfield Drive,Linden,NJ 07036			

(46) WHEREAS, Ssuyu Lin placed the required cash bond of \$500.00 to cover the Street Opening Permit #13-517 for 104 Hazel Ave, and

WHEREAS, Ssuyu Lin 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 Treasurer be authorized to draw a warrant in the name of Ssuyu Lin for \$500.00 and forward to 104 Hazel Ave, Westfield NJ 07090.

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

Name	Account	Class	Fee
Tara Oporto 47 Mohican Drive Westfield, NJ 07090	T05-600-071	Drum/Guitar Class (4-classes Aaron)	\$300
Dana Philipps 69 James Ave. Clark, NJ 07066	T05-600-071	Drum Class (Colin Sandberg)	\$75
Dana Peterson 151 N. Euclid Ave. Westfield, NJ 07090	T05-600-071	Drum Class (Logan)	\$75

(48) RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

Scotts Shoes  
109 Quimby Street  
Westfield, NJ 07090

Amount of refund: \$975.00 (deposit for 109 Quimby Street)

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

(49) RESOLVED that the Chief Financial Officer be authorized to make the following transfer in the 2014 budget accounts:

	<u>OUT</u>	<u>IN</u>
GROUP INSURANCE 4-01-183-200	\$25,000.00	
POLICE DEPT. – S&W 4-01-130-100	\$25,000.00	
PUBLIC WORKS – O/E 4-01-137-200		\$45,000.00
ADMINISTRATIVE – O/E 4-01-100-100		\$ 5,000.00

Roll Call:

Yeas: Arena Foerst Della Fera Kimmins Oliveira Loughlin Mayor Skibitsky	Nays:	Absent: Neylan LoGrippto
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Regarding the following ordinance, Councilman Della Fera, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, “SPECIAL ORDINANCE NO. 2202 – BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE TAMAQUES PARK TENNIS COURT RENOVATION PROJECT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE A COUNTY GRANT, A CONTRIBUTION FROM THE WESTFIELD BOARD OF EDUCATION AND TOWN TRUST FUND MONEYS, 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.”

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 24<sup>th</sup> day of February 2015 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 Loughlin.

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

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

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 Councilman Arena were unanimously adopted.

(50) WHEREAS, the Town Council of the Town of Westfield pursuant to Chapter 30 of the Town Code has allowed for the licensing of Used Car Lots; and

WHEREAS, Coops Cars LLC, 1216 South Avenue West, Westfield, NJ 07090 has made application for a License to operate an Open Air Lot for sale, exchange or display of motor vehicles pursuant to Section 30-3 of the Town Code; and

WHEREAS, Coops Cars LLC has met all terms and conditions as required by Section 30 of the Town Code;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby grant a license to Coops Cars LLC, 1216 South Avenue West, Westfield NJ 07090 to operate an Open Air Lot for the Sale, Exchange or Display of Motor Vehicles that the Town Clerk is hereby authorized and directed to issue said license.

BE IT FURTHER RESOLVED, that not more than two such motor vehicles shall be exhibited or displayed for sale or exchange at any one time.

(51) WHEREAS, Michael Mahoney LLC., made an application to the Town of Westfield to demolish a single-family dwelling located at 127 Harrow Road, Block 4912, 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 single-family dwelling at 127 Harrow Road, Block 4912, Lot 7, Westfield, New Jersey.

(52) WHEREAS, Michael Mahoney LLC., made an application to the Town of Westfield to demolish a single-family dwelling and detached garage located at 415 Everson Place, Block 4203, Lot 20, 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 and detached garage at 415 Everson Place, Block 4203, Lot 20, Westfield, New Jersey.

(53) WHEREAS, Bao Vu, made an application to the Town of Westfield to demolish a single-family dwelling and detached garage located at 679 Rahway Avenue, Block 4206, Lot 18, 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 and detached garage at 679 Rahway Avenue, Block 4206, Lot 18, Westfield, New Jersey.

Regarding the following ordinance, Councilman Foerst, Chairman of the Code Review & Town Property Committee, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2037 – AN ORDINANCE AMENDING THE HISTORIC DESIGNATION AND PRESERVATION ORDINANCE OF THE TOWN OF WESTFIELD."

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 24<sup>th</sup> day of February 2015 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 Councilwoman Kimmins.

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

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

#### Public Works Committee

#### Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$5,005,704.43 and Investments of \$3,379,335.23 was received, read and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of \$10,264,490.51 during the period January 1, 2015 to January 31, 2015.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$118,325.00 for the month of January 2015 was received, read and ordered filed.

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$10,070.00 during the month of January 2015 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 \$10,442.50 representing monies collected during the month of January 2015.

Report of Daniel J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in January in the amount of \$2,475.00, and \$566.00 Permit Fees was received, read and ordered filed.

Upon motion by Councilman Foerst, seconded by Councilman Loughlin the meeting was adjourned at 8:20 p.m.

Claire J. Gray  
Town Clerk