

MINUTES OF REGULAR MEETING HELD MAY 16, 2017

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, May 16, 2017 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 22, 2016. 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, Neylan, LoGrippo, Loughlin, Della Fera, Donnelly, Stokes

ABSENT: Councilman Oliveira

Invocation was given by Councilwoman Neylan

PRESENTATIONS

Westfield First – Morano Gelato – 116 Elm Street

Greg O’Neil, Director of the Public Works Department was awarded the Director of Excellence Award from the Public Works Association of New Jersey

Mayor Skibitsky presented the following proclamation:

Town of Westfield

Westfield, New Jersey

PROCLAMATION

May is Mental Health Month

WHEREAS, NAMI, the National Alliance on Mental Illness, is the nation’s largest grassroots mental health organization dedicated to building better lives for the millions of Americans affected by mental illness; and

WHEREAS, according to NAMI, 1 in 5 adults in America experience a mental illness and 1 in 5 children ages 13-18 have or will have a serious mental illness; and

WHEREAS, although accessing mental health treatment early can improve outcomes, the average delay between onset of symptoms and intervention is 8 -10 years; and

WHEREAS, our youth are particularly vulnerable as 50% of all lifetime cases of mental illness begin by age 14; and

WHEREAS, 90% of those who commit suicide suffer from an underlying mental illness; and

WHEREAS, suicide is the 10th leading cause of death in the United States and the 3rd leading cause of death in youth between the ages of 10 and 24; and

WHEREAS, inasmuch as early identification and treatment can make a significant difference in the successful management of mental illness and recovery, it is important to learn the symptoms of mental illness and seek help as soon as symptoms appear; and

WHEREAS, one of the obstacles to seeking treatment is the cultural stigma that too often is associated with mental illness, causing those suffering and their loved ones to fear negative labeling and rejection; and

WHEREAS, in an effort to alleviate the stigma of mental illness that may impede needed care and support and to educate the public regarding the facts about mental health conditions, NAMI encourages everyone to take the StigmaFree Pledge on its website at:
<https://www.nami.org/Get-Involved/Take-the-stigmafree-Pledge>

WHEREAS, each year throughout the month of May, NAMI and other organizations across the country raise awareness about mental health;

NOW, THEREFORE, BE IT PROCLAIMED, that I, Mayor Andrew K. Skibitsky, do hereby declare May of 2017 as Mental Health Month in the Town of Westfield, and I call upon the inherent benevolence of our compassionate community to learn more about mental health conditions (www.nami.org) as well as what can be done to eliminate the stigma too often associated with them.

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman Stokes seconded by Councilman Arena, Council approved the Minutes of the Town Council Conference Session & Regular Meeting held May 2, 2017 with Mayor Skibitsky & Councilman Donnelly abstaining.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Jeff Dattilo of 456 Birch Place spoke on elections and said he thought the Mayor and Council do a tremendous job and said the comments he has been reading from the democrats have been critical about subjects that are not relevant or fair to local government such as downtown vacancies or national issues. Mayor responded and said not to be discouraged because the majority of citizens are fair and compassionate and realize that many items are not under the jurisdiction of local government.

Greg Barzella of Education First, spoke about a program he runs which brings foreign students to the US to study English. He asked the residents to consider being host families to students and explained the specifics of the program.

BILLS AND CLAIMS

Introduced by Councilwoman Neylan, seconded by Councilman LoGrippe were adopted with Councilman Loughlin abstaining on Loughlin Law Firm.

RESOLVED that the bills and claims in the amount of \$780,762.83 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 Neylan, seconded by Councilman Arena were unanimously adopted.

(129) RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

Michael N. Charatan 571 Maple Street Westfield, NJ 07090	South Side RR Stn/Lot 3	#17030763	\$140.00
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Gwen Kealy 1 James Street Harvey Cedar, NJ 08008	Smart Card		\$20.00
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(130) RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individuals:

Name	Account	Class	Fee
Philip Cavell 23 Canvasback Road Manalapan, NJ 07726	Acct #195 Pool Memb Acct.	Family Membership (family of 4 or less)	\$360.00
Lawrence Gioconda 1 Barchester Way Westfield, NJ 07090	Acct #195 Pool Memb Acct.	Family Membership (family 4 or less)	\$360.00
Roark Stahler 926 Coolidge St. Westfield, NJ 07090	Acct #195 Pool Memb Acct.	Family Membership (family 4 or less)	\$360.00

(131) LET IT HEREBY BE 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:

NU Phase Builders, Inc.
P.O. Box 116
Pompton Lakes, NJ 07442

Amount of refund: \$975.00

(132) WHEREAS, the Town of Westfield has resolved to join both the Suburban Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, following a detailed analysis and has been a member since 1994; and

WHEREAS, the Bylaws of said funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Town of Westfield solicited requests for proposals for such services in accordance with G.O. 1753 of the Town of Westfield; and

WHEREAS, the Bylaws indicate that the commission rate shall not exceed six percent (6%) of the Member's Annual Assessment; and

WHEREAS, Amalgamated General Agencies made a proposal to perform such services outlined for two and one half percent (2.5%) of annual assessment; and

WHEREAS, the Bylaws of the aforesaid Fund require that in such case the municipality will make payment for such professional services directly to the Risk Management Consultant; and

WHEREAS, the Town of Westfield has received the sum of \$33,270.78 drawn on the Administration and Expense Account of the Suburban Joint Insurance Fund which represents the first half of the installment of the six percent (6%) of the Annual Assessment for 2017; and

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer of the Town of Westfield be, and hereby is, authorized and directed to draw warrant to the order of Amalgamated General Agencies (AGA), 115 Grove Street East, PO Box 2670, Westfield, NJ 07090-2670, in the sum of \$13,862.83 representing the first half of the commission payable for the year 2017 with \$19,407.95 representing the reduction in the first half of the annual assessment.

(133) WHEREAS, Solar City Corporation, made an application for a construction permit for solar panels located at 641 Cumberland Street, Block 2710, Lot 4, Westfield, New Jersey.

WHEREAS, Solar City Corporation, remitted \$392.00 for aforesaid permit.

WHEREAS, Solar City Corporation, subsequently requested not to do the above mentioned project.

WHEREAS, Solar City Corporation, 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 \$313.60 payable to Solar City Corporation, 9 Corporate Drive, Cranbury, NJ 08512.

Public Safety, Transportation and Parking Committee

The following resolutions, introduced by Councilman Loughlin, Chairman of the Public Safety, Transportation and Parking Committee, seconded by Councilman Donnelly were unanimously adopted.

(134) WHEREAS, a need exists in the Police Department for the purchase uniforms for the Police Department, and

WHEREAS, bids for the aforesaid purchase were advertised on April 6, 2017 to be returnable on April 19, 2017; and

WHEREAS, bids were received for aforesaid purchase on April 19, 2017; and

WHEREAS, the bid submitted by Universal Uniform Sales Co., Inc., has been analyzed and found to be responsive with the option to renew the contract for three (3) subsequent years,

WHEREAS, Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with NJAC 5:30-1.10, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to 2017 Police Operating Accounts 130-246, 130-223 and 130-226,

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield award the contract in the amount of \$28,000 to Universal Uniforms Sales Co., Inc., PO Box 637, Newark, NJ 07101 for aforesaid uniforms.

BE IT FURTHER RESOLVED that the proper Town Officials be authorized to effect whatever actions are necessary in the execution and discharge of this contract.

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

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2083 - AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, 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 6th day of June 2017 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 LoGrippo.

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

Yeas: Arena	Nays:	Absent: Oliveira
Neylan		
LoGrippo		
Loughlin		
Della Ferra		
Donnelly		
Stokes		
Mayor Skibitsky		

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Della Fera, Chairman of the Code Review and Town Property Committee, seconded by Councilman Arena were unanimously adopted.

(135) RESOLVED that the following application for children’s amusement devices be approved:

Preferred Party Place 1651 Sicklerville Road Sicklerville, NJ 08081	Block Party May 29, 2017 Harrison Avenue	Stephanie Bonne 158 Harrison Avenue Westfield, NJ 07090
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(136) RESOLVED that the following applications for Peddlers License be and the same are hereby approved:

Mohammed Awawda
Good Humor
700 Probst Avenue
Fairview, NJ 07022

Albert Ogunmoye
Good Humor
17 Orchard Place
Irvington, NJ 07111

Regarding the following ordinance, Councilman Della Fera, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2081 - AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 24, ENTITLED STREETS AND SIDEWALKS," OF THE "CODE OF THE TOWN OF WESTFIELD," IN ORDER TO ESTABLISH A NEW SECTION THEREOF TO BE KNOWN AS ARTICLE VIII, "SIDEWALK SIGNS."

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 June 2017 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 Neylan.

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

Yeas: Arena	Nays:	Absent: Oliveira
Neylan		
LoGrippo		
Loughlin		
Della Ferra		
Donnelly		
Stokes		
Mayor Skibitsky		

Regarding the following ordinance, Councilman Della Fera, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2082 - AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE 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 6th day of June 2017 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 Stokes.

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

Yeas: Arena	Nays:	Absent: Oliveira
Neylan		
LoGrippe		
Loughlin		
Della Ferra		
Donnelly		
Stokes		
Mayor Skibitsky		

Public Works Committee

The following resolutions, introduced by Councilman Stokes, seconded by Councilman LoGrippe, were unanimously adopted.

(137) WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act, and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2016 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Town Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulation; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the Town of Westfield hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Kris J. McAloon to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Reports of Department Heads

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$5,771.00 during the month of April 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 \$60,529.00 representing monies collected during the month of April 2017.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$133,609.00 for the month of April 2017 was received, read and ordered filed.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$71,966.79 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of April 2017 was received, read and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of tax and sewer \$11,547,626.00 during the period April 1, 2017 to April 30, 2017.

Upon motion by Councilman LoGrippe, seconded by Councilwoman Neylan the meeting was adjourned at 8:58 p.m.

Claire J. Gray

Town Clerk