

MINUTES OF REGULAR MEETING HELD SEPTEMBER 2, 2014

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday evening, September 2, 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, Neylan, LoGrippo, Foerst, Della Fera, Kimmins, Oliveira, Loughlin

ABSENT:

Invocation was given by Councilwoman Kimmins

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

The Council proceeded to the hearing entitled, “GENERAL ORDINANCE NO. 2028 – 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. 2028 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13.” Introduced by Councilwoman Neylan, seconded by Councilman Arena, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

BIDS

TOWN OF WESTFIELD
INVITATION TO BID
THURSDAY, AUGUST 28, 2014

2014 IMPROVEMENT OF SENECA PLACE, IN THE TOWN OF
WESTFIELD, NEW JERSEY

The bids as follows were received, read and referred to the Town Engineer:

<u>Bidder</u>	<u>Amount of Bid</u>
Cifelli & Son General Construction, Inc. 4 Coppola Street Nutley, NJ 07110	\$198,525.00
Utility Systems Inc. PO Box 28 Colonia, NJ 07067	\$211,550.00
Z Brothers Concrete Contractors, Inc. 304 Jernee Mill Road Sayreville, NJ 08872	\$228,378.75
Top Line Construction Corp. 22 Fifth Street Somerville, NJ 08876	\$237,337.25

MINUTES

On a motion by Councilman Foerst, seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Meeting held August 12, 2014 with Council Members Neylan and Kimmins abstaining.

On a motion by Councilman LoGrippe, seconded by Councilman Loughlin, Council approved the Minutes of the Conference Session held August 12, 2014 with Council Members Neylan and Kimmins abstaining.

PETITIONS AND COMMUNICATIONS**OPEN DISCUSSION BY CITIZENS**

Greg Kasko of 434 Everson Place spoke again about the cost of sending officers to accompany the Mobile Command Center to Hoboken for Super Bowl activities and to the Police trade show in Philadelphia. In addition he spoke about improprieties of how the Mobile Command Center was purchased. He asserted that the police officers did not volunteer as the Mayor claimed. The Mayor urged Mr. Kasko to go to the Prosecutor's Office if he feels there is any wrong doing by the Town.

Mr. Kasko then said that there was an investigation going on and that the Town Attorney and Police Chief knew about it and they should be advising the Mayor and Council about the investigation. The Mayor stated that he knew nothing about any investigation and Mr. Kasko stated that the Mayor was lying to him about not knowing about the investigation.

Town Attorney stated that neither he nor the Police Chief is aware of any investigation despite Mr. Kasko assertion that they did. The Administrator said that the Mobile Command Center was a benefit to the Town and we have and will continue to use it and send it to trade shows and other special events so it will be ready should an emergency occur.

BILLS AND CLAIMS

Introduced by Councilman Della Fera, seconded by Councilman LoGrippe and adopted.

RESOLVED that the bills and claims in the amount of \$590,603.13 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 Oliveira were adopted with Councilman Foerst abstaining on Resolution #233.

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

Alyssa Agresta 1130 Minisink Way Westfield, NJ 07090	Watterson Street/Lot 6	#14060161	\$162.50
Linda S. Chu 1033 Tice Place Westfield, NJ 07090	South Side RR Stn/Lot 3	#14030040	\$371.00
Paula Hendley 109 Gideon Drive Kennett Square, PA 19348	South Side RR Stn/Lot 3	#14030199	\$265.00
Cliff Burns 109 Gideon Drive Kennett Square, PA 19348	South Side RR Stn/Lot 3	#14030378	\$265.00

(232) WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for recreational improvements in the municipality, allowing each municipality the opportunity to address their specific need; and

WHEREAS, the Recreation Commission of the Town of Westfield has determined that there is a need for improvements at Tamaques Park tennis courts within the Town of Westfield; and

WHEREAS, matching funds in the amount of \$244,254.00 will be certified by the Chief Financial Officer to be charged to account #5-600-076.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a "Kids Recreation Trust Fund" grant in the amount of \$244,254.00

BE IT FUTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

(233) WHEREAS, the following applicants have posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

NAME	ADDRESS	G/L	BUD	BALANCE
D. Villane Construction, LLC	1608 Boulevard	3-05-560-390	T-05-800-726	\$250
James & Judy Ng	914 Cleveland Ave.	4-05-560-411	T-05-800-750	\$500
Eugene Schaefer & Diane Genco	225 Edgewood Ave.	4-05-560-412	T-05-800-751	\$250
Robert Dragon	1290 Overhill Street	4-05-560-413	T-05-800-752	\$500
Marc & Rachel Nissim	1520 Pine Grove Ave.	4-05-560-415	T-05-800-754	\$1,000
Kelly & Sean Brittan*	1081 Minisink Way	4-50-560-432	T-05-800-781	\$250
Michael & Marie Elyce Watner	920 Highland Ave.	4-05-560-417	T-05-800-758	\$500
James M. Foerst	262 S. Scotch Plains Ave.	4-05-560-428	T-05-800-777	\$250
Joanna Gallagher	912 Columbus Ave.	4-05-560-419	T-05-800-760	\$500

*Refund Brittan Escrow to: Elegant Homes NJ LLC, 525 Central Ave., Suite B, Westfield

(234) WHEREAS, a need exists in the Recreation Department for the purchase of Mower/tractor with a Blower Drive Kit and Triple Bagger accessory units as provided in the 2014 budget; and

WHEREAS, the contract to purchase the Mower/tractor with accessories is to be awarded to Storr Tractor Company, and;

WHEREAS, this mower unit is sufficient to meet the needs of the Recreation Department; and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under NJ State Approved Co-Op #65MCESCCPS, bid#MRESC12/13-24, a resolution must be adopted by the Governing Body; and

WHEREAS, the Chief Financial Officer certified to the availability of adequate funds for payment, which will be in the amount of \$10,805.51 charged to Account NO. 195-257, prepared in accordance with N.J.A.C. 5:30-1.10;

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the Master G# 27 Kohler/60 Mower/tractor with EZ Vac Blower Drive Kit and Triple Bagger 60 G3; and

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

Master G3 27 Kohler/60 Mower/tractor
EZ Vac Blower Drive Kit
Triple Bagger 60 G3

Storr Tractor Company

3191 U.S. Highway 22
Branchburg, NJ 08876

\$10,805.51

(235) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$16.80 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 August 2014.

(236) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$3,000 to the order of the United States Postal Service to replenish bulk mail permit no. 683 in order to process the Town's brochure.

Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilwoman Neylan, Chairman of the Public Safety, Transportation and Parking Committee, seconded by Councilman Loughlin was unanimously adopted.

(237) WHEREAS, a need exists in the Police Department for the maintenance of the current Verizon 9-1-1 Sentinel Patriot VoIP System as provided in Operating Budget, and;

WHEREAS, the contract to purchase this maintenance for the Verizon 9-1-1 Sentinel Patriot VoIP System is to be awarded to Verizon Select Services, Inc.;

WHEREAS, this Verizon 9-1-1 Sentinel Patriot VoIP System maintenance will be sufficient to meet the needs of the Police Department;

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under state contract, (T-0109, Award No. 83925), a resolution must be adopted by the Governing Body, and;

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in the amount of \$12,346.56, charged to 2014 Operating Account 130-208, prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the maintenance for the Verizon 9-1-1 Sentinel Patriot VoIP System

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

Verizon 9-1-1 Sentinel Patriot VoIP System Maintenance

State Contract A-83925 Term T-0109
Verizon Select Services
One Verizon Way
Basking Ridge, NJ 07920

\$12,346.56

Code Review & Town Property Committee

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

(238) WHEREAS, D. Villane Construction LLC, made an application to the Town of Westfield to demolish a single-family dwelling, located at 216 Charles Street, Block 2501, Lot 21, 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 216 Charles Street, Block 2501, Lot 21 Westfield, New Jersey.

(239) WHEREAS, Shingshan Lie, made an application to the Town of Westfield to demolish a single-family dwelling, located at 5 Sunnywood Drive, Block 201, Lot 72, 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 5 Sunnywood Drive, Block 201, Lot 72 Westfield, New Jersey.

(240) WHEREAS, Iwona and Jacek Dankowski, made an application to the Town of Westfield to demolish a single-family dwelling, located at 171 Madison Avenue, Block 201, Lot 4, 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 171 Madison Avenue, Block 201, Lot 4 Westfield, New Jersey.

(241) WHEREAS, Soni Realty LLC, made an application to the Town of Westfield to demolish a single-family dwelling and detached garage, located at 719 Austin Street, Block 2815, Lot 25, 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 719 Austin Street, Block 2815, Lot 25, Westfield, New Jersey.

(242) WHEREAS, William and Catherine Oakes, made an application to the Town of Westfield to demolish a detached garage, located at 740 Embree Crescent, Block 707, Lot 9, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application has met 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 740 Embree Crescent, Block 740, Lot 9, Westfield, New Jersey.

(243) WHEREAS, Dr. Rui Seu, made an application to the Town of Westfield to demolish a detached garage, located at 924 South Avenue West, Block 2606, Lot 16, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application has met 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 924 South Avenue West, Block 2606, Lot 16, Westfield, New Jersey.

(244) WHEREAS, Peter A. Isola, made an application to the Town of Westfield to demolish a detached garage, located at 532 Colonial Avenue, Block 1107, Lot 6, Westfield, New Jersey, and,

WHEREAS, Steve Freedman, Construction Official, certifies to the Town Council that the application has met 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 532 Colonial Avenue, Block 1107, Lot 6, Westfield, New Jersey.

(245) WHEREAS, Dennis McGorty, made an application to the Town of Westfield to demolish a single-family dwelling (existing foundation to remain), located at 661 Shackamaxon Drive, Block 4302, Lot 1, 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 (existing foundation to remain) at 661 Shackamaxon Drive, Block 4302, Lot 1, 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.

(246) WHEREAS, sealed bids were received by the Town Clerk on August 28, 2014 for the **2014 Improvement of Seneca Place** in Westfield, New Jersey as authorized by S.O. 2174 and S.O. 2192, and

WHEREAS, the Town Engineer has determined that said bids exceed the amount budgeted by the Town, and are therefore rejected.

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is hereby authorized to re-bid for the **2014 Improvement of Seneca Place**.

Reports of Department Heads

Upon motion by Councilman LoGrippe, seconded by Councilman Arena the meeting was adjourned at 8:28 p.m.

Claire J. Gray
Town Clerk