

MINUTES OF REGULAR MEETING HELD DECEMBER 3, 2013

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday evening, December 3, 2013 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 20, 2012. 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, Haas, Foerst, Della Fera, Kimmins, LoGrippo, Loughlin

ABSENT:

Invocation was given by Councilwoman Kimmins

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

The Council proceeded to the hearing entitled, COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR XXXX APPLICATION FOR FUNDING:

Westfield Area Y
“ADA-compliant project”
\$22,868

Mayor Skibitsky declared the hearing closed.

PENDING BUSINESS**BIDS****PETITIONS AND COMMUNICATIONS**

November 19, 2013

Mayor Andrew Skibitsky
Town of Westfield
425 East Broad Street
Westfield, NJ 07090

Dear Mayor,

In recent years hurricanes Irene and Sandy hit our communities hard and taught us many lessons. In their wake, the Borough of Garwood undertook a major project to update its infrastructure. We were fortunate to secure an OEM sub-grant through the New Jersey office of Law and Public Safety. As part of this grant we were able to purchase a new, larger capacity stand-by generator to run Garwood Borough Hall. Because the Police Department is located in Borough Hall, the preparation and instillation of the new generator required precise planning so as not to lose vital emergency services during the transition. I requested the use of Union Counties Mobile Communications Trailer only to find out that it was down for complete reconstruction. Knowing that Westfield had recently purchased a new Mobile Communication Trailer specifically made for such a purpose, I approached Chief Wayman with a request for its use during our transition. Chief Wayman was most gracious and accommodating.

Our staffs met and coordinated the event in the weeks prior and on November 13th all of Garwood's emergency service communications were transferred to the Mobile Communications Trailer while our building underwent the necessary modifications. Captain Christopher Battiloro and Sergeant Michael Walsh worked closely with my staff and should be commended for the efforts and hands on expertise. The wiring took approximately 8 hours and the Communications Trailer was broken down and back in Westfield by early evening. The entire process went off with out a hitch.

On behalf of the Borough of Garwood and the Garwood Police Department, I'd like to extend my thanks to Westfield and especially to Chief Wayman and his men. This is a premier example of neighbors helping neighbors.

Cordially,

Bruce D. Underhill
Chief of Police

OPEN DISCUSSION BY CITIZENS**BILLS AND CLAIMS**

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

RESOLVED that the bills and claims in the amount of \$104,505.47 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 Arena were unanimously adopted.

(319) 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>
2211/12 FORMAL, BERNARD & KAREN	705 East Broad Street	2013	\$528.12
4707/31 TROUT, ROBERT J & MICHELE R	927 Boulevard	2013	\$250.00

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Arthur Bekker 252 Orchard St. Westfield, NJ 07090	T05-600-071	Futsal Canceled (Adrien)	\$180.00
Toni Healey 4 Max Place Westfield, NJ 07090	T05-600-071	Futsal Canceled (Nicholas)	\$180.00

Eric Mantone 1034 Central Ave. Westfield, NJ 07090	T05-600-071	Futsal Canceled (Shea)	\$180.00
Yelena Mammodova 50 Doris Parkway Westfield, NJ 07090	T05-600-071	Futsal Canceled (Iskandar Mirtagavi)	\$180.00
David Preucil 1044 Rahway Ave. Westfield, NJ 07090	T05-600-071	Futsal Canceled (Zachary)	\$180.00
Lin Wang 80 Tamaques Way Westfield, NJ 07090	T05-600-071	Futsal Canceled (Caroline & Derrick Zhao)	\$360.00
Heather Ciotta 416 Colonial Ave. Westfield, NJ 07090	T05-600-071	Yoga Class Canceled	\$34.00

(321) 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

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 Bylaws indicate that the commission rate for said Risk Management Consultant shall not exceed six percent (6%) of the Member's Annual Assessment; and

WHEREAS, the Requests for Qualifications/Proposals for Risk Management Consultant were advertised pursuant to General Ordinance 1753 of the Town of Westfield to be returnable on November 26, 2013; and

WHEREAS, two Request for Qualifications/Proposals were received on November 26, 2013; and

WHEREAS, after review of the proposals Amalgamated General Agencies proposes to perform the services outlined for two and one half per cent (2.5%) of the Member's Annual Assessment and has successful past performance for the Town of Westfield; and

WHEREAS, engagement of Risk Managers for fees representing less than 6% requires approval of the Suburban Joint Insurance Fund Commission; and

WHEREAS, the Town of Westfield has decided to award this contract to Amalgamated General Agencies following a fair and open process in accordance with N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield does hereby appoint Amalgamated General Agencies (AGA) 115 Grove Street East, PO Box 2670, Westfield, NJ 07090-2670 as its Risk Management Consultant for the year 2014 in accordance with the Fund’s Bylaws; and

BE IT FURTHER RESOLVED that the Town of Westfield hereby submits this resolution to the Fund Commission for approval,

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are hereby authorized and directed to execute the Risk Management Consultant’s Agreement and to cause a notice of this decision to be published in the *Westfield Leader* pursuant to N.J.S.A. 40A:11-5(1)(a)(i).

(322) RESOLVED that the Chief Financial Officer be authorized to draw warrants in the amount of \$1.00 to the following named Mayor and Council of the Town of Westfield in payment of annual salary in full for the year 2013 to wit:

- Honorable Andrew Skibitsky
- Councilwoman Joann Neylan
- Councilwoman Vicki Kimmins
- Councilman James Foerst
- Councilman Frank Arena
- Councilman Sam Della Fera
- Councilman David Haas
- Councilman Keith Loughlin
- Councilman Mark LoGrippto

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

(323) 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	\$120,000.00	

ENGINEERING – S&W 3-01-135-100	\$ 46,500.00	
LEGAL SERVICES – O/E 3-01-120-200		\$20,000.00
FIRE DEPT. – S&W 3-01-125-100		\$86,000.00
FIRE OFFICIAL SAFETY – S&W 3-01-127-100		\$10,000.00
D.C.R.P. 3-01-247-200		\$ 4,500.00
MUNICIPAL COURT – S&W 3-01-175-100		\$11,000.00
TOWN CLERK – S&W 3-01-102-100		\$ 1,000.00
COLLECTION OF TAXES – S&W 3-01-105-100		\$ 2,500.00
ASSESSMENT OF TAXES – S&W 3-01-110-100		\$ 1,500.00
PARKING ADMIN. – S&W 3-01-131-100		\$ 5,000.00
SCHOOL CROSSING GUARD – S&W 3-01-132-100		\$15,000.00
INSPECTION OF BLDG. – S&W 3-01-165-100		\$10,000.00

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

Regarding the following ordinance, Councilman Della Fera, Chairman of the Finance Policy Committee, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2014 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20."

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 17th day of December 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:	Nays:	Absent:
Arena		
Neylan		
Haas		
Foerst		
Della Fera		
Kimmins		
LoGrippo		
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 Councilwoman Kimmins were unanimously adopted.

(324) WHEREAS, John and Alison Hesano, made an application to the Town of Westfield to demolish a single-family dwelling, located at 7 South Wickom Drive, Block 5205, Lot 29, 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 7 South Wickom Drive, Block 5205, Lot 29, Westfield, New Jersey.

(325) WHEREAS, Scott and Michele Eskow, made an application to the Town of Westfield to demolish a single-family dwelling, located at 137 Hamilton Avenue, Block 306, Lot 79, 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 137 Hamilton Avenue, Block 306, Lot 79, Westfield, New Jersey.

(326) WHEREAS, Alice Barbieri, made an application to the Town of Westfield to demolish a detached garage, located at 519 Lenox Avenue, Block 2311, Lot 10, 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 detached garage at 519 Lenox Avenue, Block 2311, Lot 10, 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. 2013 – AN ORDINANCE REPEALING ORDINANCE 1869."

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 17th day of December 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:	Nays:	Absent:
Arena		
Neylan		
Haas		
Foerst		
Della Fera		
Kimmins		
LoGrippo		
Loughlin		
Mayor Skibitsky		

Public Works Committee

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

(327) BE IT RESOLVED that the Mayor is hereby authorized to sign an agreement with Beazer East for temporary access at 654 Fourth Avenue.

Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$17,069,070.30 and Investments of \$373,877.89 was received, read and ordered filed.

Upon motion by Councilwoman Kimmins, seconded by Councilman Haas the meeting was adjourned at 8:15 p.m.

Claire J. Gray
Town Clerk