

## **MINUTES OF REGULAR MEETING HELD DECEMBER 16, 2014**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, December 16, 2014 at 8:03 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, LoGrippe, Foerst, Della Fera, Oliveira

**ABSENT:** Council Members Neylan, Kimmins, Loughlin  
Note: Councilwoman Neylan entered the meeting at 8:30 p.m.

Invocation was given by Councilman Arena

### **PRESENTATIONS**

**Town of Westfield**  
**Westfield, New Jersey**

## *PROCLAMATION*

*In honor of*  
*The Westfield Foundation*  
**December 16, 2014**

**WHEREAS**, the Westfield Foundation has just completed its thirty-ninth year of serving the Westfield community; and

**WHEREAS**, the Westfield Foundation was established in 1975 by a compassionate group of local citizens with an initial donation of \$2,000 and has grown in its 39 year history to its current asset base of over \$15 million; and

**WHEREAS**, the Westfield Foundation, whose stated mission is: “to promote the betterment of the Westfield community and enhancement of the quality of life for all of its citizens”, has awarded over \$5.4 million in grants to more than 170 local non-profit agencies for programs in the arts, social services, health and education; and

**WHEREAS**, the Westfield Foundation, governed by a volunteer Board of Trustees composed of 15 civic leaders with a comprehensive knowledge of the community, manages 114 individual unrestricted, endowment, restricted, and donor-advised funds that provide important financial support and fund management services to worthy Westfield causes; and

**WHEREAS**, the Westfield Foundation has prospered and grown thanks to the dedication of all of the trustees who have served over the past thirty-nine years and, in recognition of their efforts and in appreciation of their continued involvement and interest in the Foundation, the Cornerstone Society was formed in 1999 and currently has 83 members; and

**WHEREAS**, the Westfield Foundation fulfills its goals by attracting charitable funds, chiefly in the form of permanent endowments, which are committed to meeting the needs of the people living in and around Westfield; using those resources wisely and efficiently; and providing leadership to the community, serving as a catalyst in identifying problems and opportunities, and shaping effective responses to them.

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Mayor Andrew K. Skibitsky, on behalf of the Town Council and the good citizens of the Town of Westfield, do hereby congratulate The Westfield Foundation on completing thirty nine years of service to the Westfield community and wish the Foundation continued success in the fulfillment of its mission.

## **APPOINTMENT**

## **ADVERTISED HEARINGS**

The Council proceeded to the hearing entitled, “GENERAL ORDINANCE NO. 2030 – AN ORDINANCE AMENDING ARTICLE 2 OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD.”

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2031 – AN ORDINANCE AMENDING ARTICLE 12 OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2032 – AN ORDINANCE AMENDING CERTAIN ZONE BOUNDARIES AND MODIFYING THE ZONING MAP."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2033 – AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD AMENDING ARTICLE 11.32 NS-AMFH TOD ZONING DISTRICT OF THE LAND USE ORDINANCE."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "SPECIAL ORDINANCE NO. 2201 – BOND ORDINANCE TO AUTHORIZE THE REPAIR AND RECONSTRUCTION OF A CONCRETE BOX CULVERT AT SAINT MARKS AVENUE IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$134,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2034 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20."

Advertised returnable this evening.

Ken McRitchie of 515 Trinity Place thanked the Council for this ordinance changing the structure of the sewer fee and said he thought the structure was more equitable.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2035 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD TO CREATE THE POSITION OF DIRECTOR OF PUBLIC WORKS WITHIN THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF CONSTRUCTION & MAINTENANCE."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

The Council then proceeded to the hearing entitled, "GENERAL ORDINANCE NO. 2036 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 1993 ENTITLED "AN ORDINANCE FIXING THE WAGES OF CERTAIN EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT."

Advertised returnable this evening.

Mayor Skibitsky declared the hearing closed.

### **PENDING BUSINESS**

An ordinance entitled, "GENERAL ORDINANCE NO. 2030 – AN ORDINANCE AMENDING ARTICLE 2 OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD." Introduced by Councilman Foerst, 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		Kimmins
Foerst		Loughlin
Della Fera		
Oliveira		

Mayor Skibitsky

An ordinance entitled, "GENERAL ORDINANCE NO. 2031 – AN ORDINANCE AMENDING ARTICLE 12 OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD." Introduced by Councilman Foerst, seconded by Councilman Della Fera, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, "GENERAL ORDINANCE NO. 2032 – AN ORDINANCE AMENDING CERTAIN ZONE BOUNDARIES AND MODIFYING THE ZONING MAP." Introduced by Councilman Foerst, seconded by Councilman LoGrippo, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, "GENERAL ORDINANCE NO. 2033 – AN ORDINANCE AMENDING ARTICLE 11.32 NA-AMFH TOD ZONING DISTRICT OF THE LAND USE ORDINANCE" Introduced by Councilman Foerst, 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			Kimmins
	Foerst			Loughlin
	Della Fera			
	Oliveira			
	Mayor Skibitsky			

An ordinance entitled, "SPECIAL ORDINANCE NO. 2201 – BOND ORDINANCE TO AUTHORIZE THE REPAIR AND RECONSTRUCTION OF A CONCRETE BOX CULVERT AT SAINT MARKS AVENUE IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY,

TO APPROPRIATE THE SUM OF \$134,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTIES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” Introduced by Councilman Della Fera, seconded by Councilman Oliveira, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, “GENERAL ORDINANCE NO. 2034 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20” Introduced by Councilman Della Fera, 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		Kimmins
Foerst		Loughlin
Della Fera		
Oliveira		
Mayor Skibitsky		

An ordinance entitled, “GENERAL ORDINANCE NO. 2035 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD TO CREATE THE POSITION OF DIRECTOR OF PUBLIC WORKS WITHIN THE DEPARTMENT OF PUBLIC WORKS, DIVISION OF CONSTRUCTION & MAINTENANCE” Introduced by Councilman Arena, seconded by Councilman Della Fera, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, “GENERAL ORDINANCE NO. 2036 – AN ORDINANCE TO AMEND GENERL ORDINANCE NO. 1993 ENTITLED “AN ORDINANCE FIXING THE WAGES OF CERTAIN EMPLOYEES OF THE PUBLIC WORKS

DEPARTMENT” Introduced by Councilman Della Fera, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

Councilwoman Neylan entered the meeting at 8:30 p.m.

### **BIDS**

TOWN OF WESTFIELD  
INVITATION TO BID  
TUESDAY, DECEMBER 9, 2014

TENNIS COURT RECONSTRUCTION AT TAMAQUES PARK

<u>Bidder</u>	<u>Amount of Bid</u>
Halecon, Inc.	\$460,000.00
136 Billian Street	
Bridgewater, NJ 08807	
DiMilia, Inc.	\$466,039.44
PO Box 3366	
Memorial Station	
Upper Montclair, NJ 07043-3366	

### **MINUTES**

On a motion by Councilman LoGrippe, seconded by Councilman Foerst, Council approved the Minutes of the Town Council Meeting held November 25, 2014.

On a motion by Councilman Foerst, seconded by Councilman Della Fera, Council approved the Minutes of the Conference Session held November 25, 2014 with Councilman Oliveira abstaining.

### **PETITIONS AND COMMUNICATIONS**

**OPEN DISCUSSION BY CITIZENS**

Lorraine Wearley of 620 Raymond Street said she applauded the Council for their efforts to support the state legislators regarding their resolutions opposing the proposed Pilgrim Pipeline.

Maureen Keho of 419 E. Dudley thanked the Council for their efforts to support the state legislators regarding their resolutions opposing the proposed Pilgrim Pipeline.

Sharon Stockwell of 100 Nelson Place spoke about the proposed demolition of 403 Prospect Street. She said she opposed the demolition and wanted to know what the use of the property would be since there were no plans as yet at the Building Department when she went to inquire. She said that she heard that the owner was going to build a two family structure which she thought was not consistent with the neighborhood even though the zoning allowed for two family dwellings. She brought pictures of the house and said there was no reason to demolish it since it was in good shape, built in the 1800s and was remodeled in the last few years. She wanted to know if the town would look into changing the Land Use Ordinance to further prohibit such demolitions in the future.

Councilman Foerst explained that the Council's role in an application for demolition was simply an oversight to make sure all the requirements were being met. He explained that the Council has no authority to deny or postpone a demolition application if such requirements have been met. He further explained that the house at 403 Prospect Street was not historically designated which may protect such houses.

Councilman Della Fera stated that notwithstanding how old or pleasing a house is, any owner can tear down their house. He said it bothered him when such houses are torn down, but had no authority to stop it. He encouraged residents to pursue historic designation to attempt to avoid tear downs.

Greg Kasko of 434 Everson Place thanked the Council for their efforts to support the state legislators regarding their resolutions opposing the proposed Pilgrim Pipeline. He then read from an article in the Westfield Leader regarding the Mobile Command Center's presence in Hoboken during the Super Bowl activities and asked questions of the Mayor about where it was and why. The Mayor answered Mr. Kasko's question as he had in previous meetings and asked him if he had anything new since this topic has been discussed excessively.

Liz Mulholland of 1029 Harding Street thanked the Council for their efforts to support the state legislators regarding their resolutions opposing the proposed Pilgrim Pipeline.

**BILLS AND CLAIMS**

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

RESOLVED that the bills and claims in the amount of \$497,198.63 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.

### **Committee of the Whole**

The following resolution, introduced by the entire Council, seconded by the entire Council was adopted.

(322) Whereas, Pilgrim Pipeline Holdings is conducting feasibility studies to construct two new parallel underground pipelines (“the pipeline”) in pre-existing utility rights-of-way that would transport crude oil from Albany, New York, to refineries in Linden, New Jersey, and return refined petroleum products such as gasoline, diesel fuel, and home heating oil back to Albany, alleging that underground pipelines are safer than transporting such hazardous liquids via roads, rails, or barges and are a more environmentally sound alternative to the region’s current reliance on river barges; and

Whereas, within the municipal boundaries of the Town of Westfield, the current proposal shows approximately 2000 feet of the proposed pipeline affecting three contiguous parcels of non-residential property abutting the railroad tracks bordering Clark Township, the largest of which is owned by PSE&G, followed by a parcel owned by the County of Union Open Space and a piece of commercial property privately owned by a corporation whose main portion of its property is on the Clark side; and

Whereas, the siting of a new pipeline is a very complex matter involving a complicated regulatory system that does not fall within the purview of the local government; however, the Town of Westfield has an obligation to keep abreast of developments and advocate on behalf of its residents; and

Whereas, it is the State of New Jersey, more specifically, the Department of Environmental Protection, with the resources, expertise, and regulatory authority to issue or deny the requisite permits for this pipeline project to move forward; and

Whereas, according to its Vision Statement, the New Jersey Department of Environmental Protection’s “core mission is and will continue to be the protection of the air, waters, land, and natural and historic resources of the State to ensure continued public benefit. The Department’s mission is advanced through effective and balanced implementation and enforcement of environmental laws to protect these resources and the health and safety of our residents.”; and

Whereas, the Town has been following this matter very closely, including conducting research and reaching out to our State representatives; and

Whereas, as of this date, to the best of our knowledge, the New Jersey Department of Environmental Protection has yet to receive any applications from Pilgrim Pipeline Holdings regarding this proposed project; and

Whereas, at this point in time, as the pipeline remains a proposal and not a formal application or final plan, the situation remains fluid; hence, the Town will continue to closely monitor the situation; and

Whereas, on December 11, 2014, Primary Sponsors Assemblywoman Stender, Assemblyman McKeon, Assemblywoman Jasey, and Assemblyman Bramnick, and Co-Sponsors Assemblywoman Munoz and Assemblyman Benson, introduced Resolution AR191, appended hereto, calling for, among other things, the NJ DEP to reject the project; and

Whereas, on December 15, 2014, Primary Sponsors State Senator Tom Kean Jr. and State Senator Richard Codey introduced SR106, the companion to AR191;

Now, therefore, be it resolved that, the Town Council of Westfield supports the efforts of our State legislators regarding AR191 and SR106 and will stand opposed to the construction of any new pipeline infrastructure that is found to pose a risk to our residents' safety or is found to compromise the protection of our natural resources. Be it further resolved that should Pilgrim Pipeline Holdings apply to the State of New Jersey for permits to construct new parallel pipelines affecting the Town of Westfield and its people, the Town Council of Westfield will call on the New Jersey Department of Environmental Protection to utilize to the fullest extent possible all of its available resources in performing its due diligence and fulfilling its stated mission to protect "the health and safety of our residents."

### **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.

(323) 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 taxes overpaid in 2013:

<u>BLOCK/LOT</u>	<u>PROPERTY ADDRESS</u>	<u>AMOUNT</u>
2207/22	766 Oak Avenue	\$2,717.03

WALSH, John & BENDER, Tifanie

(324) WHEREAS, there exist on the records in the Tax Collector's office sewer balances for the year 2013:

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to cancel the sewer balances below for the year 2013 in accordance with NJSA 40A:5-17

<u>Block/Lot</u>	<u>Amount</u>
906/30	\$6.77
3405/5	\$7.96
4001/25	\$9.64
5104/5	\$6.64
5502/12.01	\$3.84
5709/11	\$5.38
5010/22	\$2.08

(325) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$10.20 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 November 2014.

(326) 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 December 2, 2014; and

WHEREAS, one Request for Qualifications/Proposals were received on December 2, 2014; and

WHEREAS, after review of the proposal 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 2015 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).

(327) BE IT RESOLVED that the appropriate Town Officials are hereby authorized to sign the contract for animal control services between Animal Control Solutions LLC and the Town of Westfield for the period of January 1, 2015 through December 31, 2016.

(328) 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 2014 to wit:

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

(329) RESOLVED that the following stated rates of pay for employees of the Department of Public Works, and the Engineering and Construction Official's office represented by Local 469 of the International Brotherhood of Teamsters for collective bargaining purposes be adopted effective January 1, 2015, and that the Chief Financial Officer be authorized to make payment to, and draw warrants bi-weekly in accordance with the following schedule:

<u>Name</u>	<u>Step</u>	<u>Hourly Rate</u>
W. Moore, Sr.	1	\$33.05
D. Gary	1	\$33.05
W. Moore, Jr.	1	\$33.05
J. Giordano	1	\$33.05
T. McCaskill	1	\$33.05
D. Clark Sr.	1	\$33.05
M. Glagola	1	\$33.05
M. Mecca	1	\$33.05
R. Kosciolek	1	\$33.05
J. Russitano	1	\$33.05
M. Muth	1	\$33.05
R. Ruhl	1	\$33.05
D. Holowka	1	\$33.05
R. Vastano	1	\$33.05
J. Handy	1	\$33.05
R. Eubanks	1	\$33.05
F. Watkins	1	\$33.05
G. Stabenow	1	\$33.05
T. Cuccaro	1	\$33.05
E. Maris	1	\$33.05
R. Watt	1	\$33.05
C. Calvello	1	\$33.05

C. Gibson	1	\$33.05
B. Segebade	1	\$33.05
L. Scipioni	1	\$33.05
B. Cioffi	1	\$33.05
E. Watkins	1	\$33.05
S. Chamberlin	1	\$33.05
G. Long	3	\$27.29
D. Clark Jr.	4	\$25.86
G. Gray - Survey Party Chief		\$66,809
J. Guy - Building Subcode Official		\$75,061

(330) RESOLVED that the payroll consisting of the following regularly salaried employees of the Fire Department of the Town of Westfield be adopted effective January 1, 2015 and that the Treasurer be authorized to draw warrants to their order biweekly as their names appear on departmental payrolls, and that the Mayor and the Town Clerk be and are hereby authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>NAME</u>	<u>POSITION</u>	<u>JAN. 1, 2015</u>
Roger Sawicki	Battalion Chief	\$116,442
Robert Buccino	Battalion Chief	\$116,442
Scott Miller	Battalion Chief	\$119,514
James Ryan Jr.	Battalion Chief	\$119,514
Michael Ridge	Lieutenant	\$106,849
Timothy Brennan	Lieutenant	\$109,920
Anthony Tiller	Lieutenant	\$106,849
James Dannevig	Lieutenant	\$106,849

Robert Tarantino	Fire Fighter	\$95,841
R. Brian Dunlap	Fire Fighter	\$95,841
Christopher Love	Fire Fighter	\$98,914
David Mazza	Fire Fighter	\$98,914
Matthew Pereira	Fire Fighter	\$98,914
Thomas Ryan	Fire Fighter	\$98,914
Angelo Bencivenga	Fire Fighter	\$98,914
John McCormack	Fire Fighter	\$98,914
Aldo Tamaro	Fire Fighter	\$98,914
Michael Skubish	Fire Fighter	\$98,914
Rick Jurgens	Fire Fighter	\$98,914
Karl Kelber	Fire Fighter	\$98,914
Michael Sawicki	Fire Fighter	\$98,914
Michael Lanza	Fire Fighter	\$98,914
Kevin McCormack	Fire Fighter	\$98,914
Robert Sawicki	Fire Fighter	\$98,914
Michael Duelks	Fire Fighter	\$98,914
Craig Manning	Fire Fighter	\$98,914
Lou Cerchio	Fire Fighter	\$98,914
Ben Corbin	Fire Fighter	\$98,914

(331) WHEREAS, the Board of Trustees of the Westfield Memorial Library, pursuant to authority granted to the Trustees by statute, has adopted a payroll for employees and the salary amounts.

NOW, THEREFORE BE IT RESOLVED, that the payroll consisting of the following regularly salaried employees of the Westfield Memorial Library represented by the Communications Workers of America be adopted effective January 1, 2015 and that the Chief Financial Officer be authorized to make payment to, and draw warrants bi-weekly in accordance with the following schedule:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Laurie Anderson	Librarian	\$57,901
Molly Adams	Librarian	\$55,275
Jeffery Bennett	Librarian	\$56,104

(332) WHEREAS, Kris McAloon served as the Acting Public Works Superintendent for the Town of Westfield between September and November 2014; and

WHEREAS, the Westfield Town Council has determined to make an appropriate one time supplemental payment to Kris McAloon for his Acting Superintendent duties,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that Kris McAloon shall be paid a one-time supplemental payment equaling \$3,413 for additional duties performed when he served as the Acting Public Works Superintendent.

(333) WHEREAS, Matthew & Patricia Felix on May 7, 2014 submitted a Board of Adjustment application and posted monies for one c variance and one d-4 variance to construct a one story addition to their home at 603 Hillcrest Avenue, and

WHEREAS, on May 22, 2014, prior to any completeness review of the application, the applicant withdrew this application and requested return of the submitted application and escrow fees;

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check in the amount of \$575.00 for return of the submitted application fee and is authorized to draw a check from escrow account G/L#4-05-560-439; BUD T-05-800-789 in the amount of \$750.00 for return of the submitted escrow fee, both to be returned to Patricia Felix, 603 Hillcrest Avenue, Westfield, NJ 07090.

(334) WHEREAS, Darian Valley Corp., d/b/a Westwood Cleaners submitted a Board of Adjustment application and posted monies for a d-1 variance to allow a second temporary building on the lot for the purpose of conducting business at 1004 South Avenue, W., and

WHEREAS, the building has been removed, and

WHEREAS, the applicant has withdrawn this application and has requested return of the submitted application and escrow fees;

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check in the amount of \$775.00 for return of the submitted

application fee and is authorized to draw a check from escrow account G/L#4-05-560-454; BUD T-05-800-816 in the amount of \$1,000.00 for return of the submitted escrow fee, both to be returned to Darian Valley Corporation, 1004 South Avenue, W., Westfield, NJ 07090.

(335) WHEREAS, RYAN Inc., made an application for a construction permit for a rooftop HVAC located at 550 Rahway Avenue (Westfield Armory), Block 2904, Lot 1, Westfield, New Jersey.

WHEREAS, RYAN Inc., remitted \$322.00 for aforesaid permit.

WHEREAS, RYAN Inc., subsequently was notified the site address is a state facility and should not have been charged a permit fee.

WHEREAS, RYAN Inc., has made an application for refund of one-hundred percent (100%) 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 \$322.00 payable to RYAN Inc., 741 Leigh Avenue, Union NJ 07083.

(336) WHEREAS, Accomplished Chimney, Inc., made an application for a construction permit for a chimney liner located at 645 Shackamaxon Drive, Block 4301 Lot 61, Westfield, New Jersey.

WHEREAS, Accomplished Chimney, Inc., remitted \$78.00 for aforesaid permit.

WHEREAS, Accomplished Chimney, Inc., subsequently requested not to do the above mentioned project.

WHEREAS, Accomplished Chimney, Inc., 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 \$62.40 payable to Accomplished Chimney, Inc., 960 Belmont Avenue, North Haledon NJ 07508.

(337) RESOLVED that the Chief Financial Officer be and hereby is directed to draw warrants in favor of the active Volunteer Firefighters named below, none of whom is otherwise personally compensated for their services as Volunteer Firefighters for the respective amounts opposite their names; said payment to cover any losses they and each of them may have incurred in attending upon putting out fires in the Town of Westfield in the year 2014.

William L. Billson	\$66.00
Vincent J. Fiorino	\$133.00
Jason R. Garcia	\$399.00
Daniel S. Kelly	\$400.00
Daniel M. Tammaro	\$400.00

(338) 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>
Margaret Allen 112 Dickson Drive Westfield, NJ 07090	T05-600-071	NYC Trip	65.00
Noreen Walstedter 205 Dickson Drive Westfield, NJ 07090	T05-600-071	NYC Trip	65.00
Joan McCloy 405 Roanoke Road Westfield, NJ 07090	T05-600-071	NYC Trip (3 registrants)	195.00
Marie McGrath 535 Westfield Ave. 1 <sup>st</sup> Floor Westfield, NJ 07090	T05-600-071	NYC Trip (2 registrants)	130.00
Annmarie Monahan 942 Coolidge Street Westfield, NJ 07090	T05-600-071	NYC Trip (2 registrants)	130.00
Patricia Haran 622 Fairmont Ave. Westfield, NJ 07090	T05-600-071	Tai Chi (2-Classes- No Heat)	10.00
Joyce P. Nelson 424 Rahway Ave. Westfield, NJ 07090	T05-600-071	Tai Chi (2-Classes- No Heat)	10.00

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

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

	<u>OUT</u>	<u>IN</u>
LEGAL SERVICES – O/E 4-01-120-200	\$42,000.00	
POLICE DEPT. – S&W 4-01-130-100	\$37,500.00	
PUBLIC BLDG. & GROUNDS – O/E 4-01-185-200		\$ 8,000.00
COLLECTION OF TAXES – S&W 4-01-105-100		\$ 7,000.00
FIRE OFFICIAL SAFETY – S&W 4-01-127-100		\$ 1,500.00
PARKING ADMIN. – S&W 4-01-131-100		\$10,000.00
ENGINEERING – S&W 4-01-135-100		\$ 7,000.00
INSPECTION OF BLDG. – S&W 4-01-165-100		\$ 2,000.00
MUNICIPAL COURT – S&W 4-01-175-100		\$14,000.00
CAPITAL IMPROVEMENT FUND 4-01-236-200		\$30,000.00
POOL OPERATING – S&W 4-03-195-100	\$25,600.00	
POOL OPERATING – O/E 4-03-195-200		\$25,000.00
SOCIAL SECURITY SYSTEM 4-03-250-200		\$ 600.00

Yeas: Arena

Nays:

Absent: Kimmins

Neylan  
LoGrippo  
Foerst  
Della Fera  
Oliveira  
Mayor Skibitsky

Loughlin

Public Safety, Transportation and Parking Committee

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

(340) WHEREAS, a need exists in the Police Department for the purchase of (3) 2015 Ford Police Interceptor Utility AWD vehicles as provided in the 2014 Operating Budget, 130-251, and;

WHEREAS, the contract the purchase these is to be awarded to Beyer Fleet Sales and Service, and;

WHEREAS, these vehicles 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 Cranford Cooperative Pricing System #47-CPCPS, 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 \$80,058.00 charged to 2014 Police Operating 130-251 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase three (3) 2015 Ford Police Interceptor Utility AWD Vehicles,

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.

Beyer Fleet Sales and Service  
31 Williams Parkway  
East Hanover, NJ 07936

1 @ \$26,686.00

Total: \$80,058.00

(341) WHEREAS, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

WHEREAS, 22% of motor vehicle fatalities in New Jersey in 2013 were alcohol-related; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

WHEREAS, the project will involve increased impaired driving enforcement from December 5, 2014 through January 2, 2015; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

THEREFORE, BE IT RESOLVED that the Town of Westfield declares its support for the "*Drive Sober or Get Pulled Over 2014 Year End Holiday Crackdown*" from December 5, 2014 through January 2, 2015 and pledges to increase awareness of the dangers of drinking and driving.

#### Code Review & Town Property Committee

The following resolutions, introduced by Councilman Foerst, Chairman of the Code Review & Town Property Committee, seconded by Councilwoman Neylan were adopted with Councilman Della Fera abstaining on resolution #348.

(342) BE IT RESOLVED that pursuant to N.J.S.A. 40-45A-1, the Organization Meeting of the Town Council of the Town of Westfield for the year 2015 will be held on Friday, January 2, 2015 at 6:00 p.m.

(343) NOTICE that the Town Council of the Town of Westfield will meet in Conference Session, at which meeting the public may attend and make comments, and address Council to discuss and consider matters of public business, upon which no formal action will then be taken but which may subsequently be acted upon in a regular Council Meeting, on the following dates in 2015 in the Administrative Conference Room in the Municipal Building, 425 East Broad Street, Westfield, New Jersey, at 7:00 p.m., the said dates being the following Tuesdays:

January 13 and 27  
February 10 and 24  
March 10 and 24  
April 14 and 28  
May 12 and 26  
June 9 and 23  
July 14  
August 18  
September 8 and 22  
October 6 and 20  
November 10 and 24  
December 8

TAKE FURTHER NOTICE that the Town Council of the Town of Westfield will meet in regular public meeting, at which the public may attend and participate, on the following dates in 2015 in the Council Chambers of the Municipal Building, 425 East Broad Street, Westfield, New Jersey, at 8:00 p.m. and will meet in the adjacent Council Conference Room for a preliminary meeting before the regular meeting at 7:45 p.m., which the public may also attend, the said meeting dates being the following Tuesdays:

January 13 and 27  
February 10 and 24  
March 10 and 24  
April 14 and 28  
May 12 and 26  
June 9 and 23  
July 14  
August 18  
September 8 and 22  
October 6 and 20  
November 10 and 24  
December 8

(344) RESOLVED, pursuant to Sec 9-16 that the following application for Florist License be and the same is hereby approved:

Blue Jasmine Floral Design & Boutique  
23 Elm Street  
Westfield, NJ 07090

(345) WHEREAS, Nicole and Robert Young, made an application to the Town of Westfield to demolish a single-family dwelling, located at 27 Tamaques Way, Block 5202, Lot 24, 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 27 Tamaques Way, Block 5202, Lot 24, Westfield, New Jersey.

(346) WHEREAS, 741 Willow Grove Road LLC, made an application to the Town of Westfield to demolish a single-family dwelling, located at 741 Willow Grove Road, Block 4604, 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 at 741 Willow Grove Road, Block 4604, Lot 25, Westfield, New Jersey.

(347) WHEREAS, Ralph Rapuano and Allan Chrone, made an application to the Town of Westfield to demolish a single-family dwelling, located at 418 Coddling Road, Block 2903, Lot 6, 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 418 Coddling Road, Block 2903, Lot 6, Westfield, New Jersey.

(348) WHEREAS, Elshiekh Enterprises, LLC, made an application to the Town of Westfield to demolish a two-family dwelling and detached garage, located at 403 Prospect Street, Block 1004, Lot 13, 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 two-family dwelling and detached garage at 403 Prospect Street, Block 1004, Lot 13 Westfield, New Jersey.

(349) WHEREAS, Lars Jakob Ljoen and Mariana Cegarra Ljoen, made an application to the Town of Westfield to demolish a detached garage, located at 645 Lenox Avenue, Block 2305, Lot 4, 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 645 Lenox Avenue, Block 2305, Lot 4, Westfield, New Jersey.

(350) BE IT RESOLVED that the Mayor is hereby authorized to sign a Right-of-Way Use Agreement between the Town of Westfield and Sunesys, LLC.

#### Public Works Committee

The following resolutions, introduced by Councilman Arena, Chairman of the Public Safety Committee, seconded by Councilman LoGrippe were unanimously adopted.

(351) WHEREAS, Utility Systems, Inc., is under contract to the Town of Westfield for the **2014 Improvement of Seneca place** as authorized by S.O. 2169, S.O. 2174 and S.O. 2182, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated additional work items and more material than had been anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, 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. 2169, S.O. 2174 and S.O. 2182.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the amount of \$32,593.34 executed by Kris J. McAloon, Town Engineer, be authorized, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment in the amount of \$178,785.40, and to effect whatever actions are necessary in the execution and discharge of Change Order No. 1, for the **2014 Improvement of Seneca Place** increasing the contract price to \$228,244.09.

(352) WHEREAS, Utility Systems, Inc., is under contract to the Town of Westfield for the **2014 Various Road Improvements** as authorized by S.O. 2169, S.O. 2182 and S.O. 2192, and

WHEREAS, N.J.A.C. 5:30 provides for increases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated additional work items and more material than had been anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, 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. 2169, S.O. 2182 and S.O. 2192.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 2 in the amount of \$20,646.00 executed by Kris J. McAloon, Town Engineer, be authorized, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment in the amount of \$20,233.08, and to effect whatever actions are necessary in the execution and discharge of Change Order No. 2, for the **2014 Various Road Improvements** increasing the contract price to \$1,189,003.04.

#### Reports of Department Heads

Report of Liy-Huei L. Tsai, Chief Financial Officer, showing Cash in Bank of \$14,227,407.28 and Investments of \$5,376,870.53 was received, read and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of \$18,653,959.00 during the period November 1, 2014 to November 30, 2014 and total sewer fee collections of \$7,471.41.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$61,959.00 for the month of November 2014 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 \$9,483.00 representing monies collected during the month of November 2014.

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$507.00 during the month of November 2014 was received, read, and ordered filed.

Report of Daniel J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in November in the amount of \$3,475.00, and Permit Fees \$139.00 was received, read and ordered filed.

Reports of David Wayman, Chief of the Police Department, stating he had turned over to the Chief Financial Officer a check in the amount of 1,260.60 representing Police Fees collected during the month of November 2014 were 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 \$54,463.61 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of November 2014 was received, read and ordered filed.

Upon motion by Councilman LoGrippe, seconded by Councilman Foerst the meeting was adjourned at 9:05 p.m.

Claire J. Gray  
Town Clerk