

MINUTES OF REGULAR MEETING HELD JANUARY 10, 2017

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, January 10, 2017 at 8:00 p.m.

Acting Mayor Neylan 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: Acting Mayor Neylan, Council Members Arena, LoGrippe, Loughlin, Della Fera, Donnelly, Oliveira, Stokes

ABSENT: Mayor Skibitsky

Invocation was given by Councilman Arena

PRESENTATIONS

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman LoGrippe seconded by Councilman Stokes, Council approved the Minutes of the Town Council Conference Session held December 13, 2016.

On a motion by Councilman Donnelly, seconded by Councilman Della Fera, Council approved the Minutes of the Town Council Meeting held December 13, 2016.

On a motion by Councilman Arena, seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Organization Meeting held January 3, 2017.

PETITIONS AND COMMUNICATIONS**OPEN DISCUSSION BY CITIZENS**

Tom Dries of 440 First Street spoke about the parallel parking lines painted in his neighborhood. He presented pictures and a statement signed by neighbors in the area stating that prior to the end of August and the beginning of September 2016, there were no parallel parking lines in their neighborhood.

Mary Withers of 205 Cacciola Place asked about low income housing and how people in her neighborhood could apply. Administrator explained that there are some projects that have been approved that include affordable housing units and that one project in particular is close to completion. The Town Planner has been collecting names and contact info, and directed Ms. Withers to contact the Town Planner directly. In addition, the Town has engaged and Administrative Agent who will market the affordable units in Westfield as they become available.

BILLS AND CLAIMS

Introduced by Councilman Arena, seconded by Councilman LoGrippe were adopted unanimously.

RESOLVED that the bills and claims in the amount of \$486,727.44 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 Arena seconded by Councilman Stokes were unanimously adopted.

(18) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$600.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of October-December 2016.

(19) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$5.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box

370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of October-December 2016.

(20) RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$18,571.00 to the TREASURER, STATE OF NEW JERSEY for the fourth quarter Construction Official's State permit fees for 2016.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton , New Jersey 08625-0802.

(21) RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the order of the following persons, this amount being overpaid for 2016:

BLOCK/LOT

<u>OWNER/MAIL ADDRESS</u>	<u>PROPERTY ADDRESS</u>	<u>AMOUNT</u>
201/20.03 HUGHES, MICHAEL & CHRISTINE	1033 PROSPECT STREET	\$5,956.52
403/3 MOORE, JEFFREY & SONYA	367 ORENDA CIRCLE	\$5,291.72
404/3 RONNEN, DAN S & ELLEN A	408 QUANTUCK LANE	\$1,000.00
404/9 COHN, LEE & JUDITH	305 ORENDA CIRCLE	\$4,418.97
503/11 PAGANO, ANTHONY MICHAEL & ROBAYO, JOHANNA CARDENAS	920 HIGHLAND AVENUE	\$7,709.60
509/9 ANZEVINO, ANTHONY & LISA	870 BRADFORD AVENUE	\$145.47
603/47 SOCK, BRYAN M	806 PROSPECT STREET	\$2,264.92

703/15	911 CLEVELAND AVENUE	\$1,887.44
SHEEHAN, DENNIS & SANDRA		

706/25	707 EMBREE CRESCENT	\$262.58
CHEN, MIN		

706/27	212 EAGLECROFT ROAD	\$297.43
SCHLESINGER, JASON H & STACEY E		

801/21	635 GLEN AVENUE	\$237.01
MONUSKY, PAUL J & KIMBERLY W		

808/34	242 EDGEWOOD AVENUE	\$947.12
WALSH, DANIEL & MOLLY E		

1002/34	622 PROSPECT STREET	\$667.00
STEELE, WILLIAM D & LINDA S		

BLOCK/LOT

<u>OWNER/MAIL ADDRESS</u>	<u>PROPERTY ADDRESS</u>	<u>AMOUNT</u>
1004/20/C0002	2 COWPERTHWAIT SQUARE	\$998.76
KARP, PHYLLIS B		

1103/8	218 SINCLAIR PLACE	\$9,009.05
ARKY, TODD & MELANIE		

1301/2	514 NORTH CHESTNUT STREET	\$3,586.13
SAAD, DANIEL M & ELIZABETH MCDONOUGH		

1303/25	587 TERRACE PLACE	\$3,523.98
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GASSON, ROBIN A

1304/46	727 GIRARD AVENUE	\$4,088.17
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ZUCKERMAN, JASON & ELISE PERKUL

1306/2	517 KIMBALL TURN	\$4,481.51
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GRIGAUX, CLAIRE N

2004/1	405 QUANTUCK LANE	\$634.97
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PREMIER DESIGN CUSTOM HOMES, LLC

2101/19	129 WOODLAND AVENUE	\$19,262.08
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BARTLEMA, GERTJAN & ANDREA

2211/2	135 LINDEN AVENUE	\$2,422.75
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SCHWEIGER, STEPHEN & MERINA

2608/5	633 ROOSEVELT STREET	\$413.44
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DEBBIE, SERENA HOOK

2708/23.01	115 OSBORNE AVE	\$352.87
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DRANE, CHARLES & THERESA

2708/35	528 WEST BROAD STREET	\$1,215.82
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BOZZETI, MARIANA
1074 MAURICE AVENUE
RAHWAY, NJ 070665

2805/14	731 SHADOWLAWN DRIVE	\$4,607.80
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THORBURN, JOHN & KERRY

BLOCK/LOT

<u>OWNER/MAIL ADDRESS</u>	<u>PROPERTY ADDRESS</u>	<u>AMOUNT</u>
2901/28 WOOD HOLLOW HOMES, LLC 50 PERRYVILLE ROAD PITTSTOWN, NJ 08867	417 WEST BROAD STREET	\$8,313.54
3003/50 DENIS, PAUL	501 WESTFIELD AVENUE	\$2,143.53
3303/43 HAYDEN, GEORGE F & CAMILLE	616 HILLCREST AVENUE	\$1,000.00
3402/15 KENNEDY, KEVIN & MEREDITH	814 HARDING STREET	\$561.92
3402/17 MORANO, JAMES & JESSICA SPRING	822 HARDING STREET	\$3,320.55
3404/16 WILLIAMS, ALUN & KRISTIN	740 STEVENS AVENUE	\$4,490.36
3901/9 SCHILLIZZI, ANTHONY	23 SANDRA CIRCLE	\$844.20
4008/15 LORUSSO, PAUL A & ERICA 119-121 EAST GROVE STREET WESTFIELD, NJ 07090	119 GROVE STREET EAST	\$633.24
4302/17 GOLD, RONNEN & ELYNNE	782 KNOLLWOOD TERRACE	\$545.37

ATT: FIERRO

NEWARK, NJ 07102

5504/22	28 SUMMIT COURT	\$482.99
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PEPE, FRANK & SHARON

5611/4	1516 BOULEVARD	\$2,639.76
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WESTFIELD DEVELOPMENT GROUP, LLC

551 PARK AVENUE

SCOTCH PLAINS, NJ 07076

5709/22	226 MARYLAND STREET	\$3,614.82
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BRACCO, CHRISTOPHER & DARCY

1015 SUMMIT AVENUE

WESTFIELD, NJ 07090

(22) RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid due to Veteran and Senior Citizen deductions for 2016:

Block/Lot	Property Address	Deduction	Amount
2003/50	1025 EAST BROAD STREET	VET	\$250.00
WEDDLE, RYAN & HEATHER			
2311/9	523 LENOX AVENUE	VET & SC	\$500.00
KENNEDY, MARY ANN			
3902/4	1400 EAST BROAD STREET	VET & SC	\$2,000.00
WYCHWOOD GARDENS COOP ASSOC INC			
% FALKIN ASSOC			
P.O. BOX 545			
CRANFORD, NJ 07016			

4104/1	209 MIDWOOD PLACE	VET	\$250.00
PETERSON, RICHARD & SUZANNE			
4702/39	928 TICE PLACE	VET	\$250.00
SKLAR, TALBOT A & SUSAN			

(23) WHEREAS, there exist on the records in the Tax Collector's office tax balances for the years 2015-2016:

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to cancel the tax balances below for the years 2015-2016:

<u>Block/Lot</u>	<u>Year</u>	<u>Amount</u>
501/19	2016	\$0.01-
501/20	2016	\$0.01-
1304/31	2015	\$8.85
	2016	\$9.03
2003/41	2016	\$1.73
4101/21	2016	\$0.05-
5004/31	2016	\$0.06
5612/20	2016	\$5.89

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

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

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

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

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

WHEREAS, the Town Council has received notice of the sewer charges imposed by the Rahway Valley Sewerage Authority and wishes to establish the sewer fees for the calendar year 2017.

NOW, THEREFORE, be it resolved that the following sewer fees are hereby established for the calendar year 2017:

- a. The sewer user fee for a single-family residence shall be \$165.00.
- b. The sewer user fee for a commercial and industrial property shall be \$415.00.
- c. The sewer user fee for each multi-family unit on a property shall be \$100.00.

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Della Fera seconded by Councilman Arena were unanimously adopted.

(25) WHEREAS, in accordance with the Fair Housing Act and the New Jersey Uniform Housing Affordability Controls, the Town of Westfield is required to adopt by resolution an Affirmative Marketing Plan to ensure that all affordable housing units created within the Town of Westfield are affirmatively marketed to low- and moderate-income households, particularly those living and/or working within the applicable Housing Region 2, the Housing Region encompassing the Town of Westfield; and

WHEREAS, in accordance with The Town of Westfield Land Use Ordinance, §23.10F, the costs of advertising and affirmative marketing of affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Town of Westfield.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Town of Westfield, located in Union County in the State of New Jersey, does hereby adopt the Affirmative Marketing Plan, a copy of which is attached hereto.

(26) WHEREAS, the Land Use Ordinance of the Town of Westfield requires the appointment of a Town employee as the Municipal Housing Liaison with responsibility for oversight and administration of the affordable housing program for the Town of Westfield; and

WHEREAS, Article 23, §23.09A of the Land Use Ordinance of the Town of Westfield lists the responsibilities of the Municipal Housing Liaison which includes the following:

1. Serving as the Town's primary point of contact for all inquiries from the State of New Jersey, affordable housing providers, administrative agents, and interested households;
2. Monitoring the status of all affordable units in the Town's Housing Element and Fair Share Plan;

3. Compiling, verifying, and submitting annual reports as may be required by COAH and reports to the Town Council at such intervals as deemed appropriate by the Council;
4. Coordinating meetings with affordable housing providers and administrative agents, as applicable;
5. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH or any successor thereof;
6. Supervising the administrative agent(s), if any, contracted or authorized by the Town Council to administer some or all of the affordable units in the Town;
7. Upon inquiry, providing written notice to the landlord of any affordable rental unit that an annual rent increase may be permitted in accordance with COAH and UHAC regulations; and
8. Be responsible for the additional duties listed in Article 23, §23.09B of the Land Use Ordinance of the Town of Westfield that are not specifically delegated by the Town Council to an administrative agent.

NOW, THEREFORE, BE IT RESOLVED, that Donald Sammet, PP/AICP, Westfield Town Planner be and is hereby appointed the Municipal Housing Liaison for the Town of Westfield and shall be responsible for performing the duties set forth in Article 23, §23.09A of the Land Use Ordinance; and .

BE IT FURTHER RESOLVED, that the term of this appointment is one year, commencing on January 1, 2017.

Public Works Committee

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

(27) WHEREAS, N.J.S.A. 58:11-64 et. seq. requires that public sewer collection systems are required to have licensed sewer operators; and

WHEREAS, an operator with the required license is needed for the Town of Westfield's public sewer collection system, and

WHEREAS, Mott MacDonald submitted a proposal dated January 4, 2017, to provide such services, and

WHEREAS, Mott MacDonald has proposed to provide the aforementioned services for a fee of \$10,860.00, and

WHEREAS, the Town Administrator has reviewed the aforesaid proposal and recommends that a professional services contract for aforesaid services as outlined in the proposal dated January 4, 2017, be awarded to Mott MacDonald; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional services required for the Sanitary Sewer Collection System be awarded to Mott MacDonald, 111 Wood Avenue South, Iselin, New Jersey, 08830 in the amount of \$10,860.00, and

BE IT FURTHER RESOLVED that the fees for this work be charged to Account No. 100-205, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the *Westfield Leader* as a Public Notice of action taken in accordance with N.J.S.A. 40:11-5.

Reports of Department Heads.

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of tax and sewer \$1,757,014.34 during the period December 1, 2016 to December 30, 2016.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$131,414.00 for the month of December 2016 was received, read and ordered filed.

Report of David J. Kelly, Chief of the Fire Department, showing Smoke Detector Fees collected in December 2016 in the amount of \$3,200.00 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 \$8,522.00 representing monies collected during the month of December 2016.

Report of David C. Wayman, Chief of the Police Department, showing fee collecting in the amount of \$1,940.25 during the month of December 2016.

At 8:20 p.m. Councilman Della Fera introduced the following resolution, seconded by Councilman LoGrippo.

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Westfield, that the public shall be excluded from discussion of the following matter(s):

Pending or anticipated litigation or contract negotiation other than in section (4) herein which the public body is, or may become a party specifically:
Affordable Housing

BE IT FURTHER RESOLVED, that Minutes will be kept on file in the municipal clerk's office, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public.

At 8:44 p.m. a motion to end the executive session was made by Councilman Della Fera, seconded by Councilman Stokes.

Upon motion by Councilman Donnelly, seconded by Councilman Stokes the meeting was adjourned at 8:45 p.m.

Claire J. Gray

Town Clerk