

MINUTES OF REGULAR MEETING HELD OCTOBER 10, 2017

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, October 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 LoGrippe

PRESENTATIONS

Westfield First

Fettle & Fare – 403 West Broad Street

Bella Vida Yoga Studio – 401 West Broad Street

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

TOWN OF WESTFIELD

INVITATION TO BID

WEDNESDAY, October 4, 2017

2017 COLLECTION OF LEAVES

<u>Bidder</u>	<u>Amount of Bid</u>
Jesco, Inc.	PART B (5) Front End Loaders \$56.00
118 St. Nicholas Avenue	
South Plainfield, NJ 07080	
Frank Galbraith & Son	PART A (2) Trucks with operators \$80.00
831 Raritan Road	
Scotch Plains, NJ 07076	
Ameritico Disposal Inc.	PART A (2) Trucks with operators \$82.50
2295 South Avenue	
Scotch Plains, NJ 07076	
Camarato Trucking Inc.	PART A (2) Trucks with operators \$90.00
15 Greenview Road	
Scotch Plains, NJ 07076	

MINUTES

On a motion by Councilman Stokes seconded by Councilman LoGrippo, Council approved the Minutes of the Town Council Conference Session & Regular Meeting held September 26, 2017.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

John Rotchford of 866 Knollwood Terrace thanked the Council for their efforts and service. He said that the Conservation Center works very well now with more services and at a lower cost.

Irwin Ramirez of 733 Summit Avenue said there have been so many national disasters that a budget surplus is a very good thing. He said that the Council gives great service to the town for the small portion of the tax dollars the town has control of. He said the Council looks out for the residents' best interests and thanked them for doing that.

Jeff Dattilo of 456 Birch Place said that seeing the police officer in the back of the room reminded him of the great job they do and how law enforcement gets a bad rap sometimes and he thanked the police for the job they do. Mr. Dattilo went on to say that he wanted to talk about an article he read in the Westfield Leader from the democratic candidate for mayor and combated the remarks she made about taxes, county taxes, parking tickets etc. He said he was very happy with the town and said that the downtown vacancy numbers were not great, but the Council could not control the national downturn on vacancies in downtowns which is mainly due to online shopping.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$564,233.56 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 Donnelly were unanimously adopted.

(226) RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$18.00 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 September 2017.

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

Edward F. Gallagher 2083 Benjamin Circle Wall, NJ 07719	South Side RR Stn/Lot 3	#17030567	\$174.00
Steve Diamond 2 Silo Road Pennington, NJ 08534	South Side RR Stn/Lot 3	#17030605	\$174.00

(228) WHEREAS, Timothy Larkin, 22 Briarhill Road, Cedar Grove, NJ 07009, had placed the required cash bond of \$500.00 to cover Road Opening Permit #16-219 for 109 Palsted Avenue, and

WHEREAS, Timothy Larkin has requested that this amount be returned, and

WHEREAS, the Town Engineer, has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of Timothy Larkin for \$500.00 and forward to 22 Briarhill Road, Cedar Grove, NJ 07009.

(229) RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid for 2016-2017:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
503/33 HAFFER, William	801 Bradford Avenue	2 nd /2017 \$6,911.70
902/6.01 BENACCHIO, Robert H	528 Forest Avenue	1 st /2016 \$3,369.32
1905/17 SMITH, Russell	69 Nomahegan Drive	2 nd /2017 \$4,324.89
2101/19 BARTLEMA, Gertjan	129 Woodland Avenue	3 rd /2017 \$5,117.11
2210/11 WILLIAMS, Linda B	232 Baker Avenue	1 st /2017 \$6,534.74
2306/1 TORTORELLA, Brian	640 Lenox Avenue	3 rd /2016 \$4,343.41
2604/9.01 HARTZ, Christine L	877 North Avenue West	3 rd /2017 \$1,069.32

2706/18 SALEH, Ihab	528 Cumberland Street	3 rd /2017 \$2,339.73
2706/30 DOUMA, William & Kara	580 Cumberland Street	1 st /2017 \$1,943.50
2812/1 HEINZERLING, Glenn	300-304 Hazel Avenue	4 th /2017 \$1,386.90
Mail to: 304 Hazel Avenue Westfield, NJ 07090		
2903/6.01 VENTIGAN, Randolph S	418 Coddling Road	2 nd /2017 \$4,636.39
2907/13 BRESLOW, Marc	645 Shadowlawn Drive	4 th /2017 \$1,740.29
2911/19 STANLEY, Christina	565 Pierson Street	3 rd /2017 \$2,476.94
3005/2 JOHNSTON, Charles	229 South Avenue West	4 th /2017 \$2,077.67
Mail to: 44 Forest Road Fanwood, NJ 07023		
3010/9/C0002 SWAIN, Kathleen A	542 Westfield Avenue Unit B	1 st /2017 \$270.00
3109/14	415 Lenox Avenue	3 rd /2017

SHELL, Adam

\$3,603.04

Mail to:

333 Central Avenue Apt 302
Westfield, NJ 07090

3303/39

23 Cornwall Drive

3rd/2017

FISHMAN, Jonathan

\$7,198.98

Mail to:

1829 Caton Avenue, #4H
Brooklyn, NY 11226

3308/21

550 Fairmont Avenue

3rd/2017

REDMAN, Andrew

\$3,847.66

3402/2

835 Coolidge Street

3rd/2017

MASTROIANNI, John

\$4,601.38

Mail to:

421 Mountain Boulevard
Watchung, NJ 07069

3407/7

628 Benson Place

1st/2017

LAMORTICELLA, Lisa

\$3,169.18

Mail to:

Vested Land Services LLC
165 Passaic Avenue
Suite 101
Fairfield, NJ 07004

3606/5

901 Union Street

3rd/2017

BOOTH, Christopher

\$3,825.42

Mail to:

860 Standish Avenue

4003/14	327 Livingston Street	3 rd /2017
TRACY, Charles S, Jr		\$1,734.10
4402/26	741 Norman Place	1 st /2017
HONIG, David & Nan		\$4,604.79
5601/1	103 Marlboro Street	3 rd /2017
RICCARDI, Amalia		\$3,203.22

(230) RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2014-2016 pursuant to the Tax Court of New Jersey:

Block/Lot	Name	Address	Year	Amount
3109/5	Spencer, Robert F	116 Euclid Avenue South	2014	\$4,732.02
			2015	\$8,654.32
			2016	<u>\$8,830.36</u>
				\$22,216.70

Checks payable to:

Michael A Vespasiano, Attorney Trust Account

Mail to:

Law Office of Michael A Vespasiano

331 Main Street

Chatham, NJ 07928

(231) 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:

App #	Name	Address	G/L	Refund Balance
BOA 17-29	David & Sylvia Chandler	78 Tamaques Way	7-05-560-626	\$449.47
Return to:	David & Sylvia Chandler	78 Tamaques Way	Westfield NJ	07090

(232) WHEREAS, the Town of Westfield in the County of Union, State of New Jersey has elected to join the National Purchasing Cooperative (the "Cooperative" operating as "National BuyBoard", a program created for the benefit of school districts and other governmental entities nationwide; and

WHEREAS, the Town is authorized to enter into the National Purchasing Cooperative by executing the National Purchasing Cooperative Organizational Interlocal Agreement (which is incorporated herein by reference) pursuant to N.J.S.A. 40A:11-11(5) and

WHEREAS, the Town desires to participate and join with other governmental entities in the discharge of their respective public and governmental purposes, objectives, needs, programs, functions and services relative to purchasing;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield, in the County of Union, State of New Jersey, hereby authorizes its president, or designee, to execute the National Purchasing Cooperative Organizational Interposol Agreement.

BE IT FURTHER RESOLVED, that execution of this Resolution is conclusive evidence of the Board's approval of this action and of the authority granted herein. The Board warrants that it has, and at the time of this action had, full power and lawful authority to adopt this instrument.

(233) WHEREAS, the County of Union has a "Preserve Union County" component of the Recreation and Historic Preservation Trust Fund, which was designed to help preserve the rich heritage of historic and architecturally significant sites throughout Union County; and

WHEREAS, the Union County Freeholder Trust Fund Chair announced that funds have been made available for another round of historic preservation grants in 2017; and

WHEREAS, the Westfield Historical Society is applying for a \$150,000 grant for an Archive and Cultural Resource Center at the Reeve House at 314 Mountain Avenue.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield does hereby approve the grant application filed by the Westfield Historical Society and confirms that the matching funds will be provided by the Society as they have attested to the availability of those funds when the application was filed.

(234) BE IT RESOLVED, that the proper town officials are hereby authorized to sign an agreement

between 411 North LLC and the Town of Westfield for improvements to be made at Fire Headquarters

located at 405 North Avenue.

(235) BE IT RESOLVED that the Mayor is hereby authorized to execute a settlement agreement in the matter Mid-American Salt LLC vs. Morris County Pricing Council et al.

(236) WHEREAS, the Town of Westfield has been ordered by the County of Union Board of Taxation to perform a revaluation of all property in the Town which must be completed by November 1, 2018; and

WHEREAS, the Town must retain a competent appraisal firm to complete the revaluation of all the taxable and exempt property within the limits of the Town of Westfield, and

WHEREAS, it has been determined that the value of this contract will exceed \$17,500; and,

WHEREAS, Requests for Proposals for were advertised pursuant to General Ordinance 1753 of the Town of Westfield to be returnable on August 24, 2017; and

WHEREAS, three Request for Proposals were received on August 24, 2017; and

WHEREAS, after a review and evaluation of the proposals, Realty Appraisal Company, 4912 Bergenline Avenue, West New York, New Jersey 07093 proposes to perform the services outlined in the Request for Proposals in the amount of six hundred seventy-one thousand two hundred dollars (\$671,200.00); and

WHEREAS, Realty Appraisal Company of West New York, NJ, is licensed by the State of New Jersey, is experienced and meets all of the requirements set forth by the Town, and

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

WHEREAS, the Chief Financial Officer has certified that funds are available for this contract.

NOW THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield does hereby award a contract to Realty Appraisal Company in the amount \$671,200.00; and,

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are hereby authorized and directed to execute the contract documents 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).

Public Safety, Transportation and Parking Committee

Councilman Loughlin, Chairman of the Public Safety, Transportation and Parking Committee, read a committee report aloud.

Code Review & Town Property Committee

The following resolution, introduced by Councilman Della Fera, Chairman of the Code Review and Town Property Committee, seconded by Councilman Arena were unanimously adopted with Councilman Oliveira abstaining on resolution 238.

(237) JLA Party Rentals LLC School	Pumpkin Fair	Benjamin Franklin
318 McLean Boulevard	October 14, 2017	700 Prospect S
Patterson, NJ 07504	700 Prospect Street	Westfield, NJ 07090
10:00AM-4:00PM		

(238) BE IT RESOLVED by the Town Council of the Town of Westfield that the Special Affordable Housing Counsel is authorized to sign settlement agreement with objectors to the Settlement Agreement between the Town of Westfield and Fair Share Housing Center

Public Works Committee

The following resolution, introduced by Councilman Oliveira, Chairman of the Public Works Committee, seconded by Councilman Stokes were unanimously adopted.

Scotch Plains, NJ 07076

\$25,000.00 under Purchase Order 17-04044

PART B

JESCO, INC.
exceed

Front End Loaders w/o Operators (5) \$56.00/HR, not to

1790 Route 38

\$35,000.00 under Purchase Order 17-04045

Mount Holly, NJ 08060

Reports of Department Heads

Upon motion by Councilman LoGrippe, seconded by Councilman Donnelly the meeting was adjourned at 8:29 p.m.

Claire J. Gray

Town Clerk