

MINUTES OF REGULAR MEETING HELD OCTOBER 24, 2017

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, October 24, 2017 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 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: Mayor Skibitsky, Council Members Arena, Neylan, LoGrippo, Loughlin, Della Fera, Donnelly, Stokes

ABSENT: Councilman Oliveira

Invocation was given by Councilman Loughlin

PRESENTATIONS

Westfield First

Megan Murphy – Chief Spirit Officer
Sole Shoes – 201 East Broad Street
Duke’s Delhi – 339 South Avenue West

Westfield Art Association

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman Stokes seconded by Councilman Donnelly, Council approved the Minutes of the Town Council Conference Session & Regular Meeting held October 10, 2017, with Mayor Skibitsky abstaining.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

BILLS AND CLAIMS

Introduced by Councilwoman Neylan, seconded by Councilman LoGrippo were adopted unamously.

RESOLVED that the bills and claims in the amount of \$420,187.93 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 Councilwoman Neylan, Chairman of the Finance Policy Committee, seconded by Councilman Della Fera were unanimously adopted.

(240)	<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
	Robert Zeckleman 2440 Hill Road Scotch Plains, 07076	T05-600-071	Tai Chi Class Nicholas	\$30.00
	Rachel Lamb 514 Kimball Ave Westfield, NJ 07090	T05-600-071	Rock Music Class Lucy	\$75.00

(241) 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 \$21,387.00 to the TREASURER, STATE OF NEW JERSEY for the third quarter Construction Official’s State permit fees for 2017.

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.

(242) WHEREAS, Angela Rose, made an application for a construction permit for a new roof located at 711 Lambert Mill Road, Block 4401, Lot 66, Westfield, New Jersey.

WHEREAS, Angela Rose, remitted \$115.00 for aforesaid permit.

WHEREAS, Angela Rose, subsequently requested not to do the above mentioned project.

WHEREAS, Anglea Rose, 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 \$92.00 payable to Angela Rose, 711 Lamberts Mill Road, Westfield, NJ 07090.

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

Claire Hughes South Side RR Stn/Lot 3 #17030722 \$115.00
 13 Faulkner Drive
 Westfield, NJ 07090

(244) 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		Quarter/Year
<u>Name</u>	<u>Property Address</u>	<u>Amount</u>
2101/11	11 Hawthorn Drive	3 rd /2017
ANCRI, Clement		\$5,635.22
5207/11	615 Leigh Drive	3 rd &4 th /2017
Fox & Foxx Development, LLC		\$391.54

Mail to:
 940 Amboy Avenue

Suite 101

Edison, NJ 08837

(245) 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 2016 pursuant to the Tax Court of New Jersey:

Block/Lot Name	Address	Year	Amount
3206/1 Ray Equipment Corporation	421 Central Avenue	2016	\$7,521.16

Checks payable to:

McKirby, Riskin, Olson & DellaPelle, PC and Ray Equipment, Corp

Mail to:

Richard P De Angelis, Jr

136 South Street

Morristown, NJ 07960

(246) LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval by Town Engineer for return of deposit:

CWS Construction Management, LLC.

12 Hastings Court

Fairlawn, NJ 07410

Amount of refund: \$975.00

(247) WHEREAS, N.J.S.A.40A:4-87 (Chapter 159, P.L. 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by the law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of

revenue in the budget year 2017 in the sum of \$5,079.67, which is now available from the Division of Criminal Justice Body Armor grant; and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations	
Body Armor	\$5,079.67

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer.

Regarding the following ordinance, Councilwoman Neylan, made the following announcement:

I hereby move that an ordinance entitled, "SPECIAL ORDINANCE NO. 2210 - CAPITAL ORDINANCE OF THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE UNDERTAKING OF VARIOUS SANITARY AND STORM SEWER IMPROVEMENTS IN, BY AND FOR THE TOWN, APPROPRIATING THEREFOR THE SUM OF \$75,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM CAPITAL SURPLUS OF THE TOWN"

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 21st day of November 2017 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: Arena	Nays:	Absent: Oliveira
Neylan		
LoGrippe		

Loughlin
Della Fera
Donnelly
Stokes
Mayor Skibitsky

Public Safety, Transportation and Parking Committee

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

(248) RESOLVED that the application of Fireworks Extravaganza for a Type 3 permit to discharge fireworks at Echo Lake Country Club on November 4, 2017 from 8 p.m. to 9 p.m. is approved subject to the following conditions

- (1) The display shall comply with all requirements as set forth in Chapter 33 of the 2006 International Fire Code New Jersey Edition and NFPA 1123, 1124 and 1126;
- (2) The applicant shall reimburse the Town for the costs of the use of fire equipment and manpower and shall deposit with the Town the sum of \$1,000.00 as an escrow to cover said costs;
- (3) The operator shall be approved by the Chiefs of Police and Fire Department;
- (4) The types or kinds of fireworks and the location of the storage place prior to display to be used must be approved by the Chief of the Fire Department;
- (5) The applicant shall comply with all Display Company requirements;
- (6) The applicant must provide a Certificate of Insurance in an amount not less than \$1,000,000.00 to cover property damage and injury to persons;
- (7) The time, duration, and location of the fireworks will not, due to noise, traffic congestion, spectators, or other factors, unreasonably disturb the peace of persons residing within the vicinity of the display; and
- (8) The applicant shall comply with all other conditions and requirements imposed by the Chief of the Fire Department to insure public safety, including without limitation, providing an acceptable site plan of where the fireworks display is to be conducted.

Regarding the following ordinance, Councilman Loughlin, Chairman of the Public Safety, Transportation and Parking Committee, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2088 - AN ORDINANCE AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13"

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 21st day of November 2017 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 Stokes.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Arena	Nays:	Absent: Oliveira
Neylan		
LoGrippe		
Loughlin		
Della Fera		
Donnelly		
Stokes		
Mayor Skibitsky		

Regarding the following ordinance, Councilman Loughlin, Chairman of the Public Safety, Transportation and Parking Committee, made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2089 - AN ORDINANCE AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 24"

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 21st day of November 2017 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 LoGrippto.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Arena	Nays:	Absent: Oliveira
Neylan		
LoGrippto		
Loughlin		
Della Fera		
Donnelly		
Stokes		
Mayor Skibitsky		

Code Review & Town Property Committee

The following resolution, introduced by Councilman Della Fera, Chairman of the Code Review and Town Property Committee, seconded by Councilwoman Neylan were unanimously adopted.

(249) BE IT RESOLVED that the Mayor and appropriate town officials are hereby authorized to sign the Interlocal Agreement for Leaf Collection Services between the Township of Scotch Plains and the Town of Westfield.

Public Works Committee

Reports of Department Heads

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$121,010.00 for the month of September 2017 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 \$16,250.00 representing monies collected during the month of September 2017.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$67,014.22 representing fines and costs collected

in the Municipal Court and Violations Bureau during the month of September 2017 was received, read and ordered filed.

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$900.00 during the month of September 2017 was received, read, and ordered filed.

Report of David J. Kelly, Chief of the Fire Department, showing Fees collected in September 2017 in the amount of \$3,561.00 was received, read and ordered filed.

Report of David C. Wayman, Chief of the Police Department, showing fee collecting in the amount of \$3,179.70 during the month of September 2017.

Upon motion by Councilwoman Neylan, seconded by Councilman Donnelly the meeting was adjourned at 8:27 p.m.

Claire J. Gray

Town Clerk