

MINUTES OF REGULAR MEETING HELD JANUARY 26, 2021

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, January 26, 2021 at 8:00 p.m.

Mayor Brindle made the following announcements:

“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 11, 2020. 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 Brindle, Council Members, Habgood, Parmelee, LoGrippo, Mackey, Contract, Dardia, Boyes

ABSENT: Councilman Katz

Due to the coronavirus pandemic, this meeting was held remotely through Zoom Webinar. The public was provided with access to join the webinar through Zoom

FLAG SALUTE

APPOINTMENTS

Town Administrator's Reports

- Provided an update on COVID and its impact to staff. Discussed the number of employees currently quarantining and the departments that have been affected; and
- Discussed the recycling program and thanked residents and the vendor for their efforts. Feels the transition has been smooth despite significant changes with the program.

Mayor's remarks

Mayor Brindle provided the following remarks:

Good evening, everyone, and thanks for joining us virtually tonight. Please remember that public comment will only be accepted via Zoom, although we are live streaming for viewing only on Facebook. The replay will also be available afterwards on Facebook, YouTube, and TV 36.

► COVID-19 UPDATES

- The seven-day average for confirmed COVID-19 cases in New Jersey is down 13% from a week ago, and down 3% from a month ago, indicating that the pandemic's second wave may be starting to decline, even as today's COVID-related deaths represent the second-highest total this month and January has been the most deadly month since May.
- On a statewide basis, the rate of transmission decreased slightly today to 0.92, and the statewide positivity rate for tests on Thursday, the most recent day available, was 9.62%. As always, more detailed information about statewide numbers is available on the NJ COVID-19 Dashboard at nj.gov/health/cd/topics/covid2019_dashboard.shtml.
- On the vaccination front, New Jersey has received approximately 1 million doses of coronavirus vaccines, 450,000 of which were dedicated for use in the federal program that contracted with CVS and Walgreens to run vaccine clinics at 1,500 long term care and congregant living facilities statewide. While all six vaccine mega-sites and nearly 300 other locations are up and running, there continues to be widespread frustration as demand outpaces the supply available for these sites. Yesterday, the State launched a hotline to schedule vaccinations for those who are eligible (855-568-0545), although limited appointments are available. In total, 627,677 doses have been administered to date in New Jersey.

- As many of you know, Union County opened up additional but limited online appointments on Sunday for its Kean University vaccination site, which were quickly filled due to extremely high demand. The County has stated that they will not open additional appointments online for the upcoming weeks until they can verify how many doses they will be receiving. I want to reiterate that, while the County is overseeing local distribution currently, our Regional Health Department continues to explore all possible avenues to provide broader vaccination access for our residents who, like many across the State, are finding the process of securing a vaccination appointment very difficult.

► **LOCAL UPDATES**

- Please remember that first quarter property taxes are due on February 1. As the Office of the Tax Collector remains closed to the public, payment can be made online, by mail, or by using the drop boxes at Town Hall. The last date to pay without penalty is Wednesday, February 10.

- Thank you to Lifelong Westfield for organizing a virtual forum this Thursday at 2:00PM for Westfield's seniors and other interested residents to discuss the recently authorized COVID-19 vaccines with experts from Atlantic Health, the Westfield Regional Health Department, and Lifelong Westfield. To register, please email westfieldnjseiors@gmail.com and the Zoom meeting information will be sent to you.

- Please join the Town Council Finance Policy Committee for a Zoom forum on Thursday night at 7:00PM to review the performance of the 2020 budget, provide an overview of the 2021 budget process, solicit input from residents prior to this year's budget formation. This is the third year we've provided this public meeting forum as part of my administration's ongoing commitment to a transparent and public municipal budget process. This year's discussion will take place via Zoom and can be accessed at bit.ly/2021WestfieldPublicInputBudgetMeeting.

- In terms of tonight's agenda, we have a well-deserved proclamation to commemorate the Westfield Green Team, which was recently awarded Silver Certification by Sustainable Jersey for the first time in Town history, increasing our eligibility for grants and funding, and demonstrating our continued commitment to sustainability across all of our efforts. We will also hear an ordinance on second reading to amend the Town's Bicycle Board. This initiative is intended to further our public safety and green efforts detailed in the Master Plan Reexamination, taking a more holistic approach to making bicycling and walking in Westfield more comfortable, accessible, and safer for residents and visitors alike.

I want to remind everyone that I will once again be enforcing Robert's Rules this evening to ensure we stay on topic and the meeting runs efficiently.

PRESENTATIONS

Mayor Brindle presented the following proclamation:

Town of Westfield

Westfield , New Jersey

PROCLAMATION

Silver Certification from Sustainable Jersey®

WHEREAS, Sustainable Jersey® is a non-profit organization administered by the College of New Jersey dedicated to assisting local governments and public schools pursue sustainability initiatives; and

WHEREAS, Sustainable Jersey® encompasses the three equal, interrelated components of sustainability – Prosperity, Planet, and People; and

WHEREAS, certification from Sustainable Jersey® is a prestigious designation for municipal governments in New Jersey; and

WHEREAS, there are two levels of certification, Bronze for those municipalities that earn at least 150 points, and Silver, for those who earn at least 350 points; and

WHEREAS, points are awarded based on actions prescribed by Sustainable Jersey® in 18 categories; and

WHEREAS, for Silver Certification, in addition to earning at least 350 points, the municipality must establish a mandatory Green Team, implement 3 of 12 priority actions, and complete actions in 8 of the 18 categories; and

WHEREAS, propelled by the efforts of the members of the Westfield Green Team, the Town of Westfield submitted an application to Sustainable Jersey® listing 36 actions in 13 categories for a total of 360 points; and

WHEREAS, in December of 2020, the Town of Westfield received notice from Sustainable Jersey® that it has been awarded Silver Level certification; and

WHEREAS, of the 565 municipalities in the State of New Jersey, only 62 have achieved the Silver Level certification, and Westfield is only the second municipality in Union County to do so; and

WHEREAS, the Green Team, in conjunction with various municipal departments, accomplished much in the year 2020, contributing not only to the Silver Level certification, but to the overall environmental health of the community. The Green Team's accomplishments include, but certainly are not limited to: launching the Adopt-A-Drain Program with over 120 participants; holding the 2nd annual Free Market; launching the 2nd year of the Green Westfield Medallion Program for downtown businesses; producing videos promoting the Adopt-A-Drain Program, alternative methods of leaf collection, and recycling opportunities at the Conservation Center; nearing completion of the first ever rain garden in Tamaques Park; launching the first ever pumpkin recycling program at the Conservation Center; continuing the first full year of the Westfield Home Energy Savings Program; and supporting a revision of the solar panel ordinance to allow front facing solar panels; and

WHEREAS, the Town Council of the Town of Westfield is committed to developing and implementing sustainability strategies that will reduce our impact on the environment both collectively and individually as a means to fight global warming and preserve our environment for the citizens we serve now, and for generations to come; and

WHEREAS, the members of the Green Team deserve recognition and appreciation for their accomplishments in support of the Town Council's commitment to sustainability;

NOW, THEREFORE, BE IT PROCLAIMED, that I, Mayor Michelle W. Brindle, on this 26th day of January, 2021, do hereby recognize and congratulate the members of the Green Team for their many accomplishments and thank them for their extraordinary efforts in assisting the Town of Westfield achieve Silver Level certification from Sustainable Jersey®.

Comments:

Councilman Contract thanked the Green Team and stated that this achievement was a collective effort of all members, as well as the Town Administrator and other Town officials. Feels this demonstrates how volunteers can make a difference.

Tim Van Epp, Green Team Co-Chairman, thanked Mayor Brindle for the proclamation and the kind words. Also thanked Councilman Contract, David Siegler and Zoe McKelvey and all Green Team subcommittee chairs. Stated that this was a team effort and he is very thankful for the effort by Town staff, including the Town Administrator, Town Planner, Town Engineer, and DPW Director. Explained that this proclamation documents the many accomplishments of the Green Team, with the support of the Town, over the past 3 years. Going forward, the Green Team would work to maintain this certification and to look for opportunities to brand the Town as a sustainable place to live, work and shop.

Mayor Brindle feels this is a worthy and aspirational goal for the Town.

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2203

AN ORDINANCE AMENDING THE TOWN OF WESTFIELD BICYCLE BOARD

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2203 – AN ORDINANCE AMENDING THE TOWN OF WESTFIELD BICYCLE BOARD" by Councilman Dardia, seconded by Councilwoman Mackey, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays: None	Absent: Katz
Parmelee		
LoGrippe		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

BIDS

**TOWN OF WESTFIELD
INVITATION TO BID
WEDNESDAY, January 20, 2021
2021 BRUSH/LOG DOUBLE GRINDING**

Bidder

Amount of Bid

Britton Industries	\$74,800.00
227 Bakers Basin Road	
Lawrenceville, NJ 08648	

MINUTES

On a motion by Councilman LoGrippe and seconded by Councilman Contract, Council approved the Minutes of the Town Council Regular Meeting held January 12, 2021.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Brad Chananie, Avon Road, thanked the Mayor, Town Council, Town Administrator, Police, Fire and Health Departments for their efforts to keep the residents of Westfield safe and healthy. Stated that he has been a resident for 31 years and has never seen such a unified group.

Mr. Chananie also discussed the question and answer session regarding COVID vaccination that Lifelong Westfield has scheduled for Thursday afternoon. Stated that he is hoping many will participate. Also mentioned that Lifelong Westfield intends on holding monthly webinars, with the first involving the Fire Chief and home safety.

Lastly, Mr. Chananie encouraged all Westfield senior citizens to register with Lifelong Westfield and provided registration information.

Mayor Brindle thanked Mr. Chananie and Dierdre Gelinne for their efforts. Feels Lifelong Westfield has done a remarkable job for the senior citizens of Westfield, especially when considering that this group did not exist a few years ago. Feels they provide an incredible service to the Town.

Shawn Mullen, Carleton Road, thanked all for their service. Also discussed the Conference Meetings and thanked all for resuming them. Feels it is important for residents to have multiple opportunities to provide input. Also suggested that the Town consider opening committee meetings to the public. Feels it would provide additional opportunity for residents to ask questions in those venues rather than during larger Town Council meetings.

Hearing no comments, Mayor Brindle closed this portion of the meeting.

Mayor Brindle thanked Mr. Mullen for his comments and stated that his suggestion would be taken under consideration.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman Contract, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$345,955.15 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 Habgood and seconded by Councilman Boyes, were unanimously adopted.

Resolution No. 31

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Tally Faro 321 Orenda Circle Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Withdrew from Program Built By Me/STEM Virtual/Game Designer Joshua Siegel	\$175.00
Mary Coffey 2235 Paff Pl Scotch Plains, NJ 07076	195 Pool Memberships	Refund Paid Twice for Membership Non-Resident/family of 4 less w/Childcare	\$380.00

Resolution No. 32

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 \$19,829.00 to the TREASURER, STATE OF NEW JERSEY for the fourth quarter Construction Official’s State permit fees for 2020.

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.

Resolution No. 33

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the Downtown Westfield Corporation, for Special District Taxes as provided in the year 2021 budget:

February 9, 2021	\$104,086.75
May 11, 2021	\$104,086.75

Resolution No. 34

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the County of Union, for County Purpose and Open Space Taxes and Added and Omitted County and Open Space Taxes as provided in the year 2021 budget:

County Purpose Taxes	
February 16, 2021	\$9,896,818.21
May 17, 2021	\$9,896,818.21
County Open Space Taxes	
February 16, 2021	\$304,564.29
May 17, 2021	\$304,564.29
County Added & Omitted Taxes	
February 16, 2021	\$315,448.44
County Open Space Added & Omitted Taxes	
February 16, 2021	\$9,205.52

Resolution No. 35

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 2020 pursuant to judgments from the Union County Tax Board:

Block/Lot	Name	Address	Amount
2101/34.01	GES Holdings, LLC	110 Wychwood Road	\$1,641.70
	51 Cardinal Drive		
	Toms River, NJ 08755		
2310/9		550 Arlington Avenue	
			\$1,058.15
	Hohlfeld, Evan & Zheng, Lisia		

2708/3.01/C0001 Emen, Jared	561A Downer Street	\$1,243.55
3301/15 Sen, Shurjo K & Julia S	626 Tremont Avenue	\$257.15
4301/64 Kevelson, Edward & Pamela	633 Shackamaxon Drive	\$342.04
4401/17 Dickey, Michael & Sydney	744 Norgate	\$1,056.73

Resolution No. 36

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
503/20 KOZLIK, Treva	827 Cedar Terrace	4 th /2020 \$8,065.23
1306/16 LAI, Juanhong \$3,675.07	850 Wallberg Avenue	4 th /2020
2909/3.02 WATSON, Violetta	511 Edgar Road	4 th /2020 \$3,652.05
5115/22 LUKIS, Basilio	1101 Mohawk Way	1 st /2020 \$5,164.30
5502/10 Wells Fargo Home Mortgage 1 Home Campus MAC F2302-04D Des Moines, IA 50328	30 Moss Avenue	4 th /2020 \$12,889.02

Resolution No. 37

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 years 2020 pursuant to the Tax Court of New Jersey:

Block/Lot Name	Address	Year	Amount
1107/9 Roberts, Joshua & Panagiota	523 Alden Avenue	2020	\$2,276.69

Check payable and mail to:

Jennifer R. Jacobus, Trustee for ROBERTS, JOSHUA & PANAGIOTA
Jacobus & Associates, LLC
201 Littleton Road, 1st Floor
Morris Plains, NJ 07950

Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilman Dardia and seconded by Councilwoman Mackey, was unanimously adopted.

Resolution No. 38

WHEREAS, a need exists for the purchase of a replacement utility vehicle for use by the Westfield Fire Department's Fire Prevention Division, as provided for in the Town of Westfield's 2020 Operating Budget and Fire Violations Account, and

WHEREAS, the contract to purchase this vehicle is to be awarded to an authorized vendor through the State of New Jersey Procurement Bureau, and

WHEREAS, this vehicle will be sufficient to meet the needs of the Westfield Police Fire Department; and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under a cooperative contract, specifically, Sourcewell (formerly known as National Joint Powers Alliance), a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certifies to the availability of adequate funds for payment, prepared in accordance with N.J.A.C. 5:30 1.10, which will be in the amount of \$45,489.41 with \$25,489.41 charged to the Fire Department's 2020 Operating Budget account 0-01-125-256 and \$20,000.00 to be charged to the Fire Violations account, under Purchase Order #21-00204.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the following vehicle from the indicated vendor:

National Auto Fleet Group
490 Auto Center Drive
Watsonville, CA 95076

One (1) New/Unused 2021 Chevrolet Tahoe
@ \$45,489.41
Quote ID 26751, Sourcewell Contract 120716-NAF

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.

Code Review & Town Property Committee

The following resolution, introduced by Councilman Parmalee and seconded by Councilman Boyes, was unanimously adopted.

Resolution No. 39

WHEREAS, the owner of the property located at 417 Prospect Avenue (Block 1004, Lot 10) has requested that the Town of Westfield designate her property as historic pursuant to the Town's historic preservation ordinance; and

WHEREAS, as required by section 5 of the Town's historic preservation ordinance, the Westfield Historic Preservation Commission (with the property owner's assistance and input) prepared a nomination report examining the history of the property and the buildings thereon; and

WHEREAS, as further required by section 5 of the ordinance, the Commission held a duly noticed public hearing On December 28, 2020, at which the report was presented, and members of the public and the Commission were given an opportunity to review the report and ask questions or make comments on it; and

WHEREAS, at the conclusion of that hearing the Commission voted unanimously to recommend that the Town Council designate the property as a historic landmark,

pursuant to the Town's historic preservation ordinance, for all of the reasons set forth in the report and as discussed at the public hearing on the application; and

WHEREAS, the report and recommendation of the Commission has now been received by the Mayor and Town Council.

NOW, THEREFORE, BE IT RESVOLVED, that as required by Section 5(B)(2)(d)(2) of the Town of Westfield historic preservation ordinance, the Mayor and Town Council hereby refer the report and recommendation to the Westfield Planning Board, for its comment on the proposed designation, and for such other actions as are contemplated by the historic preservation ordinance and as appropriate under the circumstances, consistent with the Town's Master Plan , the Zoning Ordinance of the Town, and the New Jersey Municipal Land Use Law.

General Ordinance No. 2204

Regarding the following ordinance, Councilman Parmelee made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2205 - AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 16, "PARKS AND RECREATION" BY CHANGING CERTAIN FEES IN THE MEMORIAL POOL AND BY ESTABLISHING CERTAIN NEW CATEGORIES"

The motion was seconded by Councilwoman Mackey

General Ordinance No. 2204 was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays: None	Absent: None
Parmelee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2205 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9th day of February 2021 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.

Town Council Comments

Councilman LoGrippto requested clarification as to the fees to be amended.

Councilman Parmelee explained that the amendments pertain to fees for services such as swim lessons, swim team and aquatics programs, pool rental and member private events. Explained that some of these fees are already being charged but have not yet been memorialized. The increase in fees is fairly nominal and while there is an increase, they are substantially below fees for similar services. Also mentioned that membership rates are not changing for 2021 and that this ordinance does not impact those rates.

Public Works Committee

The following resolutions, introduced by Councilman Contract and seconded by Councilman Dardia, were unanimously adopted.

Resolution No. 41

WHEREAS, a need existed for the contract rental of privately owned equipment for use by the Department of Public Works in the 2020 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, Resolution 206-2020, adopted September 8, 2020 awarded various contracts to the low bidders to perform this necessary work, 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, conditions were encountered during the leaf collection program that necessitated additional work from the equipment than had been originally 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 is to be charged to Public Works Operating Account 137-246, under the Purchase Orders indicated below. The net change in the total contract for the 2020 Leaf Collection Program is an increase of \$11,681.00.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the following amounts be authorized:

Elite Trucking & Rigging	reduce \$ 6,800.00	PO#20-02930
Ameritico Disposal	increase \$ 3,264.00	PO#20-02932
Frank Galbraith & Son	increase \$ 2,926.00	PO#20-02931
Jesco, Inc	increase \$ 12,291.00	PO#20-02933

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of this Change Order for the 2020 Leaf Collection Program.

Resolution No. 42

WHEREAS, a need exists for the grinding of accumulated brush material to a mulch product for internal use, contractor sales and residential distribution by the Department of Public Works, as provided for in Public Works account 137-241, and

WHEREAS, sealed bids were received on Wednesday, January 20, 2021, and

WHEREAS, the low bid, submitted by Britton Industries, Inc., in the amount of \$74,800.00 has been analyzed and found to be in conformance with the appropriate specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to 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. Expenditure of funds pursuant to this Contract to be

charged to Public Works account 137-241, under Purchase Order 21-00187, provided there is sufficient funding in the 2021 Operating Budget.

NOW THEREFORE BE IT RESOLVED, that a Lump Sum Contract be awarded to Britton Industries, Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.

Reports of Department Heads

ADJOURNMENT

A motion to adjourn, made by Councilman Dardia and seconded by Councilman Parmelee at 8:30 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk