



AGENDA
June 28, 2022
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATION

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for May 2022
2. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
3. Resolution authorizing the Chief Financial Officer to draw a warrant for Board of Adjustment Escrow Monies
4. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes for 2021-2022
5. Resolution authorizing the Chief Financial Officer to draw warrant to refund various street opening Cash Bond
6. Resolution authorizing the Chief Financial Officer to draw warrant to refund alarm registration fee
7. Resolution establishing a custodian for the Fire Department Petty Cash Fund
8. Resolution authorizing Stipend of Recycling Program Coordinator
9. Resolution authorizing the Mayor to execute a collective bargaining agreement between the Town of Westfield and the FMBA bargaining unit
10. Resolution to combine several authorizations of bonds into a single issue
11. Resolution authorizing Notice of Sale of Bonds

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve annual renewal of Alcoholic Beverage Liquor Licenses
2. Resolution Authorizing the Mayor and Clerk to execute an agreement with the County of Union to modify the cooperative agreement

Public Works Committee

1. Resolution to award contract for 2022 Various Road Improvements

ORDINANCES

GENERAL BUSINESS

Green Team Event Requests

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS

EXECUTIVE SESSION



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, June 28, 2022
8:00 PM**

PROPOSED AGENDA

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Appointments
5. Presentations
6. Advertised Hearings
 1. GENERAL ORDINANCE NO. 2022-15
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13, MOTOR VEHICLES & TRAFFIC
 2. SPECIAL ORDINANCE NO. 2022-02
A SPECIAL ORDINANCE AUTHORIZING THE SALE OF THE TOWN PROPERTY KNOWN AS 619 STIRLING PLACE IN THE TOWN OF WESTFIELD
7. Approval of Minutes from Town Council Conference Session held June 14, 2022
Approval of Minutes from Town Council Regular Meeting held June 14, 2022
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$
11. Reports of Standing Committees
 - Finance Policy Committee
 12. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for May 2022
 13. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
 14. Resolution authorizing the Chief Financial Officer to draw a warrant for Board of Adjustment Escrow Monies

15. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes for 2021-2022
16. Resolution authorizing the Chief Financial Officer to draw warrant to refund various street opening Cash Bond
17. Resolution authorizing the Chief Financial Officer to draw warrant to refund alarm registration fee
18. Resolution establishing a custodian for the Fire Department Petty Cash Fund
19. Resolution authorizing Stipend of Recycling Program Coordinator
20. Resolution authorizing the Mayor to execute a collective bargaining agreement between the Town of Westfield and the FMBA bargaining unit
21. Resolution to combine several authorizations of bonds into a single issue
22. Resolution authorizing Notice of Sale of Bonds

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

3. Resolution to approve annual renewal of Alcoholic Beverage Liquor Licenses
4. Resolution Authorizing the Mayor and Clerk to execute an agreement with the County of Union to modify the cooperative agreement

Public Works Committee

2. Resolution to award contract for 2021 Various Road Improvements

12. Reports of Department Heads

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2022-15

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF
WESTFIELD, CHAPTER 13, MOTOR VEHICLES AND TRAFFIC**

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. Chapter 13, “Motor Vehicles and Traffic, Section 13-18 – “Loading and unloading zones.” of the Town Code shall be amended as follows:

§ 13-18 Loading and unloading zones.

The following areas in the central business district (CBD) zone are hereby established as zones for the actively conducting unloading and delivery of materials, merchandise, and supplies to and the removal of the same from properties in the CBD. During the hours of 6:00 a.m. to 6:00 p.m., loading zones are to be utilized solely by commercial vehicles which for the purposes of this section of the Town Code are defined as vehicles displaying commercial license plates or a vehicle displaying the name or designation of the vehicle or company owning/operating the vehicle or affixed to the vehicle in visible clear exterior signage or letters. Except for Sundays and federal holidays, during which loading and unloading is prohibited, such persons operating a commercial vehicle may leave standing a vehicle in a designated loading zone only for the time it takes to unload/load materials, but in no event shall such persons load or unload a commercial vehicle for any time longer than 15 consecutive minutes. Subject to all other applicable provisions of this Chapter and state law, parking is permitted in the following loading and unloading zones outside of the hours of 6:00 a.m. and 6:00 p.m. Additional zones may be created from time to time by ordinance or resolution of the Town Council.

- (a) East side of Elm Street beginning at a point 35 feet south of the southerly curblineline of Quimby Street and extending to a point 60 feet southerly thereof.
- (b) Northeast side of Elm Street northwest of East Broad Street and 10 feet southeast of fire hydrant for a length of approximately 47 feet.
- (c) Northeast side of Prospect Street 35 feet northwest of East Broad Street for a length of approximately 65 feet.
- (d) Southeast side of East Broad Street in front of the premises known as 120-130 East Broad Street for a length of approximately 43 feet.

- (e) Northwest side of Quimby Street, beginning at a point 100 feet northeast of the northeasterly curbline of Elm Street and extending to a point 45 feet northeasterly therefrom.
- (f) North side of Park Street from 50 feet west of the westerly curbline of Central Avenue to 100 feet west of the westerly curbline of Central Avenue.
- (g) East side of Central Avenue, beginning at a point 76 feet southeast from the intersection of East Broad Street and continuing south for a distance of 60.5 feet.
- (h) The westerly side of Summit Avenue beginning at a point 25 feet southerly from its intersection with the southerly side line of South Avenue and extending southerly 75 feet.
- (i) South side of South Avenue from a point 174 feet easterly from the easterly side of Summit Avenue for a distance of 50 feet in an easterly direction.
- (j) Northwest side of Trinity Place from a point 25 feet distant from its intersection with Dorian Road for a distance of 40 feet.
- (k) North side of Park Street from 50 feet west of the westerly curbline of Central Avenue to 100 feet west of the westerly curbline of Central Avenue.
- (l) Northeast side of Prospect Street beginning 10 feet north of the fire hydrant for a length of approximately 55 feet.
- (m) Southeast side of Lenox Avenue, beginning at a point 220 feet northeast of the easterly curbline of Central Avenue and extending to a point 45 feet northeasterly therefrom.
- (n) West side of Elm Street, from a point 65 feet distant from its intersection with North Avenue for a distance of 24 feet northwesterly therefrom, but only from May 1 to November 1 of each year.

SECTION III. All ordinances or parts of ordinances in conflict or inconsistent with any part of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION IV. In the event any section, part or provision of this ordinance shall be held unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole or any part thereof other than the part so held unconstitutional or invalid.

SECTION V. This ordinance shall take effect after passage and publication, as soon as, and in the manner permitted by law.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

SPECIAL ORDINANCE NO. 2022-02

**A SPECIAL ORDINANCE AUTHORIZING THE SALE OF TOWN
PROPERTY KNOWN AS 619 STIRLING PLACE IN THE TOWN OF
WESTFIELD**

WHEREAS, the Town of Westfield is the owner of certain vacant, undeveloped real property formally known as Block 4002, Lot 17, also known as 619 Stirling Place, Westfield; and

WHEREAS, the total real property consists of approximately 3,437.50 square feet, or 0.079 acres. The dimensions of the property are 137.5' wide on the north and south sides and 25' deep on the east and west sides; and

WHEREAS, 623 Stirling Place, LLC, the owner of real property that is contiguous to this Town-owned real property, has petitioned the Town seeking to purchase the adjacent Town-owned property, in order to combine these properties, for a total resulting property of approximately 10,350.50 square feet, or 0.2376 acres, and 623 Stirling Place, LLC, has offered \$75,000.00 to purchase the Town-owned real property; and

WHEREAS, the Tax Assessor of the Town of Westfield has determined that \$75,000.00 is a reasonable value for this undersized property of non-buildable land; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) authorizes the sale of municipally owned land to the owner of the real property contiguous to the real property being sold; provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) also provides that when there is more than one owner with property contiguous to the property to be sold, that property shall be sold to the highest bidder from among all such bidders; and

WHEREAS, the lot was offered to all contiguous property owners, and 623 Stirling Place, LLC, made the highest offer.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Westfield as follows:

1. That the Town Council does hereby approve a sale of the real property designated as Block 4002, Lot 17 on the Westfield Tax Map, and known as 619 Stirling Place to 623 Stirling Place, LLC, the owners of real property contiguous to the subject, municipally-

owned real property, for \$75,000.00. The parties entered into a contract of sale on May 27, 2022.

2. The Mayor and Clerk of the Town of Westfield are hereby authorized to execute and deliver a deed transferring said real property to 623 Stirling Place, LLC, which was the highest-bidding contiguous property owners, in exchange for a payment of \$75,000.00, which has been determined to be a reasonable value for the property.

3. The Town Attorney is hereby authorized and directed to prepare such deed, the requisite contract, and such other, necessary documents, and to obtain such necessary signatures, in order to transfer title to 623 Stirling Place, LLC, in exchange for consideration of \$75,000.00.

4. The deed shall provide that the property so transferred shall be merged into, and become a part of, the property already owned by the purchasers, and shall not be developed separately. The deed shall also contain a prohibition against any subdivision of the lot so created by the merger into lots either conforming or non-conforming to the existing zoning.

5. If any section, part, or provision of this ordinance shall be declared to be unenforceable or invalid by any court, such holding shall not affect the validity of this ordinance, or any part hereof, other than the part so held to be unenforceable or invalid.

6. This ordinance shall take effect immediately following publication and, in the manner, provided by law.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JUNE 28, 2022

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$52.20 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 May 2022.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE
28, 2022

JUNE

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

Name	Account	Class	Fee
Amanda Curley 923 Boynton Ave Westfield, NJ 07090	Playground T-05-600-068	Refund Playground / Summer 2022 Eloise McQueeney / Franklin	\$346.75
Peter Kapsalis 718 Austin St Westfield, NJ 07090 (\$74.00)	Pool/Swim Lessons 2-03-55-920-203	Refund Swim Lessons / Summer 2022 Diana Kapsalis / Intermediate-Session 1 / 8:30 am Steven Kapsalis / Intermediate- Session 1 / 8:30	\$148.00
am (\$74.00)			
Kevin Karol 713 Coolidge St Westfield, NJ 07090 (\$74.00)	Pool/Swim Lessons 2-03-55-920-203	Refund Swim Lessons / Summer 2022 Klaire Karol / Swimmer – Session 1 / 11:10 am Klaire Karol / Swimmer – Session 2 / 11:10 am	\$148.00
(\$74.00)			
Matt Gwillim 423 Lenox Ave Westfield, NJ 07090 am	Pool/Swim Lessons 2-03-55-920-203	Refund Swim Lesson / Summer 2022 Anna Gwillim / Intermediate – Session 2 / 9:50	\$74.00

BE IT FURTHER RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual via credit card:

Name	Reason	Program	Fee
Susan Sheehan Credit Card	Withdrew	Playground	\$375.25
Nikita Desai Card	Withdrew	Camp/Mad Science	\$209.00 Credit
Nikita Desai	Withdrew	Camp/Chemistry	\$209.00

Card			Credit
Lindsay Cuffaro	Withdrew	Volleyball/Session 2	\$189.05 Credit
Card			
Melissa Bernstein	Withdrew	Brightwood Class 6/16	\$5.00 Credit
Card			
Kaitlin Barbour	Class Canceled	Brightwood Class 6/16	\$10.00 Credit
Card			
Kevin McGovern	Withdrew	Swim Lessons	\$74.00 Credit
Card			
Thao Tran	Withdrew	Diving Clinic (Zain)	\$45.00
	Withdrew	Diving Clinic (Raza)	\$45.00
	Withdrew	Swim Lessons (Raza)	\$74.00
	Withdrew	Swim Lessons (Raza)	\$74.00
Card			Credit
Card			
Melissa Mohan	Withdrew	Swim Lessons	\$74.00 Credit
Card			
Jeffrey Cohen	Withdrew	Youth Pickleball/Summer	\$142.50 Credit
Card			
Clarissa Dobek	Withdrew	Diving Clinic	\$45.00 Credit
Card			
Diana Aldecoa	Program Canceled	Chemistry Camp	\$220.00 Credit
Card			
Nicholas Forrestal	Withdrew	Swim Team	\$104.50 Credit
Card			
Shidong Li	Withdrew	Swim Team	\$104.50 Credit
Card			
Peter Pantelic	Withdrew	Swim Team	\$104.50 Credit
Card			

Ashar Choudhry	Did not make team	Swim Team	\$110.00 Credit
Card			
Nicholas Forrestal	Did not make team	Swim Team	\$110.00 Credit
Card			
Daniel Betancourt	Did not make team	Swim Team	\$110.00 Credit
Card			
Jarett Kamins	Did not make team	Swim Team	\$110.00 Credit
Card			
Christopher Edwards	Did not make team	Swim Team	\$110.00 Credit
Card			
Erika Simon	Did not make team	Swim Team	\$110.00 Credit
Card			
Jim Tierney	Did not make team	Swim Team	\$110.00 Credit
Card			
Chip Parks	Did not make team	Swim Team	\$110.00 Credit
Card			
Lacey Archer	Did not make team	Swim Team	\$110.00 Credit
Card			
Kevin Salmon	Did not make team	Swim Team	\$110.00 Credit
Card			
Sha Liu	Did not make team	Swim Team	\$110.00 Credit
Card			
Chunrui Sun	Did not make team	Swim Team	\$110.00 Credit
Card			
Kristin Gibbs	Did not make team	Swim Team	\$110.00 Credit
Card			
Mia Meng	Did not make team	Swim Team	\$110.00

Card			Credit
Joseph Jablonski	Did not make team	Swim Team	\$110.00 Credit
Card			
Sandra Anderson	Withdrew	Lifeguard Cert Classes	\$209.00 Credit
Card			
Mark Louis Mokrzycki	Withdrew	Lifeguard Cert Classes	\$160.00 Credit
Card			
Terrence Rindler	Withdraw	Swim Lessons	\$74.00 Credit
Card			
Yailin Ramirez	Withdraw	Swim Lessons	\$74.00 Credit
Card			
Yailin Ramirez	Withdraw	Swim Lessons	\$74.00 Credit
Card			
Yailin Ramirez	Withdraw	Swim Lessons	\$74.00 Credit
Card			
Yilin Ramirez	Withdraw	Swim Lessons	\$74.00 Credit
Card			
Alaina Camuto	Refund	Pool Membership	\$171.00 Credit
Card			
Alaina Camuto	Refund	Pool Membership	\$189.05 Credit
Card			

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO. -2022

FINANCE POLICY COMMITTEE
2022

JUNE 28,

WHEREAS, the following applicants have posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid or the applicant has withdrawn their application

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, all addresses in Westfield:

App #	Name	Address	G/L	Refund Amount
BOA 21-24	Ferry, Brett	646 4th Avenue	2-05-560-874	\$500.00
BOA 21-27	Elite Performance	918 South Ave West	2-05-560-877	\$881.76
BOA 21-75	Licini, Natalie	800 Hillside Ave	2-05-560-928	\$250.00
BOA 20-53	Kierzkowski, Pawel	171 Tudor Oval	2-05-560-840	\$250.00
BOA 20-52	Mednick, Alex & Stone, Allison	621 Short Hills Court	2-05-560-839	\$250.00
BOA 20-50	Tabatchnick, Cara	1000 Wychwood Road	2-05-560-837	\$250.00
BOA 20-49	Jemal, Daniel	16 Breeze Knoll Drive	2-05-560-836	\$500.00
BOA 20-48	Nash, Stephanie	237 Munsee Way	2-05-560-835	\$250.00
BOA 20-47	Mandel, Howard & Nadine	25 North Wickom Drive	2-05-560-834	\$500.00
BOA 20-46	Dias, Neil	1416 Boulevard	2-05-560-833	\$500.00
BOA 20-45	Nathanson, David & Amy Alvarez, Monica &	1 Breeze Knoll Drive	2-05-560-832	\$500.00
BOA 20-44	Quintana, Alvaro	158 Euclid Avenue N.	2-05-560-831	\$250.00
BOA 20-43	Singer, Jeffrey & Melanie	1141 Tice Place	2-05-560-830	\$500.00
BOA 20-41	Escribano, Christine	415 Mountain Avenue	2-05-560-828	\$500.00
BOA 20-40	Molloy, Evan & Kirsten	846 Cedar Terrace	2-05-560-827	\$500.00
BOA 20-39	Ostrowski, Zachary & Ashley	510 Kimball Turn	2-05-560-826	\$750.00
BOA 20-38	Heintz, Gregory & Halliston	218 Seneca Place	2-05-560-825	\$250.00
BOA 20-37	Sachs, Matthew & Julie	24 Hawthorn Drive	2-05-560-824	\$1,000.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE
28, 2022

JUNE

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2021-2022:

<u>Block/Lot/Qualifier</u>	<u>Property Address</u>	<u>Quarter/Year</u>
<u>Name</u>	<u>Property Address</u>	<u>Amount</u>
1403/1	1121 Wychwood Road	1 st /2022
MOORE, Thomas		\$1,981.85
		2 nd /2022
		<u>\$1,981.85</u>
		\$3,963.70
3010/1/C0002	515 Trinity Place	2 nd /2022
CoreLogic Refunds Dept		\$2,184.63
3001 Hackberry Road		
Irving, TX 75063		
4103/43	721 Carleton Road	4 th /2021
DOHERTY, Mary		\$4,182.07
109 Park Street		
Westfield, NJ 07090		

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION

FINANCE POLICY COMMITTEE
28, 2022

JUNE

WHEREAS, Michael Hennessey placed the required cash bond of \$1500.00 to cover the Road Opening Permit #21-118 for 402 North Euclid Avenue; and

WHEREAS, Michael Hennessey is entitled to have this amount to 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 Michael Hennessey for \$1,500.00 and forward to 444 Mountain Avenue, Westfield, New Jersey 07090.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO. -2022

FINANCE POLICY COMMITTEE
28, 2022

JUNE

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

<u>Name</u>	<u>Reason</u>	<u>Fee</u>
G Lab Aesthetics	Duplicate payment Paid by check and with credit card	\$50.00 Credit Card

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO. X-2022

FINANCE POLICY COMMITTEE

JUNE 28, 2022

WHEREAS, Chief Anthony Tiller was custodian of the Petty Cash Fund for the Fire Department Offices, and

WHEREAS, following the retirement of Chief Tiller and in accordance with N.J.S.A. 40A:5-21, the Town of Westfield is changing custodians to Chief Michael Duelks; and

WHEREAS, Chief Duelks is bonded in the amount of \$1,000,000 by virtue of an Employee Dishonesty Blanket Coverage bond through the Municipal Excess Liability Joint Insurance Fund.

NOW, THEREFORE BE IT RESOLVED that that Council of the Town of Westfield hereby authorizes such action and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO. xxx-2022

FINANCE POLICY COMMITTEE
28, 2022

JUNE

WHEREAS, Public Works Supervisor, Rich Eubanks has been certified as a Recycling Coordinator for the Town of Westfield; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that Rich Eubanks shall be paid \$2,956.52 for additional duties performed as Recycling Coordinator for calendar year 2022.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO. XXX-2022

FINANCE POLICY COMMITTEE

JUNE 28, 2022

BE IT RESOLVED by the Town Council of the Town of Westfield that the Mayor is authorized to sign the collective bargaining agreement between the Town of Westfield and the FMBA Local #30 for the years 2022-2025.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO. XXX-2022

FINANCE POLICY COMMITTEE

JUNE 28, 2022

RESOLUTION COMBINING SEVERAL AUTHORIZATIONS OF
BONDS INTO A SINGLE ISSUE AND PRESCRIBING
THE DETAILS AND BOND FORM THEREOF FOR
\$9,900,000 GENERAL IMPROVEMENT BONDS
DATED AUGUST 1, 2022

WHEREAS, the bond ordinances hereinafter described have been duly adopted and it is necessary to provide for the issuance of the bonds authorized by such bond ordinances; NOW, THEREFORE,

BE IT RESOLVED by the Town Council of the Town of Westfield, in the County of Union, New Jersey (the "Town"), as follows:

Section 1. There shall be issued at this time \$875,000 of the bonds authorized pursuant to Bond Ordinance No. 2208 adopted by the Town Council of said Town on May 2, 2017. The bonds are issued to finance the resurfacing or reconstruction of various roads or sections thereof (including curb installation or replacement and drainage improvements, where necessary); the undertaking of crosswalk and stop bar striping on a Town-wide basis; and the replacement of the Tamaques Way Sanitary Sewer

Pumping Station, all in, by and for the Town. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 12.12 years computed from the date of such bonds.

Section 2. There shall be issued at this time \$365,000 of the bonds authorized pursuant to Bond Ordinance No. 2211 adopted by the Town Council of said Town on December 11, 2017. The bonds are issued to finance the replacement of the playground at Mindowaskin Park with a handicapped-accessible playground with a safety surface and various amenities in, by and for the Town. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 15 years computed from the date of such bonds.

Section 3. There shall be issued at this time \$2,324,000 of the bonds authorized pursuant to Bond Ordinance No. 2212 adopted by the Town Council of said Town on May 8, 2018. The bonds are issued to finance the undertaking of the following road and pedestrian safety improvements: (i) resurfacing of Grove Street from Rahway Avenue to Central Avenue (including curb installation or replacement and drainage improvements, where necessary), (ii) installation of flashing pedestrian beacons at various locations and (iii) resurfacing or reconstruction of various roads or sections thereof (including curb installation or replacement and

drainage improvements, where necessary); the undertaking of crosswalk and stop bar striping on a Town-wide basis; and the undertaking of an engineering study of Town roads for future road improvements, all in, by and for the Town. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 4. There shall be issued at this time \$3,478,000 of the bonds authorized pursuant to Bond Ordinance No. 2216 adopted by the Town Council of said Town on May 21, 2019. The bonds are issued to finance the undertaking of the following road and pedestrian safety improvements: (i) installation of flashing pedestrian beacons at various locations and (ii) resurfacing or reconstruction of various roads or sections thereof (including drainage improvements, where necessary, and installation of handicapped access ramps); the resurfacing of Rahway Avenue from Willow Grove Road to the Clark border (including drainage improvements, where necessary, and installation of handicapped access ramps); the acquisition of a pickup truck for the use of the Police Department and a senior transportation bus and a van for the use of the Recreation Department; and the undertaking of the following public improvements: (i) renovation of the coffee kiosk at the South Side Train Station, (ii) improvements to the Quimby

Street pedestrian alleyway and (iii) improvements to the Town Council Chambers and various conference rooms in the Municipal Building, all in, by and for the Town. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 5. There shall be issued at this time \$633,000 of the bonds authorized pursuant to Bond Ordinance No. 2218 adopted by the Town Council of said Town on September 24, 2019. The bonds are issued to finance the acquisition of a new pumper fire engine in, by and for the Town. The period of usefulness of the purpose to be financed by such bond ordinance is a period of 10 years computed from the date of such bonds.

Section 6. There shall be issued at this time \$2,225,000 of the bonds authorized pursuant to Bond Ordinance No. 2221 adopted by the Town Council of said Town on April 6, 2021. The bonds are issued to finance the resurfacing or reconstruction of various roads (including curb installation or replacement and drainage improvements, where necessary); the acquisition of in-vehicle computer equipment, radar units and traffic safety devices for the use of the Police Department; the acquisition of an air compressor for self-contained breathing apparatus for the use of the Fire Department; the acquisition of a front end loader for the use of

the Department of Public Works; the installation of fencing, benches, tables and other amenities at various parks; and the undertaking of the following improvements to public buildings and property: (i) improvements to the Town Council Chambers and various conference rooms in the Municipal Building, (ii) installation of lighting at various locations, (iii) replacement of steps at the South Avenue train station and (iv) energy efficiency improvements at various public buildings, including replacement of HVAC units and lighting upgrades, all in, by and for the Town. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 11.30 years computed from the date of such bonds.

Section 7. The bonds authorized by said six bond ordinances described in Sections 1 to 6, inclusive, of this resolution shall be issued as a single issue of bonds, aggregating \$9,900,000 consisting of an issue of bonds of the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of their maturity. In the event that the purchaser of the bonds elects to take bonds in the last maturity which are not in multiples of \$5,000, or, if there are any such bonds herein, such bonds shall be in the denomination of \$1,000 or any integral multiple thereof, numbered upwards from the last numbered \$5,000 bond. The average period of usefulness within which the bonds

authorized by said six bond ordinances mature, according to the respective reasonable lives of the purposes to be financed, as determined in said ordinances taking into consideration the respective amounts of bonds authorized for the purposes to be financed as set forth in each of the bond ordinances hereinbefore set forth, is a period of 10.66 years computed from the date of such bonds. Said issue shall be payable in annual installments on August 1 in each year and, subject to adjustment as authorized by Section 12 of this resolution, in the amounts as follows:

\$685,000 in the year 2023,
\$745,000 in the year 2024,
\$805,000 in the year 2025,
\$870,000 in the year 2026,
\$940,000 in the year 2027,
\$1,055,000 in the year 2028,
\$1,100,000 in the year 2029,
\$1,200,000 in the year 2030, and
\$1,250,000 in each of the years 2031 and 2032.

Said bonds shall be designated "General Improvement Bonds". A portion of the indebtedness evidenced by each such bond shall be deemed to have been incurred for the purpose described in each bond ordinance authorizing bonds of the same maturity, and such portion of such indebtedness shall be in the same proportion to the principal amount of such bonds as the total amount of bonds of like maturity to be issued pursuant to such bond ordinance bears to the aggregate amount of bonds of like maturity to be issued pursuant to such six bond ordinances.

Section 8. All of said bonds shall be dated August 1, 2022, and shall bear interest from their date until their respective maturities at the rates per annum named in the proposal accepted. Such rates of interest shall be determined at the time said bonds are sold. Such interest shall be payable on each February 1 and August 1, commencing February 1, 2023 (each, an "Interest Payment Date"), in each year until maturity or prior redemption.

Section 9. The bonds maturing on or before August 1, 2029 are not subject to redemption prior to their stated maturities. The bonds maturing on or after August 1, 2030 are subject to redemption at the option of the Town prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after August 1, 2029, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the Town determines to optionally redeem a portion of the bonds prior to maturity, such bonds so redeemed shall be in such maturities as determined by the Town, and within any maturity, by lot; *provided, however,* that the portion of any bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting bonds for redemption, the Bond Registrar/Paying Agent (as hereinafter defined) shall treat

each bond as representing that number of bonds that is obtained by dividing the principal amount of such bond by \$5,000.

Section 10. Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any bond subject to redemption is a part of a greater principal amount of the bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the bond not to be redeemed, a new bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the bond surrendered less the amount to be redeemed.

Section 11. The bonds will be issued in fully registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. The book-entry system will evidence ownership of the bonds in principal

amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the bonds will be payable at the times stated in Section 8 of this resolution, and principal of the bonds will be paid annually on August 1, as set forth in the maturity schedule hereinbefore stated, in immediately available funds to DTC or its nominee as registered owner of the bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Interest will be payable to owners of bonds shown on the records of DTC as of the fifteenth day of the month preceding the month in which such interest payment date occurs. The Town will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the bonds, or (b) the Town determines that continuation of the book-entry system of evidence and transfer of ownership of the bonds would adversely affect the interests of the beneficial owners of the bonds, the Town will discontinue the book-entry system with DTC. If the Town fails to identify another qualified securities depository to replace DTC,

the Town will authenticate and deliver replacement bonds in the form of fully registered certificates.

The principal of and the interest on the bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 12. The Chief Financial Officer, pursuant to N.J.S.A. 40A:2-34, is hereby authorized to sell and award the bonds in accordance with the terms of the notice of sale (the "Notice of Sale"), such terms to be determined by a resolution of the Town Council to be hereafter adopted. The Chief Financial Officer shall report in writing to the Town Council at the next meeting after the sale of the bonds as to the principal amount, interest rates and maturities of the bonds sold, the price obtained and the name of the purchaser. In accordance with N.J.S.A. 40A:2-26(g), there is hereby delegated to the Chief Financial Officer the authority to adjust the aggregate amount of and the maturity schedule for the bonds at the times and in the amounts as provided in the Notice of Sale. There is hereby further delegated to the Chief Financial Officer the authority to postpone the public sale of the bonds without re-advertisement in accordance with the provisions of the Notice of Sale. The public sale of the bonds may not be postponed more than sixty (60) days without re-advertisement.

Section 13. All of said bonds shall be signed by the Mayor by manual or facsimile signature and by the Chief Financial Officer by manual or facsimile signature and the corporate seal of said Town shall be imprinted, affixed or reproduced thereon and such seal shall be attested by the Town Clerk by manual signature. The bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 14. Each of said bonds shall be issued in substantially the following form:

[Form of Bond]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-__

\$

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF UNION
TOWN OF WESTFIELD
GENERAL IMPROVEMENT BOND

<u>INTEREST</u> <u>RATE PER</u> <u>ANNUM</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>
%	AUGUST 1, 20__	AUGUST 1, 2022	960113

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: ----- DOLLARS

The Town of Westfield, a municipal corporation of the State of New Jersey, located in the County of Union (hereinafter referred to as the "Town"), for value received hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it

shall mature at the INTEREST RATE PER ANNUM specified above, payable on each February 1 and August 1, commencing February 1, 2023 (each, an "Interest Payment Date"), of each year until maturity or prior redemption. The principal hereof is payable at the office of the Chief Financial Officer, Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the fifteenth day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination, interest rate and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to six bond ordinances adopted by the Town Council of the Town on May 2, 2017 (Ord. No. 2208), December 11, 2017 (Ord. No. 2211), May 8, 2018 (Ord. No. 2212), May 21, 2019 (Ord. No. 2216), September 24, 2019 (Ord. No. 2218) and April 6, 2021 (Ord. No. 2221) and

resolutions adopted by the Town Council of the Town on June 28, 2022.

The Bonds maturing on or before August 1, 2029 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after August 1, 2030 are subject to redemption at the option of the Town prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after August 1, 2029, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the Town determines to optionally redeem a portion of the Bonds prior to maturity, such Bonds so redeemed shall be in such maturities as determined by the Town, and within any maturity, by lot; *provided, however,* that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond

Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

The Bond Registrar/Paying Agent shall keep at its office the books of the Town for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the resolution upon the surrender hereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bond or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount

of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey, to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond together with all other indebtedness of the Town, is within every debt and other limit prescribed by the Constitution or statutes of said State.

The full faith and credit of the Town are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the Town has caused this Bond to be signed by its Mayor by manual or facsimile signature and by its Chief Financial Officer by manual or facsimile signature, and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its Town Clerk by manual signature and this Bond to be dated August 1, 2022.

[SEAL]

(manual or facsimile signature)
Mayor

ATTEST:

(manual signature)
Town Clerk

(manual or facsimile signature)
Chief Financial Officer

AUTHENTICATION DATE: AUGUST 1, 2022

CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolutions and is one of the General Improvement Bonds dated August 1, 2022 of the Town of Westfield, in the County of Union, State of New Jersey.

Chief Financial Officer,
as Bond Registrar/Paying Agent

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____, the within Bond and irrevocably appoints _____ attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

NOTICE: _____
The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

[End of Form of Bond]

Section 15. Bonds may, upon surrender thereof at the office of the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent and, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any bond may be registered only upon the registration books of the Town upon the surrender thereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall authenticate and deliver in exchange for such bond a new bond or bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which bonds shall be exchanged or the transfer of bonds shall be registered hereunder, the Bond

Registrar/Paying Agent shall authenticate and deliver at the earliest practicable time bonds in accordance with the provisions of this resolution. All bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar/Paying Agent. The Town or the Bond Registrar/Paying Agent may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of bonds under this resolution.

As to any bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such bond and the interest on any such bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such bond, including interest thereon, to the extent of the sum or sums so paid.

The Town shall appoint such registrars, transfer agents, depositories or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and

exchange of bonds within a reasonable time according to the then commercial standards and for the timely payment of principal and interest with respect to the bonds. The Chief Financial Officer is hereby appointed registrar and paying agent for the Bonds (the "Bond Registrar/Paying Agent") subject to the right of the Town Council to appoint another Bond Registrar/Paying Agent, and, as such, shall keep at the Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, the books of the Town for the registration, registration of transfer, exchange and payment of the bonds.

Section 16. The Mayor, the Chief Financial Officer and the Town Clerk are hereby authorized and directed to cause said bonds to be prepared and to execute and deliver said bonds upon payment of the purchase price therefor.

Section 17. This resolution shall take effect immediately upon its adoption.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JUNE 28, 2022

RESOLUTION AUTHORIZING THE PUBLICATION, PRINTING AND DISTRIBUTION OF A NOTICE OF SALE AND THE PUBLICATION OF A SUMMARY NOTICE OF ~~SALE AND PRESCRIBING THE FORMS THEREOF FOR~~ \$9,900,000 GENERAL IMPROVEMENT BONDS, DATED AUGUST 1, 2022, APPROVING THE PREPARATION, DISTRIBUTION AND EXECUTION OF A PRELIMINARY AND A FINAL OFFICIAL STATEMENT FOR SUCH BONDS, UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE OF FINANCIAL INFORMATION, COVENANTING TO COMPLY WITH THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, DESIGNATING SUCH BONDS AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" FOR PURPOSES OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, AND AUTHORIZING VARIOUS MATTERS IN CONNECTION WITH ELECTRONIC BIDDING FOR THE BONDS

WHEREAS, the Town Council of the Town of Westfield, in the County of Union, New Jersey (the "Town"), desires to make further provision for the issuance of \$9,900,000 General Improvement Bonds (the "Bonds"), which are to be issued pursuant to bond ordinances heretofore adopted by the Town Council; NOW, THEREFORE,

BE IT RESOLVED by the Town Council of the Town of Westfield, in the County of Union, as follows:

Section 1. A Notice of Sale (the "Full Notice of Sale") shall be published and printed and posted with the Preliminary Official Statement (as hereinafter defined) for distribution in substantially the following form:

NOTICE OF SALE

TOWN OF WESTFIELD,
IN THE COUNTY OF UNION, NEW JERSEY

\$9,900,000* GENERAL IMPROVEMENT BONDS
(Book-Entry Only) (Bank-Qualified)
(Callable) (Parity Bid)

dated
August 1, 2022

The Town of Westfield, in the County of Union, a municipal corporation of the State of New Jersey (the "Town"), hereby invites ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS for the purchase of its \$9,900,000* General Improvement Bonds, dated August 1, 2022 (the "Bonds").

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received and publicly opened and announced by the Chief Financial Officer in the Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, on July 20, 2022 at 11:00 o'clock A.M. (local time).

The Bonds comprise an issue of bonds payable on August 1 in each year and, subject to adjustment as provided herein, in the amounts as follows:

\$685,000 in the year 2023,
\$745,000 in the year 2024,
\$805,000 in the year 2025,
\$870,000 in the year 2026,
\$940,000 in the year 2027,
\$1,055,000 in the year 2028,
\$1,100,000 in the year 2029,
\$1,200,000 in the year 2030, and
\$1,250,000 in each of the years 2031 and 2032.

To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

*Preliminary, subject to change as described herein.

The Bonds shall be issued in registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC") and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any integral multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The successful bidder, as a condition to delivery of the Bonds, shall be required to deposit the bond certificates with DTC, registered in the name of Cede & Co., its nominee. Interest on the Bonds will be payable on each February 1 and August 1, commencing February 1, 2023 (each, an "Interest Payment Date"), in each year until maturity or prior redemption, and principal of the Bonds will be payable, at maturity, by payment of immediately available funds by the Bond Registrar/Paying Agent to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest to participants of DTC will be the responsibility of DTC. Transfer of principal and interest to beneficial owners will be the responsibility of the DTC participants and other nominees of the beneficial owners. The Town will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Town determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Town will discontinue the book-entry system with DTC. If the Town fails to identify another qualified securities depository to replace DTC, the Town will deliver replacement bonds in the form of fully registered certificates.

The Bonds maturing on or before August 1, 2029 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after August 1, 2030 are subject to redemption at the option of the Town prior to maturity, in whole on any date or in part on any Interest Payment Date, on or after August 1, 2029, upon notice as hereinafter set forth at the redemption price of 100% of the principal amount being redeemed, plus accrued interest to the date fixed for redemption.

If the Town determines to optionally redeem a portion of the Bonds prior to maturity, such Bonds so redeemed shall be in

such maturities as determined by the Town, and within any maturity, by lot; *provided, however,* that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

Bidders may not elect to structure any maturities of the Bonds as term bonds.

The Bonds are general obligations of the Town and are secured by a pledge of the full faith and credit of the Town for the payment of the principal thereof and the interest thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the Town without limitation as to rate or amount.

Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds bid for, and the rate or rates named must be a multiple of 1/8th or 1/20th of one percentum (1%). The interest payable with respect to each Bond on any one date will be evidenced by a single rate of interest. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. The difference between the lowest and the highest rates named in the proposal shall not exceed two percentum (2%). The Town reserves its right to reject all bids, and any bid not complying with the material terms of this notice will be rejected. The Town reserves the right to waive defects it deems non-material, in its sole discretion.

The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost ("TIC"). Such TIC cost shall be computed by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the Bonds and to the price bid, excluding interest accrued to the delivery date. Each proposal submitted must be for all the Bonds and the purchase price specified in the proposal must not be less than \$9,900,000 nor more than \$10,395,000 (105% of the aggregate principal amount of the Bonds). No proposal shall be considered that offers to pay an amount less than the principal amount of the Bonds offered for sale or under which the total loan is made at a TIC higher than the lowest TIC to the Town under any legally acceptable proposal, and if two or more bidders offer to pay the lowest TIC, then the Bonds will be sold to one of such bidders selected by lot from among all such bidders.

It is requested that each proposal be accompanied by a computation of the TIC to the Town under the terms of the proposal in accordance with the method of calculation described in the preceding paragraph (computed to six decimal places), but such computation is not to be considered as part of the proposal for Bonds. Determinations of TIC by the Town shall be final.

The Town may after the receipt and opening of bids, adjust the maturity schedule of the Bonds, provided however, that (1) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of Bonds as specified herein and the aggregate principal amount of Bonds as adjusted will not exceed \$9,900,000. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of the Bonds to be issued. Immediately upon being notified that it is the successful bidder, the successful bidder shall provide to the Town's municipal advisor and bond counsel the initial offering prices of the Bonds to the public. Upon receipt of the initial offering prices of the Bonds to the public from the successful bidder, the bid price will be adjusted to reflect changes in the dollar amount of the underwriter's discount and the original issue premium, but will not change the per bond underwriter's discount as calculated from the bid and the initial offering prices of the Bonds to the public. The Town shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., local time, on the day of the sale and award the

Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

The successful bidder must pay accrued interest from the date of the Bonds to the date of delivery. No interest will be paid upon the deposit made by the successful bidder. The Bonds will be authenticated by the Chief Financial Officer, acting as Bond Registrar/Paying Agent for the Bonds.

Sealed proposals should be addressed to the undersigned Chief Financial Officer, and enclosed in a sealed envelope marked on the outside "Proposal for Bonds". A good faith deposit (the "Deposit") in the form of a cash wire or a certified, treasurer's or cashier's check drawn upon a bank or trust company in the amount of \$198,000, payable to the order of the TOWN OF WESTFIELD, is required for each bid to be considered. If a cash wire is used, the wire must be received by the Town no later than 11:00 A.M. on July 20, 2022. If a cash wire is utilized, each bidder must notify the Town of its intent to use such cash wire prior to 11:00 A.M. on July 20, 2022, and must provide proof of electronic transfer of such cash wire prior to 11:00 A.M. on July 20, 2022 (with return wiring instructions). Wire instructions for the Town can be obtained by contacting the Town's Bond Counsel (Steven Rogut or Peter Calhoun (908) 931-1150) or its municipal advisor (Sherry Tracey stracey@muniadvisors.com or (609) 291-0130) at Phoenix Advisors, LLC, Bordentown, New Jersey (the Municipal Advisor"). If a check is used, it must accompany the bid or be received by the undersigned Chief Financial Officer prior to the opening of bids. Each bidder accepts responsibility for delivering such cash wire or check on time and the Town is not responsible for any cash wire or check that is not received on time. Checks or wires of unsuccessful bidders will be returned upon the award of the Bonds. No interest on the Deposit will accrue to the successful bidder. The Deposit will be applied in part payment for the Bonds or to partially secure the Town from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made promptly after opening of the bids, but such successful bidder may not withdraw its proposal until after 5:30 p.m. (local time) of the day of such bid-opening and then only if such award has not been made prior to the withdrawal.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such

number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Bonds in accordance with its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the Town; provided, however, that the request for the assignment of CUSIP identification numbers shall be the responsibility of the Municipal Advisor and the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the successful bidder. CUSIP numbers must be communicated to Bond Counsel within 24 hours of the award of the Bonds in order to have the CUSIP numbers printed on the Bonds.

The Bonds shall be delivered on or about August 1, 2022 at the office of Rogut McCarthy LLC, Cranford, New Jersey ("Bond Counsel"), or at such other place as may be determined by the successful bidder and the Town. PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE IN IMMEDIATELY AVAILABLE FUNDS.

A preliminary Official Statement has been prepared and is available at www.i-DealProspectus.com or may be obtained from the Municipal Advisor stracey@muniadvisors.com or the undersigned, Chief Financial Officer, Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, Telephone No. (908) 789-4097, ext. 4. The preliminary Official Statement is deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12"), but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The preliminary Official Statement, as so revised, will constitute the "final official statement". By the submission of a bid for the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the final Official Statement within seven business days of the award of the Bonds. In order to complete the final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to Bond Counsel and the Town by facsimile transmission or overnight delivery received by Bond Counsel and the Town within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate and (d)

any other material information necessary for the final Official Statement, but not known to the Town (such as the bidder's purchase of credit enhancement). It shall also be the obligation of the successful bidder to furnish to DTC an underwriter's questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

Concurrently with the delivery of the Bonds, the officials of the Town who will have executed the final Official Statement will deliver to the purchaser of the Bonds a certificate stating that, to the best of their knowledge, the preliminary Official Statement did not as of its date and as of the sale date, and the final Official Statement did not as of its date and does not as of the date of delivery of the Bonds, contain an untrue statement of a material fact or omit to state a material fact required to be included therein for the purpose for which the preliminary Official Statement or the final Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, provided such certificate shall not include consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds.

The Town has agreed in its bond resolution adopted on June 28, 2022 to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12, (i) not later than seven months after the end of the Town's fiscal year (presently December 31) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year (commencing with the fiscal year ending December 31, 2022), (ii) timely notice of the occurrence of certain material events with respect to the Bonds and financial obligations of the Town and (iii) timely notice of a failure by the Town to provide the required annual financial information on or before the date specified in (i) above.

The successful bidder's obligation to purchase the Bonds shall be conditioned upon its receiving, at or prior to the delivery of the Bonds, in form and substance reasonably satisfactory to the successful bidder, evidence that the Town has made the continuing disclosure undertaking set forth above in a written agreement or contract for the benefit of the Bondholders and the beneficial owners of the Bonds.

The approving legal opinion of Bond Counsel will be furnished without cost to the purchaser. The preliminary Official Statement contains a discussion of the provisions of

the Internal Revenue Code of 1986, as amended (the "Code"), with respect to the exclusion from gross income for Federal income tax purposes of the interest on the Bonds and a description of the opinion of Bond Counsel with respect thereto. The Town has covenanted, to the extent permitted by the Constitution and laws of the State of New Jersey, to comply with the provisions of the Code required to preserve the exclusion from gross income of interest on the Bonds for Federal income tax purposes. There will also be furnished the usual closing papers.

The Town has designated the Bonds "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code and will represent that it reasonably expects that neither it nor its subordinate entities will issue more than \$10,000,000 of new money tax-exempt obligations in the current calendar year.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall also be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

The Town reserves the right to postpone, from time to time, the date and time established for the receipt of bids. Any such postponement shall be published on TM3 News Service, or by other available means, not less than twenty-four (24) hours prior to the sale. If any date fixed for receipt of bids and the sale of the Bonds is postponed, an alternative sale date will be announced via TM3 News Service, or by other available means, at least forty-eight (48) hours prior to such alternative date.

ISSUE PRICE DETERMINATION UNDER INTERNAL REVENUE CODE

If the "competitive sale requirements" are not satisfied, the winning bidder shall have the option to designate whether the "10% test" or the "hold-the-offering-price rule" shall apply to all the Bonds.

The following paragraphs contain the terms for the determination of issue price.

(a) The winning bidder shall assist the Town in establishing the issue price of the Bonds and shall execute and deliver to the Town at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications. A form of issue price certificate is available upon request to Steven L. Rogut, Bond Counsel, (908) 931-1150 or slr@rogutmccarthy.com.

(b) The Town intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

- (1) the Town shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (2) all bidders shall have an equal opportunity to bid;
- (3) the Town may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (4) the Town anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Unless the bidder intends to hold the Bonds for its own account with no intention to offer the Bonds to the public, the bidder, by submitting a bid, represents to the Town that the bidder has an established industry reputation for underwriting new issuances of municipal bonds.

(c) In the event that the competitive sale requirements are not satisfied, the Town shall so advise the winning bidder. In that case, the winning bidder shall have the option to designate (by 5:30 P.M. Prevailing Time on the sale date)

whether the issue price will be calculated upon either (a) the first price at which 10% of each maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis, or (b) a commitment to neither offer nor sell any of the Bonds of any maturity to any person at a price that is higher than the initial offering price to the public as of the sale date (the "initial offering price") during the holding period (as defined herein).

(d) If the 10% test is selected, the winning bidder shall advise the Town if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds, and bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds. If the competitive sale requirements are not satisfied and the 10% test is selected, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the Town the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that, the winning bidder's reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Town or Bond Counsel.

(e) In the event the "hold-the-offering-price" method is selected, for each maturity of the Bonds the winning bidder shall (a) neither offer nor sell any of the Bonds of such maturity to any person at a price that is higher than the initial offering price for such maturity during the holding period for such maturity (the "hold-the-offering-price rule"), and (b) verify that any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any third-party distribution agreement shall contain the agreement of each broker-dealer who is a party to the third-party distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no underwriter (as defined below) shall offer or sell any maturity of the Bonds at a price that is higher than the respective initial offering price for that maturity of the Bonds during the holding period.

(f) By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or

will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable, to (A) either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder, (B) to promptly notify the winning bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below), and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public, and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder or such underwriter that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder or such underwriter, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder.

(g) Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (i) "public" means any person other than an underwriter or a related party,
- (ii) "underwriter" means (A) any person that agrees pursuant to a written contract or otherwise with the Town (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public),
- (iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profits interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other),
- (iv) "sale date" means the date that the Bonds are awarded by the Town to the winning bidder,
- (v) "holding period" means, for each maturity of the Bonds, the period starting on the sale date and ending on the earlier of (i) the close of the fifth business day after the sale date, or (ii) the date on which the Underwriter has sold at least 10% of each maturity to the Public at

prices that are no higher than the Initial Offering Price for such maturity, and

- (vi) "maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

By order of the Town Council of the Town of Westfield, in the County of Union, New Jersey.

Dated: July 1, 2022

/s/ Scott H. Olsen
Chief Financial Officer
Town of Westfield
County of Union, New Jersey

Section 2. A Summary Notice of Sale ("Summary Notice of Sale") shall be published in substantially the following form:

SUMMARY NOTICE OF SALE

TOWN OF WESTFIELD,
IN THE COUNTY OF UNION, NEW JERSEY

\$9,900,000* GENERAL IMPROVEMENT BONDS
(Book-Entry Only) (Bank-Qualified)
(Callable) (Parity Bid)

dated
August 1, 2022

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received by the Chief Financial Officer of the Town of Westfield, in the County of Union, New Jersey (the "Town"), in the Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, on

July 20, 2022

at 11:00 o'clock A.M. (local time) at which time they will be publicly opened and announced, for the purchase of the Town's \$9,900,000* General Improvement Bonds, dated August 1, 2022 (the "Bonds") and payable on August 1 in each year and, subject to adjustment as provided in the Notice of Sale, in the amounts as follows:

\$685,000 in the year 2023,
\$745,000 in the year 2024,
\$805,000 in the year 2025,
\$870,000 in the year 2026,
\$940,000 in the year 2027,
\$1,055,000 in the year 2028,
\$1,100,000 in the year 2029,
\$1,200,000 in the year 2030, and
\$1,250,000 in each of the years 2031 and 2032.

The Bonds shall be issued in book-entry only form through the book-entry system operated by The Depository Trust Company, New York, New York. The Bonds are subject to redemption prior to maturity at the option of the Town in accordance with the terms set forth in the Notice of Sale to be made available to interested persons (the "Notice of Sale"). The Notice of Sale and Proposal for Bonds should be reviewed by potential bidders for additional terms and conditions of the sale of the Bonds prior to bidding on the Bonds. To the extent any instructions

*Preliminary, subject to change.

or directions set forth in PARITY conflict with the Notice of Sale, the terms of the Notice of Sale shall control. For further information about PARITY, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds will bear interest from their date at a rate or rates of interest in multiples of 1/8th or 1/20th of 1% per annum specified by the successful bidder payable on each February 1 and August 1, commencing February 1, 2023, in each year until maturity or prior redemption. The Bonds will be in the denomination of \$5,000 or any integral multiple thereof. The purchase price specified must not be less than \$9,900,000 nor more than \$10,395,000 (par plus a maximum 5% premium). The difference between the lowest and the highest rates named in the proposal shall not exceed two per centum (2%). Each proposal must be for all the Bonds offered. As further described in the Notice of Sale, bidders must, at the time of making their bids, make a wire transfer or deposit a certified, cashier's or treasurer's check drawn upon a bank or trust company in the amount of \$198,000 to the order of the Town. The Bonds will be sold to the bidder specifying the lowest true interest cost in accordance with the terms set forth in the Notice of Sale. The Town will furnish the Bonds and the approving legal opinion of Rogut McCarthy LLC, Cranford, New Jersey, Bond Counsel.

The Bonds will be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

Copies of the Preliminary Official Statement, the Notice of Sale and the Proposal for Bonds are available at www.i-DealProspectus.com or by contacting the Municipal Advisor (Sherry Tracey of Phoenix Advisors, LLC at stracey@muniadvisors.com) or the undersigned Chief Financial Officer at the Municipal Building, 425 East Broad Street, Westfield, New Jersey 07090, Telephone No. (908) 789-4097, ext. 4.

By order of the Town Council of the Town of Westfield, in the County of Union, New Jersey.

Dated: July 11, 2022

/s/ Scott H. Olsen
Chief Financial Officer
Town of Westfield
County of Union, New Jersey

Section 3. The Town Clerk is hereby authorized and directed to publish (A) the Summary Notice of Sale in THE BOND BUYER, which is a publication carrying municipal bond notices and devoted primarily to the subject of State and municipal bonds, and is published in New York City, and (B) the Full Notice of Sale in The Westfield Leader, a newspaper of general circulation published in the County of Union and circulating in the Town. Said Summary Notice of Sale and Full Notice of Sale shall be published in each publication not later than one week before the date of the sale of said Bonds.

Section 4. The preparation of and distribution to potential bidders for the Bonds of a Preliminary Official Statement to be dated on or about July 11, 2022 is hereby approved. Such Preliminary Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12").

Section 5. The preparation of an Official Statement in connection with the sale of the Bonds to be dated on or about July 20, 2022 is hereby approved. Such Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12.

Section 6. The execution of the Official Statement by the Chief Financial Officer and the Town Clerk on behalf of the Town, the distribution of same to the successful bidder and the successful bidder's subsequent distribution of the Official Statement to purchasers or prospective purchasers of the Bonds are hereby authorized.

Section 7. The Town hereby agrees to undertake for the benefit of the Bondholders and the beneficial owners of the Bonds to provide certain secondary market disclosure information pursuant to Rule 15c2-12 to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format, as prescribed by the MSRB. Specifically, the Town will do the following for the benefit of the holders of the Bonds and the beneficial owners thereof:

(A) Not later than seven months after the end of the Town's fiscal year (presently December 31), commencing with the report for the fiscal year ending December 31, 2022, provide or cause to be provided annual financial information with respect to the Town consisting of (i) audited financial statements (or unaudited financial statements if audited financial statements are not then available by the date of filing, which audited financial statements will be delivered when and if available) of the Town and (ii) certain financial information and operating data consisting of information concerning the Town's debt,

overlapping indebtedness, tax rate, levy and collection data, property valuation, budget and fund balance of the type contained in Appendix A of the Official Statement. The audited financial statements will be prepared in accordance with mandated State statutory accounting principles, as in effect from time to time. Audited financial statements if not available by the filing date will be submitted separately when available.

(B) Provide or cause to be provided in a timely manner not in excess of ten business days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds or financial obligations of the Town:

- (1) Principal or interest payment delinquencies;
- (2) Non-payment related default, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) Modifications to the rights of Bondholders, if material;

(8) Bond calls, if material, and tender offers;

(9) Defeasances;

(10) Release, substitution or sale of property which secures the repayment of the Bonds, if material;

(11) Rating changes;

(12) Bankruptcy, insolvency, receivership or similar event of the Town (the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Town in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Town, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Town);

(13) The consummation of a merger, consolidation, or acquisition involving the Town or the sale of all or substantially all of the assets of the Town, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

(15) Incurrence of a financial obligation of the Town, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the Town, any of which affect Bondholders, if material; and

(16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the Town, any of which reflect financial difficulties.

The Town intends the words used in paragraphs (15) and (16) and the definition of "financial obligation" to have the meanings ascribed to them in SEC Release No. 34-83885 (August 20, 2018).

(C) Provide or cause to be provided, in a timely manner, notice of a failure of the Town to provide required annual financial information on or before the date specified above.

Section 8. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

Section 9. If the Town fails to comply with the undertaking described above, any Bondholder or beneficial owner of the Bonds may pursue an action for specific performance to enforce the rights of all Bondholders and beneficial owners with respect to such undertaking; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds

or any liability by the Town for monetary damages. All actions shall be instituted, had and maintained in the manner provided in this paragraph for the benefit of all Bondholders and beneficial owners of the Bonds.

Section 10. The Town reserves the right to terminate its obligation to provide annual financial information and notice of material events, as set forth above, if and when the Town no longer remains an "obligated person" with respect to the Bonds within the meaning of Rule 15c2-12.

Section 11. The undertaking may be amended by the Town from time to time, without the consent of the Bondholders or the beneficial owners of the Bonds, in order to make modifications required in connection with a change in legal requirements or change in law, or change in the identity, nature, type of operation, or status of the Town, which in the opinion of nationally recognized bond counsel complies with Rule 15c2-12 and does not, in such bond counsel's opinion, materially impair the interest of the Bondholders and the beneficial owners of the Bonds.

Section 12. The Town hereby covenants, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Bonds be and remain excluded from gross income of the owners thereof for

Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

Section 13. The Town hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. It is hereby determined and stated that (1) the Bonds are not "private activity bonds" as defined in the Code and (2) the Town and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2022. The Town will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the Town does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 14. The Mayor, the Chief Financial Officer and the Town Clerk are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds including, without limitation, the execution and delivery of all closing documents and certificates.

Section 15. The Chief Financial Officer, the Town Clerk, the Bond Counsel, the Auditor, the Municipal Advisor and

other Town officials and representatives are hereby authorized to take all necessary actions to allow for (A) the submission of electronic bids for the bonds, (B) the electronic posting of the Preliminary Official Statement, the full Notice of Sale and the bid form and (C) the submission by bidders of a wire transfer in lieu of a good faith check.

Section 16. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

AYES:

NAYS:

[SEAL]

ATTEST: _____
Town Clerk

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

JUNE 28, 2022

BE IT RESOLVED that application for the following liquor license renewals for the 2021-2022 licensing term be and hereby are granted, subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et. seq.:

PLENARY RETAIL DISTRIBUTION LICENSE

Trader Joe's East, Inc. t/a. Trader Joe's 2020-44-008-007	155 Elm Street
Elicia Corporation t/a Nos Vinos 2020-44-010-010	127 Central Avenue
Sunrise Shoprite Liquors, Inc. t/a/ ShopRite Liquors of Westfield 2020-44-011-007	333 South Avenue East
Thakorji Corp. t/a Peterson's Wines Unlimited 2020-44-012-004	1120 South Avenue West
Parikhs Corporation t/a Central Avenue Wines & Liquors 2020-44-018-010	781 Central Avenue
AASHIV Inc. t/a House of Wine & Liquor 2020-44-013-009	115 Quimby Street
Riddhi Ganesh Siddhi LLC t/a Bianchi Wine & Liquors 2020-44-017-012	Inactive

PLENARY RETAIL CONSUMPTION LICENSE

Echo Lake Country Club 2020-33-027-002	515 Springfield Avenue
Prospect Associates, LLC t/a 16 Prospect Wine Bar and Bistro 2020-33-015-010	16 Prospect Street
BB Westfield LLC t/a Bareburger 2020-33-009-009	126 Central Avenue
HBC US Propco Holdings, LLC 2020-33-001-009	inactive

RESTAURANT CONDITIONAL LICENSES

Ferraro's Restaurant Group, LLC
t/a Ferraro's
2020-33-025-009

8-14 Elm Street

341 Westfield Corp.
t/a Fujiyama Mama
2020-33-004-015

341 South Avenue E.

UT Westfield LLC
t/a Addams Tavern
2020-33-028-005

115 Elm Street

DU International, LLC
t/a Akai Lounge
2020-33-005-007

102 East Broad Street

Sweet Waters, Inc.
t/a Sweet Waters Steak House
2020-33-022-005

43 Elm Street

HOTEL CONDITIONAL LICENSE

Chez Catherine Inc.
t/a Chez Catherine
2020-33-024-007

431 North Avenue West

CLUB LICENSE

Centennial Lodge #400 IBPOE
2020-31-020-001

444 West Broad Street

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

JUNE 28, 2022

**A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE
MUNICIPALITY OF TOWN OF WESTFIELD TO EXECUTE AN AGREEMENT WITH THE
COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2014, AS
AMENDED JULY 9, 2019**

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Town of Westfield and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Town of Westfield that the agreement entitled “**COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES**,” dated June 2014, as amended July 9, 2019 for the Purpose of Inserting a Description of Activities for Fiscal Year 2022-2023 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO. XX-2022

PUBLIC WORKS COMMITTEE

JUNE 28, 2021

WHEREAS, sealed bids were received by the Town Clerk on June 21, 2022 for the 2022 Various Road Improvements project in Westfield, New Jersey as authorized by Special Ordinance (S.O.) 2022-01, and

WHEREAS, the low bid, in the amount of \$1,484,939.00, submitted by Riverview Paving, Inc., 895 Willow Grove Road Street, Hackettstown, NJ 07840 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, 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. Expenditure of funds pursuant to this Contract to be charged to S.O. 2022-01, account number C-07-22-001-1A1, under Purchase Order # 22-02143.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$1,484,939.00 be awarded to Riverview Paving, 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, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.