

MINUTES OF REGULAR MEETING HELD JANUARY 25, 2022

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, January 25, 2022 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 8, 2021. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members, Habgood, Parmelee, LoGrippe, Katz, Mackey, Contract, Dardia, and Boyes

ABSENT: None

Salute to the flag.

PRESENTATIONS

Town Administrator's Update

- Reminded residents that taxes are due on February 1, 2022 and discussed different methods for payment that are available. Stated that the tax collection rate has been very successful and thanked residents for the payments.
- Discussed hours for the Conservation Center and announced that the 2022 recycling brochure would be mailed shortly. Thanked the Director of Public Works and the Recycling Coordinator for their efforts.
- Announced that Elizabethtown Gas started utility work early because of recent good weather. Also discussed utility work being conducted by New Jersey American Water Company. Explained that road paving would be conducted once utility work is complete and encouraged residents to visit the Town's website for additional information.

Mayor's remarks

Good evening, everyone, and thanks to all who are joining us online tonight. I want to remind everyone that, in this format, public comment will be accepted only via Zoom, and we are live streaming for viewing only via Facebook. As always, the replay will also be available afterwards on Facebook, YouTube, and TV 36.

COVID-19

We have seen a substantial improvement in COVID trends since our last Town Council meeting just two weeks ago. Today, New Jersey hospitalizations declined for the seventh consecutive day and the state's seven-day average for new confirmed positive tests is now down 47% from a week ago and 29% from a month ago.

At his weekly COVID briefing yesterday, Governor Murphy said that state health officials are optimistic about the declining rate of transmission and test positivity rate. And with overall hospitalizations dropping significantly over the past week, it's important to note that these numbers are still higher than those with the two prior surges. Health officials continue to stress the positive impact of booster shots, stating that the chances of hospitalization or death from COVID is three times lower than having just the initial vaccination. Please get vaccinated, get boosted, and continue to mask up so that we can keep this trend moving in the right direction. I'm hopeful that, with continued momentum of reduced cases, we can return to in-person meetings in the near future.

As always, we will have Westfield's weekly numbers to report on Friday with respect to cases and vaccination rates.

FINANCE POLICY COMMITTEE ITEMS (Remarks by Committee Chair, Councilwoman Habgood)

■ 2022 Budget

It's budget season, and the Finance Policy Committee of the Town Council, along with our Town Administrator, CFO, and department heads, are hard at work reviewing our 2021 performance and planning for this year. As part of that process, Finance Committee Chair Linda Habgood invites you to join the Finance Policy Committee forum on Thursday night at 7:00PM to review the performance of the 2021 budget, provide an overview of the 2022 budget process, and solicit input from residents prior to this year's budget formation. This is the fourth year we've provided this public meeting forum as part of this administration's ongoing commitment to a transparent and public municipal budget process. This year's discussion will take place via Zoom and can be accessed at bit.ly/2022WestfieldPublicBudgetForum.

■ Sewer Fee Ordinance

Tonight, we are hearing an ordinance on first reading regarding our sewer fees. To be clear, this ordinance is not setting or implementing any new rates. Rather, it amends the current "not to exceed" rates for annual sewer fees, which were last updated in 2014.

As you may recall, the sewer fee was raised in 2020 in order to bring the Town's subsidy back to its originally intended level of 50% after many years of increases issued to us by the Rahway Valley Sewerage Authority (RVSA). We are anticipating that the RVSA will raise their rates again in 2022 due to rising costs. When that information becomes available in the coming weeks, we will be able to make a decision on whether a rate increase is necessary in residential and commercial bills. Any new rates, if needed, would then be voted on by resolution at an upcoming meeting. In parallel, we're continuing to look at the viability of implementing a consumption-based sewer fee model in 2023, which would allow us to issue bills based on usage rather than flat fees, as well as promote water conservation as part of our sustainability efforts.

CODE REVIEW & TOWN PROPERTY COMMITTEE ITEMS (Remarks by Committee Chair, Councilman Parmelee)

■ Affordable Housing Trust Fund

We will be voting on a resolution authorizing the release of funds from the Affordable Housing Trust Fund to the Arc of Union County to be used towards development of a single-family group home at 901 Morris Avenue. The Arc of Union County is a non-profit organization dedicated to enriching the lives of individuals of all ages with intellectual and developmental disabilities. For background, our Affordable Housing Trust Fund currently has over \$2M, which has accrued from contributions we've required from developers so that this fund is not subsidized by taxpayer money. Tonight's proposed transfer is for \$192,908.

The Arc of Union County purchased the property at 901 Morris from a private owner, and now has plans for a single detached home for special needs housing, which would contain four beds. All zoning requirements such as building setback, height, and coverage requirements are the same as for any other property in the RS-10 zone district in which the neighborhood is located. As part of our continued priority to responsibly fulfill our Affordable Housing requirements, this funding transfer would help further the goal specified in our settlement agreement with Fair Share Housing Center to work with non-profit affordable housing obligations to create 20 additional homes, half for families, by the end of 2025. This goal was approved by the Superior Court, when they approved our settlement and housing plan. We have a number of group homes in Westfield already, all of which have the appearance of detached single-family homes. Beyond our actual obligations, our community is one that values diversity among our housing and our residents, and is committed to prioritizing the inclusivity that is enabled by this project. We look forward to welcoming these residents to their new home when it is completed.

■ Public Comment Ordinance

Also on first reading tonight is an ordinance amending the public comment time from ten minutes to five minutes. We are incredibly fortunate to have the level of public engagement that we see here in Westfield. With many topics of importance to residents discussed at each meeting, our goal is to create an opportunity for as many members of the public to speak as possible – which is more challenging if every speaker chooses to use their full ten minutes. The Code Review and Town Property Committee reviewed common practices from Union County municipalities and found that almost all have a limit of three to five minutes, which is also standard across much of the state. The committee, both in its 2021 and 2022 configurations, unanimously agreed on a bipartisan basis that five minutes is a prudent approach that allows for both ample speaking time per person, as well as more speakers at the microphone in each meeting.

With the anticipated action on many important initiatives this year, it will be valuable to hear from as many members of the public as possible so that all points of view are recorded as part of any legislative decision-making process.

COMMUNITY DISCUSSION ON DISRUPTING HATE

On February 3, please join the MLK Association of Westfield, in partnership with the Human Relations Advisory Commission, for a community discussion entitled Disrupt Hate – Working Toward an Inclusive Westfield. The objectives of this discussion are to reflect on recent incidents of hate and discuss actions that all residents can take to create an inclusive Westfield. You are welcome to attend in person at Westfield High School, or via live stream, with additional details available at bit.ly/Accountability-Action-Against-Hate.

POLICE MILITARY EQUIPMENT

Tonight, we are voting on a resolution to authorize participation this year in the Law Enforcement Support Officer (LESO) Program in order to authorize disposal of the remaining military equipment acquired through the program over many years that is no longer needed. In 2019 and 2020, our participation in LESO allowed us to begin this process and dispose of many pieces of unused equipment, clearing out an area in the Conservation Center which is now utilized to support our expanded recycling efforts and provide storage for our DPW operations. Many thanks to DPW Director Greg O’Neil and Chief Battiloro and for their leadership in this area.

In closing, as we think about the many aspects of law enforcement and the incredible job that our Police Department performs every day, I’d like to take a moment to acknowledge the tragic loss of two of NYPD’s finest over the last few days. Officers Jason Rivera and Wilbert Mora were both young and full of promise as their lives were taken from them in the line of duty by a senseless criminal act. It’s a stark reminder not only of the dangers that a career in law enforcement poses, but also of the bravery and commitment demonstrated by police officers every day, in every town. We are extremely fortunate to have the professionalism of the Westfield Police Department protecting our community, and we thank them for all they do in the face of uncertain and sometimes very dangerous circumstances. We are grateful beyond measure.

With that, let’s get to work. Thank you.

APPOINTMENTS

Mayor Brindle proposed the following Council appointment. Motion made by Councilman Parmelee and seconded by Councilman Contract was carried.

Special Improvement District Board

Les Trent *December 31, 2022*
(Unexpired term)

PRESENTATIONS

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman LoGrippe and seconded by Councilwoman Habgood, Council approved the Minutes of the Town Council Conference Session and Regular Meeting held January 11, 2022.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

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

Steve Lieberman, 901 Cranford Avenue, referenced the proposed group home at 901 Morris Avenue and the questions he asked during the 7:00 PM Conference Meeting. Explained that he understands that a single-family home would be constructed at 901 Morris Avenue but expressed concern that this could be part of a larger plan by an organization. Feels the way the Town distributes funds could make it more likely for organizations to purchase multiple properties in a single neighborhood at a market value that other buyers might not be willing to pay. Also requested clarification as to the Town's involvement in this process.

Jean Lehmborg, 528 Grove Street, stated that every level of government has failed to adequately address the climate change issue and discussed strategies government agencies should take when an activity threatens the environment or human health. Referred to the proposed installation of artificial turf at Edison Intermediate School (EIS), Memorial Park and Elm Street fields. Discussed the chemicals found in artificial turf, stating that they do not break down over time, and have been linked to health issues and environmental concerns. Feels safer alternatives should be considered, such as the installation of organically maintained modern grass that is designed and installed by a sports management expert. Feels claims that synthetic turf is safe because it has been in existence for many years are irrelevant because they do not prove product safety. Also questioned claims that synthetic turf is biodegradable when it has been designed to withstand hours of daily use for 8 to 10 years. Discussed the amount of plastic contained in 1 synthetic turf field, stating that it is equivalent to over 3 million single-use plastic bags, which will be banned by the State of New Jersey beginning in May. Feels for the same cost to install 2 synthetic turf fields at EIS, the Town could install organically maintained modern grass fields at every Westfield school. Lastly, feels the Town's decision to install synthetic turf creates collateral damage because replacing nearly 6 acres of natural grass with plastic would deny future EIS students with cognitive and mental health benefits related to spending time outdoors in natural settings. Also feels it would be impossible to prevent plastic grass from migrating off the field and into the school building, exposing staff and students to the health hazards associated with synthetic turf throughout the day. In addition, believes the proposed project at EIS contrasts to Lifelong Westfield's goal to help Westfield residents age in place and indicates that youth travel team athletes are more important than older residents wishing to remain in their homes free from bright lights, noise and additional traffic at night. Feels the Town Council's decision on this matter will have a ripple effect that would extend far beyond Westfield and this moment in time.

Kerry Murphy, 502 Coddling Road, discussed the ordinance to amend the time limit for public comment during Town Council meetings from 10 minutes to 5 minutes. Referred to Councilman Parmelee's comment that shortening the time limit for public comment provides more residents with an opportunity to speak. Feels this is a "made up" problem and believes there were only a few meetings recently where a number of residents wished to speak because of specific issues on the agenda. Stated that, in general, very few people speak during meetings, which is the only time that residents have a public forum to address the governing body with questions and concerns about different issues. Feels this is an attempt to drown out the voices and opinions of residents. Stated that she is opposed to the ordinance and that she hopes others speak out in opposition to it as well.

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

Mayor Brindle addressed Mr. Lieberman's comment concerning the Town's input into the group home at 901 Morris Avenue. Explained that the ARC purchased that property irrespective of the Town's involvement and funds being provided through the Affordable Housing Trust Fund. Explained that the Housing Commission reviewed the ARC's request and found that it was a project worthy of developer contributions that make up that fund. Requested that the Town Planner provide additional information.

The Town Planner explained that the Town ultimately has the right to choose the organizations and projects that receive funding from this trust fund. Feels the concern he heard is that the Town owns a number of properties on Morris Avenue and believes residents are wondering what the Town might do with those properties. Referred to Councilman Parmelee's comment that some of those properties have wetlands restraints and are located in a flood zone. Stated that he is not aware of any plan to sell those lots for any purpose.

Mayor Brindle thanked Ms. Lehmborg for her comments.

Lastly, Mayor Brindle addressed Ms. Murphy's comments and stated that she has received specific feedback from residents who did not speak during a meeting or departed the meeting because they could not wait for their turn to speak. Feels the intention of this ordinance is contrary to Ms. Murphy's comment that the Town is attempting to silence residents because the Town is hoping that more people would be inclined to attend meetings and come to the microphone if the time limit to speak were shortened. In addition, feels that since Ms. Murphy took less than 2 minutes to make her comments indicates that 5 minutes is more than adequate time for residents to provide comment.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$852,600.11 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

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

Resolution No. 40

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$19.20 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 December 2021.

Resolution No. 41

WHEREAS, Joan Thermann was custodian of the Petty Cash Fund for the Administrative Offices, and

WHEREAS, in accordance with N.J.S.A. 40A:5-21, the Town of Westfield is changing custodians to Ellen O'Donnell; and

WHEREAS, Ellen O'Donnell 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.

Resolution No. 42

WHEREAS, the following applicants have placed the required cash bond of \$1,500.00 to cover the following Road Opening Permits, and

Date	Permit No.	Applicant	Address of Opening
01/14/21	21-016	American Residential Services, LLC AJ Perri 1162 Pine Brook Road Tinton Falls, NJ 07724	121 North Euclid Avenue
01/19/21	21-017	Robert Martino 210 Canterbury Road Westfield, NJ 07090	210 Canterbury Road
01/22/21	21-022	Elshiekh Enterprises LLC 12 Via Vitale Kenilworth, NJ 07033	507 Edgar Road

WHEREAS, the above applicants are entitled to have this amount to be returned to the them, and

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

NOW THEREFORE BE IT RESOLVED that the Treasurer be authorized to draw a warrant in the name of the applicants noted above for \$1,500.00 and forward to the applicants address as listed.

Resolution No. 43

WHEREAS, there is a need to communicate information to the public in the form of tax assessment notices to property owners; and

WHEREAS, payment for the postage to the United States Postal Service is required prior to the mailing of assessment notices.

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to prepare warrants for postage payment in an amount not to exceed \$4,000.00, to be charged to the Tax Assessor's postage account.

Resolution No. 44

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

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

App #	Name	Address	G/L	Refund Balance
BOA 20-057	Lawence Darrow	4 Carol Road	1-05-560-844	\$250.00
Return to:	Lawrence Darrow	4 Carol Road	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-045	Jared & Heidi Kanefsky	26 Carol Road	1-05-560-895	\$250.00
Return to:	Jard & Heidi Kanefsky	26 Carol Road	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-034	Craig & Gabrielle Joseph	26 Carol Road	1-05-560-884	\$250.00
Return to:	Craig & Gabrielle Joseph	26 Carol Road	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-047	Christopher Rossi	679 Shackamaxon	1-05-560-897	\$250.00
Return to:	Christopher Rossi	679 Shackamaxon	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-028	Robert Magnanini	539 Lawrence	1-05-560-878	\$250.00
Return to:	Robert Magnanini	539 Lawrence	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-020	Xiaoyan Zhuang	811 Grant	1-05-560-870	\$250.00
Return to:	Xiaoyan Zhuang	811 Grant	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-044	Julia Sharma	12 Mohawk Trail	1-05-560-894	\$1,000.00
Return to:	Julia Sharma	12 Mohawk Trail	Westfield NJ	07090

App #	Name	Address	G/L	Refund Balance
BOA 21-018	Kathleen Shannon	420 Birch Avenue	1-05-560-868	\$600.00
Return to:	Kathleen Shannon	420 Birch Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-021	John Mirrione	124 Livingston Street	1-05-560-871	\$100.00
Return to:	John Mirrione	124 Livingston Street	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-004	Leo & Hannah Rodriguez	128 Florence Avenue	1-05-560-854	\$250.00
Return to:	Leo & Hannah Rodriguez	128 Florence Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-025	Harry Lampart	116 Barchester Way	1-05-560-875	\$250.00
Return to:	Harry Lampart	116 Barchester Way	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-031	Anthony Melzi	312 Washington Street	1-05-560-881	\$100.00
Return to:	Anthony Melzi	312 Washington Street	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-030	Taylor & Jacqueline Young	822 Village Green	1-05-560-880	\$100.00
Return to:	Taylor & Jacqueline Young	822 Village Green	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-026	Frank & Camille Fortino	1 Priscilla Lane	1-05-560-876	\$500.00
Return to:	Frank & Camille Fortino	1 Priscilla Lane	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-015	Stephen Irons	736 Oak Avenue	1-05-560-865	\$500.00
Return to:	Stephen Irons	736 Oak Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-032	Rachel Paris	634 Norman Place	1-05-560-882	\$250.00
Return to:	Rachel Paris	634 Norman Place	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-029	Albert & Karen Rimondi	533 Clark Street	1-05-560-879	\$1,000.00
Return to:	Albert & Karen Rimondi	533 Clark Street	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-035	Ben & Dina Ebel	465 Channing Avenue	1-05-560-885	\$250.00
Return to:	Ben & Dina Ebel	465 Channing Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-008	Stephen & Tina Squeri	801 Lenape Trail	1-05-560-858	\$1,375.00
Return to:	Stephen & Tina Squeri	801 Lenape Trail	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-003	Nick & Nicol Boccagna	765 First Street	1-05-560-853	\$250.00
Return to:	Nick & Nicole Boccagna	765 First Street	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-014	Jason Nagel	605 East Broad Street	1-05-560-864	\$750.00

Return to:	Jason Nagel	605 East Broad Street	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-007	Rory Alegria & Michelle Cristaldi	671 Carleton Road	1-05-560-857	\$250.00
Return to:	Rory Alegria & Michelle Cristaldi	671 Carleton Road	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-019	Christopher & Lindsay Mascali	516 Dorian Court	1-05-560-869	\$250.00
Return to:	Christopher & Lindsay Mascali	516 Dorian Court	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-016	Lauren and Neal Patel	728 Tamaques Way	1-05-560-866	\$250.00
Return to:	Lauren and Neal Patel	728 Tamaques Way	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-017	Timothy & Melissa Fern	450 Beechwood Place	1-05-560-867	\$250.00
Return to:	Timothy & Melissa Fern	450 Beechwood Place	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-010	Craig Schneider	150 Stanmore Place	1-05-560-860	\$500.00
Return to:	Craig Schneider	150 Stanmore Place	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 20-063	BHB Company	215 South Avenue East	1-05-560-850	\$250.00
Return to:	BHB Company	215 South Avenue East	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-011	Lauren & Marc Shanker	1621 Rising Way	1-05-560-861	\$250.00
Return to:	Lauren & Marc Shanker	1621 Rising Way	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-005	Jasmine & Jacob Kriss	1300 Overhill Street	1-05-560-855	\$1,500.00
Return to:	Jasmine & Jacob Kriss	1300 Overhill Street	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-006	Kimberly Tosh	617 Lawrence Avenue	1-05-560-856	\$250.00
Return to:	Kimberly Tosh	617 Lawrence Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-001	Maureen & William Higgins	526 Hanford Place	1-05-560-851	\$500.00
Return to:	Maureen & William Higgins	526 Hanford Place	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-002	Michael Guernsey	154 Harrison Avenue	1-05-560-852	\$250.00
Return to:	Michael Guernsey	154 Harrison Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-009	Madeline Lee	59 Michael Drive	1-05-560-859	\$250.00
Return to:	Madeline Lee	59 Michael Drive	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 20-062	Joao P. Gonclaves	319 Elizabeth Avenue	1-05-560-849	\$250.00
Return to:	Joao P. Gonclaves	319 Elizabeth Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance

BOA 20-061	Elaine & Jeff Heintz	564 Sherwood Parkway	1-05-560-848	\$500.00
Return to:	Elaine & Jeff Heintz	564 Sherwood Parkway	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-012	Adam & Jessica Weinstein	417 Baker Avenue	1-05-560-862	\$250.00
Return to:	Adam & Jessica Weinstein	417 Baker Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 20-056	Caroline Sevchuk	888 Winyah Avenue	1-05-560-843	\$750.00
Return to:	Caroline Sevchuk	888 Winyah Avenue	Westfield NJ	07090
App #	Name	Address	G/L	Refund Balance
BOA 21-040	Lisa and Daniel Jemal	16 Breeze Knoll Drive	1-05-560-890	\$250.00
Return to:	Lisa and Daniel Jemal	16 Breeze Knoll Drive	Westfield NJ	07090

Resolution No. 45

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020-2021:

Block/Lot/Qualifier	Property Address	Quarter/Year
Name	Property Address	Amount
309/7	56 Barchester Way	3 rd /2020
NAROD, Jason		\$4,610.95
1005/10	521 Prospect Street	1 st /2020
RATHS, Joseph		\$6,559.12
2001/12	125 Golf Edge	4 th /2021
CRISCUOLO, Steven		\$1,323.76
4803/14	217 Elizabeth Avenue	1 st /2020
PRASAD, Narayan		\$3,128.79
SHRIVATSA, Shwetha		

Resolution No. 46

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the years 2019 pursuant to the Tax Court of New Jersey:

Block/Lot	Address	Year	Amount
2506/8.01/C0035	111 Prospect Street	2019	\$3,209.95
Wolf Vespasiano LLC Attorney Trust Account and Mary Josephine Ward-Gallagher			
331 Main Street			
Chatham, NJ 07928			

Resolution No. 47

RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$15,252.00 to the TREASURER, STATE OF NEW JERSEY for the fourth quarter Construction Official's State permit fees for 2021.

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

Resolution No. 48

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the Downtown Westfield Corporation, for Special District Taxes as provided in the year 2022 budget:

February 8, 2022

\$104,086.75

May 10, 2022

\$104,086.75

Resolution No. 49

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the County of Union, for County Purpose and Open Space Taxes and Added and Omitted County and Open Space Taxes as provided in the year 2022 budget:

County Purpose Taxes	
February 15, 2022	\$9,670,698.46
May 16, 2022	\$9,670,698.46
County Open Space Taxes	
February 15, 2022	\$307,545.58
May 16, 2022	\$307,545.58
County Added & Omitted Taxes	
February 15, 2022	\$321,076.80
County Open Space Added & Omitted Taxes	
February 15, 2022	\$9,662.29

Resolution No. 50

WHEREAS, the Town of Westfield is governed by a charter providing that the Municipality shall be divided into Wards and Districts; and

WHEREAS, as per N.J.S.A. 10:44-13(c), within three months following official promulgation by the Governor of a Federal Census Count, a Ward Commission shall be established consisting of the six (6) members of the County Board of Elections and the Town Clerk; and

WHEREAS, the names and addresses of the Ward Commissioners are as follows:

Tara Rowley, Town Clerk - Commissioner
425 E. Broad Street, Westfield, NJ 07090

Mary Ellen Harris - Commissioner
Clara T. Harelik, Esq.- Commissioner
Dennis Kobitz – Commissioner
Tony Teixeira – Commissioner
Debbie Varnerin - Commissioner
James Foerst, Esq. - Chairman
271 N. Broad St., Elizabeth, NJ 07207

Nicole DiRado, Board of Elections Administrator – Support Staff
Linda Wise, Board of Elections Deputy Administrator – Support Staff
Bridget Sloane, Chief Coordinator – Support Staff
271 N. Broad St., Elizabeth, NJ 07207; and

WHEREAS, pursuant to N.J.S.A 40:44-12, Ward Commissioners and support staff are entitled to compensation as recommended by the Union County Board of Elections; and

WHEREAS, in addition to said compensation, N.J.S.A 40:44-12 also requires that the governing body provide reimbursement to the Ward Commission for necessary expenses, specifically the services of a surveyor or engineer; and

WHEREAS, at a meeting held December 14, 2021, the Ward Commission appointed Remington & Vernick Engineers, Secaucus, New Jersey, to serve as consulting engineer to the Ward Commission; and

WHEREAS, the Town of Westfield's share for said consulting engineering services is \$3,470.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council hereby authorize compensation at \$500 for the Ward Commission Chairman, each Ward Commissioner and each support staff member; and

BE IT FURTHER RESOLVED the Mayor and Town Council hereby authorize payment to Remington & Vernick Engineers for consulting engineering services at a fee not to exceed \$3,470.

Resolution No. 51

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, N.J.S.A 40A:10-1 et seq. provides for receipt of Self-Insurance Program funds to provide for the operating costs to administer this act, and

WHEREAS, N.J.S.A. 40A:4-39 provides that dedicated revenues anticipated from a Self-Insurance Program for the Town of Westfield are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Westfield, County of Union, New Jersey, as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Self-Insurance Program for the Town of Westfield, as authorized under N.J.S.A. 40A:10-1 et seq.
2. The Clerk of the Town of Westfield, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Resolution No. 55

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to submit an electronic grant application identified as LAIF-2022-Prospect Street Striping Improveme-00042 to the New Jersey Department of Transportation on behalf of the Town of Westfield; and

BE IT FURTHER RESOLVED that the Mayor and Town Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Westfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Katz was adopted by the following roll call vote:

Resolution No. 52

RESOLVED that the Chief Financial Officer be authorized to make the following transfer(s) in the 2021 Budget (Appropriation Reserve) accounts, where (S&W) refers to the Salary & Wages line item while (O/E) refers to the Other Expenses line items:

	<u>OUT</u>	<u>IN</u>
<u>CURRENT FUND</u>		
Legal Services 1-01-120-212 (O/E)	15,000	
Police Department 1-01-130-208 (O/E)		15,000
	<u>\$15,000</u>	<u>\$15,000</u>

Yeas: Habgood
 Parmelee
 LoGrippe
 Katz
 Mackey
 Contract
 Dardia
 Boyes
 Mayor Brindle

Nays:

Absent:

General Ordinance No. 2022-01

Regarding the following ordinance, Councilwoman Habgood made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2022-01 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 20."

The motion was seconded by Councilman Katz.

General Ordinance No. 2022-01 was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood
 Parmelee
 LoGrippe
 Katz
 Mackey
 Contract
 Dardia
 Boyes
 Mayor Brindle

Nays:

Absent:

Heretofore introduced, General Ordinance No. 2022-01 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 8th day of February at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Safety, Transportation and Parking Committee

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

Resolution No. 53

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Officer (LESO), 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and state law enforcement agencies ("LEAs"); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property that they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with the delivery, maintenance, fueling, and upkeep of the property, and for the special training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires the governing body of the municipality or county to approve, by a majority of the full membership, both enrollment in, and the acquisition of, any property through the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Westfield that the Westfield Police Department is hereby authorized to enroll in the 1033 Program for a 1-year period, with authorization to participate terminating on December 31 of the calendar year from January 1, 2020 to December 31, 2022.

BE IT FURTHER RESOLVED, that the Westfield Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, vehicle parts, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, clothing, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available within the period of time for which this resolution authorizes, based on the needs of the Westfield Police Department.

BE IT FURTHER RESOLVED, that the Westfield Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED, that the Westfield Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program, which shall be available to the public upon request; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately and shall be valid to authorize the requests to acquire "DEMIL A" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes, with program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2022 to December 31, 2022.

Code Review & Town Property Committee

The following resolution, introduced by Councilman Parmelee, seconded by Councilman Boyes was adopted by the following roll call vote:

Resolution No. 54

WHEREAS, The Town of Westfield Planning Board adopted the Town's most recent Housing Plan Element and Fair Share Plan dated February 22, 2018, on March 5, 2018, with a 2021 Amendment adopted on June 7, 2021; and

WHEREAS, The Town of Westfield's Housing Plan Element and Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and the regulations of the Council on Affordable Housing (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, The Town of Westfield's approved Affordable Housing Trust Fund Spending Plan is part of the Housing Element and Fair Share Plan and provides an allocation for and authorizes the use of funds from the Affordable Housing Trust fund, for among other things, use towards working with non-profit affordable housing organizations in the development of affordable

housing to provide 20 additional affordable housing units, half for families, by December 31, 2025; and

WHEREAS, The Town of Westfield issued a Request for Proposals and Qualifications to Non-Profits Affordable Housing Organizations so those organizations could make a request to utilize the dedicated funds to help the Town reach its goal to provide the 20 additional affordable housing units; and

WHEREAS, The Arc of Union County has requested funding in the amount of \$192,908 from the Town's Affordable Housing Trust fund to be used towards the development of a single-family group home with 4 units of special needs housing at 901 Morris Avenue (Block 3605, Lot 12.02); and

WHEREAS, the Town of Westfield's Housing Commission has reviewed the request from the Arc of Union County and is recommending the award of funding; and

WHEREAS, the use of such funds as requested by the Arc of Union County from the Affordable Housing Trust Fund is consistent with the Spending Plan; and

WHEREAS, adequate funds are available in the Affordable Housing Trust Fund for use by the Arc of Union County.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Westfield hereby authorizes the release of \$192,908 from the Town's Affordable Housing Trust Fund to the Arc of Union County for the purposes set forth herein and in accordance with the Town's Affordable Housing Trust Fund Spending Plan, contingent upon execution of an agreement that the proper town officials be, and hereby are, authorized and directed to enter into with the Arc of Union County, which shall include at a minimum requirements that ensure that the property shall have 4 units of special needs housing and that there be a Declaration of Covenants, Conditions & Restrictions Implementing Affordable Housing Controls which will deed restrict the property in accordance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et. seq., which agreement shall be executed prior to the release of funding.

General Ordinance No. 2022-02

Regarding the following ordinance, Councilman Parmelee made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2022-02 – AN ORDINANCE TO AMEND THE SECTION OF THE CODE OF THE TOWN OF WESTFIELD REGARDING ADDRESSING COUNCIL."

The motion was seconded by Councilman Contract.

General Ordinance No. 2022-02 was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood Parmelee Katz Mackey Contract Dardia Boyes Mayor Brindle	Nays: LoGrippto	Absent:
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Town Council discussion:

Councilman LoGrippto stated that he has been a councilmember for 12 years and does not recall any instance in which the public did not have an opportunity to speak. Feels there are many important issues to be considered this year, such as the EIS field project, and believes the time limit for public comment should remain at 10 minutes. Also believes that Westfield is a leader and for these reasons, he is opposed to General Ordinance No. 2022-02

Heretofore introduced, General Ordinance No. 2022-02 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 8th day of February at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

General Ordinance No. 2022-03

Regarding the following ordinance, Councilman Parmelee made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2022-03 – AN ORDINANCE AMENDING ARTICLE 16, EXTERIOR SIGNS, OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD."

The motion was seconded by Councilman LoGrippto.

General Ordinance No. 2022-03 was approved by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays:	Absent:
Parmelee		
LoGrippto		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2022-03 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 8th day of February at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

PUBLIC WORKS COMMITTEE

COMMITTEE REPORTS

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippto and seconded by Councilwoman Habgood at 8:50 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk