

MINUTES OF REGULAR MEETING HELD MARCH 9, 2021

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, March 9, 2021 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2020. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

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

ABSENT: Councilman LoGrippe

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

FLAG SALUTE

APPOINTMENTS

PRESENTATIONS

Mayor Brindle presented the following proclamation:

Town of Westfield

Westfield, New Jersey

PROCLAMATION

Girl Scout Week
March 8, 2021 – March 13, 2021

WHEREAS, March 12, 2021 marks the 109th anniversary of Girl Scouts of the USA, the largest and most successful leadership program for girls in the world; and

WHEREAS, as the world’s premier leadership development organization for girls, Girl Scouts has emphasized public service, civic engagement, and fostering a sense of community in girls for over a century; and

WHEREAS, Girl Scouts works to champion the ambitions, cultivate the talents, and develop the skills of girls to be leaders in their own world, and in ours; and

WHEREAS, in these incredibly challenging times, Girl Scouts provides community, consistency, and connection for girls, and is a safe haven in all the uncertainty; and

WHEREAS, in the time of COVID-19, Girl Scouts offers girls skill-building digital programming and experiences girls can participate in safely from home as they continue their Girl Scout journeys; and

WHEREAS, Girl Scouts has introduced new K–12 Civics badges to bring girls more experiences that deepen their understanding of democracy and government, prepare them for a lifetime of civic engagement, and motivate them to be catalysts for change; and

WHEREAS, Girl Scouts offers girls 21st century programming in science, technology, engineering, and math (STEM); the outdoors; entrepreneurship; and beyond, helping girls develop invaluable life skills and take the lead early and often; and

WHEREAS, Gold Award Girl Scouts already take on projects that have a measurable and sustainable impact on a community by first assessing a need, designing a solution, completing a project, and inspiring others to sustain it; and

WHEREAS, today, more than 50 million women are Girl Scout alums; and

WHEREAS, Girl Scouts Heart of New Jersey serves 11,000+ girls across New Jersey.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Mayor Michelle W. Brindle, do hereby applaud the Girl Scout Movement and Girl Scouts Heart of New Jersey for providing girls with a safe and inclusive space where they can hone their skills and develop leadership abilities.

BE IT FURTHER PROCLAIMED that the week of March 8 through March 13 of 2021 be designated as Girl Scout Week in the Town of Westfield to commemorate the 109th anniversary of Girl Scouting and celebrate all that Scouting has offered for over a century to inspire more than 50 million girls to strive for the highest ideals of courage, confidence, character, and competence.

Mahie Panjwani, 6th grade Cadette Girl Scout, thanked the Mayor and Town Council for recognizing Girl Scouts. Feels being a Girl Scout is teaching her leadership abilities and how to be part of a team. Stated that she is in a troop with her friends, and they all enjoy being involved with Girl Scouts.

Town Administrator's Update

- Announced that sewer bills were mailed and thanked those who have already submitted their payment. Also reminded residents that there was no change in fee from last year;
- Discussed work being done in municipal parking lot nos. 1, 2 and 4 to provide for EV charging stations and discussed the number of stations to be included in each parking lot. Explained that there is no cost to the Town related to this project and feels it provides a great opportunity to promote local initiatives. Installation is expected in the next few weeks and, if successful, the vendor would like to install additional stations;
- Announced that brochures were mailed for Conservation Center permits and mentioned that information for pool membership, the recycling program and Lifelong Westfield programming was also included. Stated that the Conservation Center would be open on March 13, which would be the last Saturday it would be open until the new season begins. Permits for the upcoming season would be available for sale beginning March 18, with an opening of March 25. Also discussed the pool membership information included with the brochure and feels the Recreation Department did a great job managing the pool in 2020, especially in light of the circumstances with the pandemic.

Mayor's remarks

Mayor Brindle provided the following remarks:

COVID-19 UPDATES

- As you may have seen, yesterday the CDC released updated guidance pertaining to those who have been vaccinated, which states that vaccinated people may gather indoors without wearing masks, and a vaccinated person may gather with members of an unvaccinated household without masks, provided the unvaccinated people are considered low-risk for COVID. This is great and long-awaited news for many, and full details can be found on the [CDC website](#).
- The seven-day average for confirmed COVID-19 cases in New Jersey is down 3% from a week ago and 8% from a month ago, and the rate of transmission is 1.05. On the vaccination front, New Jersey has administered 2,558,570 doses to date. As always, more detailed information about statewide numbers is available on the [NJ COVID-19 Dashboard](#).
- It's important to note that March 14 will mark a year since our first confirmed COVID case in Westfield. I will have more to say about this later in the week, but tonight I just want to say thank you to every resident and business owner for persevering through an unimaginable year. When I ran for Mayor, there were many scenarios I envisioned, but a global pandemic was not one of them. We have asked a lot of you in terms of restrictions, patience, and sacrifice, and you

have demonstrated the very best of Westfield. Thank you.

LOCAL UPDATES

- Just a reminder that the Mental Health Council will host a webinar tomorrow at 7:00PM called “Protecting Our Happy,” a free one hour program to support mental wellbeing during these challenging times. Additional details and registration information can be found [here](#).
- Registration is now open for Greta’s Run, a beloved annual community event to honor the late Greta Schoenemann. The run will be held on May 16 and will be virtual once again this year, with all proceeds benefiting Imagine, A Center for Coping with Loss. For more information and to register, visit imaginenj.org/gretasrun.
- Have you been downtown to ride the seesaws as part of Glo Downtown? This temporary installation has been wildly successful so far, with great feedback coming in from our downtown businesses reporting a significant uptick in foot traffic. I’m very grateful to the DWC, Councilwoman Dawn Mackey, and DWC Promotions Chair Erin Ben-Hayon for bringing some much needed fun to town to help drive foot traffic during a traditionally slow time for our businesses. It has been so popular that the DWC has now added two port-a-potties in the parking lot and hired an ambassador to monitor activity from 5:30-9:30 each evening. With the weather improving over the next few days, we expect even more folks to come out and enjoy this. Please remember to wear a mask and keep proper distancing in place. On a related note, Open Quimby will return in early April to provide our downtown businesses with expanded outdoor seating opportunities and live entertainment. Stay tuned for more details.
- Thanks to everyone who offered comments last week as part of our Police Department’s accreditation process. I want to congratulate the department on the glowing report we received from the State accreditation assessors. The next step is a full review at the NJ State Association of Police Chiefs meeting in June, after which time we expect to receive final notification about the outcome of this process.
- Speaking of our wonderful Police Department, I want to once again remind everyone that car burglaries and thefts remain an ongoing issue not only here in Westfield, but in a number of neighboring communities. Nearly every single incident in Westfield is the result of an unlocked car. The police cannot be on every street at every moment. While they do their part, we need you to do yours -- lock up and do not leave your keys or any valuables inside your cars.
- The recent legalization of marijuana here in New Jersey will raise many questions for every community about if and how it plans to move forward with regard to dispensaries on the local level. To address this issue in a holistic and thoughtful manner, I am assembling a Cannabis Commission, led by Councilman Mark Parmelee and Councilman Mike Dardia in their roles as Chairs of the Code Review & Town Property and Public Safety & Transportation Committees to make recommendations to this governing body about how to move forward. This commission will be composed of the following stakeholders, residents, and Town employees:
 - Chris Battiloro, Police Chief
 - Detective Sergeant Lauren Maloney, Juvenile Bureau
 - Tony Tiller, Fire Chief
 - Tom Jardim, Town Attorney
 - Jim Gildea, Town Administrator
 - Dr. Larry Budnick, Chair, Board of Health
 - Darielle Walsh, President, Greater Westfield Area Chamber of Commerce
 - Diane Dabulas, Board of Adjustment attorney/Formal Planning Board attorney
 - Mike Ash, Chair, Planning Board
 - Warren Thompson, Social Worker and resident
 - Peggy Brug, Founder, Ecquinabis and resident
 - Lew Kimble, Vice Chair, Downtown Westfield Corporation
 - Brendan Galligan, Vice President, Board of Education
 - Member (to be named), Human Relations Advisory Commission

Advisors:

- Don Sammet, Town Planner

- Megan Avallone, Regional Health Director
- Rev. Alison Philip, Ministerium

Councilmen Dardia and Parmelee will provide regular updates on their progress at future Council meetings.

On a separate but related note, I was happy to see that bipartisan legislation is being drafted to address the parental notification provision in the marijuana bill that raised concerns among police departments and residents across the state, including myself and Chief Battiloro. The governor has already indicated that he would sign legislation that would restore the ability of the police to notify parents of minors if their children are found in possession of marijuana on a first offense.

▪ I want to take a moment to remember Patricia Faggins, who passed away on February 28 and was beloved by all who knew her. Pat was a founder of both the Westfield Neighborhood Council and the Dr. Martin Luther King, Jr. Association of Westfield, and her many years of dedication to these vital organizations were instrumental in her ongoing quest for social justice. Not only was she a friend and neighbor to countless Westfield residents in her 78 years here, but she was also a magical pianist and talented vocalist, and most importantly she was a tireless advocate for many, dedicated to making our community a more inclusive place. She will be greatly missed.

▪ It's now time to move on to tonight's agenda. The first thing we will be doing is accepting public comment and voting on an ordinance on second reading to approve the redevelopment plan for the Elite Property mixed use project at the Sevell's site on South Avenue, which was endorsed by the Planning Board last week, after confirming that the project is in compliance with the Master Plan. I want to share some background first before its introduction.

As I said at our last Council meeting when this redevelopment plan was introduced, this project is part of our court approved 2017 affordable housing settlement with Fair Share Housing Center. To reiterate, thanks to the efforts of Don Sammet, and former Mayor Andy Skibitsky and the previous Council, they arrived at a well-planned settlement that would enable residential projects to be built in strategic locations (generally along our rail corridor) that would improve blighted areas and benefit the immediate surrounding areas.

I only mention that history to remind everyone that this project should not be politicized, and that my administration voted to fully support the ordinances to enact the settlement negotiated by the previous administration. What's new is that we are taking it one step further by requiring the developer to submit a redevelopment plan to give the Town more control over the aesthetics and public benefits of this project.

After hearing resident concerns regarding the aesthetics of previously built affordable housing projects, namely 333 Central, we concluded that requiring a redevelopment plan on future projects would ensure a better outcome, namely through mandating the use of higher quality construction materials, the improvement of overall architectural design, specifying public improvements, and more. Thanks to the efforts of our redevelopment planners Phil Abramson and Chris Colley from Topology, and our redevelopment counsel Steve Mlenak in collaboration with Elite, they have successfully negotiated a significantly enhanced project than what was originally conceived, one that will be better for the surrounding neighborhoods and will serve as a beautiful gateway to Westfield from the east side of town.

It's also important to note where we are in the process. This redevelopment plan is the first step, which simply lays out the zoning to enable the project, and many specifics remain to be negotiated in a final redevelopment agreement which will follow. Details such as the composition of units, the full scope of public benefits, the specific site plans, parking details and requirements, and more are still to be finalized. There will be plenty of opportunity for public comment along the way, and we look forward to hearing from you. For now, I am very proud of the almost year long effort that's gone into getting us to this point, and am confident that when this project is ultimately completed in 2024 it will be a significant improvement to the surrounding areas and a huge tax benefit to the Town.

With that as context, we'll move on to the advertised hearing.

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2209

AN ORDINANCE ADOPTING THE SOUTH AVENUE REDEVELOPMENT PLAN

Advertised returnable this evening.

Bill West, 663 Summit Avenue, thanked Mayor Brindle and the Town Council for volunteering their time and for their service. Also thanked Mayor Brindle for the proclamation recognizing Girl Scouts.

Mr. West then discussed General Ordinance No. 2209 and stated that his biggest concern is the impact to traffic on South Avenue. Stated that no traffic studies have been conducted yet and also discussed the project on South Avenue in Garwood being constructed that would impact traffic as well. Stated that he appreciates that there would be a process and many opportunities for discussion but believes a traffic study is necessary and an understanding of the circulation plan is needed. Also discussed other roadways in the area, such as Myrtle Avenue, that would be impacted by this development.

Shawn Mullen, 763 Carleton Road, feels the impact the South Avenue Redevelopment Project could have on schools was not adequately addressed. Referenced Mayor Brindle's comments concerning other development projects and stated that, based on those comments, 8 new students could result from this development. In addition, feels that due to South Avenue being in a 35mph speed zone, traffic control devices would be needed to help children needing to cross South Avenue. In addition, feels there would be a financial impact to the Town based on the possible increase in school-aged children and the potential need for traffic signals, with an unknown financial benefit. Believes the Town will "take a loss" on this project and feels the size of the project either needs to be scaled back, or a portion of the units need to be age restricted.

Cindy Gagliardi, 1026 Irving Avenue, discussed Mayor Brindle's comments that parking for the South Avenue Redevelopment Project would be addressed later in the process. Feels this issue should be addressed sooner due to the impact on-street parking and traffic could have to adjacent neighborhoods.

Liz Mulholland, 1029 Harding Street, requested clarification as to whether the South Avenue Redevelopment site is part of the Town's affordable housing agreement, and, if so, whether the issues raised with respect to the school impact, location and density were addressed when the Town approved the settlement agreement with the Fair Share Housing Center (FSHC) in 2017. Also discussed the fact that South Avenue is a Union County road and questioned whether Union County would be responsible for paying for any traffic control measures that might be required. Also stated that if this site is part of the Town's settlement agreement with FSHC, feels the Town would not be able to change or break that agreement.

Hearing no further comments, Mayor Brindle declared the hearing closed.

Mayor Brindle addressed the comments made beginning with Mr. West's remarks. Explained the process and stated that the Town is only approving a Redevelopment Plan at this time. The developer would be required to go through the site plan process and appear before the Planning Board. Mentioned that Mr. West was a former member of the Planning Board and believes he was a member when the Town's agreement with FSHC was reached and is therefore familiar with the obligations of the Town. Stated that the Town has an obligation to move forward, otherwise it would be found in violation of the settlement agreement with FSHC. Further explained that the Town is attempting to make the best of the situation and feels this project would be an improvement to the area. Vehicular and pedestrian traffic and parking, among other issues, would be addressed during the site plan review.

Mayor Brindle also addressed Mr. Mullen's comment with respect to the financial impact versus the financial benefit and stated that the potential tax revenue relative to the current tax revenue would be significant. In addition, with respect to the potential school impact, feels it would

nominal due to the fact that school enrollment has decreased, even before the pandemic, as a result of population trends. Also referenced Ms. Muholland's comment and confirmed that since South Avenue is a Union County road, any traffic signals or other improvements needed would be paid for by Union County.

The Town Planner provided comment on the circulation plan and explained that the Town is updating its land use and circulation elements of the Master Plan and, as part of that process, a traffic and transportation planning consultant has been retained to conduct a wholistic traffic analysis based upon a theoretical buildout of not only Downtown Westfield, but also the South Avenue Redevelopment project. This analysis would include recommendations for certain intersection improvements however it would not include details for each development and is more of a macro study of potential buildout. Explained that traffic was addressed when the Town agreed, through its housing plan, to a project of this density. Stated that the governing body has essentially agreed to accommodate the traffic demands related to this project when this project was included in its housing plan.

Mr. Colley of Topology addressed Ms. Gagliardi's comments concerning parking and explained that a thorough review of other redevelopment projects within and nearby Westfield was conducted and it was found that the parking numbers included in the South Avenue Redevelopment Plan were consistent if not higher than what was required in other projects in the area. Parking details would need to be worked out in subsequent phases, but the minimum parking requirement for this project is appropriate based upon the location and its proposed uses.

Steve Mlenak, redevelopment counsel, explained that this ordinance involves approval of a redevelopment plan, which is essentially approving zoning for the site. There is no project or agreement being approved at this time. Further explained that there is currently zoning in place for 193 units at this site, therefore the property owner could apply for building permits and begin construction at any time. The idea behind this redevelopment plan is to enhance the aesthetics and function of the project. The property owner is acting as a good partner by working with the Town, but there is no agreement being approved thus far.

Councilman Dardia referred to his comments from a previous Town Council meeting in which he stated that South Avenue is a 25mph speed zone. Explained that his statement was incorrect and that the speed limit is actually 30mph east of Windsor Avenue, and 35mph west of Windsor Avenue.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2209 - AN ORDINANCE ADOPTING THE SOUTH AVENUE REDEVELOPMENT PLAN" by Councilman Parmelee, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

BIDS

MINUTES

On a motion by Councilman Parmelee and seconded by Councilman Boyes, Council approved the Minutes of the Town Council Regular and Conference Meeting held February 23, 2021.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

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

John Blake, Carleton Road, discussed proposed legislation which would abolish qualified immunity for police officers only, with all other qualified immunity remaining safe. Also feels the legislation that legalized marijuana contains sections that are anti-police. Explained that, as an attorney, he has received a number of calls from police officers in other jurisdictions expressing their concern over this legislation and the risk they would be taking in the future without qualified immunity. Asked whether Westfield would continue to defend and indemnify its police officers in the event of a lawsuit, and if it would continue to ensure its police officers have the same protections as other Town agents.

David Krieger, 728 Shackamaxon Drive, thanked the Town for its communication to residents concerning the pandemic. Discussed PSE&G and its plans to install high voltage power lines in residential neighborhoods and stated that this month marks the 2-year anniversary of when the residents learned of that proposal. Reminded all that the PSE&G project is still pending and discussed it in relation to the proposed cell tower at Houlihan/Sid Fay Fields. Feels the Town should ensure that the necessity of the cell tower project is proved and substantiated with data and not just generalizations. Feels there were shifting explanations with respect to the necessity of the PSE&G project.

Mr. Krieger also encouraged the Town to consider public health and safety when considering the cell tower project and explained that when residents opposed PSE&G's proposal for high voltage power lines in residential neighborhoods, relocation of the proposed lines to the Conrail railroad tracks was investigated. Suggested that the consultant retained to assess the cell tower project consider EMF exposure or other health and safety concerns by the addition of a cell tower to this site since a substation and high voltage lines currently exist in the area. Further, if a tower is installed at this site, suggested that the Town ensure that other cellular carriers have the ability to utilize this tower in an effort to consolidate efforts and prevent additional towers from being installed throughout Town. Stated that he understands the unique circumstances of this proposal and the opportunity it provides to have restrooms and parking constructed at Houlihan/Sid Fay Fields but expressed concern with the precedent that could be created with utility providers thinking that Westfield is "for sale". If the Town approves this location for a cell tower, suggested that the circumstances for this site be memorialized.

Lastly, Mr. Krieger discussed legislation adopted by the Township of Cranford which regulates the number, size and location of small cell towers for 5g capabilities and suggested that Westfield consider similar legislation.

Jeannie Barden, 122 Windsor Avenue, discussed parking and traffic issues in both the winter and the summer that are related to the indoor tennis club. Stated that she was involved in a car accident because of the traffic issue created by the tennis court. In addition, stated that users of the court tend to stand in the street with car doors open, having conversations with each other, while drivers are trying to get past them. Questioned why the tennis club has a parking lot in the back if it cannot be used. Stated that she spoke with Councilman Contract who informed her that he would discuss the issue of those parking too close to the corners with Councilman Dardia for review at a Public Safety, Transportation and Parking Committee meeting however she feels other parking and traffic issues need to be reviewed as well.

Menghao Zhao, 9 Normandy Drive, discussed the issue of deer in her neighborhood which has resulted in her children being unable to use their backyard. Stated that she understands that the Town has attempted to control the deer population and asked if the Town has any other advice or solutions to provide to residents to address this issue.

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

The Town Attorney addressed Mr. Blake's comments and explained that he is aware of the bill discussed by Mr. Blake and that it would essentially erase qualified immunity for police officers. Feels this bill has an uncertain future in the Senate and it is unclear as to whether it would pass. However, if it were to pass, believes it only prevents the defense of qualified immunity being asserted and does not prevent localities from providing defense and indemnification of officers.

Explained that most municipalities, including Westfield, defend and indemnify its employees, but it could also make a determination as to the appropriateness of providing a defense and indemnification in a particular instance. Feels if the bill passes the Senate, and if it is signed by the President, and if that portion of the law survives any constitutional challenge, and if a Westfield police officer was later sued for an alleged civil rights violation, only then could the Town make a determination as to whether to defend and indemnify the officer. Explained that the Town stands by all of its employees, whether uniformed or not, and just because the legal defense of qualified immunity may not exist does not mean the Town would not provide a defense for its employees or require that they pay a judgement out of "their own pocket". Lastly, referred to Mr. Blake's comment that a joint State resolution was sent to Congress. Stated that it is his understanding that there is a resolution pending, but he is not aware that it passed.

The Town Administrator also mentioned that the Town is a member of a Joint Insurance Fund (JIF) and is under the umbrella company of the Municipal Excess Liability Fund (MEL), which constantly monitor these issues. Also agreed with the Town Attorney and stated that the Town defends and indemnifies its employees, unless there is a reason not to, and reiterated that this bill is being monitored to ensure that the MEL is advocating on the entire community's behalf.

Mayor Brindle addressed Mr. Krieger's comments and feels that Mr. Krieger's suggestions would be considered once a consultant is retained. Also explained that another important reason for retaining a consultant would be to address Mr. Krieger's comment concerning consolidation of the needs of cell providers, as the Town agrees to the concept of allowing other carriers to utilize the tower to avoid the need for additional towers within Town. Also stated that she is not concerned with setting a precedent because she believes all proposals need to be reviewed and considered on their own merit. Since this has been an "ask" for this area for the past few years, it was thought that it should be considered in light of the need for service and the concern that it could be located across the tracks if the Town were to deny the request. Lastly, informed Mr. Krieger that she forwarded the 5g resolution adopted by Cranford to the Code Review and Town Property Committee for review.

Councilman Dardia referred to Ms. Barden's comments and confirmed that the parking and traffic issues related to the indoor tennis courts are on the agenda for discussion at the next Public Safety, Parking and Transportation Committee meeting. Stated that it has been discussed in the past, but it would be reviewed and considered further.

Mayor Brindle asked if the owner of the tennis courts has been contacted to discuss a possible solution to these issues.

The Town Administrator stated that the owner was contacted in the past about use of the back parking lot. Also explained that no parking areas, including no parking within 50 feet of a stop sign and within 25 feet of a crosswalk, currently exist at the intersection of Grandview Road and Grove Street, and that striping is being considered for those statutorily prohibited parking areas. In addition, the potential addition of a crosswalk at Grove Street to the tennis club, and a no parking area on Grove Street along the side of the tennis club are also being contemplated. Mentioned that striping is often delayed due to weather conditions. Lastly, stated that the Town could also adopt an ordinance to expand no parking areas if it is deemed necessary.

Mayor Brindle addressed Ms. Zhao's comments concerning the deer population and stated that Councilman Contract has worked diligently on deer management programs. Mentioned that the Town is limited with respect to these efforts in Ward 3 and does not have much more latitude in addressing the deer population.

Councilman Contract stated that the Town participated in its second year of the Union County Deer Management Program, which ended last month, and Union County should be providing the Town with results of the program. Explained that the program did include the area of Tamaques Park and Brightwood Park, and the Town is reviewing potential capital improvement projects that would help restrict deer access to certain parks. Also explained that these initiatives do impact deer populations in other parts of Town because deer travel considerably. Provided some solutions residents could consider, such as installation of a 10 to 12 foot fence and the use of deer repellent sprays. Stated that he agrees that the deer population is a problem, and that the Town is doing all that it can to address it.

Councilwoman Mackey also discussed the need to educate the public on feeding deer and the fact that it draws them to residential areas. Mentioned efforts being taken by the Town in this regard.

The Town Planner referred to Councilman Contract's comment on the installation of tall fences and stated that 10 to 12 foot fences are not permitted as per the Town's zoning ordinance.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$2,897,198.72 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.

The Town Administrator noted that the amount of bills and claims is high because approximately 90% of it includes the Town's half payment to the Rahway Valley Sewerage Authority, with the second payment being due in July.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

Councilwoman Habgood provided an update on the 2021 Municipal Budget, stating that the budget review process with departments was completed. Thanked members of the Finance Policy Committee as well as the Town Administrator and CFO for their efforts. Explained that the budget is typically presented to councilmembers at the Conference Meeting at this time each year however the presentation has been postponed to the March 23 meeting because the Federal Stimulus package might be approved tomorrow and a determination as to how those funds might benefit the Town is needed. Further, at the State level, there could be a change to the timeline for adoption of the budget. As such, the Finance Policy Committee believed it would be prudent to postpone its presentation of the budget until the next meeting to consider this information. At this time, a presentation of the budget to councilmembers is scheduled for the Conference Meeting of March 23, with a presentation to the public and introduction of the budget during the Regular Meeting.

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

Resolution No. 65

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$684.60 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 February 2021.

Resolution No. 66

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

Name	Account	Class	Fee
Shubhro Bose 30 Tamaques Way Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled (COVID) Playground 2020	\$285.00
Elena Panagos 9 Sandy Hill Road Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Program Canceled (COVID) Playground 2020	\$235.00
Ed Pierce 535 Downer St	0-03-55-920-202 Pool	Refund	\$70.00

Resolution No. 67

WHEREAS, Domenico Lettini, 31 Doris Way, Clark NJ 07066, had paid the required fee of \$500.00 to obtain Tree Permit 20-75 for 2003 Grandview Avenue, and

WHEREAS, Domenico Lettini has requested that this amount be returned because he is exempt from requiring a tree permit, as the trees were removed in 2015 before the provisions of Ordinance 2137 were amended.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of Domenico Lettini, 31 Doris Way, Clark NJ 07066.

Resolution No. 68

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 Name	Property Address	Quarter/Year Amount
309/7 TWILLEY, Blaine	56 Barchester Way	3 rd /2020 \$4,610.95
4201/26 1 st /2021 Meymax Title Agency Suite 330 580 S High St Columbus, OH 43215-5644	681 Westfield Avenue	\$4,030.64
4506/9 DENNER, Robert B	958 Willow Grove Road	4 th /2020 \$2,391.06
5503/36 PenFed Credit Union P.O. Box 560130 The Colony, TX 75056	61 Sandy Hill Road	1 st /2021 \$3,472.23

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

Resolution No. 69

WHEREAS, a condition has arisen with respect to either funds being needed for salaries and wages and/or contracts, commitments or payments being due to various vendors prior to the adoption of the 2021 Budget, and no provision was made in the 2021 Temporary Budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2021 pursuant to the provisions of N.J.S.A. 40:4-20 (Chapter 96, P.L. 1951, as amended) including this resolution total \$14,235,831.00 for the Current Fund and \$46,000.00 for the Swimming Pool Utility Fund,

NOW, THERFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20:

1. The emergency temporary appropriations listed below will be provided for in the 2021 Budget under the titles shown and for the amounts given as follows:

Current Fund

	Salaries & Wages	Other Expenses
Administrative & Executive	92,000.00	60,000.00

Town Clerk	54,000.00	20,000.00
TV 36		
Collection of Taxes	33,000.00	6,000.00
Assessment of Taxes	36,000.00	2,000.00
Financial Administration	89,000.00	5,000.00
Legal Services & Costs		101,000.00
Municipal Court	68,000.00	8,000.00
Municipal Prosecutor	9,000.00	
Engineering Services	155,000.00	
Public Works	508,000.00	615,000.00
Public Buildings & Grounds		89,000.00
Fire Department	888,000.00	65,000.00
Fire Official	27,000.00	2,000.00
Fire Hydrant Service		121,000.00
Parking Administration	61,000.00	
Police Department	1,501,000.00	233,000.00
Crossing Guards		
Emergency Management		1,000.00
Inspection of Buildings	121,000.00	29,000.00
Planning Board		33,000.00
Telephone		
Electricity		58,000.00
Street Lighting		89,000.00
Water		6,000.00
Gasoline		63,000.00
Heating Gas		
Board of Health	54,000.00	7,000.00
Board of Health (Contractual)	87,000.00	7,000.00
Recreation	42,000.00	
Celebration of Public Events		5,000.00
Maintenance of Free Public Library	446,000.00	
Rahway Valley Sewerage Authority		2,184,897.00
Animal Control		12,000.00
Board of Adjustment		
Group Insurance		1,690,000.00
Other Insurance		306,000.00
Social Security System (OASI)		175,000.00
Debt Service – DBIZ Loan		17,000.00
Defined Contribution Retirement Plan (DCRP)		3,000.00
Public Employees Retirement System (PERS)		1,141,504.00
Police & Firemen’s Retirement System (PFRS)		2,810,430.00
Subtotal	4,271,000.00	9,964,831.00

In the total amount of \$14,235,831.00

Swimming Pool Utility Fund

	Salaries & Wages	Other Expenses
Swimming Pool Operations	26,000.00	10,000.00
Public Employees Retirement System (PERS)		6,000.00
Social Security (OASI)		4,000.00
Subtotal	26,000.00	20,000.00

In the total amount of \$46,000.00

Yeas: Habgood
 Parmelee
 Katz
 Mackey
 Contract
 Dardia
 Boyes

Nays: None

Absent: LoGrippto

Mayor Brindle

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

Resolution No. 70

RESOLVED that the Chief Financial Officer be and he is hereby authorized to make the following transfer(s) in the 2020 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>		
ADMIN & EXECUTIVE		
0-01-100-201 (O/E)		5,000
TOWN CLERK		
0-01-102-213 (O/E)	5,000	
TAX COLLECTOR		
0-01-105-101 (S&W)	2,500	
TAX ASSESSOR		
0-01-110-101 (S&W)	2,500	
LEGAL		
0-01-120-212 (O/E)	15,000	
POLICE		
0-01-130-101 (S&W)		40,000
FIRE		
0-01-125-101 (S&W)	5,000	
BOARD OF HEALTH		
0-01-150-201 (O/E)	5,000	
ELECTRICITY		
0-01-166-211 (O/E)	5,000	
GASOLINE		
0-01-171-211 (O/E)	15,000	
MUNICIPAL COURT		
0-01-175-217 (O/E)	5,000	
GROUP INSURANCE		
0-01-183-221 (O/E)		15,000
	\$60,000	\$60,000

Yeas: Habgood
 Parmelee
 Katz
 Mackey
 Contract
 Dardia
 Boyes
 Mayor Brindle

Nays: None

Absent: LoGrippto

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

COMMITTEE REPORTS

ADJOURNMENT

A motion to adjourn, made by Councilman Contract and seconded by Councilman Parmelee at 9:18 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk