

## MINUTES OF REGULAR MEETING HELD JUNE 14, 2022

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, June 14, 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, Root

**ABSENT:** None

Invocation was given by Councilman Parmelee

Salute to the flag.

### APPOINTMENTS

### PRESENTATIONS

Mayor Brindle presented the following proclamation:

# Town of Westfield

## Westfield, New Jersey

### PROCLAMATION

#### **Friends of the Westfield Memorial Library**

**WHEREAS**, members of the College Women’s Club and PTA Council founded the Friends of the Westfield Memorial Library in 1972 with a mission “to create public interest in the Westfield Memorial Library, to promote increased knowledge and understanding of its services and needs, and to foster public support for the necessary development of said Library to the end that it may adequately serve the needs of the community.”; and

**WHEREAS**, in 1984, the Friends of the Westfield Memorial Library spearheaded a publicity campaign to call attention to the Town’s need for a new library facility, and after the referendum to build a new library facility was approved by the voters, the Friends raised \$300,000 for the building fund, surpassing their initial goal by \$100,000; and

**WHEREAS**, over the past 50 years and in support of its mission, the Friends of the Westfield Memorial Library have contributed almost \$900,000 to the Westfield Memorial Library; and

**WHEREAS**, through hard work and steadfast dedication, the Friends of the Westfield Memorial Library have, year after year conducted one of the most successful annual used book sales in the State of New Jersey, grossing approximately \$450,000 over the past 50 years; and

**WHEREAS**, in the 2012 book sale alone, with the help of 144 volunteers, and attracting collectors and buyers from near and far, the Friends sold approximately 15,000 donated used books, generating gross proceeds of \$17,540; and

**WHEREAS**, in support of the profession that delivers library services, the Friends established the Annual Future Librarian Scholarship in 2004 and since then have awarded a total of \$42,000 to 11 scholarship recipients; and

**WHEREAS**, in addition to its successful fundraising efforts, the Friends fulfill its mission by preparing and presenting programs such as the Opera Trip Program, Books-on-Wheels, Children's Winter Programs, Book Discussion Group, Museum Pass Program, Anne M. Hale Speaker Series, and Sharing the Warmth;

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Mayor Michelle W. Brindle, on behalf of the good citizens of the Town of Westfield, on this Fifth Day of April in the Year Two Thousand and Twenty Two hereby congratulate the Friends of the Westfield Memorial Library on the occasion of its fortieth anniversary and, furthermore, offer heartfelt thanks to all the past and present members of the Friends for their hard work, dedication, and generosity in support of the Westfield Memorial Library.

Mayor Brindle presented the following proclamation:

# Town of Westfield

## Westfield , New Jersey

~ PROCLAMATION ~

### The Catholic Church of The Holy Trinity

#### *150th Anniversary*

**WHEREAS**, prior to 1872, before the first church was built, a group of Roman Catholic Westfield residents often gathered on Sunday in a freight office of the Central Railroad Station to clean and prepare the station and set up a temporary altar for the celebration of Mass; and

**WHEREAS**, in September 1872, the cornerstone was laid for the first Holy Trinity Church, which would become home to the parish, uniting the community for worship under one roof; and

**WHEREAS**, in 1913, the first elementary school was built at First Street and New York Avenue, which was followed by a convent in 1917 and a rectory in 1920; and

**WHEREAS**, in 1922, the cornerstone was laid for the current site of the Holy Trinity Church on Westfield Avenue and First Street, whose exterior was designed by New York City architect Elliot Lynch and which exterior remains virtually the same to the present day; and

**WHEREAS**, in 1953, a new grade school and high school opened to accommodate the post-World War II "Baby Boom" of more students; and

**WHEREAS**, in 1973 the interior of the church was fully remodeled with a new altar, and pieces removed from the sanctuary shipped to parishes in South America to assist in the construction of church buildings; and

**WHEREAS**, the Catholic Church restored the permanent diaconate, in 1976 the first permanent deacon assigned to Holy Trinity, Charles Kiley, began many years of service to the parish family of which he and his wife were members; and,

**WHEREAS**, an extensive parish survey revealed the ardent desire of its parishioners for an adequate gathering space to facilitate community life and their willingness to support financially such a project, the church was refurbished, and a multi-purpose Parish Center was constructed whose architecture blended with that of the church; and,

**WHEREAS**, worship, education, music, outreach, and service to communities in need, near and far, have been an integral part of its history, Holy Trinity being a vibrant community of more than 1,800 members.

**NOW, THEREFORE, BE IT PROCLAIMED** that I, Mayor Michelle W. Brindle, on behalf of the good citizens of the Town of Westfield, hereby congratulate the parishioners, pastoral staff and clergy, past and present, on the occasion of the 150<sup>th</sup> Anniversary of the

Catholic Church of the Holy Trinity and thank them for their ministry and their so many valued contributions to our Westfield community.

## **OPENING REMARKS**

Good evening, everyone, and thanks to all who are joining us both here in the Council Chambers and online tonight. As a reminder, public comments will be accepted in person only, and we are live streaming for viewing only via Facebook. As always, the replay will also be available afterward on Facebook, YouTube, and TV 36.

## **POLICE UPDATES**

Hopefully, you saw the recent announcement from the Police Department that they are conducting High Visibility Enforcement at various locations and prescribed times throughout Town this week – mostly focused on areas around the schools during drop-off and dismissal to improve pedestrian safety for our students.

High Visibility Enforcement combines enforcement, visibility elements, and a publicity strategy to educate the public and promote voluntary compliance with the law. Many thanks to the Police Department for implementing these enhanced measures as a reminder to all residents to obey traffic laws and protect our pedestrians.

I also wanted to make you aware of a recent initiative launched by the Police and the DWC in May called the Downtown Westfield Quality of Life Unit, which was designed to address some of the issues we – and all communities with downtown centers – encounter as the warmer weather arrives and foot traffic increases.

While this increase in foot traffic brings many more patrons to our downtown, it can also bring unwelcome issues such as trespassing, groups blocking public points of access, exceeding parking limits, biking on sidewalks, and even vandalism, much of which has been attributed to unsupervised groups of teens. This specialized new unit has significantly enhanced WPD manpower assigned to the central business district on weekend nights. It consists of plainclothes officers tasked with enforcement of infractions in the downtown area that include parking violations, bicycle riding on the sidewalks (which is not permitted the downtown), youths climbing onto area rooftops, graffiti, and any unruly and/or destructive behavior. These officers supplement a uniformed officer who already patrols the downtown area and will use all appropriate law enforcement tools to address any violations they may witness.

Following an incident that occurred downtown on Saturday evening that resulted in the assault of a 15-year-old male, the police department expeditiously identified a juvenile suspect, who is not a Westfield resident, and charged him accordingly on Tuesday afternoon. The investigation of this case remains ongoing and additional charges against other persons may be forthcoming. Chief Battiloro advises that the recent widespread disorderly conduct of juveniles occurring in Downtown Westfield will not be tolerated. The Downtown Westfield Quality of Life Unit will be continuously deployed on select nights throughout the summer months. Incidents like the one that occurred on Saturday will be thoroughly investigated and identified suspects will be criminally charged.

We are committed to ensuring that our downtown remains a safe and inviting destination for shoppers and diners, and one that is reflective of our business owners' continued investment and commitment. As always, if you witness any wrongdoing, please call the Police Department immediately.

## **UPCOMING EVENTS**

With the summer upon us, I'd like to remind everyone about some great seasonal events.

- The Westfield Farmers Market is back for another great season! The market has added a number of new vendors and will be open every Saturday from 8:30 AM - 1:00 PM at the North Avenue train station lot.
  
- Registration is open for the DWC's 20th Annual Pizza Run, which will take place on Monday, July 18! Registration is open for this favorite downtown summer tradition on the DWC's website.

- The Westfield Community Concert Band returns this summer for its 110th season! Join them for free performances in Mindowaskin Park on June 23, June 30, July 7, and July 14 at 7:30 PM.
- Save the dates for the 25th Annual Sweet Sounds Downtown Music Festival – every Tuesday night in July and August, from 7:00 - 9:00 PM. This favorite summer activity draws residents and visitors alike to Downtown Westfield for dining, shopping and, of course, the fabulous musical entertainment. Thanks to the DWC for scheduling another great line-up of performers!

#### TONIGHT’S AGENDA

Tonight, we will be voting on a number of items covering a range of issues, a few of which I’ll ask Councilwoman Habgood to highlight on behalf of the Finance Policy Committee.

#### Finance Policy Committee

[Remarks by Councilwoman Habgood]

On the Finance Policy front, we’ll vote on resolutions authorizing the following actions:

- Approving the insertion of two special items of revenue in the municipal budget for the receipt of grants. The first is our annual Clean Communities grant to offset the costs of operating the Conservation Center. This year, we are receiving \$59,130 for this purpose. The second is the Public Health Capacity grant in the amount of \$274,735 to offset continuing COVID-related expenses.
- Authorization to submit a grant application for \$5,000 by the Westfield Public Arts Commission to Union County for a public mural at the Rialto.
- Establishing the payment schedule for Board of Education tax payments, which is done annually for their fiscal year.
- Establishing an estimated tax rate of 2.159% (versus the 2021 certified rate of 2.163%). This is done annually to authorize the issuance of estimated tax bills at the end of June until the County certifies the final tax rate later in the summer, which will be followed by final tax bills issued in September.
- Authorization of an award of contract for additional electrical work needed for the upgrades to Council Chambers, which is expected to be completed in the early fall.
- Confirming compliance with Local Finance Board rules regarding recommendations of our annual audit. I’m pleased to report that 2021 was another very successful audit report with no formal recommendations made in the report. Many thanks to CFO Scott Olsen, the Finance office staff, and all of the Town department heads and staff for managing their respective departments budgets’ effectively and efficiently and in compliance with the applicable municipal finance laws.

Before we begin with the formal agenda, I’m pleased to issue two proclamations tonight – one recognizing the Friends of the Westfield Memorial Library for celebrating 50 years as an organization, and the second is to recognize the 150th anniversary of Holy Trinity Church. Thank you.

#### **ADVERTISED HEARINGS**

#### **PENDING BUSINESS**

#### **BIDS**

#### **MINUTES**

On a motion by Councilwoman Mackey and seconded by Councilman LoGripico Council approved the Minutes of the Town Council Conference Session and Regular Meeting held May 24, 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.

Gregory Kasko, 434 Everson Place, appreciates the effort from the Town Council & Town Attorney has put into guiding lawsuits to resolutions. He recently saw a lawsuit filed by the Wychwood Gatehouse which the Town decided to settle rather than go to trial. Often the fees incurred by filing such a lawsuit far outweigh what it would be settled as. Mr. Kasko explained he is here to discuss another lawsuit filed by two superior officers in the Westfield Police Department. He stated he retired from the Westfield Police Department in 2007, and he is seeing on social media and across America is a total misrepresentation of what is happening. He understands the Town Council & Westfield Police Department cannot speak on the matter at hand, but he wanted to share information with the public tonight. Mr. Kasko said he reviewed a copy of the Internal Affairs report filed by Lieutenant Detective Jason Carter. He stated he obtained 70 out of the 130-page document due to OPRA regulations and redactions. He mentioned statements in the report by Lieutenant Carter regarding Sergeant Freeman stating, "Sergeant Freeman's claim that Officer Forcenito issued a traffic summons to An African-American driver and gave a verbal warning to a white driver for far more egregious traffic violation" is an intentional misrepresentation of the facts of the situation. He further mentioned a layperson reading the statement would be led to believe that the African American driver was issued a speeding ticket while the white driver was given a warning for speeding. This investigation unequivocally determined that this did not occur. He stated on social media, June 7<sup>th</sup> the Westfield Patch led into one of their article's bodycam footages shows a "Westfield Officer ticketing a black driver for speeding but giving a pass to a white driver who was also speeding." Mr. Kasko states that is false. He mentioned if Westfield Police is inserted into a search engine a plethora of titles appear including racial profiling, cops suspended, lawsuits, etc. Furthermore, he mentioned a tweet made by Civil Rights Attorney Ben Crump "Westfield New Jersey Office Preston Freeman and Lieutenant Nicole Stivale spoke out about discrimination they witnessed by a fellow officer who ticketed only a black driver when similar offenses were committed by both the black and white driver. Mr. Kasko explained that as a former police officer when an individual is an unlicensed driver, the officer must issue that ticket. Both drivers were stopped for similar offenses. The officer did not issue either driver a ticket for speeding but issued a ticket for an expired license. He stated the media is painting this to be a racial incident when the 130 pages of the Internal Affairs report shows that it was not. He understands that officers that were interviewed stood up for Officer Forcenito. Mr. Kasko stated he worked with Preston Freeman and feels he is a good guy, but the lawsuit is wrong. He states the officers were not retaliated against for reporting what they thought was discrimination. They were charged departmentally because they did not follow policy. He stated the public is being told Westfield's a racist department and Mr. Kasko disagrees and explains he has worked with these officers, and they are not and feels this is an opportunity by an attorney to throw race into the mix, thinking the Town will settle. Mr. Kasko states this is the time when the Town must back its Police Department. Lastly, Mr. Kasko stated that when Nicole Stivale was promoted in January 2020, she noted that she is one of just a handful of women in the department and that number has been increasing and the women have had positive working relationships with their fellow officers and "the guys we work with are fabulous, they treat us as equals". Mr. Kasko stated any claim by her stating she is being harassed or discriminated against because of gender is totally false.

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

Mayor Brindle thanked Mr. Kasko for his comments and stated the Council cannot comment on any pending litigation.

### **BILLS AND CLAIMS**

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

RESOLVED that the bills and claims in the amount of \$2,699,097.30 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 Councilwoman Mackey, were unanimously adopted.

**Resolution No. 146**

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

<b>Name</b>	<b>Account</b>	<b>Class</b>	<b>Fee</b>
Josh Vogel 38 Sandy Hill Road Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Josh Vogel / Resident Family of 4 or less	\$418.00
Richard Hardy 140 E 56 <sup>th</sup> St Apt 8F New York, NY 10022	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Richard Hardy / Non-Resident Family of 4 or less	\$685.90
Stephanie Hamel 951 Ripley Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Volleyball Camp / Summer 2022 Lia Hamel / Session 2 / Grade 3-5	\$189.05
Patricia Howard 711 Westfield Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Volleyball Camp / Summer 2022 Emma Howard / Session 3 / 3-5 grade	\$142.50
Amy Whiting 321 Benson Pl Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Amy Whiting / Resident Couple	\$294.50

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

<b>Name</b>	<b>Account</b>	<b>Class</b>	<b>Fee</b>
Tina Patel 246 Welch Way Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Playground / Summer 2022 Laya Patel / Jefferson School	\$346.75
Jillian Harz 2126 Meadowview Rd Scotch Plains, NJ 07076	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Jillian Harz/ Non-Resident Family of 4 or Less	\$685.90
Stephanie Brinker 706 Clark St Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Volleyball Clinic / Summer 2022 Alexis Brinker / Session 1 / 6-8 grade	\$189.05
Alaina Camuto 1036 Boulevard Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Memberships / Summer 2022 Scott Camuto/Resident Individual (\$189.05) Ronald & Alaina	\$360.05
Camuto/Resident Sr Couple (\$171.00)			
Yailin Ramirez 1332 Lincrest Terrace Union, NJ 07083	Pool/Swim Lessons 903-55-920-203	Refund Swim Lessons / Summer 2022 Selena Ramirez/Little Dippers/Session 2/9:10am (\$74) Selena Ramirez/Little Dippers/Session 3/9:10am (\$74) Sofia Ramirez/Beginner/Session 2/9:10 am (\$74) Sofia Ramirez/Beginner/Session 3/9:10 am (\$74)	\$296.00
Terrence Rindler 407 Grove St Westfield, NJ 07090	Pool/Swim Lessons 903-55-920-203	Refund Swim Lessons / Summer 2022 Maren Rindler/Little Dippers/Session 1/9:10am	\$74.00
Nathan Fabian 620 Garfield Ave Westfield, NJ 07090	Pool/Party Reservation 03-200-024	Refund Pool Party Reservation Cancelation /6/26/22 Nathan Fabian	\$94.00

Ketan Parekh 20 Barchester Way Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Ketan Parekh/Membership Change	\$130.00
Mohit Desai 7 S Wickom Dr. Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Nitin Desai/Resident Senior Couple	\$171.00

**Resolution No. 147**

RESOLVED, that the Town Treasurer be authorized to refund the following Construction Department fees to the following individuals via credit card:

<u>Name</u>	<u>Reason</u>	<u>Fee</u>
Abdur Ghani	Overpayment Duplicate permit fee 22-0852	\$4,287.00 Credit Card
Abdur Ghani	Overpayment Duplicate permit fee 22-0852+A	\$183.00 Credit Card
Simple Tank Services	Overpayment Duplicate permit fee 22-0876	\$125.00 Credit Card

**Resolution No. 148**

RESOLVED, that the Chief Financial Officer be and is hereby authorized to issue a warrant for \$16.00 for the payment of the 2022 Animal License application fee to:

Eric Colby (\$16.00)  
316 Hazel Avenue  
Westfield, NJ 07090

Lisa Israel (\$16.00)  
921 Tice Place  
Westfield, NJ 07090

**Resolution No. 149**

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:

<b><i>App #</i></b>	<b><i>Name</i></b>	<b><i>Address</i></b>	<b><i>G/L</i></b>	<b><i>Refund Amount</i></b>
<i>BOA 21-13</i>	<i>Archer, Mathew</i>	<i>1601 Boynton Avenue</i>	<i>2-05-560-863</i>	<i>\$250.00</i>
<i>BOA 21-36</i>	<i>Kiyko, Bohdan</i>	<i>935 Cleveland Avenue</i>	<i>2-05-560-886</i>	<i>\$250.00</i>
<i>BOA 21-37</i>	<i>Kopec, Stan and Jessica</i>	<i>119 S. Scotch Plains Ave</i>	<i>2-05-560-887</i>	<i>\$9.56</i>
<i>BOA 21-46</i>	<i>Johnson, Christopher</i>	<i>245 Charles Street</i>	<i>2-05-560-896</i>	<i>\$250.00</i>
<i>BOA 21-48</i>	<i>Kaufman, David</i>	<i>827 Clark Street</i>	<i>2-05-560-898</i>	<i>\$250.00</i>
<i>BOA 21-50</i>	<i>Band, Felice</i>	<i>301 Vernon Place</i>	<i>2-05-560-900</i>	<i>\$60.53</i>
<i>BOA 21-52</i>	<i>Shepherd, Thomas</i>	<i>440 Topping Hill Road</i>	<i>2-05-560-902</i>	<i>\$116.64</i>
<i>BOA 21-62</i>	<i>Goldstein, Ross</i>	<i>212 Benson Place</i>	<i>2-05-560-912</i>	<i>\$250.00</i>
<i>BOA 21-66</i>	<i>Herman, David</i>	<i>244 Canterbury Road</i>	<i>2-05-560-916</i>	<i>\$250.00</i>
<i>BOA 21-67</i>	<i>Fraseri, Erjona</i>	<i>940 Wyandotte Trail</i>	<i>2-05-560-917</i>	<i>\$750.00</i>

BOA 21-68	Stankiewicz, David	920 Cranford Ave	2-05-560-918	\$250.00
BOA 21-69	Gangavaram, Venkat Rangan	1020 Summit Ave	2-05-560-919	\$250.00
BOA 21-72	Ferraro, Francis Scott	712 Oak Avenue	2-05-560-922	\$39.48
BOA 21-78	Capasso, Ralph	620 Lenox Ave	2-05-560-928	\$53.52
BOA 21-82	Laczynski, Edward	857 Highland	2-05-560-932	\$250.00
BOA 22-01	Ring, Joshua	145 Lincoln Road	2-05-560-935	\$250.00

**Resolution No. 150**

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

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

NOW, THERFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2022 in the sum of \$59,130.30, which is now available from the Solid Waste Administration FY 2022 Clean Communities grant; and

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

General Appropriations	
Clean Communities	\$59,130.30

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

**Resolution No. 151**

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

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

NOW, THERFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2022 in the sum of \$274,735.00, which is now available from the NJ Department of Health, Office of Local Public Health, Strengthening Local Public Health Capacity Program 2023; and

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

General Appropriations	
Strengthening Public Health Capacity Grant - 2023	\$274,735.00

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

**Resolution No. 152**

RESOLVED that warrants noted below be drawn to the order of Westfield Board of Education for Local School Taxes as provided in the 2022-23 budget, in accordance with R.S. 54:4-75:

July 5, 2022		\$6,883,183.00
July 19, 2022	Debt Service	805,607.00
August 5, 2022		8,564,835.00
September 1, 2022		8,913,624.00
September 8, 2022	Debt Service	609,141.00
October 4, 2022		9,817,477.00
November 1, 2022		9,817,477.00
December 2, 2022		9,817,476.00
January 3, 2023		9,133,893.00
February 3, 2023		9,133,893.00
March 1, 2023	Debt Service	551,247.00
March 6, 2023		8,144,603.00
April 3, 2023		9,133,892.00
May 2, 2023		9,133,892.00
June 2, 2023		<u>9,133,892.00</u>

**Resolution No. 153**

WHEREAS, the County Board of Taxation is unable to certify the tax rate throughout the county in a timely fashion and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Municipal Tax Collector, in consultation with the Municipal Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield in the County of Union and the State of New Jersey on this 14<sup>th</sup> day of June, 2022, as follows:

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Westfield for the third installment of 2022 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2022 is hereby set at \$181,739,129.97
3. In accordance with the law, the third installation of 2022 taxes shall not be subject to interest until the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

**2022 CERTIFICATION**

Municipal	\$30,244,511.94
School	109,594,132.00
Library	2,838,118.00
County	37,769,659.53

Open Space            1,292,708.50  
 Totals                 \$181,739,129.97

Divided by the assessed value of \$8,416,137,823

= Tax rate of 2.159

**CERTIFICATION**

Calculation of the 2022 Estimated Tax Rate

Proposed            2022 Adopted Municipal Budget  
                           2022 Adopted School Budget  
                           2022 Adopted Library Budget  
                           2022 Proposed County Levy

	2021 Tax Levy & Tax Rate		2022 Estimated Range for Levy	
	<u>2021 Levy</u>	<u>Tax rate</u>	<u>95%</u>	<u>105%</u>
Municipal	\$29,351,209.33	0.353	\$27,883,648.86	\$30,818,769.80
School	108,183,929.00	1.299	102,774,732.55	113,593,125.45
Library	2,705,536.00	0.033	2,570,259.20	2,840,812.80
County	38,682,793.84	0.464	36,748,654.15	40,616,933.53
Open Space	<u>1,230,182.33</u>	<u>0.014</u>	<u>1,168,673.22</u>	<u>1,291,691.45</u>
Totals	\$180,153,650.50	2.163	\$171,145,967.98	\$189,161,333.03

Amount to be Raised by Taxation

	<u>2022</u>	<u>Tax Rate</u>
Municipal	\$30,244,511.94	0.359 (Adopted budget does not exceed 105%)
School	\$109,594,132.00	1.302(Adopted budget does not exceed 105%)
Library	\$2,838,118.00	0.034(Adopted budget does not exceed 105%)
County	\$37,769,659.53	0.448(Estimated budget does not exceed 105%)
Open Space	<u>\$1,292,708.50</u>	<u>0.015</u> (Estimated budget does not exceed 105%)
Totals	\$181,739,129.97	2.159

(The Amount to be Raised by Taxation divided by the 2022 Ratable Total of \$8,416,137,823

= Tax Rate of 2.159)

**Resolution No. 154**

WHEREAS, the Westfield Public Arts Commission wishes to move forward with a grant application to fund a public mural at the Rialto property; and

WHEREAS, the County of Union is providing funding through their Public Art and Mural Grant program in the Cultural and Heritage Affairs Department of Union County; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield be and hereby approves submission of an application by the Westfield Public Arts Commission to the County of Union for their Public Art and Mural Grant program for grant funding in the amount of \$5,000 for a mural at the Rialto property.

**Resolution No. 155**

WHEREAS, at a meeting held October 13, 2020, the Town Council of the Town of Westfield authorized an award of contract to Fraytak Veisz Hopkins Duthie P.C. (FVHD), Architects and Planners, for various design and architectural services for the Town’s AV Broadcast Video System in Town Council Chambers; and

WHEREAS, at a subsequent meeting held on November 9, 2021, the Town Council of the Town of Westfield authorized electrical work to be completed by TZ Electrical Contracting, LLC, 13 Hotalen Road, Branchville, NJ 07826 at an amount not to exceed \$14,600.00; and

WHEREAS, the Town of Westfield is in need of additional electrical work to accommodate technical upgrades in Town Council Chambers in the Westfield Municipal Building, including

imaging multiple locations in the floor and providing back boxes to the Audio Visual rack that were not part of the original scope of services; and

WHEREAS, through the design and architectural services provided, FVHD has recommended that the Town of Westfield authorize a contract to TZ Electrical Contracting, LLC, 13 Hotalen Road, Branchville, NJ 07826 at an amount not to exceed \$1,612.00 for the said imaging and \$28,783.00 for the back boxes for a total cost of \$30,395.00; and

WHEREAS, FVHD has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the request for quotes; and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be charged to Special Ordinance 2216, Account No.C-07-21-222-1F1, under Purchase Order No. 22-01959 and prepared in accordance with N.J.A.C. 5:30 1.10.

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

1. TZ Electrical Contracting, LLC be and hereby is awarded a contract for services as described above; and
2. The term of the contract will be for one (1) year; and
3. The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

#### **Resolution No. 156**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk, pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid, and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition, shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby

submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Public Safety, Transportation and Parking Committee

**General Ordinance No. 2022-15**

Regarding the following ordinance, Councilman Dardia made the following announcement: I hereby move that an ordinance entitled “GENERAL ORDINANCE NO. 2022-15 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13, MOTOR VEHICLES & TRAFFIC.”

The motion was seconded by Councilwoman Mackey.

Yeas: Habgood	Nays:
Parmelee	
LoGrippe	
Katz	
Mackey	
Contract	
Dardia	
Root	
Mayor Brindle	

Heretofore introduced, General Ordinance No. 2022-15 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 28th day of June 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.

Code Review & Town Property Committee

The following resolution, introduced by Councilman Parmelee, and seconded by Councilman Katz, was unanimously adopted.

**Resolution No. 157**

RESOLVED, that the following application for children’s amusement devices be approved:

Amazing Amusements	McKinley School	Tara Hannan
238 Boundary Road	June 10, 2022	500 First Street
Marlboro, NJ 07746	500 First Street	Westfield, NJ 07090
	Westfield, NJ 07090	

**Special Ordinance No. 2022-02**

Regarding the following ordinance, Councilman Parmelee made the following announcement: I hereby move that an ordinance entitled “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.

The motion was seconded by Councilwoman Habgood.

Yeas: Habgood  
    Parmelee  
    LoGrippe  
    Katz  
    Mackey  
    Contract  
    Dardia  
    Root

Mayor Brindle

Heretofore introduced, Special 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 28th day of June 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**

Councilman Contract announced that street sweeping will begin in early July which is conducted twice annually of all the streets in Town which takes approximately 6-8 weeks and regular updates will be posted on the Town's website and social media. Councilman Contract encouraged residents to sign up for the Westfield Connect App.

Councilman Contract also informed residents the Green Team received a \$10,000 Community Energy Planning Grant from the BPU which will be used to encourage additional home energy audits which will help residents save money and benefit the environment as well as using the funds to update the Westfield Memorial Library to make it more energy sustainable. Councilman Contract thanked the Green Team and Town Officials for their efforts.

### **ADJOURNMENT**

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilman Katz at 8:33 p.m. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC  
Town Clerk