

MINUTES OF REGULAR MEETING HELD AUGUST 16, 2022

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, August 16, 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, Councilmembers: Parmelee, LoGrippo Mackey, Contract, and Root

ABSENT: Councilmembers: Habgood, Katz, Dardia

Invocation was given by Councilman Contract

Salute to the flag.

APPOINTMENTS

PRESENTATIONS

OPENING REMARKS

Town Administrator Update

The Town Administrator provided an update on the changes being made to Council Chambers which include new flooring, new carpeting on the dais. He explained there will be a permanent lectern with advanced technology for document viewing. In the next few months there will be TVs for the Council & audience, window treatments, lighting, and painting.

The Town Administrator discussed Mindowaskin Park project that was brought up at previous meeting with contributions from The Garden Club and The Friends of Mindowaskin. The Administrator explained the solar process that is currently being done on the hill that helps impede any growth before planting. In the fall The Garden Club will do the first planting of wildflowers in the hill area. The Town Administrator thanked the Department of Public Works for all their help with the project.

The Town Administrator provided an update on road paving. He stated last meeting there was an award of contract for the Town's paving improvement projects. The Town Engineer has already met with the contractor and will be paving approximately over 5 miles of road and is expected to start the last week of August. The contractor will start with concrete work, ADA compliance and drainage work and continue, weather permitting, to early October if not sooner. In addition to the Town's Road paving utilities are continuing their work. Elizabethtown Gas has six open projects, and American Water Company has one open project. Most of those projects are expected to be finished this fall. The Town is continuing to have coordination meetings with the utilities for scheduling. The Town Administrator thanked residents for their continued patience and asked them to go on the Town's website to view the road paving schedule and to sign up for Nixle alerts. The Town Administrator thanked the Westfield Police Department for the daily Nixle updates.

Mayor's Update

Good evening, everyone, and thanks to all who are joining us both here in the Council Chambers and online tonight.

DOWNTOWN EVENTS (update provided by DWC Council Liaison [Councilwoman Emily Root](#))

It has been a great summer in Downtown Westfield! Between the Pizza Run, Farmers Market, Sidewalk Sale Days, National Night Out, and Sweet Sounds, I want to thank everyone for coming out to enjoy these events and support our local businesses.

I want to give special recognition to the [Westfield NJ - Downtown](#) for the very successful premiere of Shakespeare in (Foundation) Park over the weekend – what a terrific performance that sold out all three nights and brought our local restaurants into the fold as residents enjoyed an evening of outdoor theater by the very talented performers from Acting Out. It's innovative programming like this that really puts the best of Westfield on display for residents, businesses, and visitors to enjoy.

Although we're here tonight and missing Sweet Sounds Downtown, there are still two more Tuesdays to enjoy the incredible performers the DWC has brought to the downtown this summer. And of course, the [Westfield Farmers Market](#) continues through October every Saturday from 8:30 AM - 1:00 PM at the North Avenue train station lot.

NEW BUSINESSES

Since we last met, I've had the pleasure of attending quite a few ribbon cutting ceremonies downtown! I'd like to welcome [Viktoria Seiz Cafe](#), Hair Studio, [Gong cha](#) Bubble Tea, and just yesterday, La Bendita. In addition, work is nearing completion on [Chutzpah Kitchen](#), Kirshenbaum Baking Co., and the new Akai – and be sure to check out the gorgeous new exterior of [Mimi & Hill design studio + shop](#)'s new space on East Broad as that work continues. It's an exciting time for our downtown as we look forward to a number of businesses opening and expanding!

WIRC UPDATES

Last year, after the extensive damage caused by Tropical Storm Ida, and in recognition of our need to put more infrastructure flooding mitigation efforts in place for both the short and long term, we formed the Westfield Infrastructure Resiliency Committee (WIRC). Comprised of [Councilwoman Linda Habgood](#) and [Councilman David Contract](#), a number of Town professionals, and volunteer residents from each ward, the team has had a productive year with foundational work to help position us well going forward.

As you'll hear from Councilman Contract shortly, tonight we have three resolutions on the agenda to help address localized flooding issues as part of our capital budget. One includes funding for a drainage project for stream cleanings at Mindowaskin and Fairview Cemetery properties after recently receiving the necessary DEP permits and we'll also be using \$231,000 of our American Rescue Plan funds for DPW stormwater related equipment.

In addition, the WIRC members have met with the DEP and NJ State League of Municipalities to discuss stormwater management, and also submitted a letter of interest to the new FEMA created Building Resilient Infrastructure and Communities (BRIC) program.

Most notably, earlier this year, the committee participated in an on-site visit at Robinsons Branch with the Army Corp of Engineers and the DEP regarding the ongoing stormwater issues that continue to impact residents in that area. This was followed by a Rahway River Basin meeting with the Mayors Rahway River Council, of which I'm a member, resulting in our inclusion in the Rahway River Basin Flood Risk Management Feasibility Study, to be assessed for Federal Interest in a project. All of these are very productive and positive steps, and we will continue to pursue all possibilities to address our necessary infrastructure improvements to mitigate flooding.

TONIGHT'S AGENDA

In terms of tonight's agenda, I'd like to turn the remarks over to the Town Council Committee Chairs to provide a brief overview of some of the key items we're voting on tonight.

Finance Policy Committee (remarks by [Councilman Mark Parmelee](#), committee Vice Chair):

The Finance Policy Committee will vote on a number of standard actions tonight, and I'll just take a few minutes to highlight several that are more notable.

At our last meeting, the Council voted on an ordinance on first reading that sets certain salaries in the Fire Department as a result of the recent collective bargaining agreement reached between the Town and the FMBA. We'll hear that ordinance on second reading tonight, and, on a related note, we will vote on a resolution authorizing the Chief Financial Officer to sign biweekly warrants for the 2022 FMBA employee salaries effective January 1, 2022. This allows for the terms of the recently renewed agreement to be applied retroactively to the beginning of the year.

We'll hear an ordinance on first reading tonight to amend the 2021 revised agreement between member municipalities of the Rahway Valley Sewerage Authority. This is a finalization of by-laws that were previously authorized earlier this year.

We will vote on a resolution authorizing an award of contract for on-call parking consulting services. This would continue our relationship with THA Parking Consultants, who prepared the parking details of the Traffic and Circulation element of the Master Plan. All of THA's fees will continue to be paid out of developer escrow accounts in order to conduct parking reviews related to redevelopment.

As we approach the beginning of another school year, we're voting on a resolution to extend our contract for an additional year with All City Management Services (ACMS) to manage our crossing guard program. As you'll recall, this is a model we shifted to in 2019 in order to ensure that Westfield Police Department resources could remain focused on daily law enforcement issues, rather than ongoing oversight of this program.

We have resolutions to authorize two grant applications for important causes tonight. The Greening Union County Program application is in the amount of \$40K, which includes \$20K of matching funds from the County, for municipal tree plantings in 2023. The Kids Recreation Grant Program application is for \$36,400 to be matched by Union County and will be utilized for the second phase of Windsor Park improvements – including new fencing and shade structures – to build upon the new playground we installed as the result of last year's grant.

We also will vote on a resolution to approve the insertion of a special item of revenue in the municipal budget for the Sustainable Jersey Bike Oasis grant we have received for \$20K. This bike oasis project, to be located in Municipal Lot 1 behind Bovella's, is a joint effort between the Green Team, DPW, and Bicycle Advisory Board. It will provide amenities for cyclists, including new bike racks, benches, a water bottle filler, and bike tool repair station to further encourage biking in the downtown. We anticipate work to begin on this project in the coming weeks, and a second bike oasis is also planned for the Elmer Street area behind the Rialto, as part of a separate grant received by the DWC.

Code Review and Town Property Committee (remarks by Councilman Parmelee, committee Chair):

The Code Review & Town Property Committee is presenting a resolution to authorize an award of contract, after a public competitive bidding process, for this year's AddamsFest Beer and Wine Garden Concession to Harvest Group, who have been the purveyors in years past.

Charlie's Ale Garden is scheduled for October 22 at The Westfield Armory, with details on tickets and entertainment to be available as part of AddamsFest in the coming weeks.

Public Works Committee (remarks by Councilman Contract, committee Chair):

From the Public Works Committee, we'll vote on five resolutions tonight – three of which involve stormwater mitigation efforts that Mayor Brindle spoke about. We'll vote to authorize new Public Works equipment, including the lease of three front-end loaders and the purchase of a sewer camera, and we'll also vote to authorize an award of contract for the stream cleaning at the Mindowaskin and Fairview tributaries.

We'll also vote on a resolution to award a contract for the next phase of our road assessment program. In 2019, we contracted with IMS to conduct a Town-wide assessment of every road, which provided us with extremely useful data to help drive paving decisions based on need and efficiencies of scale. Now that a significant number of roads have since been paved, we would like to obtain updated road assessment data to guide the next phases of our road resurfacing plans in conjunction with the schedules of the utility companies. Since 2018, 43 miles of roads have been paved, with more than 20 miles anticipated for this year. This is an unprecedented amount of paving in Westfield, and something we look forward to continuing as a quality of life improvement with reduced expense to taxpayers, as utilities are now required by ordinance to pave all roads disrupted by their infrastructure upgrades.

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2022-16

AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2125 ENTITLED, “AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS IN THE TOWN OF WESTFIELD AND VARIOUS AMENDMENTS THERETO.”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, “GENERAL ORDINANCE NO. 2022-16 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2125 ENTITLED “AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS IN THE TOWN OF WESTFIELD AND VARIOUS AMENDMENTS THERETO” 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: Parmelee	Nays:	Absent: Habgood
LoGrippto		Katz
Mackey		Dardia
Contract		
Root		
Mayor Brindle		

BIDS

**TOWN OF WESTFIELD
INVITATION TO BID
THURSDAY, AUGUST 4, 2022
2022 STREAM CLEANING**

Bidder **Amount of Bid**

Earthworks, Inc	\$388,400.00
13 Morello Court	
Farmingdale, NJ 07727	
Montana Construction Corp Inc	\$296,000.00
80 Contant Avenue	
Lodi, NJ 07644	
T. R. Weniger, Inc,	\$111,000.00
1900 New Brunswick Avenue	
Piscataway, NJ 08854	
CMS Construction	\$291,650.00
521 North Avenue	
Plainfield, NJ 07060	

MINUTES

On a motion by Councilwoman Mackey and seconded by Councilwoman Root Council approved the Minutes of the Town Council Conference Session and Regular Meeting held July 12, 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.

Tim Eaton, 762 Knollwood Terrace, stated residents have presented many times to the Town Council, Board of Education, and the Recreation Commission over the past year in support of natural grass fields rather than artificial turf metabolites. Mr. Eaton mentioned there are many reasons he is not in support of artificial turf and tower lights for Edison School. He expressed concern regarding the carcinogens, toxins, and pollutants that can cause cancer, disease, asthma, lung ailments, and liver damage. He also explained that artificial turf migrates into the environment and neighborhoods nearby, while natural grass fields keep the soil and water clean. Mr. Eaton stated natural grass fields that are maintained by a professional field manager would last longer than artificial turf, which he states could wear out over time and is not recyclable. He mentioned that artificial turf produces more non-contact injuries, including skin burns and abrasions, furthermore, noting the NFL Players Association is against turf. He explains that artificial turf kills anything underneath the turf making it impossible to restore the original environment and contains chemicals which do not metabolize but that accumulate and lead to dangerous outcomes. Mr. Eaton explained discussed how natural grass fields would reduce climate change by absorbing carbon dioxide and releasing oxygen. Natural grass fields would also be cooler and retain more water. He also expressed his concerns with tower lights, stating they are intrusive and would create more games and practices which will generate noise, traffic, and parking issues within the surrounding neighborhoods. He feels this will make the area less safe, ruining the quality of life and home values as neighborhoods will be commercialized. Lastly, he feels natural grass fields is consistent with Westfield's green initiatives. He asks the Council to consider natural grass fields with no tower lights to keep children safe and preserve the beautiful neighborhoods.

Jean Lehmborg, 528 W. Grove Street, mentioned a previous Council Meeting held where Mayor Brindle shared that the Council has been learning about artificial turf fields and there are "new products out there that are recyclable that do not use rubber infill." Mrs. Lehmborg was hoping the Mayor could share some additional information and answer some questions after public comment. Mrs. Lehmborg was questioning how it is possible to recyclable complex artificial fields while there are only certain materials that can be recycled at the Westfield Conservation Center. She asked what recyclable means in the context of artificial turf fields and what happens to them if they wear out. She stated that plastic loses integrity each time it is recycled. She mentioned there are no facilities in the country that recycle artificial turf and is wondering where they would be recycled. She asked the Mayor and Council if they have been to any fields that have recyclable turf. Mrs. Lehmborg had questions related to the warranty and length of recyclable fields in existence. She further discussed environmental issues related to climate change and the release of greenhouse gas emissions. She stated these issues can cause health concerns such as cancer, nervous system toxicity, immune dysfunction, and thyroid cardiovascular disease. Mrs. Lehmborg stated that any artificial turf fields would destroy the natural grass ecosystem that stores carbon dioxide and root mass along with soil that cools the air, traps air, prevents soil erosion and absorbs stormwater. She stated when the artificial turf fields were installed at Sid-Fey Houlihan Complex and Kehler Stadium the health and environmental concerns were not widely known, but now they are. She mentioned that for the past year members of the public, scientists, and medical professionals have brought many concerns to the Council and it is up to them to decide on what is to be done. She asks that the Council choose natural grass fields over artificial turf that would burden the children, raise health concerns, and hurt the environment.

Jessica Rinaldi, 150 Harrison Avenue, spoke about a resolution on the agenda authorizing an extension of a contract for crossing guard management services. She asked if some of the Council & Administration saw the letter she wrote to ACMS who the town is contracted with. Ms. Rinaldi wanted to address snow days that were not given to crossing guards in the past two years. She stated in the contracts for the past three snow days were included but the guards only received one. She wanted to know if the snow days were included in the new contract. Ms. Rinaldi said she was disheartened by ACMS not providing snow days.

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

Mayor Brindle addressed comments made regarding Edison School fields and stated the Town hired a third-party consultant to conduct an assessment on the pros and cons of both natural and artificial fields. Mayor mentioned the firm CME is waiting to interview one additional group and then the report will be finalized. Mayor Brindle stated that many of the questions asked will be addressed in the report including recyclability. Mayor Brindle also mentioned that the summer has been hard around the county and many places have experienced 100-degree temperatures with drought conditions and water advisories. She is curious to hear what the impact is on grass fields in light of the fact that facilities are not able to water the fields and what impact that has on sustainability and the environment. The Mayor is anxious to hear from the third party consultant so the Town can have the best solution for the community.

The Town Administrator thanked Ms. Rinaldi for her comments and stated that ACMS and Town representatives did receive her email and ACMS will be responding. The Town Administrator explained that the previous contracts do not provide for guaranteed snow days but the contract that is being awarded tonight does specifically state that three snow days will be paid whether it snows or not.

Mayor Brindle thanked Ms. Rinaldi for her comments. Mayor Brindle stated that Councilwoman Root & Councilwoman Habgood have been involved with the terms of the contract will be and more information will be coming up in the next few weeks.

BILLS AND CLAIMS

On motion by Councilman Parmelee, seconded by Councilwoman Mackey, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$938,429.97 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 Councilman Parmelee seconded by Councilwoman Mackey, were unanimously adopted with Councilman LoGrippe voting against Resolution No. 199.

Resolution No. 181

RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

Diane Rinnovatore 1411 Grand Street Apt. 502 Hoboken, NJ 07030	South Side Station/Lot 3	#22030254	\$348.00
--	--------------------------	-----------	----------

Rosa Pastuna 706 Front Street Dunellen, NJ 08812	South Side Station/Lot 3	#22080413	\$100.00
--	--------------------------	-----------	----------

Resolution No. 182

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
07/30/21	21-144	A. Gonsosa Enterprises Inc. 940 Sedgewick Court Westfield, New Jersey 07090	940 Sedgewick Court
08/10/21	21-151	William Hettler 896 Highland Avenue Westfield, New Jersey 07090	896 Highland Avenue
8/11/21	21-152	Beach Construction 3 Commonwealth Avenue	441 Mountain Avenue

		New Providence, New Jersey 07974	
8/12/21	21-154	Ioannis Mpletsakis 16 Lordina Drive Edison, New Jersey 06817	317 Livingston Street

WHEREAS, the following applicant has placed a Surety Bond to cover the following Road Opening Permit, and

Date	Permit No.	Applicant	Address of Opening
08/09/21	21-150	Hoff and Son Sewer and Drain 2504 Plainfield Avenue Scotch Plains, New Jersey 07076	142 Linden Avenue

WHEREAS, the required one-year hold on the funds has been met and the applicants are therefore entitled to have the bonds returned to 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 is authorized to either draw a warrant in the name of the applicants noted above for \$1,500.00 or to return the Surety Bond, forwarding same to the applicants address as listed.

Resolution No. 183

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

Name	Reason	Fee
Jillian Baker	Duplicate payment Paid twice by credit card	\$50.00 Credit Card

Resolution No. 184

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$16.20 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 July 2022.

Resolution No. 185

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$550.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of April - June 2022.

Resolution No. 186

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

Name	Account	Class	Fee
Gloria Permison 429 W. Broad St Westfield, NJ 07090	Playground T-05-600-071	Refund McKinley Site Daxton Permison	\$365.00

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

Name	Reason	Program	Fee
Laura Skidmore	Withdrew	Adult Tennis	\$85.00 Credit Card
Payan Canaran	Withdrew	Film Director Camp	\$261.25 Credit Card
Rakesh Patel	Withdrew Withdrew	Adult Tennis #7 Adult Tennis #3	\$85.00 \$85.00 Credit Card

Thomas Sevchuk	Withdrew	Swim Lessons	\$74.00 Credit Card
Rupal Obaray	Withdrew	Safe Sitter	\$114.00 Credit Card
Ross Errazo	Withdrew	Swim Lessons	\$74.00 Credit Card
Jennifer Pittman	Withdrew	Swim Lessons	\$74.00 Credit Card
Ann Glynn	Not Using	Pool Pass	\$30.00 Credit Card
Ann Pingor	Withdrew Withdrew	Swim Lessons #2 Swim Lessons #3	\$75.05 Credit Card
Thomas Arlotta	Withdrew	Flag Football Camp	\$152.00 Credit Card
Lisa DuMont	Withdrew	Adult Pickleball	\$75.00 Credit Card
Patricia Ick	Withdrew	Adult Tennis	\$85.00 Credit Card
Hemant Arora	Replacement	Pool ID Card	\$10.00 Credit Card
Larry Robin	Withdrew	Flag Football Camp	\$115.00 Credit Card
Anthony Buoscio	Withdrew	Flag Football Camp	\$115.00 Credit Card
Gregory Akselband	Withdrew	Youth Tennis	\$154.85 Credit Card
Stacey Glickman	Withdrew	Adult Pickleball	\$75.00 Credit Card
Rory Belfi	Withdrew	Flag Football	\$160.00 Credit Card
Rakesh Patel	Withdrew	Swim Lessons	\$29.63 Credit Card
Mathew Swiat	Withdrew	Youth Pickleball #2	\$142.50 Credit Card
Theo Tran	Withdrew/Raza Withdrew/Raza Withdrew/Zain Withdrew/Zain	Dive Clinic #7 Dive Clinic #6 Dive Clinic #6 Dive Clinic #7	\$45.00 \$50.00 \$45.00 \$45.00 Credit Card
Christopher Valenti	Withdrew	Dive Clinic #7	\$50.00 Credit Card
Mary Elmquist	Withdrew	Field Hockey Camp	\$156.75 Credit Card

Erica Weber	Cancelled	Pool Party	\$94.00 Credit Card
Christopher Hollins	Withdrew	Built By Me Robotics Camp	\$261.25 Credit Card
Kimberly Madara	Sick	CSI Camp	\$90.00 Credit Card
Dina Aldecoa	Camp Cancelled	Mad Science /Rocket	\$275.00 Credit Card
Nikita Desai	Camp Cancelled	Mad Science/Rocket	\$275.00 Credit Card
Tara Donnelly	Withdrew	Youth Pickleball #2	\$142.50 Credit Card
Barbara Monaghan	Withdrew	Adult Pickleball/Summer	\$75.00 Credit Card

Resolution No. 187

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for electronic tax sales, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the municipality of Westfield wishes to participate in an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the municipality of Westfield, New Jersey, that the Tax Collector is hereby authorized to participate in an electronic tax sale and submit same to the Director of the Division of Local Government Services if necessary.

Resolution No. 188

WHEREAS, the following persons, homeowners residing in Westfield, NJ, have filed for a 100% disabled rating due to service connected injuries, making them eligible for a Property Tax Exemption Qualification for the tax year 2022, and

WHEREAS the Mayor and Town Council elect to exercise their discretion to exempt homeowners from payment of real estate taxes for the prorated year 2022 and refund said homeowners retroactively to the effective date of disability stated in the Veteran Administration letter;

NOW, THEREFORE BE IT RESOLVED, that the Chief Financial Officer be and he hereby is authorized to draw warrants to the below mentioned, this being a refund for prorated 2021 taxes, based on the application as indicated below;

Block/Lot	Name	Address	Year	Amount
	3201/9	420 Euclid Avenue South	2022	\$5,186.79
	Joseph A. Moore			

Resolution No. 189

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

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
2911/24 Corelogic Attn: Refunds Dept 3001 Hackberry Road Irving, TX 75063-0156	547 Pierson Street	3 rd /2022 \$4,074.03
3202/14 DUNN, Deborah 230 Hawthorne St Scotch Plains, NJ 07076	522 North Avenue East	3 rd /2022 \$2,438.38
4007/10 ARNOLD, Janis 1 Ottawa Trail Branchburg, NJ 08876	228 Myrtle Avenue	3 rd /2022 \$2,184.63

Resolution No. 190

WHEREAS, the following applicant has 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:

App #	Name	Address	G/L	Refund Balance
BOA 19-20	Khichi, Jennifer	229 E. Dudley Ave	2-05-560-752	\$446.51
BOA 19-21	Reed, John & Kathryn	12 Tudor Oval	2-05-560-753	\$446.51
BOA 19-22	Giglio, Vincent & Mary	501 Wells Street	2-05-560-754	\$419.76
BOA 19-23 & BOA 19-32	Premier Trust Inc Und KDEL MARS TR	944 Wyandotte Trail	2-05-560-755 2-05-560-764	\$197.81 <u>\$196.51</u> \$394.32
BOA 19-26	Galligan, James Brendan	535 Pierson Street	2-05-560-758	\$500.00
BOA 19-27	Nash, Robert	1915 Grandview Ave	2-05-560-759	\$196.51
BOA 19-29	Steinberg, Darryl	12 Manchester Drive	2-05-560-761	\$419.76
BOA 19-33	Epstein, Joseph	1030 Irving Avenue	2-05-560-765	\$446.51
BOA 19-35	Rolnick, Lawrence	545 Boulevard	2-05-560-767	\$616.27
BOA 19-37	Verga, Joseph & Miriam	360 Orenda Circle	2-05-560-769	\$196.51
BOA 19-38	Russo, Augusto	500 Summit Avenue	2-05-560-770	\$419.76
BOA 19-39	17-33 Elm Street LLC	PO Box 772 Cranford, NJ 07016	2-05-560-771	\$696.51
BOA 19-40	Wolitzer, Neil	13 Breeze Knoll Drive	2-05-560-772	\$446.51
BOA 19-41	Amster, Matthew & Ariel	114 N Scotch Plains Ave	2-05-560-773	\$446.51
BOA 19-44	Haines, Aldona	870 New England Drive	2-05-560-776	\$196.51
BOA 19-45	Bollinger, David & Lauren	676 Shadowlawn Drive	2-05-560-777	\$419.76
BOA 19-48	Healey, Timothy & Tamara	825 Standish Avenue	2-05-560-780	\$335.12
BOA 19-49	Benson, Glen & Cristina	618 Tremont Avenue	2-05-560-781	\$445.04
BOA 19-51	Rispoli, Mary	722 Castleman Drive	2-05-560-783	\$890.08
BOA 19-54	Holy Trinity Greek Orthodox Church	250 Gallows Hill Road	2-05-560-786	\$1,280.16

BOA 19-55	Nicholson, Paul	2165 Bayberry Lane	2-05-560-787	\$417.56
BOA 21-55	Little Bear Builders, LLC	P.O. Box 1454, Mountainside NJ 07092	2-05-560-905	\$250.00

Resolution No. 191

WHEREAS Joseph Buontempo, d/b/a Pete & Ben, LLC, Owner(s) of real property located at 651 Glen Avenue, Westfield, NJ, posted an escrow in the amount of \$6,500 with the Town to guarantee the installation of landscaping as required by the Tree Preservation Committee's approval of Tree Permit #19-006, and as a condition of CO approval, and

WHEREAS the Owner has completed the necessary landscaping installation and has requested that this amount be returned, and

WHEREAS the Director of the Department of Public Works has inspected the property and has found the work to be in compliance with the provisions of the requirements.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer be and is hereby authorized to issue a warrant in the name of Pete & Ben, LLC/Joseph Buontempo for the release of previously held escrow monies, in the total amount of \$6,500.00 and forward same to:

Pete & Ben, LLC
Joseph Buontempo
1020 South Avenue West
Westfield, NJ 07090

Resolution No. 192

RESOLVED that the payroll consisting of the following regularly salaried employees of the Fire Department of the Town of Westfield represented by FMBA Local #30 for collective bargaining purposes be adopted January 1, 2022, and that the Treasurer be authorized to draw warrants to their order biweekly as their names appear on departmental payrolls, and that the Mayor and the Town Clerk be and are hereby authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Name</u>	<u>Position</u>	<u>January 1, 2022</u>
S. Miller	Battalion Chief	\$140,763
J. Ryan Jr.	Battalion Chief	\$140,763
R. Sawicki	Battalion Chief	\$140,763
R. Jurgens	Battalion Chief	\$140,763
M. Sawicki	Battalion Chief	\$140,763
J. Dannevig	Captain	\$126,293
T. Ryan	Captain	\$129,801
M. Pereira	Captain	\$129,801
A. Tammaro	Captain	\$129,801
L. Cerchio	Captain	\$129,801
B. Corbin	Captain	\$129,801
K. Kelber	Captain	\$129,801
K. McCormack	Captain	\$129,801
B. Piccola	Captain	\$129,801
C. Love	Fire Fighter	\$113,519
D. Mazza	Fire Fighter	\$113,519
A. Bencivenga	Fire Fighter	\$113,519
J. McCormack	Fire Fighter	\$113,519
M. Skubish	Fire Fighter	\$113,519
C. Manning	Fire Fighter	\$113,519
J. Garcia	Fire Fighter	\$76,552
J. Gura	Fire Fighter	\$76,552
T. Bottini	Fire Fighter	\$76,552
K. Guidici Pietro	Fire Fighter	\$76,552
B. Crawford	Fire Fighter	\$69,040
R. Dullea	Fire Fighter	\$69,040
D. Genovese	Fire Fighter	\$69,040
D. Tammaro	Fire Fighter	\$63,528
R. Alloco	Fire Fighter	\$52,504

M. Sawicki	Fire Fighter	\$52,504
A. Grasso	Fire Fighter	\$52,504
G. Peyton	Fire Fighter	\$52,504
P. Carey	Fire Fighter	\$52,504
S. Boyer	Fire Fighter	\$41,052

Resolution No. 193

BE IT RESOLVED, that the Treasurer of the Town of Westfield be and he is hereby authorized and directed to draw the necessary 3rd & 4th quarterly assessment warrants and issue same to the County of Union, via wire transfer, as follows:

Due Date		County Purpose Tax	Open Space Tax
August 15, 2022	2022 3 rd Quarter	\$9,214,131.30	\$338,808.67
November 15, 2022	2022 4 th Quarter	9,214,131.31	338,808.67

Resolution No. 194

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

August 16, 2022	\$104,086.75
November 9, 2022	\$104,086.75

Resolution No. 195

WHEREAS, a need exists for electronic bill payment concentration services for the Tax Collector's Department to streamline processing quarterly tax payments made by homeowners through online banking, and

WHEREAS, Payargo, Inc., 515 Keisler Drive, Suite 201, Cary, NC 27518 has the knowledge, technological skills and ability to provide these services and has been vetted through conversations with several tax collectors in municipalities that currently utilize these services, and

WHEREAS, a proposed 24-month contract with Payargo, Inc. has been reviewed, modified and approved by Town Counsel for the Town of Westfield, with costs identified as follows:

One-time Implementation Fee:	\$500.00
Per Transaction:	\$0.25
Per reversal:	\$0.25
Mastercard fees for failed settlement:	\$250.00

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds is not expected to exceed \$750 for the balance of 2022 and \$1,000 annually thereafter, is subject to the availability of funds in subsequent years' Operating Budgets and is to be charged to Tax Collector account 2-01-105-212, under Purchase Order #22-02721.

NOW THEREFORE BE IT RESOLVED, that the Town of Westfield Tax Collector and other proper Town Officials be, and they are hereby authorized to take the appropriate actions in the execution of discharge of this Contract for a period of 24 consecutive months, per N.J.S.A. 40A:11-3

Resolution No. 196

WHEREAS, the Town of Westfield has resolved to join both the Suburban Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, following a detailed analysis and has been a member since 1994; and

WHEREAS, the Bylaws of said funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Town of Westfield solicited requests for proposals for such services in accordance with G.O. 1753 of the Town of Westfield; and

WHEREAS, the Bylaws indicate that the commission rate shall not exceed six percent (6%) of the Member's Annual Assessment; and

WHEREAS, Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068 submitted a proposal to perform such services outlined for two percent (2%) of annual assessment; and

WHEREAS, the Bylaws of the aforesaid Fund require that in such case the municipality will make payment for such professional services directly to the Risk Management Consultant.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer of the Town of Westfield be, and hereby is, authorized and directed to draw warrant to the order of Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068, in the sum of \$11,938.00 representing the first half of the annual assessment.

Resolution No. 197

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency" has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance #CK04 a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on August 16, 2022, the governing body of the Town of Westfield, County of Union, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Town of Westfield.

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Town Administrator is hereby authorized to enter into a Cooperative Pricing Resolution of the Town of Westfield with the County of Bergen.

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey. This resolution shall take effect immediately upon passage.

Resolution No. 198

WHEREAS, on February 22, 2022, the Town of Westfield adopted Resolution 76-2022, entering into a contract with THA Consulting, Inc., 144 Livingston Avenue, New Brunswick, New Jersey 08901 for on-call parking consulting services at a fee not expected to exceed \$17,000; and

WHEREAS, it is necessary to amend the contract with THA Consulting, Inc. by an additional \$22,000 for the above referenced services at an amended fee not expected to exceed \$39,000; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with NJAC 5:30-1.10, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Streetworks/HBC Redevelopment Escrow Account number 20-01 under Purchase Order #22-00626.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield be and hereby amends an award a contract to THA Consulting, Inc. for on-call parking consulting services at a fee not to exceed \$39,000; and

BE IT FURTHER RESOLVED that the proper Town Officials be authorized to effect whatever actions are necessary in the execution and discharge of this contract.

Resolution No. 199

WHEREAS, the Town will extend the current contract for Crossing Guard Services for the Westfield Police Department for one year as per N.J.S.A. 40A:11-15 for a term beginning September 1, 2022, and ending June 30, 2023; and

WHEREAS, the proposal submitted by All City Management Services, 10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, CA 90670, has been found to be satisfactory and the services being performed have been deemed to have been done in an effective and efficient manner; and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, of which \$210,000.00 will be charged to Account 2-01-132-111, with the balance (\$310,028.16.00) subject to availability of funds in the 2023 Operating Budget and prepared in accordance with N.J.A.C. 5:30 1.10 under Purchase Order 22-02800.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that a contract for Crossing Guard Services for the Westfield Police Department be and hereby is awarded to All City Management Services, 10440 Pioneer Boulevard, Suite 5, Santa Fe Springs, CA 90670, at a cost not to exceed \$520,028.16 with \$210,000.00 charged to the 2022 Operating Budget, and the balance (\$310,028.16) subject to the availability of funds in the 2023 operating budget; and

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

Town Council comments:

Councilman LoGrippo stated that will be voting against the resolution to extend an award of contract for crossing guard management services as he has done previously because he has concerns with the program and assigned posts. Councilman LoGrippo feels ACMS has not fulfilled their obligations. He understands the need to reduce the number of posts as it is difficult to get crossing guards.

Resolution No. 200

WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for recreational improvements in the municipality, allowing each municipality the opportunity to address their specific need; and

WHEREAS, the Recreation Commission of the Town of Westfield has determined that there is a need for refurbishment of the Windsor Park Playground at a cost of \$72,954.46; and

WHEREAS, matching funds in the amount of \$36,477.23 will be certified by the Chief Financial Officer to be charged to the Park Improvement Fund account #T-05-600-076, once a contract is awarded.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a “Kids Recreation Trust Fund” grant in the amount of \$36,477.23.

BE IT FUTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

Resolution No. 201

WHEREAS, the Union County Board of Chosen Freeholders is allocating matching grant dollars for tree plantings in Union County municipalities under its Greening Union County initiative; and

WHEREAS, the Town of Westfield desires to participate in the 2022 Greening Union County program; and

WHEREAS, matching funds in the amount of \$20,000.00 will be certified by the Chief Financial Officer to be charged to the Tree Planting account no. 2-01-137-255.

NOW THEREFORE BE IT RESOLVED the proper Town officials be, and hereby are authorized and directed to file an application with the Union County Open Space, Recreation & Historic Preservation Trust Fund for a “Greening Union County” grant in the amount of \$20,000.00

BE IT FUTHER RESOLVED that the proper Town officials be, and hereby are, authorized and directed to enter into a contract as prepared by the Union County Law Department.

Resolution No. 202

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, THEREFORE, 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 \$10,000.00, which is now available from the Union County Open Space, Recreation and Historic Preservation Trust Fund – 2021 Greening Union County grant; and

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

General Appropriations	
2021 Greening Union County grant	\$10,000.00

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. 203

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, THEREFORE, 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 \$43,320.40, which is now available from the Union County Open Space, Recreation and Historic Preservation Trust Fund’s Kids Recreation 2021 Windsor Park grant; and

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

General Appropriations	
2021 Kids Recreation – Windsor Park	\$43,320.40

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. 204

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, THEREFORE, 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 \$20,000.00, which is now available from the Sustainable Jersey PSE&G Foundation Bike Oasis grant; and

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

General Appropriations	
Sustainable Jersey – Bike Oasis Grant	\$20,000.00

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.

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

Resolution No. 205

WHEREAS, an emergency had arisen with respect to the condition of the Tamaques Way Pump Station; and

WHEREAS, the Town Engineer has notified the Town’s purchasing agent of the existence of this emergency, the need for the immediate purchase of new pumping equipment, the nature of this emergency, the time of its occurrence, and the need for invoking the emergency purchase provisions of N.J.S.A. 40A:11-6; and

WHEREAS, an emergency purchase pursuant to NJSA 40A:11-6 and G.O. 2-75.5(a)(5) may be awarded without advertisement for bids or bidding in that an emergency affecting the health and public safety requires the immediate performance of the service; and

WHEREAS, there is the need for emergency Tamaques Way Pump Station repairs, including the purchase of new pumping station equipment, as stated by the Town Engineer; and

WHEREAS, the Town Engineer is recommending the award of an emergency contract for the replacement of the Tamaques Way Pump Station to Central Jersey Pump, PO Box 541, Springfield, NJ 07081-0541, in an amount not expected to exceed \$125,000.00; and

WHEREAS, the Chief Financial Officer of the Town herewith certifies that there are adequate funds available for this emergency contract, to the maximum dollar value of \$125,000.00, pursuant to Special Ordinance 2208, account C-07-17-208-00C, under Purchase Order #22-02766;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield that that the Chief Financial Officer be and is hereby authorized to encumber said contracts as listed above.

Yeas: Parmelee
 LoGrippo
 Mackey
 Contract
 Root
 Mayor Brindle

Nays:

Absent: Habgood
 Katz
 Dardia



Since 1972 • Consulting Civil Engineers | Land Development | Municipal |
Bridges | Highways | Construction Management | Construction Inspection |
Dams | Geotechnical | Hydraulics/Hydrology | Water/Wastewater |
Stormwater Management | Surveying | Planning | Landscape Architecture

Nel I. Van Cleef, P.E., L.S. & P.P.
Robert J. Clerico, P.E., P.P., CME, CPWM
Samuel D. Costanzo, P.E. & P.P.
Cynthia V. Norfleet, COO
Mark A. Bahns, P.E.
Lawrence M. Diffley, P.E., PTOE
Michael K. Ford, P.E., P.P.
Jeffrey W. Munzing, P.E.
Stanley J. Schrek, P.E., A.I.A., P.P., CME, LEED AP
Herbert J. Seeburger, Jr., P.E., CME, CPWM

MEMORANDUM

TO: James Gildea, Business Administrator
FROM: David C. Battaglia, PE, CME, CFM, CPWM; Town Engineer
CC: Scott Olsen, Chief Financial Officer
RE: Tamaques Pump Station Repairs
Town of Westfield, Union County
VCEA Project No. WES-1001.001
DATE: August 12, 2022

The following information is provided pursuant to the provisions of N.J.S.A. 40A:11-6.

The Tamaques Pump Station serves about 20 residential homes in the immediate area. The existing sump well is not deep enough for the existing flow volume and the original pumps were decommissioned due to age and condition. A temporary set-up has been in place which consists of a single grinder pump in a manhole which pumps above ground, than back down the old station and ties into the forcemain. This temporary set-up does not solve the depth of the sump well and above the ground hose poses an issue for proper function.

Recently this temporary set-up ceased to function due to a piece of plastic stopping the pump and ultimately causing a back up into a residential home.

Given that this temporary set-up now appears to be failing this office believes that an emergency exists wherein the health and public safety is negatively impacted if it continues to remain in place.

A properly sized sump well must be constructed and new pumping equipment installed as quickly as is practical to promote the health and public safety of public users. Supply chain issues are a frequent issue when purchasing sewer pumps, sometimes being back ordered for 6 months or more. Our maintenance contractor has proposed using pumps which are in limited supply but available right now.

We must act right now to order the pumps and construct the new station.

Should you have any further questions with regard to anything contained in this proposal, please do not hesitate to call our office.

DCB/sg 

VanCleefEngineering.com

Please Reply To:
NORTHERN NJ OFFICE
111 Howard Boulevard, Suite 110 • Mt. Arlington NJ 07856
862.284.1100 • Fax: 862.284.2033

With Other Offices In:
Hillsborough NJ • Lebanon NJ • Freehold NJ • Phillipsburg NJ
Toms River NJ • Hamilton NJ • Doylestown PA • Bethlehem PA
Mechanicsburg PA • Leesport PA • Newark DE

Code Review & Town Property Committee

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

Resolution No. 206

WHEREAS, the Town of Westfield is seeking qualified business entities with the appropriate ABC license to provide a Beer and Wine Garden Concession at the AddamsFest event scheduled for October 22, 2022 within the Town of Westfield; and

WHEREAS, the Town of Westfield issued a Request for Proposals (RFP) for the aforementioned service through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, UT Westfield, LLC, dba Addams Tavern, 115 Elm Street, Westfield, NJ 07090 submitted a proposal to perform said services at the AddamsFest event with a payment to the Town of Westfield totaling thirty (30 %) percent of sales at said event; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield does hereby award a contract to UT Westfield, LLC for a Beer and Wine Garden Concession at the AddamsFest event; and

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

General Ordinance No. 2022-17

Regarding the following ordinance, Councilman Parmelee made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2022-17 – AN ORDINANCE AMENDING THE 2021 REVISED AGREEMENT BETWEEN THE MEMBER MUNICIPALITIES OF THE RAHWAY VALLEY SEWERAGE AUTHORITY"

The motion was seconded by Councilwoman Mackey.

General Ordinance No. 2022-16 was approved by the following vote of all present upon roll call as follows:

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

Heretofore introduced, General Ordinance No. 2022-17 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9th day of September 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

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

Resolution No. 207

WHEREAS, on June 29, 2021, by resolution 161-2021, P&A Construction was awarded a contract with the Town of Westfield for Propsect Street Improvements as authorized by S.O. 2216 and 2221 under Accounts C-07-19-216-61A, C-07-19-216-6B1 and C-07-21-222-1A1, and

WHEREAS, N.J.A.C. 5:30 provides for increases & decreases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated additional work items and more material than had been anticipated resulting in an increase to the original contract value represented by Change Order #1 for \$20,870.23 resulting in revised contract value \$266,722.43 adopted December 29, 2021, and

WHEREAS, subsequent site condtions encountered during final construction required fewer work items and less material than had been anticipated, with a decrease to the revised contract value represented by Change Order #2 & Final for -\$1,725.45, resulting in a final revised/reduced contract value of \$264,996.98, a net increase of \$19,144.78 over the original contract award of \$245,852.20; and

WHEREAS, the contractor has provided the required 1-year Mainenance Bond (#3964619) in the amount of \$26,499.70 representing 10% of the final revised/reduced contract value for a period of 1 year; and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the final revised/reduced contract value, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds for this change order is to be charged to Special Ordinance 2221 under Purchase Order #21-02015.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 2. & Final in the amount of - \$1,725.45 executed by David C. Battaglia, Town Engineer, be authorized, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment of \$12,345.70 and to effect whatever actions are necessary in the execution and discharge of Change Order No. 2 & Final, for the Prospect Street Improvements, decreasing the final contract price from \$266,722.43 to \$264,996.98.

Resolution No. 208

WHEREAS, on June 29, 2021, by resolution 160-2021, Stilo Excavation, Inc. was awarded a contract with the Town of Westfield for Willow Grove Road Improvements for \$220,488.62 as authorized by Special Ordinance (S.O.) 2212 under Account C-07-18-212-A3A, and

WHEREAS, N.J.A.C. 5:30 provides for increases & decreases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated as-built adjustments to estimated contract quantities, resulting in an increase to the original contract value represented by Change Order #1 for \$23,979.56 and a revised contract amount of \$244,468.18, adopted on February 8, 2022, and

WHEREAS, subsequent site conditions encountered during final construction required fewer work items and fewer materials than had been anticipated, with a decrease to the revised contract value represented by Change Order #2 & Final for -\$2,860.62, resulting in a final revised/reduced contract value of \$241,607.56, a net increase of \$21,118.94 over the original contract award of \$220,488.62; and

WHEREAS, the contractor has provided the required 1-year Maintenance Bond (#S-331539) in the amount of \$24,160.76 representing 10% of the final revised/reduced contract value for a period of 1 year; and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the final revised contract value, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds for this change order is to be charged to S.O. 2212 under Account C-07-18-212-A3A under Purchase Order #21-02014.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 2. & Final in the amount of - \$2,860.62 executed by David C. Battaglia, Town Engineer, be authorized, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment of \$4,832.15 and to effect whatever actions are necessary in the execution and discharge of Change Order No. 2 & Final, for the Willow Grove Road Improvements, increasing the final contract price from \$220,488.62 to \$241,607.56.

Resolution No. 209

WHEREAS, sealed bids were received by the Town Clerk on August 16, 2022 for the 2022 Stream Cleaning Project in Westfield, New Jersey as authorized by Special Ordinance (S.O.) 2022-01, adopted April 5, 2022, and

WHEREAS, the low bid, in the amount of \$111,000.00, submitted by T.R. Weniger, Inc., 1900 New Brunswick Avenue, Piscataway, NJ, 08854 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract is to be charged to S.O. 2022-01, account C-07-22-001-1B1, under Purchase Order 22-02724.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$111,000.00 be awarded to T.R. Weniger, Inc., and

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

Resolution No. 210

WHEREAS, a need exists for the Town of Westfield to retain professional engineering services for the development and updating of the Pavement Management/Assessment Program; and

WHEREAS, the Town of Westfield issued a Request for Proposals (RFP) for engineering services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, IMS Infrastructure Management Services, 1820 W Drake Drive, Suite 104, Tempe, Arizona 85283, has submitted a proposal dated August 4, 2022, indicating it would provide the aforementioned service for a fee not to exceed \$47,682.00; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to Special Ordinances 2212 and 2022-01, using account numbers C-07-18-212-2C1 (in the amount of \$8,894.31) and C-07-22-001-1A1 (in the amount of \$38,787.69), under Purchase Order #22-02774.

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

1.The Town of Westfield authorizes an award of contract to IMS Infrastructure Management Services for professional engineering services for the development of a Pavement Management/Assessment Program for the Town of Westfield at a fee not to exceed \$47,682.00;

2.The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract; and

3.This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

Resolution No. 211

WHEREAS, the Town of Westfield has a need for Public Works equipment including Loaders to be used for Stormwater Management (among other uses), and

WHEREAS, Caterpillar, Inc. equipment and machinery is sold through the Sourcewell Co-op, of which the Town of Westfield is a member, under contract number 032119-CAT.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield authorizes the Administrator to enter into a five-year lease agreement with Caterpillar Financial Services Corporation, 2120 West End Avenue, Nashville, TN 37203 for three 2022 926M Loaders at an annual cost of \$155,140.31, and that the Chief Financial Officer is hereby authorized to prepare warrants for payment in an amount not expected to exceed \$155,140.31, to be charged to account 2-01-236-212 under Purchase Order No. 22-02444.

BE IT FURTHER RESOLVED that future payments on this lease will be subject to adequate funding in future year’s operating and capital budgets.

Resolution No. 212

WHEREAS, the Town of Westfield has a need for Public Works equipment including a customized trailer outfitted with Sewer Camera equipment to assess and maintain the Sanitary and Storm Sewer systems, and

WHEREAS, said equipment is priced through the Houston-Galveston Area Council Co-op, of which the Town of Westfield is a member, under Contract No. SC01-21, and

WHEREAS, the manufacturer of said equipment is CUES, Inc., 3600 Rio Vista Avenue, Orlando, FL 32805.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield authorizes the purchase of a Sewer Camera system with trailer plus related equipment at a cost not expected to exceed \$199,480 and that the Chief Financial Officer is hereby authorized to prepare warrants for payment, to be charged to account 2-01-236-212 under Purchase Order No. 22-02757.

COMMITTEE REPORTS

ADJOURNMENT

A motion to adjourn, made by Councilwoman Mackey and seconded by Councilman Contract at 8:45 p.m. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC
Town Clerk