



AGENDA
January 26, 2021
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATIONS

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
2. Resolution authorizing the Chief Financial Officer to draw warrant for fourth quarter Construction Official's State permit fees for 2020
3. Resolution authorizing the Chief Financial Officer to issue warrants for Special District Taxes
4. Resolution authorizing the Chief Financial Officer to issue warrants for Union County Open Space Taxes
5. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes pursuant to Union County Tax Board
6. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes in 2020
7. Resolution authorizing the Chief Financial Officer to draw warrants for 2020 pursuant to Tax Court of New Jersey

Public Safety, Transportation and Parking Committee

1. Resolution authorizing the purchase of a Fire Department vehicle

Code Review & Town Property Committee

1. Resolution referring report and recommendations to the Planning Board for 417 Prospect Avenue to designate as historic

Public Works Committee

1. Resolution authorizing Change Order No. 1 for 2020 Leaf Collection Program (Various Vendors)
2. Resolution awarding contract for grinding of brush material

ORDINANCES

1. GENERAL ORDINANCE NO. 2205
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 16, "PARKS AND RECREATION" BY CHANGING CERTAIN FEES IN THE MEMORIAL POOL AND BY ESTABLISHING CERTAIN NEW CATEGORIES

GENERAL BUSINESS

Event Requests:

Downtown Westfield Corporation
The Greater Westfield Area Chamber of Commerce
Westfield Baseball League
Westfield Neighborhood Council
Light the Night Run
Westfield YMCA – 5K Run For Everyone
Westfield Public Arts Commission
Greta's Run

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS (as needed)

EXECUTIVE SESSION



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, January 26, 2021
8:00 PM**

PROPOSED AGENDA

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

1. Roll Call
2. Invocation
3. Salute to the flag
4. Appointments
5. Presentations
Proclamation - Green Team Silver Level Certification Achievements
6. Advertised Hearings
 1. GENERAL ORDINANCE NO. 2203
AN ORDINANCE AMENDING THE TOWN OF WESTFIELD BICYCLE BOARD
7. Approval of Minutes from Town Council Regular Meeting held January 12, 2021
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$345,955.15
11. Reports of Standing Committees
 - Finance Policy Committee
 8. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
 9. Resolution authorizing the Chief Financial Officer to draw warrant for fourth quarter Construction Official's State permit fees for 2020
 10. Resolution authorizing the Chief Financial Officer to issue warrants for Special District Taxes
 11. Resolution authorizing the Chief Financial Officer to issue warrants for Union County Open Space Taxes
 12. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes pursuant to Union County Tax Board
 13. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes in 2020

14. Resolution authorizing the Chief Financial Officer to draw warrants for 2020 pursuant to Tax Court of New Jersey

Public Safety, Transportation and Parking Committee

1. Resolution authorizing the purchase of a Fire Department vehicle

Code Review & Town Property Committee

2. Resolution referring report and recommendations to the Planning Board for 417 Prospect Avenue to designate as historic
3. GENERAL ORDINANCE NO. 2205
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 16, "PARKS AND RECREATION" BY CHANGING CERTAIN FEES IN THE MEMORIAL POOL AND BY ESTABLISHING CERTAIN NEW CATEGORIES

Public Works Committee

3. Resolution authorizing Change Order No. 1 for 2020 Leaf Collection Program (Various Vendors)
4. Resolution awarding contract for grinding of brush material

12. Reports of Department Heads

Adjournment

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

AN ORDINANCE AMENDING THE TOWN OF WESTFIELD BICYCLE BOARD

GENERAL ORDINANCE NO. 2203

WHEREAS, the Town of Westfield has long been a bicycle friendly town by virtue of, among other things, its 108.63 miles of roadways; and

WHEREAS, the Town has long been a leader in the State of New Jersey working to ensure bicycle safety, including among other things, by adopting, in December 1991, the State's first bicycle helmet law, which was subsequently adopted as state-wide law in New Jersey the following year; and

WHEREAS, in October 1954, in cooperation with the Westfield Schools' Parent Teacher Association, the Town adopted, its first comprehensive bicycle safety regulations by, among other things, requiring the registration and licensing of bicycles, and creating a "Bicycle Board;" and

WHEREAS, in April 1983, the Mayor and Town Council amended its Bicycle Board ordinance to create an advisory committee to the Bicycle Board, which advisory committee was charged with assisting the Bicycle Board in the discharge of its duties and advising the Bicycle Board concerning bicycle use and problems; and

WHEREAS, the Mayor and Town Council continue to stress the importance of bicycle safety and continue to work to keep the Westfield a bicycle friendly town, most recently by undertaking, in 2019, a bicycle and pedestrian Master Planning process, which process was part of the Mayor and Council's designation of 2019 as the "Year of the Pedestrian" in Westfield, under which, among other things, the Town won New Jersey Department of Transportation funding to develop a plan to foster the development of non-motorized transportation modes in accordance with statewide goals and local needs; and

WHEREAS, that master planning process culminated in a November 2019 report entitled, "Bike Walk Westfield: Bicycle and Pedestrian Master Plan," which plans sets forth the Town's first comprehensive blueprint to make bicycling and walking in Westfield more comfortable, accessible, and safer for residents and visitors alike; and

WHEREAS, to further the goals of the Westfield Bicycle and Pedestrian Master Plan, and to reinvigorate the goals, objectives and duties of the Westfield Bicycle Board;

NOW, THEREFORE, BE IT RESOLVED:

SECTION I. Section 7-2, "Bicycle Board," within Chapter 7, "Bicycles," of the Town Code

of the Town of Westfield, shall be and is hereby amended by deleting the existing subsection (c) in its entirety and replacing it as follows:

(c) In addition to the regular members of the Bicycle Board, there shall be appointed to the bicycle board by the chairperson of the Westfield Green Team an individual to serve as a liaison between the Bicycle Board and the Westfield Green Team. Such individual shall attend and participate in all meetings and activities of the Bicycle Board as if a regular member.

SECTION II. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION III. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION IV. This Ordinance shall take effect after posting, publication and final passage in the manner prescribed by law.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 26, 2021

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Tally Faro 321 Orenda Circle Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Refund Withdrew from Program Built By Me/STEM Virtual/Game Designer Joshua Siegel	\$175.00
Mary Coffey 2235 Paff Pl Scotch Plains, NJ 07076	195 Pool Memberships	Refund Paid Twice for Membership Non-Resident/family of 4 less w/Childcare	\$380.00

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 26, 2021

RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$19,829.00 to the TREASURER, STATE OF NEW JERSEY for the fourth quarter Construction Official's State permit fees for 2020.

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 26 2021

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the Downtown Westfield Corporation, for Special District Taxes as provided in the year 2021 budget:

February 9, 2021	\$104,086.75
May 11, 2021	\$104,086.75

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 26, 2021

RESOLVED that the Chief Financial Officer is hereby authorized to issue warrants noted below to the order of the County of Union, for County Purpose and Open Space Taxes and Added and Omitted County and Open Space Taxes as provided in the year 2021 budget:

County Purpose Taxes	
February 16, 2021	\$9,896,818.21
May 17, 2021	\$9,896,818.21
County Open Space Taxes	
February 16, 2021	\$304,564.29
May 17, 2021	\$304,564.29
County Added & Omitted Taxes	
February 16, 2021	\$315,448.44
County Open Space Added & Omitted Taxes	
February 16, 2021	\$9,205.52

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 26, 2021

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2020 pursuant to judgments from the Union County Tax Board:

Block/Lot	Name	Address	Amount
2101/34.01	GES Holdings, LLC	110 Wychwood Road	\$1,641.70
	51 Cardinal Drive		
	Toms River, NJ 08755		
2310/9		550 Arlington Avenue	
	\$1,058.15		
	Hohlfeld, Evan & Zheng, Lisia		
2708/3.01/C0001		561A Downer Street	\$1,243.55
	Emen, Jared		
3301/15		626 Tremont Avenue	\$257.15
	Sen, Shurjo K & Julia S		
4301/64		633 Shackamaxon Drive	\$342.04
	Kevelson, Edward & Pamela		
4401/17		744 Norgate	\$1,056.73
	Dickey, Michael & Sydney		

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 26, 2021

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

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
503/20 KOZLIK, Treva	827 Cedar Terrace	4 th /2020 \$8,065.23
1306/16 LAI, Juanhong \$3,675.07	850 Wallberg Avenue	4 th /2020
2909/3.02 WATSON, Violetta	511 Edgar Road	4 th /2020 \$3,652.05
5115/22 LUKIS, Basilio	1101 Mohawk Way	1 st /2020 \$5,164.30
5502/10 Wells Fargo Home Mortgage 1 Home Campus MAC F2302-04D Des Moines, IA 50328	30 Moss Avenue	4 th /2020 \$12,889.02

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JANUARY 26, 2021

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the years 2020 pursuant to the Tax Court of New Jersey:

Block/Lot

<u>Name</u>	<u>Address</u>	<u>Year</u>	<u>Amount</u>
1107/9	523 Alden Avenue	2020	\$2,276.69

Roberts, Joshua & Panagiota

Check payable and mail to:

Jennifer R. Jacobus, Trustee for ROBERTS, JOSHUA & PANAGIOTA

Jacobus & Associates, LLC

201 Littleton Road, 1st Floor

Morris Plains, NJ 07950

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO.

PUBLIC SAFETY COMMITTEE

JANUARY 26, 2021

WHEREAS, a need exists for the purchase of a replacement utility vehicle for use by the Westfield Fire Department's Fire Prevention Division, as provided for in the Town of Westfield's 2020 Operating Budget and Fire Violations Account, and

WHEREAS, the contract to purchase this vehicle is to be awarded to an authorized vendor through the State of New Jersey Procurement Bureau, and

WHEREAS, this vehicle will be sufficient to meet the needs of the Westfield Police Fire Department; and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under a cooperative contract, specifically, Sourcewell (formerly known as National Joint Powers Alliance), a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certifies to the availability of adequate funds for payment, prepared in accordance with N.J.A.C. 5:30 1.10, which will be in the amount of \$45,489.41 with \$25,489.41 charged to the Fire Department's 2020 Operating Budget account 0-01-125-256 and \$20,000.00 to be charged to the Fire Violations account, under Purchase Order #21-00204.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the following vehicle from the indicated vendor:

National Auto Fleet Group
490 Auto Center Drive
Watsonville, CA 95076

One (1) New/Unused 2021 Chevrolet Tahoe
@ \$45,489.41
Quote ID 26751, Sourcewell Contract 120716-NAF

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

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW AND
TOWN PROPERTY COMMITTEE

JANUARY 26, 2021

WHEREAS, the owner of the property located at 417 Prospect Avenue (Block 1004, Lot 10) has requested that the Town of Westfield designate her property as historic pursuant to the Town's historic preservation ordinance; and

WHEREAS, as required by section 5 of the Town's historic preservation ordinance, the Westfield Historic Preservation Commission (with the property owner's assistance and input) prepared a nomination report examining the history of the property and the buildings thereon; and

WHEREAS, as further required by section 5 of the ordinance, the Commission held a duly noticed public hearing On December 28, 2020, at which the report was presented, and members of the public and the Commission were given an opportunity to review the report and ask questions or make comments on it; and

WHEREAS, at the conclusion of that hearing the Commission voted unanimously to recommend that the Town Council designate the property as a historic landmark, pursuant to the Town's historic preservation ordinance, for all of the reasons set forth in the report and as discussed at the public hearing on the application; and

WHEREAS, the report and recommendation of the Commission has now been received by the Mayor and Town Council.

NOW, THEREFORE, BE IT RESVOLVED, that as required by Section 5(B)(2)(d)(2) of the Town of Westfield historic preservation ordinance, the Mayor and Town Council hereby refer the report and recommendation to the Westfield Planning Board, for its comment on the proposed designation, and for such other actions as are contemplated by the historic preservation ordinance and as appropriate under the circumstances, consistent with the Town's Master Plan , the Zoning Ordinance of the Town, and the New Jersey Municipal Land Use Law.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2205

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD,
CHAPTER 16, "PARKS AND RECREATION" BY CHANGING CERTAIN FEES IN
THE MEMORIAL POOL AND BY ESTABLISHING CERTAIN NEW CATEGORIES.**

BE IT ORDAINED by the Town council of the Town of Westfield as follows:

That Section 16-12f "Swimming lesson fees" be amended to read as follows:

(f) Program fees:

- (1) Group swim lessons: for each child, not to exceed \$100 per child, per session.
- (2) Swim Team: for each child, not to exceed \$150 per child.
- (3) Aquatic programs: for each person, not to exceed \$200 per person, per program.
- (4) Private Swim Team Pool Rental: Not to exceed \$250 per hour, per pool, and shall include staffing reimbursements, as required.
- (5) Member Private Event Reservations: Not to exceed \$250 per hour, per reservation, and non-member guests paid separately upon entrance.

The exact fee to be charged provided by this section shall be determined from time to time by the Recreation Commission

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

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

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION

PUBLIC WORKS COMMITTEE

JANUARY 26, 2021

WHEREAS, a need existed for the contract rental of privately owned equipment for use by the Department of Public Works in the 2020 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, Resolution 206-2020, adopted September 8, 2020 awarded various contracts to the low bidders to perform this necessary work, and

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

WHEREAS, conditions were encountered during the leaf collection program that necessitated additional work from the equipment than had been originally anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, 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 is to be charged to Public Works Operating Account 137-246, under the Purchase Orders indicated below. The net change in the total contract for the 2020 Leaf Collection Program is an increase of \$11,681.00.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the following amounts be authorized:

Elite Trucking & Rigging	reduce \$ 6,800.00	PO#20-02930
Ameritico Disposal	increase \$ 3,264.00	PO#20-02932
Frank Galbraith & Son	increase \$ 2,926.00	PO#20-02931
Jesco, Inc	increase \$ 12,291.00	PO#20-02933

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of this Change Order for the **2020 Leaf Collection Program**.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

PUBLIC WORKS COMMITTEE

JANUARY 26, 2021

WHEREAS, a need exists for the grinding of accumulated brush material to a mulch product for internal use, contractor sales and residential distribution by the Department of Public Works, as provided for in Public Works account 137-241, and

WHEREAS, sealed bids were received on Wednesday, January 20, 2021, and

WHEREAS, the low bid, submitted by Britton Industries, Inc., in the amount of \$74,800.00 has been analyzed and found to be in conformance with the appropriate specifications, and

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 pursuant to this Contract to be charged to Public Works account 137-241, under Purchase Order 21-00187, provided there is sufficient funding in the 2021 Operating Budget.

NOW THEREFORE BE IT RESOLVED, that a Lump Sum Contract be awarded to Britton Industries, 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.