



AGENDA
November 28, 2023
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATION

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 refund Fire Department Permit Refund
3. Resolution authorizing an award contract for the purchase and installation of decorative lighting at Mindowaskin Park
4. Resolution authorizing the Chief Financial Officer to sign biweekly warrants for the 2023 Police SOA employee salaries retroactively effective January 1, 2023
5. Resolution authorizing the submission of a grant application for the Westfield Fire Department
6. Resolution to approve insertion of special item of revenue in the municipal budget (National Opioid Settlement)
7. Resolution to appoint Town Engineer
8. Resolution authorizing the Chief Financial Officer to make a budget transfer

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve place-to-place transfer of liquor license

Public Works Committee

1. Resolution authorizing an award of contract for the disposal of recyclable material
2. Resolution authorizing the Union County Deer Management Program

ORDINANCES

GENERAL ORDINANCE NO. 2023-35

AN ORDINANCE TO AMEND THE GENERAL ORDINANCE NO. 2022-19 ENTITLED, "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION" AND SALARY SCHEDULE, SEC. 2-12.28" SCHEDULE"

GENERAL BUSINESS

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS

EXECUTIVE SESSION



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING
Tuesday, November 28, 2023
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
6. Advertised Hearings
 1. Community Block Development Grants – Town of Westfield Recreation Department - Senior Transportation & Programming - \$25,000.00
 2. Community Block Development Grants – Westfield Community Center – Parking Lot Paving & Gym Ceilings and Walls Repairs - \$50,000.00
 3. Community Block Development Grants – Westfield YMCA –Special Needs Staff - \$56,000.00
 4. Community Block Development Grants – Westfield YMCA – Materials only for two ADA-accessible showers and four ADA-accessible bathrooms - \$10,500.00
 5. GENERAL ORDINANCE NO. 2023-34
AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS IN THE TOWN OF WESTFIELD AND VARIOUS AMENDMENTS THERETO
7. Approval of Minutes from Town Council Executive Session held August 15, 2023
Approval of Minutes from Town Council Conference Session held November 8, 2023
Approval of Minutes from Town Council Regular Meeting held November 8, 2023
8. Petitions and Communications
9. Open discussion by citizens

10. Bills and Claims in the amount of \$329,864.35

11. Reports of Standing Committees

Finance Policy Committee

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8. Resolution authorizing the Chief Financial Officer to make a budget transfer
9. GENERAL ORDINANCE NO. 2023-35
AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2022-19 ENTITLED, "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION" AND SALARY SCHEDULE, SEC. 2-12.28 "SCHEDULE"

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve place to place transfer of liquor license

Public Works Committee

1. Resolution authorizing an award of contract for the disposal of recyclable material
2. Resolution authorizing the Union County Deer Management Program

Reports of Department Heads

TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-34
AN ORDINANCE ENTITLED “AN ORDINANCE FIXING THE SALARIES OF CERTAIN
EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS IN THE TOWN OF WESTFIELD AND
VARIOUS AMENDMENTS THERETO.”

BE IT ORDAINED by the Town Council of Westfield in the County of Union as follows:

SECTION I.

That General Ordinance as titled above read as follows:

A. POLICE DEPARTMENT

I. ANNUAL SALARIES

(1) (1) All salaries shall be retroactive to their effective dates and the annual salaries of the Westfield Police Department superior officer personnel represented by the PBA Local 90A shall be as follows:

	Effective <u>1/1/2023</u>	Effective <u>1/1/2024</u>	Effective <u>1/1/2025</u>	Effective <u>1/1/2026</u>
Captain	\$160,204	\$164,831	\$169,721	\$174,307
Lieutenant	\$149,004	\$153,379	\$157,983	\$162,304
Sergeant	\$138,935	\$143,084	\$147,430	\$151,514

SECTION II.

Any or all ordinances or parts thereof 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 III.

In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holdings 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 IV.

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

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

<u>Name</u>	<u>Reason</u>	<u>Program</u>	<u>Fee</u>
Valerie Karpa	Paid Twice	Adult Pickleball/Fall/Session 2 Valerie Karpa (11/1/23)	\$110.00 Credit Card
Susan Gallager	Withdrew	Chair Yoga / Fall Session 2 Susan Gallager Dennis Gallager	\$20.00 \$20.00 Credit Card
Maria Johnson	Withdrew	Brightwood Park Youth Nature Class Eleni Johnson / Nov 16 class	\$10.00 Credit Card
Tara Glassmith	Purchased Wrong Permit	Conservation Center Permit Tara Glassmith	\$20.00 Credit Card

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO. -2023

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

RESOLVED, that the Town Treasurer be authorized to refund the following Fire Department permit fee to the following individual:

<u>Name</u>	<u>Reason</u>	<u>Fee</u>
Gray's Area Grille 51 JFK Parkway, 1 st Floor West Short Hills, NJ 07078 PO# 22-03597	Refund Permit Fee	\$54.00

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

WHEREAS, a need exists for the purchase and installation of decorative lighting at Mindowaskin Park, in the Town of Westfield, and

WHEREAS, Public Service Electric & Gas (PSE&G) currently maintains the lighting in the aforementioned park, and

WHEREAS, PSE&G has submitted a proposal for the purchase of lighting equipment that meets the needs and expectations of the Town of Westfield, and

WHEREAS, the Chief Financial Officer has certified the availability of funds charged to Special Ordinance 2211, account C-07-17-211-00A, under Purchase Order 23-04000 prepared in accordance with N.J.A.C. 5:30 1.10, and

WHEREAS, no bids need to be solicited for this purchase insofar as the contract complies with the guidelines of N.J.S.A. 40A:11-5 et seq.;

NOW THEREFORE BE IT RESOLVED, that the Town of Westfield award a contract in the amount of \$23,682.72 to PSE&G, 472 Weston Canal Road, Somerset, New Jersey, 08873 for the purchase and installation of decorative lighting, and

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

RESOLVED that the payroll consisting of the following regularly salaried employees of the Police Department of the Town of Westfield represented by the Superior Officers Association PBA Local 90A for collective bargaining purposes be adopted retroactively effective to January 1, 2023 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>Jan. 1, 2023</u>
J. Ricerca	Captain	\$160,204
J. Carter	Captain	\$160,204
J. McErlean	Lieutenant	\$149,004
J. Rodger	Lieutenant	\$149,004
M. Kapka	Lieutenant	\$149,004
L. Lugo	Sergeant	\$138,935
J. Tango	Sergeant	\$138,935
T. Ostrander	Sergeant	\$138,935
M. Walsh	Sergeant	\$138,935
L. Maloney	Sergeant	\$138,935
B. Beirne	Sergeant	\$138,935
K. O'Keefe	Sergeant	\$138,935
N. Bruno	Sergeant	\$138,935
G. Penn	Sergeant	\$138,935

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

**RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE
WESTFIELD FIRE DEPARTMENT**

WHEREAS, the Town of Westfield desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$73,000 to provide the Westfield Fire Department with additional firefighting PPE to ensure the longevity and safety of our community responders.

NOW THEREFORE BE IT RESOLVED that the Town of Westfield does hereby authorize the application for such a grant; and

BE IT FURTHER RESOLVED that the Town of Westfield recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs; does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Town of Westfield and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the person whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

Chief Michael A. Duelks, Fire Department Administrator
Deputy Fire Chief, Robert J. Sawicki
James H. Gildea, Town Administrator

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION
XXX-2023

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

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 2023 in the sum of \$2,201.27, which is now available from the National Opioid Settlement Fund Trust II; and

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

General Appropriations	
National Opioid Settlement Fund Trust II	\$2,201.27

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.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

WHEREAS, the Town Code of the Town of Westfield Section 2-88 requires that the appointment of the Town Engineer shall be made by the Town Administrator with the consent of the Mayor and approval of the Town Council; and

WHEREAS, Section 2-88 of the Town Code and N.J.S.A. 40A: 9-2 requires that the Town Engineer possess the required qualifications for performing the duties of the office; and

WHEREAS, Michael Bignell, PE, PP, CME possesses the required qualifications.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield appoint Michael Bignell, PE, PP, CME to the position of Town Engineer for a term ending December 31, 2023.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO. XXX-2023

FINANCE POLICY COMMITTEE

NOVEMBER 28, 2023

RESOLVED that the Chief Financial Officer be authorized to make the following transfer(s) in the 2023 budget accounts, where (S&W) refers to the Salary & Wages line items while (O/E) refers to the Other Expenses line items:

	<u>OUT</u>	<u>IN</u>
<u>CURRENT FUND</u>		
Administrative & Executive		
3-01-100-214 (O/E)		\$20,000
Fire Hydrant Service		
3-01-123-211 (O/E)		2,500
Board of Health		
3-01-150-101 (S&W)	\$84,100	
3-01-150-252 (O/E)		23,000
Other Insurance		
3-01-184-221 (O/E)		10,000
Public Buildings & Grounds		
3-01-185-215 (O/E)		20,000
Length of Service Awards Program (LOSAP)		
3-01-246-211 (O/E)		8,600
	<hr/> <u>\$84,100</u>	<hr/> <u>\$84,100</u>
<u>POOL UTILITY</u>		
Administrative & Executive		
3-03-195-101 (S&W))	\$5,000	
Insurance		
3-03-195-221 (O/E)		\$5,000
	<hr/> <u>\$5,000</u>	<hr/> <u>\$5,000</u>

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-35**

**AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2022-19 ENTITLED
“AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2,
“ADMINISTRATION,” ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3,
PERSONNEL POSITIONS AND SALARY SCHEDULE,” SEC. 2-12.28, “SCHEDULE.”**

BE IT ORDAINED by the Town Council of Westfield in the County of Union as follows:

SECTION I.

That the Code of the Town of Westfield be and is hereby amended by revising Section 2-12.28, “Schedule,” in Chapter 2, “Administration” Article II, “Town Officers and Employees,” Division 3, “Personnel Positions and Salary Schedule,” so that the same shall read as follows:

<u>JOB TITLE</u>	<u>SALARY RANGE</u>
Municipal Defender	\$14,938 - \$17,976
Municipal Prosecutor	\$31,957 - \$41,812
Library Senior Assistant	\$36,217 - \$42,374
Custodian	\$39,959 - \$46,576
Library Associate	\$42,745 - \$51,234
Senior Custodian	\$42,530 - \$59,742
Library Office & Marketing Manager	\$49,653 - \$60,965
Municipal Magistrate	\$54,274 - \$67,591
Aquatics Supervisor	\$56,922 - \$68,307
Deputy Town Clerk	\$56,970 - \$68,761
Staff Tax Assessor	\$58,125 - \$75,154
Library IT Specialist	\$60,432 - \$75,691
Assistant Zoning Officer	\$60,947 - \$77,531
Administrative Secretary	\$61,576 - \$77,712
Planning/Zoning Board Secretary	\$63,122 - \$79,139
Engineering Inspector/Field Engineer	\$65,123 - \$79,941
Executive Assistant	\$65,353 - \$78,214
Police IT Supervisor	\$68,921 - \$79,911
Assistant Library Director	\$69,750 - \$82,412
Assistant Director of Recreation	\$70,274 - \$85,216
Parking Services Director	\$72,294 - \$89,193
Zoning Officer/Assistant Planner	\$73,521 - \$89,153
Municipal Court Administrator	\$77,345 - \$91,982
Payroll Benefits Manager	\$70,934 - \$93,621
Librarian – Dept. Head	\$76,961 - \$95,482
Plumbing Subcode Inspector/Official	\$77,987 - \$92,031
Electrical Subcode Inspector/Official	\$78,219 - \$95,112
Building Subcode Inspector/Official	\$79,961 - \$97,231
Tax Collector	\$82,291 - \$97,543
Supervisor Public Works	\$82,615 - \$97,102
Assistant Director of Public Works	\$86,921 - \$103,111
Tax Assessor	\$87,998 - \$107,122
Director of Recreation	\$91,949 - \$114,521
Town Clerk	\$92,749 - \$114,189
Assistant Town Administrator	\$104,882 - \$125,117
Director of Public Works	\$111,746 - \$124,127
Library Director	\$100,722 - \$132,108
Construction Official	\$123,829 - \$140,223
Town Planner	\$125,657 - \$144,109
Deputy Fire Chief	\$142,004 - \$158,672
Town Engineer	\$142,193 - \$168,061

Chief Financial Officer	\$144,512 - \$175,211
Fire Chief	\$158,761 - \$180,981
Police Chief	\$165,821 - \$187,943
Town Administrator	\$182,919 - \$216,927

SECTION II.

The Personnel and Position Salary Schedule set forth in Sec. 2-12.28 as hereby amended shall take place as of January 1, 2024.

SECTION III.

Any or all ordinances or parts thereof 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 holdings 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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

NOVEMBER 28, 2023

WHEREAS, an application has been filed for a place-to-place transfer of Plenary Retail Consumption License 2020-33-022-006 issued to Sweet Waters Inc, t/a Sweet Waters Steak House, 43 Elm Street, Westfield, New Jersey for purposes of expanding the premises under license wherein the service of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield does hereby approve, effective November 28, 2023, the place-to-place transfer (expansion of premises) of the aforesaid Plenary Retail Consumption Licensed premises located at 41-43 Elm Street, Westfield, New Jersey to place under license the area delineated in the application form and the sketch of the licensed premises and does hereby direct the Town Clerk to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to premises located at 41-43 Elm Street, Westfield, New Jersey.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

PUBLIC WORKS COMMITTEE

NOVEMBER 28, 2023

WHEREAS, the Town of Westfield desires to continue providing Curbside Collection of Recyclable Material for which it will need the services of a licensed disposal facility to accept recyclable materials, and

WHEREAS, one proposal was received from a company offering to provide the services necessary to address the aforementioned scope of services, and

WHEREAS, the Town has reviewed the Proposal and recommends that a professional services contract for the aforementioned services, as outlined in the Proposal dated November 6, 2023 be awarded to Bayshore Recycling, 75 Crows Mill Road, Keasbey, NJ 08832, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of funds for this Contract, will be prepared in accordance with N.J.A.C. 5:30 1.10 and is subject to the provision of adequate funding in the 2024 and succeeding years' budgets. Expenditure of funds during calendar year 2024 pursuant to this Contract will be charged to Public Works Operating Account No. 137-245, under a Purchase Order number to be established in 2024.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional services required for a licensed disposal facility for recyclable materials be awarded to Bayshore Recycling, 75 Crows Mill Road, Keasbey, NJ 08832, in an amount not to exceed \$300,000.00, pending adoption of the 2024 Municipal Budget.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

PUBLIC WORKS COMMITTEE

NOVEMBER 28, 2023

**RESOLUTION AUTHORIZING THE
UNION COUNTY DEER MANAGEMENT PROGRAM**

WHEREAS, the overpopulation of white-tailed deer in Brightwood Park and a small section of Tamaques Park identified by Union County has resulted in over browsing of native vegetation in this area, damage to greens and ornamental vegetation and created safety hazards for the public, and

WHEREAS, the Town of Westfield feels it is in the best interests of the Town to evoke services of individuals who are licensed crossbow hunters to manage the deer population in the aforementioned areas during Winter 2023-2024 Deer Management Control Program administered by the County of Union beginning on or about December 1, 2023 and ending February 16, 2024;

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby requests the Union County Board of Chosen Freeholders authorize the County of Union staff to conduct deer management activity on the aforementioned town properties, to remove white-tailed deer from said property, in the manner prescribed by the Fish and Game Code of the State of New Jersey, during the Winter Season of 2023/2024.

BE IT FURTHER RESOLVED that the Town of Westfield authorizes the execution of a shared services agreement with the County of Union for the services; and

BE IT FURTHER RESOLVED that the Town of Westfield authorizes the Director of Public Works to coordinate with the County of Union through the County Department of Parks and Community Renewal, to provide adequate oversight and coordination in the conduct of the deer removal activity, to maximize the success of their efforts while ensuring the safety of Brightwood Park and the area of Tamaques Park identified by the County; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Board of Chosen Freeholder of the County of Union, the County Manager, and the New Jersey Division of Fish and Wildlife.