

MINUTES OF REGULAR MEETING HELD JUNE 27, 2023

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, June 27, 2023, 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 13, 2022. 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: Habgood, Katz, Mackey, Contract, Root

ABSENT: Councilmembers Parmelee, LoGrippe, and Dardia

Invocation was given by Councilman Contract

Salute to the flag.

APPOINTMENTS

PRESENTATIONS

OPENING REMARKS

Administrator’s Update

The Town Administrator provided an update regarding the installation of new lighting in Council Chambers for the dais and seating area. The old chandeliers that were previously in the room have been saved in hopes to repurpose them for a future use.

Mayor’s Update

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

Before we discuss tonight’s agenda, I’d like to briefly cover a few other issues of public interest.

PSE&G LAWSUIT

As I communicated in my update last Friday, we were recently notified of a decision issued in favor of PSE&G in the litigation they filed against the Town in April of 2022 challenging the adoption of General Ordinance No. 2022-04 (<https://ecode360.com/WE3973/laws/LF1494594.pdf>), which was passed by the Town Council on February 22, 2022. This ordinance, drafted with significant input from the Code Review & Town Property Committee and resident attorney David Krieger of the No Monster Power Lines advocacy group, provides standards and regulations for how our public rights-of-way are used by utility companies and telecommunications providers so that work can be better managed. As you’ll recall, PSE&G initially attempted to implement a plan for a 69kV upgrade that routed these poles through residential neighborhoods on the south side of Town in early 2019. After significant pushback from this administration, our residents and business owners, and neighboring impacted municipalities, PSE&G pivoted to considering other proposed routes – including portions of South and Central Avenue, as well as a feasibility study to use a route along the Conrail railway line – before placing the project on indefinite hold in late 2019. We maintained throughout these discussions that there were significant open questions that hadn’t been addressed, and that this administration would use all legal options at its disposal to prevent this project from being routed through Westfield.

As we communicated last year, following the introduction of the 2022 ordinance, PSE&G reached out to the Town regarding their concerns with the ordinance and their intention to revisit 69kV upgrade plans through the Town. We had several subsequent conversations (which included leaders of other, adjoining towns) reiterating our fundamental objection to this project

and questioning its necessity. As discussions continued, the lawsuit was apparently filed by PSE&G to preserve their ability to challenge the ordinance under the short period they are allowed by law.

While the Judge's ruling, issued by former Westfield Town Councilmember Mark Ciarocca, left in place the comprehensive regulation of the public rights-of-way, we believe that the Court's decision striking down portions of the ordinance as it relates to PSE&G was wrong. In light of this, the Town intends to appeal this decision to the appellate courts. We continue to maintain that this project does not need to be nor should it be routed anywhere through Westfield. Since I issued my update on Friday, I've been informed by PSE&G that they intend to move forward with the project expeditiously, with the proposed route along Central Avenue, and on South Avenue from Central Avenue into Scotch Plains. I am in touch with Senator Bramnick, who continues to be supportive of our position, and we are hopeful that the court will hear our appeal in a timely manner. In the meantime, I, along with Town Administrator Jim Gildea and Town Attorney Tom Jardim, will be meeting with senior executives from PSE&G later this week to obtain the latest details of their plans as our appeal process continues in parallel. Please be assured that we will continue to vigorously defend the Town's interests and the public right-of-way in order to secure the best possible outcome for our community.

AUTO THEFT CRIME BILLS

I am pleased to report on the timely passage of a series of crime bills by the State Assembly and Senate that are intended to combat motor vehicle thefts and related crimes. Summit Mayor Nora Radest and I have led the effort to produce a joint statement of support among Union County mayors, which we expect to publish this week, urging Governor Murphy to sign these bills into law.

It's important for residents to know that these bills extend sentences for repeat offenders, organized criminal networks that traffic in stolen cars and parts, and gang members who steal cars to use in shootings or other crimes. They are necessary and urgent first steps in combating car thefts that have become an all-too-common daily occurrence for our residents. While this legislation is a productive step, we also maintain that an additional necessary component is to ensure that prosecutors charge criminals accordingly and that our courts hold these repeat criminals accountable with the appropriate consequences. To that end, we are also requesting a meeting with the Union County Prosecutor's Office to discuss our collective experiences across our municipalities so that we may work together toward much-needed progress on this front.

EDISON FIELDS

As an update to the remarks that Town Attorney Tom Jardim provided at our last meeting related to the Edison Fields petition, the Town Clerk completed the legally required review of the submitted petition signatures and determined that it contains at least the minimum number of qualified voter signatures required. A certification of sufficiency of petition was then completed by the Town Clerk on June 22, stating that the petition contains sufficient signatures to require the placement on the ballot at the next General Election. There are further statutory steps that will need to take place to schedule an election on the ordinance, which will be addressed in the coming weeks.

TONIGHT'S AGENDA

Tonight, we have several legislative items on the agenda, which include ordinances on second reading to approve \$540,066 in capital improvements and installing a four-way stop sign at the corner of Prospect and Cowperthwaite. We'll also hear an ordinance on first reading to approve the salary ranges for both part-time and full-time positions in the new CWA contract as per the recently concluded negotiations. Additionally, there are resolutions to approve the purchase of a replacement fire hose and approval to submit a grant application with the New Jersey Department of Transportation to pave a portion of Elm Street as part of the 2024 road paving program.

We'll also introduce an ordinance to establish residential roof decks. I'm going to ask Councilman David Contract to provide additional context as Vice Chair of the Code Review & Town Property Committee.

[Remarks by Councilman Contract]:

This ordinance presents revisions to the requirement for Roof Decks provision in the Land Use Ordinance based upon recommendations from the Master Plan Reexamination, which would allow for residential roof decks above the third story in the CBD and GB-1 Zone Districts. These roof decks would allow residents and their guests an increased opportunity to provide an open-air amenity for themselves and visitors, including the opportunity to create rooftop gardens.

As you may recall, we were originally going to introduce this ordinance at our April 25 meeting but decided to revisit it after considering additional changes to mitigate any potential neighborhood impact. Tonight, it is on the agenda on first reading with modifications made by the Code Review & Town Property Committee, which are based on the concerns raised when this was first scheduled for introduction. The revisions include:

- The ordinance makes clear that these regulations apply to the CBD and GB-1 Zone Districts.
- It prohibits residential tenants from placing cooking areas, pools/hot tubs, audio/visual equipment, or live entertainment on a rooftop. Roof decks are to be used solely as seating areas.
- It includes a new provision that lighting design and installations are shielded to prevent undue illumination on neighboring properties.
- It shortens the times on which the rooftop may be used, now ending at 10:00 PM, rather than 11:00 PM.

This ordinance will be forwarded to the Planning Board for their review and comment. With that, let's get to work.

ADVERTISED HEARINGS

Special Ordinance No. 2023-04

CAPITAL ORDINANCE OF THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWN, APPROPRIATING THEREFOR THE SUM OF \$540,066 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWN

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

General Ordinance No. 2023-25

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13

Advertised returnable this evening.

Nicole Harding Ozturan, 653 Lenox Avenue, is a parent of young children and tries to instill and educate her children about safety awareness including the importance of adhering to traffic regulations and looking in both directions while crossing the street. She is a parent of a Roosevelt Intermediate School child and encourages her children to walk with friends to foster independence. She asked that the Council vote in favor of improving the safety of the crosswalk at Prospect Street and Cowperthwaite Place with the four-way stop. She feels this would not only to make a lasting impact on the safety of the children and Westfield pedestrians but also to show children that adults are capable of doing the exact same thing that are asked of them.

Cheryl Siko, 215 Charles Street, is a local relator in Westfield who frequently drives through the intersection of Prospect Street and Cowperthwaite Place. She is also a 30-year resident of Westfield and walks the intersection often to get to Mindowaskin Park. Ms. Siko spoke in memory of a neighbor, Donna Rothstein who was walking with her husband one night and was struck by a vehicle while crossing Prospect Street. Unfortunately, she passed away from the injuries resulted from the accident. She personally has witnessed many accidents and many close calls at that intersection. She noted that people sometimes think it's already a four-way stop and slam on the brakes with nearly slamming into another vehicle. She also sees the middle schoolers coming from Roosevelt with cars flying by and not seeing the children. Ms. Siko urged the Council to pass the ordinance as she does not want to see another tragic accident occur.

Sharon Stockwell, 100 Nelson Place, thanked the Mayor and Council for the ordinance that is being put forth. She lives two houses away from that intersection and has seen countless accidents and has also been involved in one. Mrs. Stockwell also commented on the loss of her friend, neighbor, and Westfield resident Donna Rothstein who was tragically hit by a vehicle near the intersection of Prospect Street and Cowperthwaite. She would like to see the ordinance pass to improve the safety of the area.

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

PENDING BUSINESS

An ordinance entitled, SPECIAL ORDINANCE NO. 2023-04 “CAPITAL ORDINANCE OF THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWN, APPROPRIATING THEREFOR THE SUM OF \$540,066 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWN.” by Councilwoman Habgood seconded by Councilwoman Mackey was taken up, read and passed by the following vote of all present upon roll call as follows:

<input type="checkbox"/> Vote Record – Special Ordinance No. 2023-04					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn	Habgood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Parmelee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	LoGrippo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Katz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mackey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Contract	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dardia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Root	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mayor Brindle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

An ordinance entitled, “GENERAL ORDINANCE NO. 2023-25 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13”.by Councilwoman Root seconded by Councilman Contract was taken up, read and passed by the following vote of all present upon roll call as follows:

Council Comments

Mayor Brindle thanked the neighbors that spoke and made comments about their neighbor Donna Rothstein. The Mayor thanked Councilwoman Root as Chair of Public Safety Committee for the all-way stop sign.

Councilwoman Root also thanked the neighbors that came out and remembered Donna Rothstein.

Mayor Brindle also wanted to educate the public about the process to implement an all-way stop sign as many people think it is a very easy process. Mayor Brindle explained the many factors that go into these decisions such as traffic studies, state requirements, and thresholds that have to be met in order to place an all-way stop sign. Mayor Brindle commended Public Safety Committee Chair Councilwoman Root with the assistance of Councilman Dardia, for the persistence of getting this accomplished. The Council is thrilled to deliver this safety for the community and neighborhood and will be thinking about Donna Rothstein with the adoption of the ordinance.

<input type="checkbox"/> Vote Record – General Ordinance No. 2023-25					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn	Habgood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Parmelee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	LoGrippo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Katz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mackey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Contract	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Dardia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Root	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mayor Brindle	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Town Administrator explained the process of the installation for the all-way stop. The ordinance becomes a law on Thursday once it is published in the official newspaper of the Town. The Department of Public Works will visit the intersection next week to place the new stop signs on Prospect Street. Additional stripping will also be required. The Town will put out information on social media about the changes in the traffic pattern to notify residents.

MINUTES

On a motion by Councilwoman Mackey and seconded by Councilman Contract, Council unanimously approved the Minutes of the Town Council Conference Session and Regular Meeting held June 13, 2023.

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.

Hearing no comments, Mayor Brindle declared the public comments portion closed.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$337,292.41 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

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

Resolution No. 138

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$46.80 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 May 2023.

Resolution No. 139

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Sharon Lee	Playground T-05 600-068	Playground Camp 2023	\$441.75
		Abigail & Eleanor Heo	\$441.75
		Jefferson School	Check
Larry Rosario	Tennis/Rec T-05 600-071	MS In-Town Ultimate League	\$204.25
		Spring 2023/ Lucas Rosario	Check

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>
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David Simpson		Swim Team/ Memorial Pool Jack Simpson	\$120.00 Credit Card
Abelino Morocho		Swim Team / Memorial Pool Anabella & Nicolas Morocho	\$120.00 \$120.00 Credit Card
Brian Wagner	Withdrew	Volleyball Camp Session 2 Lacey Wagner / Grade 6-8	\$116.66 Credit Card
Anh Tran	Withdrew	Fashion First Workshop Camp Session #1 AM/Victoria Nguyen	\$175.75 Credit Card
Joanne Pang		Swim Team / Memorial Pool Alexandra McAnanama	\$120.00 Credit Card
Scott Allen		Swim Team / Memorial Pool Harper Allen	\$120.00 Credit Card
Rachele Maouchi		Swim Team / Memorial Pool Madison Goddard	\$120.00 Credit Card
Michael Bohmerwald	Withdrew	Adult Pickleball/Summer Session Christina Bohmerwald/Wed Class	\$95.00 Credit Card
Beth Crotty	Withdrew	Safe Sitter Course/June 10 Madeline Crotty	\$118.75 Credit Card
Matt Haddad		Swim Team / Memorial Pool Amira Haddad	\$120.00 Credit Card
Anna MartinsSivitskaya		Swim Team / Memorial Pool Angelina Martins	\$120.00 Credit Card
Tessa Gearity		Swim Team / Memorial Pool Sullivan Gearity	\$120.00 Credit Card
Beth Swaminathan		Swim Team / Memorial Pool Luke Swaminathan	\$120.00 Credit Card
Nomathemba Ndlovu		Swim Team / Memorial Pool Solomuzi Ndlovu	\$120.00 Credit Card
Robin Vinegra		Swim Team / Memorial Pool Ava Vinegra	\$120.00 Credit Card
Nicholas Forrestal		Swim Team / Memorial Pool Ryan Forrestal Owen Forrestal	\$120.00 \$120.00 Credit Card
Matt Kumparatana	Schedule Issue	Swim Team / Memorial Pool Sylvia Kumparatana	\$114.00 Credit Card
Jason Martin	Schedule Issue	Swim Team / Memorial Pool Hadley Martin	\$114.00 Credit Card
Greg Kuyat	Withdrew	Re-cert Lifeguarding Class Grant Kuyat / 6/17/23 class	\$152.00 Credit Card
Frances Paulino	Withdrew	Volleyball Camp / Session 1 Henry Paulino	\$112.00 Credit Card

Richard Pranke	Withdrew	Volleyball Camp / Session 1 John Pranke	\$112.00 Credit Card
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Resolution No. 140

WHEREAS, the following applicant has posted application monies to cover processing fees in connection with Board of Adjustment and Planning Board applications on said property; and,

WHEREAS, all fees for this application have been submitted and paid; and

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the refund of monies as follows:

<i>App #</i>	<i>Name</i>	<i>Address</i>	<i>G/L</i>	Refund Balance
<i>BOA 23-27</i>	<i>Daniel Brownstein</i>			
<i>Return to:</i>	<i>Daniel Brownstein</i>	<i>400 Birch Place</i>	3-01- -55-920- 221	\$375.00

Resolution No. 141

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

<u>Name</u>	<u>Reason</u>	<u>Fee</u>
Eric Chan	Overpayment Paid \$50 extra by credit card	\$50.00 Credit Card
Daniel Ventura	Overpayment Adjustment (\$25) by credit card	\$25.00 Credit Card
Johnnie McDowell	Overpayment Paid \$50 extra by credit card	\$50.00 Credit Card
Jerzy Nowicki	Overpayment Paid \$25 extra by credit card	\$25.00 Credit Card

Resolution No. 142

WHEREAS, a need exists for the purchase of fire hose for the Fire Department, and

WHEREAS, New Jersey Fire Equipment, 119-131 Route 22 East, Greenbrook, NJ 08812 under State Contract 17-FLEET-00819, provides pricing for various diameter hoses and accompanying fittings, including valves and nozzles, which has been analyzed and found to be in conformance with the appropriate specifications of the Department, 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 is to be charged to Special Ordinance 2023-02, account C-07-23-002-4A1, in an amount not expected to exceed \$38,359.61 under Purchase Order #23-02086.

NOW THEREFORE BE IT RESOLVED, that a Lump Sum Contract not to exceed \$38,359.61 be awarded to New Jersey Fire Equipment, 119-131 Route 22 East, Greenbrook, NJ 08812, 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. 143

WHEREAS, a need exists for the purchase and installation of mobile shelving for the Planning, Zoning and Engineering Departments, and

WHEREAS, Modern Office Systems, LLC, 45 West 36th Street, 9th Floor, New York, NY 10018, has provided pricing through Sourcewell Cooperative, of which the Town of Westfield is a member, under Contract #10920-SPC, which 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 is to be charged to the Buildings and Grounds budget, account 3-01-185-217, in an amount not expected to exceed \$22,104.13 under Purchase Order #23-02152.

NOW THEREFORE BE IT RESOLVED, that a Lump Sum Contract not to exceed \$22,104.13 be awarded to Modern Office Systems, LLC, 45 West 36th Street, 9th Floor, New York, NY 10018., 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. 144

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 \$6,088.47, which is now available from the National Opioid Settlement Fund Trust; 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	\$6,088.47

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. 145

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 \$495,411.00, which is now available from the Office of Local Public Health (OLPH) Public Health Capacity Program 2023 – Pathway A&B grant; and

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

General Appropriations	
OLPH Public Health Capacity	
Program 2024 – Pathway A & B	\$495,411.00

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. 146

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 \$35,000.00, which is now available from the Office of Local Public Health (OLPH) Vaccination Supplemental Funding grant; and

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

General Appropriations	
OLPH Vaccination Supplemental Funding	\$35,000.00

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.

Town Administrator Comments

The Town Administrator noted the three insertion of revenue resolutions were related to the Board of Health and will result in services the Town provides to residents not only in Westfield but to all the municipalities the regional health department has contracted. These are significant amounts of funds that will help serve the public.

General Ordinance No.2023-26

Regarding the following ordinance, Councilwoman Habgood made the following announcement: I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2023-26 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.”

The motion was seconded by Councilman Katz.

Record of Vote – Introduction General Ord. 2023-26				
	Aye	Nay	Abstain	Absent
Habgood	X			
Parmelee				X
LoGrippe				X
Katz	X			
Mackey	X			
Contract	X			
Dardia				X
Root	X			
Mayor Brindle	X			

Heretofore introduced, General Ordinance No. 2023-26 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of July 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 Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolution, introduced by Councilman Contract, seconded by Councilwoman Mackey, was unanimously adopted.

Resolution No. 147

BE IT RESOLVED that application for the following liquor license renewals for the 2023-2024 licensing term be and hereby are granted, subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et. seq.:

PLENARY RETAIL DISTRIBUTION LICENSE

- | | |
|---|------------------------|
| Trader Joe’s East, Inc.
t/a. Trader Joe’s
2020-44-008-007 | 155 Elm Street |
| Westfield BK LLC
t/a Nos Vinos
2020-44-010-011 | 127 Central Avenue |
| Sunrise Shoprite Liquors, Inc.
t/a/ ShopRite Liquors of Westfield
2020-44-011-007 | 333 South Avenue East |
| Thakorji Corp.
t/a Peterson’s Wines Unlimited
2020-44-012-004 | 1120 South Avenue West |
| Parikhs Corporation
t/a Central Avenue Wines & Liquors
2020-44-018-010 | 781 Central Avenue |
| AASHIV Inc.
t/a House of Wine & Liquor
2020-44-013-010 | 560 North Avenue |
| Riddhi Ganesh Siddhi LLC
t/a Bianchi Wine & Liquors
2020-44-017-012 | Inactive |

PLENARY RETAIL CONSUMPTION LICENSE

Echo Lake Country Club 515 Springfield Avenue
2020-33-027-002

Prospect Associates, LLC 16 Prospect Street
t/a 16 Prospect Wine Bar and Bistro
2020-33-015-010

BB Westfield LLC 126 Central Avenue
t/a Bareburger
2020-33-009-010

HBC US Propco Holdings, LLC inactive
2020-33-001-009

RESTAURANT CONDITIONAL LICENSES

Ferraro's Restaurant Group, LLC 8-14 Elm Street
t/a Ferraro's
2020-33-025-009

341 Westfield Corp. 341 South Avenue E.
t/a Fujiyama Mama
2020-33-004-015

UT Westfield LLC 115 Elm Street

t/a Addams Tavern
2020-33-028-005

DU International, LLC 47 Elm Street
t/a Akai Lounge
2020-33-005-008

Sweet Waters, Inc. 43 Elm Street
t/a Sweet Waters Steak House
2020-33-022-007

HOTEL CONDITIONAL LICENSE

Chez Catherine LLC. 431 North Avenue West
t/a Chez Catherine
2020-33-024-007

CLUB LICENSE

Italian American Club 505 Central Avenue
2020-31-021-001

Centennial Lodge #400 IBPOE 444 West Broad Street
2020-31-020-001

American Legion Incorporated 1003 North Avenue West
Martin Wallberg Post 3
2020-31-019-002

General Ordinance No.2023-27

Regarding the following ordinance, Councilman Contract made the following announcement:
I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2023-27- AN
ORDINANCE TO AMEND LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO
ESTABLISH REQUIREMENTS FOR RESIDENTIAL ROOF DESKS WITHIN THE CBD
AND GB-1 ZONE DISTRICTS."

The motion was seconded by Councilwoman Mackey.

General Ordinance No. 2023-27 was approved by the following vote of all present upon roll call as follows:

Record of Vote – Introduction General Ord. 2023-27				
	Aye	Nay	Abstain	Absent
Habgood	X			
Parmelee				X
LoGrippto				X
Katz	X			
Mackey	X			
Contract	X			
Dardia				X
Root	X			
Mayor Brindle	X			

Heretofore introduced, General Ordinance No. 2023-27 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 11th day of July 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 Katz, seconded by Councilwoman Root, were unanimously adopted.

Resolution No. 148

WHEREAS, the New Jersey Transportation Trust Fund Municipal Aid Program provides funds for the improvement of municipal roads, and

WHEREAS, the Town of Westfield desires the Commissioner of Transportation to consider the application for aid under the Trust Fund for Fiscal Year 2024 for the 2024 Elm Street Improvements (Between West Dudley Avenue and North Avenue), consisting of roadway paving, drainage improvements, and the installation of ADA compliant handicapped ramps.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Westfield, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2024 Elm Street Improvements-00541 to the New Jersey Department of Transportation on behalf of the Town of Westfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Westfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution No. 149

WHEREAS, a need exists for the purchase and installation of Zero Turn Mowers for the Public Works Department, and

WHEREAS, D.D. Hurst Corporation, doing business as Power Pro Equipment/Power Pro Rents, 780 East Main Street, New Holland, PA 17557, has provided pricing through Sourcewell Cooperative, of which the Town of Westfield is a member, under Contract #031121-HTE, which 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 is to be charged to the Buildings and Grounds budget, account 3-01-137-256, in an amount not expected to exceed \$43,248.27 under Purchase Order #23-02087.

NOW THEREFORE BE IT RESOLVED, that a Lump Sum Contract not to exceed \$43,248.27 be awarded to D.D. Hurst Corporation, doing business as Power Pro Equipment/Power Pro Rents, 780 East Main Street, New Holland, PA 17557, 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.

COMMITTEE REPORTS

Councilwoman Mackey announced Sweet Sounds is coming back July 11th and Shakespeare in the Park returning at Foundation Park for it's second year with dates of August 3rd, August 4th, and August 5th.

ADJOURNMENT

A motion to adjourn, made by Councilman Contract and seconded by Councilwoman Habgood at 8:29 P.M. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC

Town Clerk