

## MINUTES OF REGULAR MEETING HELD SEPTEMBER 5, 2023

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, September 5, 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, Parmelee, LoGrippo, Katz, Mackey, Dardia, Root

**ABSENT:** Councilman Contract

Invocation was given by Councilwoman Habgood

Salute to the flag.

### **OPENING REMARKS**

#### **Administrator’s Update**

The Town Administrator provided an update concerning road paving activities. Elizabethtown Gas is continuing working on their paving grids. They accelerated their operations to have a few of the grids completed and striped prior to the start of the school year. The Town is planning to pave approximately six miles of roads this year while Elizabethtown Gas is scheduled to pave approximately fourteen miles. The Town already has nine sections of roads out of the thirty roads completed. The roads that are close to completion this week are Everts Place and Sunnywood. Next week milling and paving will move to Maple Street, Saint Marks, Stanley, and other grids to follow.

The Town is waiting for updates from Elizabethtown Gas regarding the next steps with their road paving as they have currently thirty-eight sections of road or full roads that have been completed since January.

The Town Administrator reminded residents to sign up for Nixle alerts to receive daily notifications regarding road closures or temporary closures.

The Town Administrator announced that after two years the Lamberts Mill Road & Rahway Avenue traffic light was finally activated this past week. It’s been in a flashing mode for about a week. It will be fully activated this week. The Westfield Police Department will be monitoring it and there are message boards advising residents that a new light is activated. It’s been a long-awaited traffic and safety improvement and he thanked the County for the project.

The Town Administrator thanked the Westfield Recreation Department and the Westfield Memorial Pool staff as the close of the season was yesterday. It was another banner year for the Westfield Memorial Pool. Membership and visitor passes were up again this year.

Mayor Brindle echoed the Administrator’s comment that it was a great summer at the Westfield Memorial Pool.

### **APPOINTMENTS**

Mayor Brindle proposed the following appointments:

#### **Board of Adjustment**

<i>Angela Knowles, member</i>	<i>December 31, 2026 (unexpired term)</i>
<i>Jessica Giorgianni, alternate #2</i>	<i>December 31, 2023 (unexpired term)</i>

On a motion by Councilman Dardia and seconded by Councilman LoGrippo, Council unanimously accepted the appointments.

### **Mayor's Update**

Good evening, and thanks to everyone who is joining us both in person and online tonight. As a reminder, public comment will be accepted in person only, and we are live streaming for viewing only. 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.

### **NJ PLANNING OFFICIALS AWARD**

I'm starting off with more great news about the plans for One Westfield Place. In addition to the Smart Growth Award we will be receiving next month from NJ Future, we were also recently notified that the New Jersey Planning Officials have selected the project for their 2023 Planning Awards. This is particularly notable because the decision-makers for these awards consist entirely of Planning Board and Board of Adjustment members throughout the state – people who know how to evaluate a redevelopment plan and its impact on a community. So we are particularly honored that this group of professionals sees the promise of One Westfield Place, and we look forward to accepting that award at a ceremony later this month.

### **CELL TOWER UPDATE**

Tonight, I'd also like to take the opportunity to provide some context on an item appearing before the Planning Board next month, which is the cell tower proposal at the Conservation Center.

As you may recall, last November, this Council voted in favor of a resolution authorizing an award of contract for construction and maintenance of a cell tower facility and ancillary support equipment, following a public bidding process. Subsequent litigation on the matter was brought forth by a Scotch Plains resident who lives in close proximity to the proposed site at the Conservation Center. I'm pleased to report that the litigation has been resolved, and following the courtesy review by the Planning Board on October 2, the Town will then be able to get this project underway.

As I've previously noted, both wireless carriers and residents alike have repeatedly cited a need to improve cellular service in the southwest section of town, specifically Lamberts Mill to Willow Grove Road and Clifton Street, inclusive of Tamaques and Jefferson Elementary Schools. These areas have been identified as having wireless service gaps, specifically in the interiors of homes and buildings – a concern I hear increasingly from residents. Additionally, boosting coverage in this area would improve the reliability of our emergency response network for our first responders.

But perhaps the most exciting part of this project is that it allows us to more expediently address long-standing issues at Houlihan/Sid Fay field – the lack of adequate parking, a restroom, and ADA compliance at the facility. In return for allowing a party to install a cell tower, the Town is requiring a \$100,000 donation to our Parks Improvement Fund, which will offset some of our costs for these necessary improvements – an innovative solution to solve these issues at no cost to taxpayers – in addition to annual lease payments for the use of the property.

### **UPCOMING EVENTS**

#### **September 11 Remembrance Ceremony**

Please join us on Monday, September 11, for our annual community gathering to observe the 22nd anniversary of the September 11 terrorist attacks at the 9/11 memorial site on North Avenue at East Broad Street. The ceremony will begin at 6:30pm, and will include prayers of commemoration by members of the local clergy, followed by the presentation of the ceremonial wreath by an honor guard, and the playing of "Taps." Each year, the ceremony concludes with the reading of the names of the Westfield residents we lost that day, and a period of silent reflection. The ceremony will be held rain or shine.

Many thanks to our DPW for recently overseeing the necessary replacement of the stone patio at the memorial so that it can continue to be a place of reflection for the community in the years to come.

#### PBA Car Show

The Westfield PBA 90/90A Car Show returns this year on Saturday, September 9! The sixth annual event will take place at the South Avenue Station lot between 9:00 and 2:00 and will feature a variety of cars and motorcycles. The Westfield Green Team is also excited to participate in this year's event to offer residents the opportunity to learn about alternative transportation options and test drive the latest electric vehicles, e-bikes, and e-scooters. Enjoy a fun-filled afternoon for all ages with music, food for purchase, bounce house, rides, and much more!

#### FestiFall

Don't miss this year's Festifall on Sunday, September 10, from 10:00 - 5:00 on Central Avenue. The festivities will include a variety of vendors, food, entertainment, a kids' zone, and the beer and wine garden. Many thanks to the Greater Westfield Area Chamber of Commerce for organizing this annual fall favorite!

### **CLEAN PARKS/ZERO WASTE INITIATIVE**

(Comments by Councilman Scott Katz, Liaison to the Recreation Commission)

I'm pleased to report that the Recreation Commission has voted to adopt the Zero Waste Parks initiative in partnership with the Green Team, Westfield Soccer Association, and Girls Softball League Of Westfield. This project aims to address the issue of litter in our parks, especially following fields usage by the many leagues in town and asks all participants to use refillable water bottles and throw out all trash. We expect to have a banner placed in Memorial Park in the near future reminding everyone to leave the park cleaner than you found it, which also reduces waste and single-use plastics for everyone's benefit.

### **TONIGHT'S AGENDA**

I'd like to briefly highlight two legislative items on tonight's agenda which allow us to pursue Historic Preservation Services as the result of a \$45,000 grant that was awarded to our Historic Preservation Commission.

We will first vote on a resolution to approve insertion of this grant money as a special item of revenue in the municipal budget. We'll then vote on a resolution to award a contract to H2M for these Historic Preservation Services, following a publicly advertised RFP process. As a result, H2M will conduct a Historic Preservation Master Plan, Architectural Survey of Downtown Westfield, and National Register Of Historic Places Nomination Forms. I'd like to thank the members of the HPC for their tireless work on the successful grant application and continued advocacy for preserving Westfield's historic landmarks.

And finally, I want to wish all of our teachers, parents, and students a great start to the school year on Thursday!

With that, let's move on to tonight's agenda.

### **ADVERTISED HEARINGS**

#### GENERAL ORDINANCE NO. 2023-28

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

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

### **PENDING BUSINESS**

An ordinance entitled, "GENERAL ORDINANCE NO. 2023-28 AN ORDINANCE TO AMEND THE CODE OF THE TOWN WESTFIELD, CHAPTER 13" by Councilwoman Root seconded by Councilman Dardia was taken up, read and passed by the following vote of all present upon roll call as follows:

		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Habgood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Parmelee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	LoGrippo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Dardia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

## **MINUTES**

On a motion by Councilwoman Habgood and seconded by Councilman LoGrippo, Council unanimously approved the Minutes of the Town Council Conference Session and Regular Meeting held August 15, 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.

Kirti Malik, 238 West Grove Street, was involved in dispute earlier in the day and reached out to her Council representative, Councilman Contract for guidance. She wanted to thank Councilman Contract who was traveling but took the time to reply, answer her concerns, and make recommendations. She also wanted to thank the Town Administrator who also provided suggestions and solutions to her issue. Mrs. Malik then expressed her gratitude to the Council for their hard work and dedication. She hopes the residents feel the same.

Dr. Michael Armento, 30 Sandra Circle, has questions and comments regarding the recent July, Planning Board meeting. There was discussion on what type of crossing would be placed between the two buildings. According to the Planning Board, the builder was asked to petition Union County about what type of crossing can be placed in that location. Dr. Armento is concerned for the traffic and safety of that area. He also raised questions about parking to which he was informed there would of on-site and off-site parking. The residents of the Windsor neighborhood were not pleased with those answers as parking will be difficult in their neighborhood. Dr. Armento is disappointed that the issues with parking and safety were not addresses at the meeting and would like to know if there are any resolutions to those concerns. Dr. Armento also commented on a video that Councilwoman Root posted online during a recent trip to HBC | Streetworks redevelopment project Blue Back Square in West Hartford, Connecticut. While Dr. Armento feels the video is nice, he thinks the comparison is disingenuous. West Hartford is near a major city and has a population of 64,000; Westfield has 30,000. The population density of Hartford is much less than Westfield. The square mile is much greater in West Hartford. West Hartford has rapid transit, close to US highways, and multiple State roads. Dr. Armento feels to use West Hartford as a comparison to Westfield is certainly not an appropriate comparison as the buildings make look nice but it's certainly not an appropriate comparison. He asked Mayor Brindle if Westfield is being urbanized as it seems like there is a change of the charm and character of Westfield. He feels Westfield is turning into a city and will no longer be a town.

Greg Kasko, 434 Everson Place, also viewed the video Councilwoman Root posted. In no way does he think Westfield is being compared to West Hartford. He commented on the difference of population and size of town. He thinks the comparison is the success of the project in West Hartford and what can be done here in Westfield. Mr. Kasko stated, since 2017 this administration has paved more roads in town than any previous administration and has increased public safety by 20% or more after the previous administration cut public safety by 20%. He also commented that the current administration, has improved and rejuvenated the downtown like no previous administration has done. Mr. Kasko stated there has been a big difference in

Westfield since the current administration came into office and he looks forward to the changes that are coming.

Mayor Brindle addressed comments made during the public comment portion starting with thanking Mrs. Malik for her comments.

Mayor Brindle addressed comments made by Dr. Michael Armento and noted that while she was not in attendance at the Planning Board he had referenced, Councilman Contract discussed the parking and the public space/plaza with the residents in the neighborhood as she believes there was a misunderstanding in relation to the public space. It is not going to be a park but instead a plaza with benches. Originally, Mayor Brindle reminded Dr. Armento, the public space was intended to be a parking lot and the Town fought to make it an amenity and public space for the neighborhood. Mayor Brindle commented the beauty with redevelopment agreements is the Town can control and direct the outcomes of the redevelopment which is what took place with Westfield Crossings. In the redevelopment agreement the Town is requiring the developer to deed over that property of land to the Town to make it a public space, which is valued at a million dollars to benefit the neighborhood. Mayor Brindle advised Dr. Armento that the Town Planner would know the status of the County Assessment of South Avenue. Mayor Brindle also agrees with Mr. Kasko that the point of Councilwoman Root's video was not to compare Westfield to West Hartford but to show the success of HBC | Streetworks and what they have accomplished in other communities. Mayor Brindle stated that people can argue in terms of scale West Hartford is bigger than Westfield, but its demographics are very similar to Westfield. As a matter of fact, after that Blue Back Square was created, West Hartford was designated as one of the best places to live in the country. Lastly, Mayor Brindle wanted to disavow the that the Town is urbanizing Westfield. The Mayor feels this is absurd and commented that even if everything was built and all affordable housing obligations are met in our plan approved by the courts which is unlikely, Westfield will still be over 70% single family homes which is considered a suburb. Even with all the redevelopment, it is not changing the charm or the suburban nature of the community.

### **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 \$618,224.85 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 Councilwoman Root, were unanimously adopted.

#### **Resolution No. 179**

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval for return of deposit:

C&M Design and Build LLC

850 Bluestone Lane

Bridgewater, NJ 08807

Amount of refund: \$975.00

#### **Resolution No. 180**

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

<b>Name</b>	<b>Reason</b>	<b>Fee</b>
Daniel Burdick	Overpayment Paid \$50 extra by credit card	\$50.00 Credit Card
Tiran Dagan	Overpayment Paid \$50 extra by credit card	\$50.00 Credit Card

**Resolution No. 181**

WHEREAS, the following applicant has posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment application(s) on said property; and

WHEREAS, expert advice and testimony was given; and,

WHEREAS, all bills for these applications have been submitted and paid; and

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:

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 21-038</b>	<i>PNC Bank</i>	<i>1 Lincoln Plaza</i>		
<b>Return to:</b>	<i>PNC Bank c/o Realty Services Att: Greg Schultz, Property Mgr</i>	<i>Mercer Regional Center 2445 Kuser Road Hamilton, NJ 08690</i>	<b>560-888</b>	<b>\$250.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 21-042</b>	<i>Tonya Brubaker</i>			
<b>Return to:</b>	<i>Tonya Brubaker</i>	<i>920 Irving Avenue</i>	<b>560-892</b>	<b>\$95.62</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 21-059</b>	<i>Brian O'Connor</i>			
<b>Return to:</b>	<i>Brian O'Connor</i>	<i>322 Park Street</i>	<b>560-909</b>	<b>\$70.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 21-060</b>	<i>John Switlyk</i>			
<b>Return to:</b>	<i>John Switlyk</i>	<i>812 Prospect Street</i>	<b>560-910</b>	<b>\$163.39</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 21-061</b>	<i>NNG Real Property</i>			
<b>Return to:</b>	<i>NNG Real Property</i>	<i>414 Edgar Road</i>	<b>560-911</b>	<b>\$47.91</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 21-065</b>	<i>Jeffrey Burgoon</i>			

<b>Return to:</b>	<i>Jeffrey Burgoon</i>	<i>308 Hyslip Avenue</i>	<i>560-915</i>	<i>\$21.80</i>
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<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-071</i>	<i>Kevin O'Brien</i>			
<b>Return to:</b>	<i>Kevin O'Brien</i>	<i>408 Wells Street</i>	<i>560-921</i>	<i>\$134.52</i>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-074</i>	<i>Thomas Bartolucci</i>	<i>4 Tamaques Way</i>	<i>560-924</i>	<i>\$250.00</i>
<i>ZBA 22-042</i>	<i>Same</i>	<i>Same</i>	<i>560-976</i>	<i><u>\$626.93</u></i>
<b>Return to:</b>	<i>Thomas Bartolucci</i>	<i>4 Tamaques Way</i>		<i>\$876.93</i>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-076</i>	<i>Justin Warshaw</i>			
<b>Return to:</b>	<i>Justin Warshaw</i>	<i>828 Grant Avenue</i>	<i>560-926</i>	<i>\$250.00</i>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-079</i>	<i>John Nardulli</i>			
<b>Return to:</b>	<i>John Nardulli</i>	<i>875 Shadowlawn Drive</i>	<i>560-929</i>	<i>\$152.20</i>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-080</i>	<i>Howard Gaines</i>			
<b>Return to:</b>	<i>Howard Gaines</i>	<i>803 Dorian Road</i>	<i>560-930</i>	<i>\$250.00</i>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-081</i>	<i>Daniel Carroll</i>			
<b>Return to:</b>	<i>Daniel Carroll</i>	<i>721 Clark Street</i>	<i>560-931</i>	<i>\$250.00</i>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-083</i>	<i>Bee Kind Pediatrics</i>	<i>166 Mountain Avenue</i>		
<b>Return to:</b>	<i>Bee Kind Pediatrics c/o Blair Rolnick, MD</i>	<i>166 Mountain Avenue</i>	<i>560-933</i>	<i>\$177.97</i>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<i>ZBA 21-084</i>	<i>Michael King</i>			

<b>Return to:</b>	<b>Michael King</b>	<b>437 Hillside Avenue</b>	<b>560-934</b>	<b>\$25.00</b>
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<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-010</b>	<b>Andrew Davlouros</b>			
<b>Return to:</b>	<b>Andrew Davlouros</b>	<b>418 Westfield Avenue</b>	<b>560-944</b>	<b>\$304.40</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-037</b>	<b>Justin Schwartz</b>			
<b>Return to:</b>	<b>Justin Schwartz</b>	<b>735 Hanford Place</b>	<b>560-971</b>	<b>\$646.16</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-038</b>	<b>Matthew Robinson</b>			
<b>Return to:</b>	<b>Matthew Robinson</b>	<b>1 Fairhill Road</b>	<b>560-972</b>	<b>\$646.16</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-39</b>	<b>Nathan Wheeler</b>			
<b>Return to:</b>	<b>Nathan Wheeler</b>	<b>114 Lincoln Road</b>	<b>560-973</b>	<b>\$622.69</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-043</b>	<b>Burns Benson</b>			
<b>Return to:</b>	<b>Burns Benson</b>	<b>805 Nancy Way</b>	<b>560-977</b>	<b>\$684.62</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-047</b>	<b>Julia Sharma</b>			
<b>Return to:</b>	<b>Julia Sharma</b>	<b>12 Mohawk Trail</b>	<b>560-981</b>	<b>\$605.58</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-048</b>	<b>Alyson Vogel</b>			
<b>Return to:</b>	<b>Alyson Vogel</b>	<b>240 Maryland Street</b>	<b>560-982</b>	<b>\$1,520.96</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
<b>ZBA 22-051</b>	<b>Eric Bushlow</b>			
<b>Return to:</b>	<b>Eric Bushlow</b>	<b>622 Stirling Place</b>	<b>560-985</b>	<b>\$646.16</b>



<i>App #</i>	<i>Name</i>	<i>Address</i>	<i>G/L</i>	<i>Refund Balance</i>
ZBA 22-052	Andrew Wasserman			
<i>Return to:</i>	Andrew Wasserman	471 Channing Avenue	560-986	\$420.96

<b>Total Disbursement</b>	<b>\$ 8,863.03</b>
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**Resolution No. 182**

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

Neil Wolitzer                      Lot 9 #23080048    \$290.00  
83 Latitude Lane  
Mount Pleasant, SC 29464

**Resolution No. 183**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$16.80 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 August 2023.

**Resolution No. 184**

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

<b>Name</b>	<b>Account</b>	<b>Class</b>	<b>Fee</b>
Maral Regas	Tennis/Rec T-05 600-071	Ultimate Camp/Session 2 Devan Regas	\$147.25 Check

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

<b>Name</b>	<b>Reason</b>	<b>Program</b>	<b>Fee</b>
Frank Hsieh	Switched Programs	Tennis to Pickleball Camp Austin Hsieh Tyler Hsieh	\$19.00 \$19.00 Credit Card
Todd Lehner	Withdrew	Ultimate Camp/Session 2 Evan Lehner	\$147.25 Credit Card
Felicia Macdonald	Wrong Class	LEGO / Session #4 PM Ewan Macdonald Charley Macdonald	\$159.00 \$159.00 Credit Card
Ari Kamo	Withdrew	Built By Me/Session 2 Max Kamo PM Class	\$268.00 Credit Card
Bo Boa	Withdrew	Mannerations/Social Etiquette Anya Ninan/Fall Class	\$35.00 Credit Card
Matthew Ceccarelli	Rain out	Pool Birthday Party/Rain out	\$75.00 Credit Card
Lauren Mays	Wrong Class	Swim Lesson/Phoenix	\$82.00

Swim Lesson/Emerson	\$76.00
Swim Lesson/Juliette	\$82.00
	Credit Card

**Resolution No. 185**

WHEREAS, the part-time temporary position of Fire Protection Subcode Official and Inspector has become available within the Town of Westfield: and

WHEREAS, Frank Genova has demonstrated his capabilities to serve as the Fire Protection Subcode Official and Inspector and possesses the necessary license (#009889); and

WHEREAS, Frank Vuoso, Construction Official has recommended that Frank Genova be appointed as the Fire Protection Subcode Official and Inspector.

NOW, THEREFORE BE IT RESOLVED, that the Town Council hereby concurs with the recommendation of the Construction Official and be and hereby approves the appointment of Frank Genova effective September 1, 2023; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New Jersey Department of Community Affairs, Office of Regulatory Affairs.

**Resolution No. 186**

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 amount of \$28,600.00, which is now available from the NJ Department of Community Affairs' (DCA's) Lead Grant Assistance Program (LGAP); and

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

General Appropriations	
NJ DCA Lead Grant Assistance Program (LGAP)	\$28,600.00

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. 187**

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 amount of \$602,093 for Year 1 and \$605,721 for Year 2 for a total of \$1,207,814.00, which is now available from the NJ Association of City and County Health Officials (NJACCHO) Enhancing Local Public Health Infrastructure Partner

Organization Grant through the Center for Disease Control and Prevention’s (CDC’s) Epidemiology and Laboratory Capacity (ELC) funding; and

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

General Appropriations	
NJACCHO ELC Grant – Year 1	\$602,093.00
NJACCHO ELC Grant – Year 2	<u>\$605,721.00</u>
Total Award	\$1,207,814.00

**Resolution No. 188**

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

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

NOW, THERFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2023 in the amount of \$45,000.00, which is now available from the NJ Department of Community Affairs’ (DCA’s) Preserve New Jersey Historic Preservation Fund; and

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

General Appropriations	
NJ DCA Historic Preservation Fund	\$45,000.00

**Public Safety, Transportation and Parking Committee**

**Code Review & Town Property Committee**

The following resolutions, introduced by Councilman Parmelee, seconded by Councilwoman Mackey, were unanimously adopted.

**Resolution No. 189**

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

Seashore Amusements 11 Hendry Lane Brick, NJ 08723	Festifall September 10, 2023 East Broad Street Westfield, NJ 07090	GWACC September 10, 2023 Westfield, NJ 07090
JerseyJumpy PO Box 217 Iselin, NJ 08830	Parish Picnic September 10, 2023 1600 Rahway Avenue Westfield, NJ 07090	St. Helen’s 1600 Rahway Avenue Westfield, NJ 07090
Party Perfect Rentals 312 Squankum Yellowbook Rd. Farmingdale, NJ 07727	Charlie’s Ale Garden October 21, 2023 500 Rahway Avenue Westfield, NJ 07090	Downtown Westfield Corp. October 21, 2023 Westfield, NJ 07090

**Resolution No. 190**

WHEREAS, a need exists for the Town of Westfield to retain professional services for Professional Architectural and Historic Preservation Services to prepare a Historic Preservation

Master Plan, Architectural Survey of Downtown Westfield, and National Register Of Historic Places Nomination Forms; and

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

WHEREAS H2M Associates, Inc., 119 Cherry Hill Road, Suite 110 Parsippany, NJ 07054, has submitted a proposal dated August 24, 2023, indicating it would provide the aforementioned service for a fee not to exceed \$60,000.00; 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, with \$15,000 of the expenditure of funds pursuant to this contract to be charged to Planning Board account 3-01-190-218 and \$45,000 to be charged to the New Jersey Historic Trust's "Preserve New Jersey Historic Preservation Fund" grant account 3-01-55-900-259, all under Purchase Order #23-02139.

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 H2M Associates, Inc. for professional services for the Professional Architectural And Historic Preservation Services To Prepare A Historic Preservation Master Plan, Architectural Survey Of Downtown Westfield, And Preparation Of National Register Of Historic Places Nomination Forms for the Town of Westfield at a fee not to exceed \$60,000.00;
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.).

### **Public Works Committee**

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

### **Resolution No. 191**

BE IT RESOLVED that the Mayor is hereby authorized to sign an Inter-Local Agreement between the County of Union and the Town of Westfield for the Resurfacing of East Broad Street in the Town of Westfield.

### **COMMITTEE REPORTS**

Councilwoman Hapgood announced Sweet Sounds will continue through the month of September on Friday evenings.

### **ADJOURNMENT**

A motion to adjourn, made by Councilwoman Mackey and seconded by Councilwoman Hapgood at 8:30 P.M. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC

Town Clerk