

MINUTES OF REGULAR MEETING HELD SEPTEMBER 19, 2023

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, September 19, 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, Contract, Dardia, Root

ABSENT: None

Invocation was given by Councilman Parmelee

Salute to the flag.

APPOINTMENTS

OPENING REMARKS

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.

NOVEMBER 7 GENERAL ELECTION

Today is National Voter Registration Day and I'd like to provide everyone with the resources to ensure they are registered to vote. We have a very important local election on November 7, and I'd like to continue to live up to our reputation as a town that consistently has one of the highest voter turnouts in the state. An engaged community is a healthy one so please register if you haven't already!

The deadline for voter registration in Union County is Tuesday, October 17. Those eligible to vote can apply online, by mail, or in person in order to register.

The Union County Board of Elections office is open Monday through Friday, 8:00 AM - 4:00 PM, to accept voter registration forms, and will stay open until 9:00 PM on the October 17 voter registration deadline date. The Office of the Municipal Clerk here in Town Hall can also provide and accept voter registration forms during regular business hours.

Voter registration forms can also be downloaded from the Union County Board of Elections website at www.ucnj.org/boe/voter-registration-information.

To register online, eligible residents should visit: voter.svrs.nj.gov/register and follow the Online Voter Registration instructions.

In addition to having four Town Council seats up for election (one in each ward), I want to remind everyone that a referendum for the Edison Fields project is also on the ballot, which it seems that not everyone is aware of since the project was approved by the Town Council in May. Since that time, a petition was filed and reviewed, which met the legal requirements to place the bond ordinance – essentially, the funding of the Edison Fields Project – on the ballot for a Town-wide vote. In simple terms, a YES vote on November 7 will move the Edison Fields project forward, and a NO vote will stop the project.

Over the past 2+ years, there have been many public meetings on this project, as well as smaller meetings with the neighborhood group in the vicinity of Edison, and copious amounts of detail shared – all of which is available on our website. I recognize the details can get overwhelming so I want to take a few minutes – speaking from my own perspective – to address some of the highlights for those who may not have previously reviewed the information.

Folks often ask why the project has to be at Edison, rather than at other sites. I want to be clear about why we have determined that Edison, as the site for turf fields, makes the most sense, and why I think it makes the most sense:

Turf and lights at Edison offer the most immediate additional capacity to benefit the largest number of user groups.

The plan allows for exclusive use by Westfield teams, as the property is not a NJ Green Acres facility subject to statewide use, unlike nearly every Town-owned Park/field.

Edison serves as a first step to reduce the field capacity deficit so that natural grass field upgrades can follow at other sites.

This agreement delivers efficiencies and enhanced services for our taxpayers – in this case, fields that would equally benefit the Town sports leagues, WHS athletes, and students – an outcome that is only possible at Edison due to its proximity to WHS and Kehler locker room and storage facilities.

Some have suggested we instead begin with turf fields at Tamaques in the wooded area that was a former dumping ground off Lamberts Mill Road. But that provides two challenges: One is the complicated nature of the Tamaques site, which would need to be leveled and cleared, unlike Edison where a flat open surface currently exists. Most importantly, Tamaques Park is a NJ Green Acres facility, which means it cannot be reserved exclusively for Westfield residents and must be open to anyone in the state. Other NJ Green Acres fields in Westfield that are subject to statewide use include Clark Park (the land adjacent to Roosevelt Intermediate School), Gumbert Park, Memorial Fields, and Sycamore Field.

The property at Edison School is owned by the Board of Education and is not a NJ Green Acres facility, which allows its use to be exclusively for Westfield residents and leagues to help solve our long-standing capacity issue.

And for those asking why we don't spread out natural grass fields throughout Town instead of constructing a lit turf field – it again goes back to the decades-long issue of capacity that we are trying to solve, which has never been adequately addressed. Simply put, in the absence of additional capacity provided by the Edison lighted turf fields, maintaining and sustaining adequate grass fields is not feasible, and therefore would not be fiscally prudent due to the playing time demands that are required.

In fact, we are not aware of a single municipality in the State of New Jersey that has been able to successfully implement a primarily or all-grass fields solution. That being said, it's important to remember that turf is not the only solution in our long-term Strategic Parks Plan. If Edison Fields is implemented, more than 40% of Edison will remain natural grass, and more than 85% of the Town's fields will remain natural grass.

For those who have asked what happens if the referendum fails, the bond ordinance would be formally repealed, which means that the Edison Fields project will not move forward, and any funding bonded and allocated for Edison Fields cannot legally be repurposed for any other initiatives, including upgrades to grass fields.

After a comprehensive Strategic Parks Plan process and more than two years of research, resident discussion and input, and data provided by independent experts leading up to the referendum, this governing body, guided by recommendations from the Recreation Commission, has determined that the Edison Fields Project is the most prudent use of funding and resources, and is the plan that we feel comfortable and confident supporting as a next step. I recognize that there are diverging views on this project, so I would encourage you to vote on November 7 to ensure your voice is heard.

You can find all of the information about the project, including updated FAQs specific to the referendum, the financing details, and environmental approval requirements, at westfieldnj.gov/edison-fields-project.

PSE&G

As I reported at our August meeting, we were extremely disappointed by PSE&G's decision to move forward with their 69kV project along Central and South Avenues prior to the conclusion of the court appeals process. As a result, we filed a motion for an emergency stay of work, which was denied by the courts. We appealed that decision, which was also denied, thereby exhausting our legal options, as PSE&G maintains the right to proceed with the necessary upgrades to their infrastructure throughout numerous communities in New Jersey.

As a result, our commitment now shifts to working with PSE&G to ensure that they provide all relevant information and details about the project to the community over its approximate nine-month timeframe. During this time, the project will replace roughly 142 existing poles in Westfield. The new poles will also be made of wood, similar to the existing poles.

PSE&G has advised us that door hangers and letters have been sent to residents and businesses along the Central Avenue portion of the route (from the Clark border to South Avenue), with notifications to follow shortly to South Avenue homes and businesses (from Central Avenue to the Scotch Plains border). They have begun initial pole work on the southern portion of Central Avenue and continue to coordinate with the Police Department to mitigate traffic disruptions. You can find FAQs, a project route map, and notification letters on our website at westfieldnj.gov/PSEG-69KV.

TONIGHT'S AGENDA

I'd like to briefly highlight two legislative items on tonight's agenda.

We will vote on a resolution to award a contract for the purchase of body worn cameras for the Police Department, which represents the second five-year agreement with Axon for this equipment and underscores our commitment to providing the exceptional men and women of the Westfield Police Department with the resources they need to perform their jobs effectively. Over 70% of the cost of these body worn cameras is covered by grant funds from the State Attorney General Office and the Union County Prosecutor's Office.

I'm pleased to report we'll also hear an ordinance on second reading to adopt the American Legion Redevelopment Plan, following its recent approval by the Planning Board. As you'll recall, we heard this ordinance on first reading in August. The plan proposes repurposing the existing American Legion building to include 22 housing units strictly for at-risk veterans, a rental banquet hall, and facilities for the veterans. Once the facility is running, a full-time Veterans Affairs representative will be on-site to help veterans with job placement, resume writing, and counseling services. This initiative is a joint effort between the Martin Wallberg American Legion Post 3, the Foundation for Sustainable Veteran Housing (FSVH), and the Town of Westfield, and allows for the American Legion's aging facility to be upgraded while addressing the shortage of affordable veterans housing in NJ. The project is being funded through private donations, grants, and a contribution from the Town's Affordable Housing Trust Fund. Adoption of the redevelopment plan will enable this project to proceed, helping to implement the Town's Master Plan and Affordable Housing Plan.

This particular project in Westfield is part of a larger state initiative by the FSVH to upgrade American Legion sites in all 21 NJ counties over the next five to ten years, with the goal of providing enough housing for all 442 current at-risk veterans statewide.

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

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2023-29

“GENERAL ORDINANCE NO. 2023-29 AN ORDINANCE ADOPTING THE AMERICAN LEGION REDEVELOPMENT PLAN”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, “GENERAL ORDINANCE NO. 2023-29 - AN ORDINANCE ADOPTING THE AMERICAN LEGION REDEVELOPMENT PLAN” by Councilman Parmelee seconded by Councilwoman Mackey was taken up, read and passed by the following vote of all present upon roll call as follows:

Mayor Brindle expressed how thrilled the Council is to take this vote. Mayor Brindle acknowledged Joe Mindak and the members of the American Legion.

The Town Administrator also acknowledged Town Planner, Don Sammet and Redevelopment Planner, Chris Colley from Topology as they were an integral part of the plan and project along with the assistance of the many American Legion Members that are in attendance. This is a momentous occasion.

Mayor Brindle echoed the Administrator’s comments acknowledging Town Planner, Don Sammet and Redevelopment Planner, Chris Colley from Topology. Mayor Brindle also acknowledged Greg Readington from Redcom which also provided assistance.

<input type="checkbox"/> Vote Record – General Ordinance No. 2023-29					
		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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 Councilman LoGrippo and seconded by Councilwoman Habgood, Council unanimously approved the Minutes of the Town Council Conference Session and Regular Meeting held September 5, 2023, with Councilman Contract abstaining from the September 5, 2023, meetings.

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 closed this portion of the meeting.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$1,172,108.77 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 Mackey, were unanimously adopted.

Resolution No. 192

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>
Itay Michaeli	Withdrew	Ultimate Camp/Session 2 Jacob Michaeli	\$147.25 Credit Card
Mary T Nowak	Withdrew	Adult Pickleball/Almost Session 1 / Fall 2023	\$104.50 Credi Card
Maria Johnson	Withdrew	Brightwood Kids Nature Class Eleni Johnson / September 21	\$5.00 Credit Card
Amy Casiere	Class Canceled	Safe Sitters Babysitting Class Sept 9 / Joseph Casiere	\$125.00 Credit Card
Angela LaVigne	Class Canceled	Safe Sitters Babysitting Class Sept 9 / Sophia LaVigne Class	\$125.00 Credit Card
Elisabeth Gordon	Withdrew	Field Hockey Fall Clinics Elyssa Gordon	\$123.00 Credit Card
Timothy Marinakis	Class Canceled	Zumbini w/Alli – Fall Class Claire Marinakis	\$220.00 Credit Card
Henrietta Pikovski	Class Canceled	Zumbini w/Alli – Fall Class Leah Pikovski	\$220.00 Credit Card
Ishita Soni	Class Canceled	Zumbini w/Alli – Fall Class Shyra Soni	\$220.00 Credit Card
Trudy Cederqvist	Withdrew	Ultimate / Middle School Kurt Cederqvist	\$359.10 Credit Card
Susana Hodge	Withdrew	2023 Memorial Pool Membership Non-Resident Family of 4 or Less	\$755.25 Credit Card
Nicholas Tysk	Withdrew	Performance Speed & Agility David Tysk	\$60.00 Credit Card
Patricia Greeley	Discount/Employee	Lifeguard Certification Class Patrick Greeley	\$55.00 Credit Card

Resolution No. 193

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2023:

<u>Block/Lot/Qualifier</u>	<u>Property Address</u>	<u>Quarter/Year</u>
<u>Name</u>	<u>Property Address</u>	<u>Amount</u>
104/6	130 Madison Avenue West	2 nd /2023
CORELOGIC CENTRALIZED REFUNDS		\$3,090.96
PO Box 9202 Coppell, TX 75019-9760		
1103/20	257 Sylvania Place	3 rd /2023
LERETA, LLC		\$7,364.25
Attn: Central Refunds 901 Corporate Center Dr. Pomona, CA 91768		
1903/12	219 Lynn Lane	2 nd /2023
CORELOGIC CENTRALIZED REFUNDS		\$4,509.54

PO Box 9202
Coppell, TX 75019-9760

Resolution No. 194

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

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer of the Town of Westfield be, and hereby is, authorized and directed to draw warrant to the order of Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068, in the sum of \$12,747.00 representing the second half of the annual assessment.

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

Public Safety, Transportation and Parking Committee

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

Resolution 195

WHEREAS, in 2019, by Resolution 158-219, the Town Council of the Town of Westfield authorized the purchase of a mobile video recording system for each Westfield Police Department police vehicle (primarily used for traffic stops) and for body worn cameras (for uniformed police officers engaging in patrol activities) under State Contract T0106, to comply with the everchanging needs and best practices of law enforcement; and

WHEREAS, in 2021, pursuant to an act of the state legislature, body worn cameras became mandated for use by every uniformed police officer who engages in patrol activities; and

WHEREAS, the Westfield Police Department is now seeking to enter into a new Agreement with Axon Enterprise that shall allow it to purchase: 1) an upgraded mobile video recording system for each police vehicle primarily used for traffic stops that includes automatic license plate reader capability; and 2) an upgraded body worn camera for each and every officer, this to include detectives and plainclothes officers, this through the approval of a new Agreement with Axon Enterprise, the total costs of which shall be extended over a new 5-year time period; and

WHEREAS, pursuant to this new Agreement with Axon Enterprise, the projected costs to date for Year 1 shall be approximately \$237,287.00; and

WHEREAS, Axon Enterprise of P.O. Box 29661, Department 2018, Phoenix, AZ 85038 was

awarded State Contract T0106, under the Department of Purchase and Property’s NJStart eProcurement Solution, purchase order 17-FLEET-00738, Category 14 for Police Body Camera Solution and 14A for installation, consulting services, hardware/software configuration, training, and hourly repair services rates; and

WHEREAS, the Westfield Police Department has been awarded \$124,318.00 in grant monies from the Attorney General of the State of New Jersey, this specifically for the purchase of body worn cameras and which may be applied to the costs of this new Agreement with Axon Enterprise; and

WHEREAS, the Westfield Police Department has received authorization from the Union County Prosecutor to apply \$48,316.59 of its Municipal Law Enforcement Trust Fund monies towards the costs of this new Agreement with Axon Enterprise; and

WHEREAS, the upgraded mobile video recording systems with automatic license plate reader capability and upgraded body worn cameras proposed for purchase in this new Agreement with Axon Enterprise and the servicing of same shall be sufficient to meet the operational needs of the Westfield Police Department and statutory requirements of the State of New Jersey, this as determined by the Chief of Police; and

WHEREAS, the Town Council of the Town of Westfield, acting in the greatest interest of the safety and security of the community it serves, does hereby authorize the Westfield Police Department to enter into this new Agreement with Axon Enterprise; and

WHEREAS, the Chief Financial Officer has certified to the availability of adequate funds for the payment of costs of this new Agreement with Axon Enterprise, Inc. now due and which are to be charged as follows, under Purchase Order No.23-03258 which has been prepared in accordance with N.J.A.C. 5:30-1.10:

Reserve for County Law Enforcement Trust Account	T-05-600-021	\$48,316.59
NJ Attorney General Body Worn Camera Grant	3-01-55-900-250	124,318.00
Special Ordinance (S.O.) 2221	C-07-21-222-1B1	21,814.56
Accounts Payable (2021)	3-01-55-900-211	7,763.19
Police Budget	3-01-130-216	<u>35,074.66</u>
Total		\$237,287.00

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield does hereby authorize the Westfield Police Department to enter into this new Agreement with Axon Enterprise;

BE IT FURTHER RESOLVED that the proper Town Officials be and are hereby authorized to take whatever actions are appropriate in the execution and discharge of this new Agreement with Axon Enterprise of P.O. Box 29661, Department 2018, Phoenix, AZ85038-9661.

Code Review & Town Property Committee

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

Resolution No. 196

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

Funster Entertainment 306 16 th Street Union City, NJ 07087	500 Block Edgar Road Block Party September 30, 2023 500 Block Edgar Road	500 Block Edgar Road September 30, 2023 500 Block Edgar Road
--	--	--

Public Works Committee

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

Resolution No. 197

BE IT RESOLVED that the Mayor and appropriate town officials are hereby authorized to sign the Interlocal Agreement for Leaf Collection Services between the Township of Scotch Plains and the Town of Westfield.

COMMITTEE REPORTS

Councilwoman Mackey received a request to inform the residents that the PAL (Police Athletic League) is offering a flag football minicamp series for children with special needs. It's a three-week mini-series held at Tamaques Park between October 8th through October 28th from 1:30 p.m. to 2:15 p.m. Interested residents email wpalflag@gmail.com for more information .

Councilwoman announced Charlie's Ale Garden tickets will go on sale tomorrow evening at 7:00p.m.

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilwoman Hapgood at 8:17 P.M. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC

Town Clerk