



AGENDA
May 23, 2023
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATION

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to refund street opening Cash Bond
2. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
3. Resolution to award contract for Mindowaskin Park Fencing
4. Resolution to award contract for ADA Door Installation
5. Resolution to approve insertion of special item of revenue in the municipal budget (Clean Communities)

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve Peddler's License

Public Works Committee

1. Resolution authorizing Stipend of Recycling Program Coordinator

ORDINANCES

GENERAL ORDINANCE NO. 2023-23

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

GENERAL ORDINANCE NO. 2023-24

AN ORDINANCE AMENDING CHAPTER 18 "POLICE" OF THE CODE OF THE TOWN OF WESTFIELD TO INCLUDE THE POSITION OF POLICE CHAPLAIN

GENERAL BUSINESS

New Business Event Request

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS

EXECUTIVE SESSION

Labor Negotiations



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING
Tuesday, May 23, 2023
8:00 PM**

PROPOSED AGENDA

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

1. Roll Call
2. Invocation
3. Salute to the flag
4. Appointments
5. Presentations
 - Proclamations
 - Building Safety Month
 - National Gun Violence Awareness Day
6. Advertised Hearings
 1. SPECIAL ORDINANCE NO. 2023-03
A BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE EDISON SCHOOL MULTIPURPOSE FIELDS PROJECT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$11,800,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.
7. Approval of Minutes from Town Council Conference Session held May 9, 2023
Approval of Minutes from Town Council Regular Meeting held May 9, 2023
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$673,797.16
11. Reports of Standing Committees

Finance Policy Committee

6. Resolution authorizing the Chief Financial Officer to refund street opening Cash Bond
7. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
8. Resolution to award contract for Mindowaskin Park Fencing
9. Resolution to award contract for ADA Door Installation
10. Resolution to approve insertion of special item of revenue in the municipal budget (Clean Communities)

Public Safety, Transportation and Parking Committee

1. GENERAL ORDINANCE NO. 2023-23
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13

Code Review & Town Property Committee

1. Resolution to approve Peddler's License
2. GENERAL ORDINANCE NO. 2023-24
AN ORDINANCE AMENDING CHAPTER 18 "POLICE" OF THE CODE OF THE TOWN OF WESTFIELD TO INCLUDE THE POSITION OF POLICE CHAPLAIN

Public Works Committee

1. Resolution authorizing Stipend of Recycling Program Coordinator
12. Reports of Department Heads

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
SPECIAL ORDINANCE NO. 2023-03

AN BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE EDISON SCHOOL MULTIPURPOSE FIELDS PROJECT IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$11,800,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Town Council of the Town of Westfield, in the County of Union, State of New Jersey, as follows:

Section 1. The Town of Westfield, in the County of Union, State of New Jersey (the "Town") is hereby authorized to undertake the Edison School Multipurpose Fields Project consisting of the installation of synthetic turf multipurpose athletic fields, undertaking of drainage and site improvements, installation of field lighting and field amenities and construction of a bathroom facility in, by and for the Town. Said improvements shall include all work, materials, equipment and appurtenances necessary and suitable therefor. Said project is being undertaken by the Town and the Westfield Board of Education (the "Board of Education") as a joint recreation project under a shared services agreement between the Town and the Board of Education.

Section 2. The sum of \$11,800,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Town, and (2) it is necessary to finance said purpose by the issuance of obligations of said Town pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$11,800,000, and (4) \$565,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$11,235,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$635,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such

obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$565,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Town, are now available to finance said purpose. The sum of \$565,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Town of an aggregate principal amount not exceeding \$11,235,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Town of an aggregate principal amount not exceeding \$11,235,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the

principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Town and attested by the Town Clerk or Deputy Town Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Town Clerk of said Town, and that such statement so filed shows that the gross debt of said Town, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$11,235,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly. In the event that any such funds received shall be in excess of the bonds authorized by this ordinance, said excess funds shall be applied to the reimbursement of the down payment appropriated herein.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Town Clerk and is available for public inspection.

Section 12. The Town intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Town incurs such costs prior to the issuance of the bonds or notes, the Town expects to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Town, and the Town shall levy ad valorem taxes upon all the taxable real property within the Town for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION

FINANCE POLICY COMMITTEE

MAY 23, 2023

WHEREAS, Tower Homes LLC. placed the required cash bond of \$1,500.00 to cover the Road Opening Permit #22-245 for 732 Summit Avenue; and

WHEREAS, Tower Homes LLC. is entitled to have this amount to be returned, and

WHEREAS the Town Engineer has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED that the Treasurer be authorized to draw a warrant in the name of Tower Homes LLC. for \$1,500.00 and forward to 1 Martin Place, Cranford, New Jersey, 07016.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 23, 2023

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>
Salvatore Lumetta	Pool Membership 03-55-920-202	Memorial Pool 2023 Membership Non-Resident Couple	\$608.00 Check
Kim Dickey	Pool Membership 03-55-920-202	Memorial Pool 2023 Membership Resident Couple	\$323.00 Check
Nicole Breslow	Tennis/Rec T- 05-600-071	Safe Sitter/May 13 Class Jake Breslow	\$118.75 Check
Ellen D'Amato	Tennis/Rec T-05-600-071	Adult Pickleball/Session 2 Intermediate Level	\$100.00 Check
Virginia Lynn	Tennis/Rec T-05-600-071	Adult Pickleball/Session 2 Intermediate Level 2	\$100.00 Check
Susan McDonough	Tennis/Rec T-05-600-071	Adult Pickleball/Session 2 Beginner /Thursday AM #2	\$95.00 Check
Laurie Grossman	Tennis/Rec T-05-600-071	Adult Pickleball/Session 2 Beginner/Thursday AM #2	\$95.00 Check
Ed Pierce	Pool Membership 03-55-920-202	Memorial Pool 2023 Membership Resident Family of 5 or more	\$569.05 Check
Alex Benke	Tennis/Rec T-05-600-202	Playground/Summer 2023 Wilson School	\$389.50 Check
Kathy Kirk	Tennis/Rec T-05-600-202	Adult Pickleball/Session 2 Intermediate PM Class	\$95.00 Check
Lina Hernandez	Pool Membership 03-55-920-202	Memorial Pool 2023 Membership Resident Family of 4 or less	\$460.75 Check

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

Name	Reason	Program	Fee
David Naczycz	Class Canceled	Brightwood Park Nature Class Yoga in the Park/Reese Naczycz	\$10.00 Credit Card
Kuo-Chang Lu	Withdrew	Volleyball Camp 2023 Brian Lu Session 3/\$110.20 Brian Lu Session 2/\$166.25 Brian Lu Session 1/\$166.25 Alexander Lu Session 1/\$110.20 Alexander Lu Session 2/\$166.25 Alexander Lu Session 3/\$166.25	\$885.40 Credit Card
Elizabeth Taylor	Wrong Permit	Resident Conservation Center Seasonal 2023 Permit	\$60.00 Credit Card
Nikhil Lele	Withdrew	Youth Tennis/Spring 2023 Session 2/Wed Level 2	\$122.55 Credit Card
Karen Sanders	Withdrew	Adult Pickleball/Spring 2023 Session 2/Beginner/AM Class #2	\$95.00 Credit Card
Daniela Pozzo	Withdrew	Adult Tennis / Spring 2023 Session 2 / Fri / AM Class	\$147.25 Credit Card

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 23, 2023

WHEREAS, a need exists for the purchase of fencing for Mindowaskin Park Playground as provided for in Special Ordinance (S.O.) 2211, and

WHEREAS, Challenger Fence Company, 53 Kentucky Ave, Patterson, NJ 07503 is an authorized vendor with the Union County Cooperative, of which the Town of Westfield is a member, and purchase of this equipment can be awarded to an authorized vendor through the State of New Jersey Procurement Bureau, and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 et. seq. states that when accepting an item under a cooperative contract, specifically, Union County Cooperative Contract #BA-22-2022, a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certifies to the availability of adequate funds for payment, prepared in accordance with N.J.A.C. 5:30 1.10, in the amount of \$38,420.00 for the cost and installation of fencing, and is to be charged to S.O. 2211, Account C-07-17-211-00A, under Purchase Order 23-01738.

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 23, 2023

WHEREAS, a need exists for the installation of an ADA door with key fob software for the Town Hall Community Room, and

WHEREAS, sealed bids were received on Thursday, May 11, 2023.

WHEREAS, the low bid, submitted by A Plus Glass & Metal, LLC., 205 Hamilton Avenue, Hasbrouck Heights, NJ 07604, in the amount of \$60,270.00 has been analyzed and found to be in conformance with the appropriate specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract is to be charged to the Community Development Block Grant account 3-01-55-900-253 for \$15,000.00 with the remaining balance of \$45,270.00 charged to the Recreation Program Trust account T-05-600-071, under Purchase Order #23-01740.

NOW THEREFORE BE IT RESOLVED, that a Lump Sum Contract not to exceed \$60,270.00 be awarded to A Plus Glass & Metal, LLC. 205 Hamilton Avenue, Hasbrouck Heights, NJ 07604, 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.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 23, 2023

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

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2023 in the sum of \$66,321.75, which is now available from the Solid Waste Administration FY 2023 Clean Communities grant; and

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

General Appropriations	
Clean Communities	\$66,321.75

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2023-23

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

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

SECTION I.

1. **Section 13-21.5 – “Handicapped parking space – On street.”** of the Town Code shall be amended by adding the following:

416 Summit Avenue, westerly side, beginning at a point 257' southeasterly from the intersection of the westerly curb line of Summit Avenue as extended from such beginning point extending southeasterly for a distance of 17', creating one (1) 17' space.

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

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

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

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

CODE REVIEW & TOWN PROPERTY COMMITTEE

MAY 23, 2023

RESOLVED that the following applications for Peddlers License be and the same are hereby approved:

Danny Vasiliadis
Danny's Soft Serve
1081 E. Grant Street
Elizabeth, NJ 07201

Mohammad Awawda
Good Humor
700 Probst Avenue
Fairview, NJ 07022

Albert Ogunmoye
Good Humor
17 Orchard Place
Irvington, NJ 07111

Anton Uri
Scream Truck
111 Fernwood Court
Clifton, NJ 07011

BE IT FURTHER RESOLVED that the licenses shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2023-24

**AN ORDINANCE AMENDING CHAPTER 18 “POLICE” OF THE CODE
OF THE TOWN OF WESTFIELD TO INCLUDE THE POSITION OF
POLICE CHAPLAIN**

WHEREAS, cities and towns across the State of New Jersey have observed that police chaplains have taken an active role in community policing for residents and support for members of the police department in times of crisis; and

WHEREAS, N.J.S.A 404.14-141, allows for the position of Police Chaplain to be created within a police department in the State of New Jersey; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Westfield, County of Union, State of New Jersey, that Article V, Chapter 18, “Police Chaplain” is hereby created of the Town of Westfield Town Code and be and hereby is amended and supplemented to read as follows:

SECTION I.

Article V, Police Chaplain

§18-37 - Police Chaplain; appointment; qualifications.

There is hereby established the position of Police Chaplain in the Police Department, and the person or persons so designated shall be appointed for a one-year (1) year term by resolution of the Town Council. Any person appointed as Chaplain shall be an ordained clergyman in good standing in the religious body for which that person is selected. Such Chaplain shall become a member of the Police Department, without rank and without salary. Upon the expiration of one (1) year, he/she shall continue to serve until reappointed or notified that he/she will not be reappointed. He/she will not receive any health insurance benefits. The police chaplain will be trained in accordance with the rules and regulations of the Westfield Police Department and under the supervision of the Chief of Police.

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

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

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO. 2023

FINANCE POLICY COMMITTEE

MAY 23, 2023

WHEREAS, Public Works Supervisor, Rich Eubanks has been certified as a Recycling Coordinator for the Town of Westfield; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that Rich Eubanks shall be paid \$3,316.00 for additional duties performed as Recycling Coordinator for calendar year 2023.