



AGENDA
May 10, 2022
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATION

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for April 2022
2. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
3. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes in 2021-2022
4. Resolution to approve insertion of special item of revenue in the municipal budget (municipal alliance)
5. Resolution to approve insertion of special item of revenue in the municipal budget (bulletproof vest)
6. Resolution to appoint Deputy Town Clerk

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to reject bids for 2022 ADA Door Improvement at Town Hall

Public Works Committee

ORDINANCES

GENERAL BUSINESS

Eagle Scout Project

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS

EXECUTIVE SESSION



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, May 10, 2022
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

Council Committees:

Public Safety, Transportation & Parking Committee

Mike Dardia, Chairman

Emily Root, Vice Chairwoman

Linda Habgood

Mark LoGrippe

Code Review & Town Property Committee

Mark Parmelee, Chairman

Scott Katz, Vice Chairman

Dawn Mackey

Michael Dardia

Public Works Committee

David Contract, Chairman

Dawn Mackey, Vice Chairwoman

Emily Root

Mark LoGrippe

Downtown Westfield Corporation Liaison – Emily Root, Unexpired Term ending December. 31, 2022

Tree Preservation Commission Liaison – Scott Katz, Unexpired Term ending December. 31, 2022

Westfield Memorial Library Liaison – Scott Katz – Unexpired Term ending December 31, 2022

Town Clerk:

Resolution to appoint Town Clerk

5. Presentations

Proclamations:

Town Clerk

Building Safety Month

6. Advertised Hearings

1. GENERAL ORDINANCE NO. 2022-13

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 19A, ESTABLISHMENT, REGULATION AND LICENSING FOR POLICE REQUESTED AND NON-PREFERENCE VEHICLE TOWING AND STORAGE SERVICES

2. GENERAL ORDINANCE NO. 2022-14

AN ORDINANCE ADOPTING AN AMENDMENT TO THE DOWNTOWN WESTFIELD SCATTERED SITE REDEVELOPMENT PLAN

7. Approval of Minutes from Town Council Conference Session held April 26, 2022

Approval of Minutes from Town Council Regular Meeting held April 26, 2022

8. Petitions and Communications

9. Open discussion by citizens

10. Bills and Claims in the amount of \$398,437.59

11. Reports of Standing Committees

Finance Policy Committee

7. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for April 2022

8. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees

9. Resolution authorizing the Chief Financial Officer to draw warrants for overpaid taxes in 2021-2022

10. Resolution to approve insertion of special item of revenue in the municipal budget (municipal alliance)

11. Resolution to approve insertion of special item of revenue in the municipal budget (bulletproof vest)

12. Resolution to appoint Deputy Town Clerk

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to reject bids for 2022 ADA Door Improvement at Town Hall

Public Works Committee

12. Reports of Department Heads

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION

FINANCE POLICY COMMITTEE

MAY 10, 2022

WHEREAS, pursuant to N.J.S.A. 40A:9-133 a., every municipality shall appoint a municipal clerk for a three-year term; and

WHEREAS, commencing January 1 following the third anniversary of the effective date of P.L. 1197, c.279 (C40A:9-133.9 et al), no person shall be appointed or reappointed as a municipal clerk unless that person holds a registered municipal clerk certificate issued pursuant to section 3 or section 4 of P.L. 1985, c174 (C.40A:9-133 or C.40A:9-133.4); and

WHEREAS, pursuant to Sec. 2-75(a) of the code of the Town of Westfield, the Town Clerk shall be appointed by the Town Administrator with the approval of the Mayor and Town Council to hold office for a term of three years and subject to the provisions of the Revised Statutes, section 40:46-7, with respect to tenure of office.

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby appoint Maureen Lawshe, RMC as the Westfield Municipal Clerk effective immediately for a three-year term expiring on May 10, 2025.

**TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY**

GENERAL ORDINANCE NO. 2022-13

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD
CHAPTER 19A ENTITLED “VEHICLE TOWING AND STORAGE” TO
ESTABLISH A SYSTEM OF RATES FOR TOWING AND STORAGE
SERVICES**

SECTION I

That Section 19A-7 “Rates” be amended to read as follows:

“The rates charged for basic towing services, storage and labor shall be in accordance with the schedule established herein and shall be kept on file in the police department and shall be available for inspection by the public.

TOWING:

Class I Vehicles, Passenger and Commercial up to 6999 lbs.	Weekdays 8:00 AM to 6:00 PM Using a Conventional Wrecker	\$100.00
	Weekends and Holidays 6:00 PM to 8:00 AM Using a Conventional Wrecker	\$110.00
	Flatbed Truck, all hours	\$125.00
No mileage charge for Class I or II vehicles if the vehicle is towed to a location within the Town of Westfield or back to the duty tow’s yard. Regardless of location.		
Vehicles towed to locations other than above.		\$6.00 per mile or fraction thereof from pickup point
Fees for Towing Police Department Vehicles shall not exceed		\$50.00
Commercial vehicles Class II, 7000 to 14,999 lbs		\$200.00
Commercial vehicles Class III, 15,000 lbs. and up		\$350.00 per hour \$450 with trailer

Trucks and trailers

No mileage
charge

Vehicle Classification will be determined by the registered gross weight

ROAD SERVICE CHARGE: (All hours)

Out of fuel (plus charge for fuel)	\$75.00
Battery jump	\$75.00
Changing of flat tire	\$75.00
Separation charge	\$75.00
Drop Drive Shaft	\$75.00
Release Air Brake	\$75.00

STORAGE: (Commencing 24 hours after the vehicle was towed)

Class I vehicles per day	\$45.00
Class II vehicles per day	\$50.00
Class III vehicles per day	\$100.00
Inside Storage	Add \$10.00 per day

MISCELLANEOUS:

Waiting time at scene (per minute) commencing 15 minutes after arrival on scene	\$1.00
Winching service, up to 50 feet	\$75.00
In excess of 50 feet (per foot)	\$ 2.50
Rollover charges (to bring a vehicle back onto its wheels)	\$100.00
Administration fees for "paper work" or "yard charges" relating to the retrieval of a motor vehicle in storage are prohibited	---

No towing operators shall charge an additional fee when a towed vehicle is being picked up by an owner/driver or other tow operator or for services such as moving motor vehicles to get to the vehicle in question, towing from the operators property to the street and other such towing operations.

SECTION II

Any and all ordinances or parts thereof in conflict, or inconsistent, with any part of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or inconsistent.

SECTION III

In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such 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
GENERAL ORDINANCE NO. 2022-14**

**AN ORDINANCE ADOPTING AN AMENDMENT TO THE DOWNTOWN
WESTFIELD SCATTERED SITE REDEVELOPMENT PLAN**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended and supplemented (the “**Redevelopment Law**”), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as being in need of redevelopment; and

WHEREAS, on March 10, 2020, the Mayor and Council of the Town (the “**Governing Body**”) adopted Resolution Number 77-2020, requesting and authorizing the Town’s Planning Board (the “**Planning Board**”) to undertake a preliminary investigation to determine whether certain properties including:

Block	Lot	Street Address
2405	15	146 Elm Street
2505	12.01	131 Elm Street
3001	5	360 Waterson Street
3101	5	300 South Avenue West
3103	7	301 North Avenue West
3107	2	116 Elmer Street
3116	11	148 Central Avenue

as identified on the Official Tax Map of the Town (the “**Parking Lot Properties**”) qualify as a “non-condemnation” area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, on March 10, 2020, the Governing Body also adopted Resolution Number 78-2020, requesting and authorizing the Planning Board to undertake a preliminary investigation to determine whether the properties:

Block	Lot	Street Address
2502	14	630 North Avenue West
2506	1	526 North Avenue West
2508	11	601-613 North Avenue West

as identified on the Official Tax Map of the Town (the “**L&T Properties**,” together with the Parking Lot Properties, the “**Redevelopment Area**”) qualify as a “non-condemnation” area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, on June 30, 2020, based upon a recommendation from the Planning Board following a public hearing on June 1, 2020, the Governing Body adopted Resolution No. 145-2020, designating the Parking Lot Properties as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, on August 11, 2020, based upon a recommendation from the Planning Board following a public hearing on July 20, 2020, the Governing Body adopted Resolution No. 180-2020, designating the L&T Properties as a non-condemnation area in need of redevelopment pursuant to the Redevelopment Law; and

WHEREAS, the Town Planner, Donald B. Sammet, PP/AICP, prepared a redevelopment plan for the Redevelopment Area dated October 5, 2020, entitled the “*Downtown Westfield Scattered Site Redevelopment Plan*” (the “**Redevelopment Plan**”); and

WHEREAS, on October 27, 2020, the Governing Body introduced, and on November 10, 2020, adopted General Ordinance No. 2198, adopting the Redevelopment Plan; and

WHEREAS, on October 13, 2020, based upon a recommendation from the Planning Board following a public hearing on October 5, 2020, the Governing Body adopted Resolution No. 225-2020, designating the Town in its entirety as an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, the Redevelopment Law provides for the adoption of a redevelopment plan for an area in need of redevelopment or an area in need of rehabilitation, or for both; and

WHEREAS, the Governing Body has determined it to be in the best interests of the Town to adopt an amendment to the Redevelopment Plan to provide, but not limited to, as follows:

- (1) To include within the Redevelopment Plan the real property commonly known as 74-76 Elm Street, Westfield, and identified on the Official Tax Map of the Town as Block 3106, Lot 5 (the “**Rehabilitation Property**”);
- (2) To permit the temporary use of the Rehabilitation Property as a preview center, as defined therein, and create certain incentives for the establishment of a preview center;
- (3) To require electric vehicle charging infrastructure be provided in any redevelopment project in accordance with the Municipal Land Use Law, *N.J.S.A. 40A:55D-1, et seq.*, as amended and supplemented, and the Town Land Use Ordinance;
- (4) To require a redevelopment agreement for the temporary use of the Rehabilitation Property as a preview center.

as set forth in a plan entitled “*Downtown Westfield Scattered Site Redevelopment Plan,*” dated October 5, 2020, amended as attached hereto as Exhibit A (the “**Amended Redevelopment Plan**”); and

WHEREAS, immediately following the introduction of this Ordinance, the Town Clerk was directed to refer this Ordinance and the Redevelopment Plan to the Planning Board for its review and recommendations pursuant to the Redevelopment Law, which review shall take place within forty-five (45) days of the referral.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Westfield as follows:

1. The Amended Redevelopment Plan, a copy of which is attached to this Ordinance as Exhibit A, is hereby adopted in its entirety.
2. If any provision or portion of this Ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.
3. This ordinance shall take effect immediately upon final publication as required by law.

4. All ordinances and parts of ordinances that are inconsistent with the provisions of this ordinance are here by repealed to the extent of such inconsistency.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 10, 2022

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$69.00 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 April 2022.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 10, 2022

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>
Jeff Filiberto 940 Highland Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Field Hockey Clinics / Spring 2022 Grace Filiberto / 6-8 grade	\$133.00
Greg Materdomini 824 Coolidge St Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Lindsay Materdomini / Resident Parent/Child	\$294.50
Kiran Chandra 308 North Scotch Plains Ave Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Kiran Chandra / Resident Family of 4 or less	\$418.00

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Funda Erparlak 717 South Ave W. #1 Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Playground Camp 2022 Isabel Fernandez / McKinley	\$346.75
Chetan Hemnani 321 Brightwood Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund CSI Workshop 5/7/22 Sonia Hemnani	\$90.00
Melissa Mohan 259 Hazel Ave Westfield, NJ 07090	Swim Lessons/Pool 03-55-920-203	Refund Swim Lessons / Session 2 Jacqueline Mohan / Swimmer 9:50 am	\$74.00
Scott Binder 404 W Dudley Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Playground Camp 2022 Kyle Binder / Franklin	\$346.75
Conal Berberich 802 Shackamaxon Dr Westfield, NJ 07090	Swim Lessons/Pool 03-55-920-203	Refund Swim Lessons / Session 2 Elloitt Berberich / Beginner 9:10 am	\$74.00
Mary Coffey 2235 Paff Pl Scotch Plains, NJ 07076	Tennis/Rec T-05-600-071	Refund CSI Workshop 5/7/22 Tess Coffey	\$90.00
Tracie Mandelbaum	Tennis/Rec	Refund	\$111.15

858 Summit Ave Westfield, NJ 07090	T-05-600-071	Track & Field / Spring 2022 Zachary Mandelbaum / 2-3 grade
Rich Werner 718 Scotch Plains Ave Westfield, NJ 07090	Tennis/Rec T-05-60-071	Refund \$170.00 Pickleball -Adult /Spring 2022 / "Almost" Rich Werner / Session 2 (\$85) Maryann Huhn-Werner / Session 2 (\$85)
Alejo Giachino 1 Wellington Downs Scotch Plains, NJ 07076	Pool Membership 03-55-920-202	Refund \$685.90 Pool Membership / Summer 2022 Alejo Giachino/Non-Resident Family of 4 or less
Bob Kermanshahi 528 First St Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund \$440.00 Pool Membership / Summer 2022 Jack Kermanshahi/Resident Family of 4 or less
Philippe Richards 711 Austin St Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund \$545.00 Pool Membership / Summer 2022 Philippe Richards/Resident Family of 5 or more
Mark Coscarello 95 Glenwood Rd Fanwood, NJ 07023	Swim Lessons/Pool 903-55-920-203	Refund \$100.00 Diving Clinic / Session 5 Mia Coscarello / Intermediate 9:10 am (\$50) Anthony Coscarello / Intermediate 9:10 (\$50)
Suzanne P Sherman 858 Summit Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund \$57.00 Transfer from Tennis to Pickleball Class Suzanne Sherman / Adult Classes / Spring 2022
John Kim 417 Tuttle Pkwy Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund \$545.00 Pool Membership / Summer 2022 John Kim / Resident Family of 5 or more
Brian Wallen 634 4 th Ave Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund \$440.00 Pool Membership / Summer 2022 Brian Wallen/Resident Family of 4 or less
Sean Blessington 622 Cumberland St Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund \$545.00 Pool Membership / Summer 2022 Isabella Blessington / Resident Family of 5 or more
Christopher Gatto 12 Marlin Ct. Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund \$440.00 Pool Membership / Summer 2022 Quinn Gatto / Resident Family of 4 or less

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MAY 10, 2022

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2021-2022:

<u>Block/Lot/Qualifier</u> <u>Name</u>	<u>Property Address</u>	<u>Quarter/Year</u> <u>Amount</u>
2105/1 TRYSTONE CAPITAL ASSETS LLC	323 Canterbury Road	Subs/2021 \$195.00
4007/8 TRYSTONE CAPITAL ASSETS LLC	220 Myrtle Avenue	Subs/2021 \$195.00
4503/55 CANO, Daniel	868 Willow Grove Road	1 st /2021 \$637.70
		2 nd /2021 \$4,135.27 \$4,772.97
4503/55 PennyMac Loan Services Attn: Property Tax Refunds 6101 Condor Dr. Moorpark, CA 93021	868 Willow Grove Road	4 th /2021 \$4,154.43 1 st /2022 \$4,144.85 2 nd /2022 \$4,144.85 \$12,444.13
5201/56 KRAMER, Leslie 869 Winyah Avenue Westfield, NJ 07090	82 Tamaques Way	4 th /2021 \$3,304.03

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION

FINANCE POLICY COMMITTEE

MAY 10, 2022

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 2022 in the sum of \$3,646.00, which is now available from Union County Municipal Alliance Program Youth Leadership Grant; and

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

General Appropriations	
Municipal Alliance Program	
Youth Leadership Grant	\$3,646.00

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 OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION

FINANCE POLICY COMMITTEE

MAY 10, 2022

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 2022 in the sum of \$7,133.10, which is now available from the Fiscal Year 2020 Federal Bullet Proof Vest program; and

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

General Appropriations	
2020 Federal Bullet Proof Vest program (BPV)	\$7,133.10

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION

FINANCE POLICY COMMITTEE

MAY 10, 2022

WHEREAS, pursuant to 40A:9-135, the governing body of any municipality, by ordinance, may create the office of Deputy Municipal Clerk and provide for appointments thereto; and

WHEREAS, pursuant to Sec. 2-75(10) (b) of the Code of the Town of Westfield, the Deputy Town Clerk shall be appointed by the Town Administrator with the approval of the Mayor and Town Council.

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby appoint Nathalie Bernier as the Westfield Deputy Town Clerk effective May 10, 2022.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

MAY 10, 2022

WHEREAS, one (1) sealed bid was received on April 28, 2022 by the Town Clerk for the 2022 ADA Door Improvement at Town Hall in the Town of Westfield; and

WHEREAS, it has been determined that the bid submitted exceeded the amount budgeted by the Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that the bid received on April 28, 2022 for the ADA Door Improvement at Town Hall in the Town of Westfield be and hereby is rejected.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Recreation Department is hereby authorized to re-bid for the **2022 ADA Door Improvement at Town Hall**