



AGENDA
June 27, 2023
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 May 2023
2. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
3. Resolution authorizing the Chief Financial Officer to draw a warrant for Board of Adjustment & Planning Board Application Fees
4. Resolution authorizing the Chief Financial Officer to draw warrant to refund alarm registration fee
5. Resolution to award contract for the acquisition of a fire hose for the Westfield Fire Department
6. Resolution to award contract for the acquisition and installation of mobile shelving for the Planning, Zoning, & Engineering Departments
7. Resolution to approve insertion of special item of revenue in the municipal budget (National Opioid Settlement)
8. Resolution to approve insertion of special item of revenue in the municipal budget (Public Health Capacity)
9. Resolution to approve insertion of special item of revenue in the municipal budget (Vaccination Supplemental Funding)

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve annual renewal of Alcoholic Beverage Liquor Licenses

Public Works Committee

1. Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2024 Elm Street Improvements project

ORDINANCES

GENERAL ORDINANCE NO. 2023-26

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE."

GENERAL ORDINANCE NO. 2023-27

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH REQUIREMENTS FOR RESIDENTIAL ROOF DECKS WITHIN THE CBD AND GB-1 ZONE DISTRICTS

GENERAL BUSINESS

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS

EXECUTIVE SESSION

Litigation Matters



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING
Tuesday, June 27, 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
6. Advertised Hearings
 1. SPECIAL ORDINANCE NO. 2023-04
CAPITAL ORDINANCE OF THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND ACQUISITIONS IN, BY AND FOR THE TOWN, APPROPRIATING THEREFOR THE SUM OF \$540,066 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWN
 2. GENERAL ORDINANCE NO. 2023-25
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13
7. Approval of Minutes from Town Council Conference Session held June 13, 2023
Approval of Minutes from Town Council Regular Meeting held June 13, 2023
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$337,292.41
11. Reports of Standing Committees
 - Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for May 2023
2. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
3. Resolution authorizing the Chief Financial Officer to draw a warrant for Board of Adjustment & Planning Board Application Fees
4. Resolution authorizing the Chief Financial Officer to draw warrant to refund alarm registration fee
5. Resolution to award contract for the acquisition of a fire hose for the Westfield Fire Department
6. Resolution to award contract for the acquisition and installation of mobile shelving for the Planning, Zoning, & Engineering Departments
7. Resolution to approve insertion of special item of revenue in the municipal budget (National Opioid Settlement)
8. Resolution to approve insertion of special item of revenue in the municipal budget (Public Health Capacity)
9. Resolution to approve insertion of special item of revenue in the municipal budget (Vaccination Supplemental Funding)
10. GENERAL ORDINANCE NO. 2023-26
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE."

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve annual renewal of Alcoholic Beverage Liquor Licenses
2. GENERAL ORDINANCE NO. 2023-27
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH REQUIREMENTS FOR RESIDENTIAL ROOF DECKS WITHIN THE CBD AND GB-1 ZONE DISTRICTS

Public Works Committee

1. Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2024 Elm Street Improvements project
12. Reports of Department Heads

TOWN OF WESTFIELD
SPECIAL ORDINANCE NO. 2023-04

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

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

Section 1. The Town of Westfield, in the County of Union, New Jersey (the "Town") is hereby authorized to make the following public improvements and acquisitions in, by and for the Town: (A) undertaking of Downtown streetscape improvements; (B) improvements to the Downtown Westfield Corporation office; (C) various improvements to the Municipal Building and the Public Works Facility; and (D) various improvements to the Police Dispatch Area and the acquisition of new communications equipment related thereto. Said improvements and acquisitions shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$540,066 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Capital Improvement Fund of the Town. The sum of \$540,066 is hereby appropriated from the Capital Improvement Fund of the Town to the payment of the cost of said purpose.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Town having a period of usefulness of at least five (5) years. Said improvements and acquisitions shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefitted.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital 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 5. This ordinance shall take effect at the time and in the manner provided by law.

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-25**

**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.

That the provisions of **Section 13-5 – “Through Streets”** *Prospect* a. and b. of the Town Code shall be repealed and replaced with the following:

Prospect

- a. Between East Broad Street and Cowperthwaite Place
- b. Between Cowperthwaite Place and West Dudley Avenue
- c. Between West Dudley Avenue and road dead end just past Trails End Court

SECTION II.

That the provisions of **Section 13-6 – “Stop intersections”** of the Town Code shall be amended by adding the following:

Prospect Street and Cowperthwaite Place

Stop signs shall be installed on the right side of each roadway.

SECTION III. 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 IV. 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 V. 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.

FINANCE POLICY COMMITTEE

JUNE 27, 2023

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$46.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of May 2023.

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JUNE 27, 2023

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

Name	Account	Class	Fee
Sharon Lee	Playground	Playground Camp 2023	\$441.75
	T-05 600-068	Abigail & Eleanor Heo	\$441.75
		Jefferson School	Check
Larry Rosario	Tennis/Rec	MS In-Town Ultimate League	\$204.25
	T-05 600-071	Spring 2023/ Lucas Rosario	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 Simpson	Did Not Pass	Swim Team/ Memorial Pool	\$120.00
		Jack Simpson	Credit Card
Abelino Morocho	Did Not Pass	Swim Team / Memorial Pool	\$120.00
		Anabella & Nicolas Morocho	\$120.00
			Credit Card
Brian Wagner	Withdrew	Volleyball Camp Session 2	\$116.66
		Lacey Wagner / Grade 6-8	Credit Card
Anh Tran	Withdrew	Fashion First Workshop Camp	\$175.75
		Session #1 AM/Victoria Nguyen	Credit Card
Joanne Pang	Did Not Pass	Swim Team / Memorial Pool	\$120.00
		Alexandra McAnanama	Credit Card
Scott Allen	Did Not Pass	Swim Team / Memorial Pool	\$120.00
		Harper Allen	Credit Card
Rachele Maouchi	Did Not Pass	Swim Team / Memorial Pool	\$120.00
		Madison Goddard	Credit Card
Michael Bohmerwald	Withdrew	Adult Pickleball/Summer Session	\$95.00
		Christina Bohmerwald/Wed Class	Credit Card
Beth Crotty	Withdrew	Safe Sitter Course/June 10	\$118.75
		Madeline Crotty	Credit Card

Matt Haddad	Did Not Pass	Swim Team / Memorial Pool Amira Haddad	\$120.00 Credit Card
Anna MartinsSivitskaya	Did Not Pass	Swim Team / Memorial Pool Angelina Martins	\$120.00 Credit Card
Tessa Gearity	Did Not Pass	Swim Team / Memorial Pool Sullivan Gearity	\$120.00 Credit Card
Beth Swaminathan	Did Not Pass	Swim Team / Memorial Pool Luke Swaminathan	\$120.00 Credit Card
Nomathemba Ndlovu	Did Not Pass	Swim Team / Memorial Pool Solomuzi Ndlovu	\$120.00 Credit Card
Robin Vinegra	Did Not Pass	Swim Team / Memorial Pool Ava Vinegra	\$120.00 Credit Card
Nicholas Forrestal	Did Not Pass	Swim Team / Memorial Pool Ryan Forrestal Owen Forrestal	\$120.00 \$120.00 Credit Card
Matt Kumparatana	Schedule Issue	Swim Team / Memorial Pool Sylvia Kumparatana	\$114.00 Credit Card
Jason Martin	Schedule Issue	Swim Team / Memorial Pool Hadley Martin	\$114.00 Credit Card
Greg Kuyat	Withdrew	Re-cert Lifeguarding Class Grant Kuyat / 6/17/23 class	\$152.00 Credit Card
Frances Paulino	Withdrew	Volleyball Camp / Session 1 Henry Paulino	\$112.00 Credit Card
Richard Pranke	Withdrew	Volleyball Camp / Session 1 John Pranke	\$112.00

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JUNE 27, 2023

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

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

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

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

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

FINANCE POLICY COMMITTEE

JUNE 27, 2023

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

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

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

FINANCE POLICY COMMITTEE

JUNE 27, 2023

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

WHEREAS, New Jersey Fire Equipment, 119-131 Route 22 East, Greenbrook, NJ 08812 under State Contract 17-FLEET-00819, provides pricing for various diameter hoses and accompanying fittings, including valves and nozzles, which has been analyzed and found to be in conformance with the appropriate specifications of the Department, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract is to be charged to Special Ordinance 2023-02, account C-07-23-002-4A1, in an amount not expected to exceed \$38,359.61 under Purchase Order #23-02086.

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

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO. 2023

FINANCE POLICY COMMITTEE

JUNE 27, 2023

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

WHEREAS, Modern Office Systems, LLC, 45 West 36th Street, 9th Floor, New York, NY 10018, has provided pricing through Sourcewell Cooperative, of which the Town of Westfield is a member, under Contract #10920-SPC, which has been analyzed and found to be in conformance with the appropriate specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract is to be charged to the Buildings and Grounds budget, account 3-01-185-217, in an amount not expected to exceed \$22,104.13 under Purchase Order #23-02152.

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

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JUNE 27, 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 \$6,088.47, which is now available from the National Opioid Settlement Fund Trust; and

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

General Appropriations	
National Opioid Settlement Fund Trust	\$6,088.47

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JUNE 27, 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 \$495,411.00, which is now available from the Office of Local Public Health (OLPH) Public Health Capacity Program 2023 – Pathway A&B grant; and

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

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

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

TOWN OF WESTFIELD
WESTFIELD, NEW JERSEY
RESOLUTION NO.

FINANCE POLICY COMMITTEE

JUNE 27, 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 \$35,000.00, which is now available from the Office of Local Public Health (OLPH) Vaccination Supplemental Funding grant; and

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

General Appropriations	
OLPH Vaccination Supplemental Funding	\$35,000.00

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

TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-26
AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF
WESTFIELD CHAPTER 2, “ADMINISTRATION,” ARTICLE II, TOWN
OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS
AND SALARY SCHEDULE,” SEC. 2-12.28, “SCHEDULE.”

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

SECTION I.

That the Code of the Town of Westfield be and is hereby amended by revising Section 2-12.28, “Schedule,” in Chapter 2, “Administration” Article II, “Town Officers and Employees,” Division 3, “Personnel Positions and Salary Schedule,” so that the same shall read as follows:

1. Employees Covered

All present and future full time and part time employees of the Town of Westfield whose positions are covered by the collective bargaining agreement between the Town of Westfield and the Communication Workers of America Local 1040 and who are on the payroll on the date of signing the collective bargaining agreement.

2. Salary and Hourly Rate Ranges Percentage Increases

- a) Effective and retroactive to January 1, 2023 – 2.25% increase on 2022 rates
Full Time Employee Salary Range - \$33,500 - \$87,690
Part Time Employee Rate Range - \$15.30 – 23.55
- b) Effective January 1, 2024 - 2.25% increase on 2023 rates
Full Time Employee Salary Range - \$38,300 - \$93,000
Part Time Employee Rate Range - \$19.43 – 24.50
- c) Effective January 1, 2025 – 2.25% increase on 2024 rates
Full Time Employee Salary Range - \$39,200 - \$96,000
Part Time Employee Rate Range - \$19.87 – 25.00

The percentage increases will apply to individual salaries and hourly rates. Implementation of the aforesaid wage and salary schedule shall be as provided in the collective bargaining agreement between the Town of Westfield and of the Communication Workers of America Local 1040, in effect at the time.

SECTION II.

Any or 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 holdings 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 provided by law.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

JUNE 27, 2023

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

PLENARY RETAIL DISTRIBUTION LICENSE

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

PLENARY RETAIL CONSUMPTION LICENSE

Echo Lake Country Club 2020-33-027-002	515 Springfield Avenue
Prospect Associates, LLC t/a 16 Prospect Wine Bar and Bistro 2020-33-015-010	16 Prospect Street
BB Westfield LLC	126 Central Avenue

t/a Bareburger
2020-33-009-010

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

inactive

RESTAURANT CONDITIONAL LICENSES

Ferraro's Restaurant Group, LLC
t/a Ferraro's
2020-33-025-009

8-14 Elm Street

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

341 South Avenue E.

UT Westfield LLC

115 Elm Street

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

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

47 Elm Street

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

43 Elm Street

HOTEL CONDITIONAL LICENSE

Chez Catherine Inc.
t/a Chez Catherine
2020-33-024-007

431 North Avenue West

CLUB LICENSE

Italian American Club
2020-31-021-001

505 Central Avenue

Centennial Lodge #400 IBPOE
2020-31-020-001

444 West Broad Street

American Legion Incorporated
Martin Wallberg Post 3
2020-31-019-002

1003 North Avenue West

**TOWN OF WESTFIELD
GENERAL ORDINANCE NO. 2023-27**

**AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE
TOWN OF WESTFIELD TO ESTABLISH REQUIREMENTS FOR
RESIDENTIAL ROOF DECKS WITHIN THE CBD AND GB-1 ZONE
DISTRICTS**

WHEREAS, periodic update of allowable uses within zone districts is desirable to help promote economic development and sustainability in Town; and

WHEREAS, the residential use of rooftops would allow for residential tenants and owners to have an increased opportunity to provide an open-air amenity for themselves and visitors on-site.

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

SECTION I. Article 2, Section 2.14 titled “Definitions; R”, is hereby amended and supplemented to include a new definition for Residential Roof Deck which shall be inserted as a new subsection E which shall read as set forth herein. The existing subsections E through J shall be re-lettered respectively.

E. Residential Roof Deck. A rooftop space available to residential tenants and owners and their visitors and used for recreational purposes.

SECTION II. Article 11, Subsection 11.25 titled “CBD Central Business District”, Subsection 11.25A titled “Principal uses and structures”, is hereby amended by modifying the language in section 8 to read as follows:

8. residential dwelling units except for within a basement or on the first floor

SECTION III. Article 11, Subsection 11.26 titled “GB-1 General Business District”, subsection 11.26A titled “Principal uses and structures”, is hereby amended by modifying the language in section 8 to read as follows:

8. residential dwelling units except for within a basement or on the first floor

SECTION IV. Article 13, Section 13.02 titled “Special Provisions for Certain Residential Accessory Uses and Structures”, is hereby amended by adding a new subsection J, to read in its entirety as follows:

J. Residential Roof Decks. Notwithstanding any provisions in this article to the contrary, residential roof decks are

permitted within the CBD and GB-1 zone districts subject to the following requirements:

1. Access to residential roof decks shall be limited to residential tenants and owners, and their visitors.
2. Residential roof decks shall be designed in an attractive manner that will not detract from adjacent uses, and will prevent nuisance and safety issues. Design of the rooftop must utilize all reasonable efforts to minimize the effect of noise and light on adjacent properties and the street.
3. Roof decks shall be used solely as seating areas.
4. No cooking equipment shall be permitted on roof decks.
5. All light fixtures shall be designed, installed, and maintained to prevent excessive illumination and glare, and to provide proper orientation and shielding of fixtures to prevent undue illumination of adjacent properties.
6. The use of lights spaced evenly along a cable or wire, commonly known as "string lights" shall be permitted. Lights must be turned off when the rooftop use is not in operation.
7. No lighting shall be placed more than 8 feet above the deck of the flat roof.
8. There shall be at no time permitted any television or video or electronic screens or displays and no live entertainment, music, speakers, or public address system shall be permitted on the rooftop. The rooftop must be maintained as a quiet, relaxed environment.
9. Roof decks may be utilized between the hours of 7:00 am and 10:00 pm.

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

SECTION VI. In the event that any section, provision, or part of provision of this ordinance shall be held to be unenforceable 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 unenforceable or invalid.

SECTION VII. This ordinance shall take effect after passage and publication in the manner provided by law.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY
RESOLUTION NO.

PUBLIC WORKS COMMITTEE

JUNE 27, 2023

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2024 Elm Street Improvements project.

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

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

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2024-2024 Elm Street Improvements-00653 to the New Jersey Department of Transportation on behalf of the Town of Westfield.

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