

## MINUTES OF REGULAR MEETING HELD JUNE 13, 2023

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, June 13, 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: Parmelee, Mackey, Contract, Dardia, Root

**ABSENT:** Councilwoman Habgood, Councilman LoGrippo

Invocation was given by Councilman Parmelee

Salute to the flag.

### **APPOINTMENTS**

Mayor Brindle proposed the following appointment. Motion made by Councilwoman Mackey and seconded by Councilwoman Root.

#### ***Downtown Westfield Corporation***

*Jeff Kirchenbaum to fill an unexpired term ending December 31, 2025.*

### **PRESENTATIONS**

Mayor Brindle presented the following proclamation:

# Town of Westfield Westfield , New Jersey

## PROCLAMATION

### ***2022- 2023 Westfield High School Blue Devils Boys Winter Track and Field***

**WHEREAS**, on February 18, 2023, the Westfield High School Blue Devils Boys Winter Track and Field Team won their second consecutive NJSIAA Group 4 Indoor Championship; and

**WHEREAS**, on their way to winning the State Group Championship, the team also won their second straight Union County and Sectional Championship; and

**WHEREAS**, the team sent several members to the New Balance National Track and Field Meet to compete in both individual and relay events and had many members place in the top 10 in track and field events at the Meet of Champions; and

**WHEREAS**, under the leadership of Head Coach Chris Tafelski, Assistant Coaches Erik Anderson and Sam Haimann, and volunteer coaches Ricardo Johnson and John Preston the team represented their school and their hometown with the highest standards of athleticism, integrity, and sportsmanship; and

**WHEREAS**, all of the members of the team ~ Seniors Jonathan Boufarah, Eamon Collins, Daniel Cortese, Emanuel Gayanilo, Mason Marino, Liam Maurillo, Owen Paul, Noah Perez, Joe

Pierro, Jonathan Scalia, Leo Schwartz, Juniors Jimmy Gildea, Avery Keith, Eamon Mason, Tage Mehta and Sophomore Ryan Daly ~ are deserving of recognition for their individual contributions to the success of the team; and

**WHEREAS**, the Mayor and Town Council of the Town of Westfield wish to commend the coaches and the members of the Westfield High School Blue Devils Boys Winter Track and Field team for their sportsmanship and many successes during the 2022-2023 season.

**NOW, THEREFORE, BE IT PROCLAIMED**, that I, Mayor Michelle W. Brindle, on behalf of the Town Council and the citizens of the Town of Westfield, do hereby congratulate the 2022-2023 Westfield High School Blue Devils Boys Winter Track and Field Team on their successful season capped by capturing the Group 4 State Championship title and applaud them for their exceptional dedication to the sport and to sportsmanship.

## **OPENING REMARKS**

### **Mayor's Update**

Good evening, and thanks to everyone who is joining us tonight both in person and online this evening. As a reminder, public comment will be accepted in person only, and we are live streaming for viewing only via Facebook. As always, the replay will also be available afterwards on [Facebook](#), [YouTube](#), and TV 36.

I'd like to start by thanking everyone who joined us this afternoon for our Pride celebration, which was rescheduled from last week due to the air quality issues at that time. Now in its fifth year, this tradition is one of great importance to this administration, and I remain incredibly proud of our ongoing commitment to creating a culture of inclusion and acceptance in our community. This is an area where our work is never finished, and I was so pleased to see the great turnout from residents of all ages for this important celebration.

I'd also like to congratulate all of the participants and volunteers in Sunday's Tour de Westfield! Special thanks to the Recreation Department & Commission – particularly resident volunteer Liz Chacko – in partnership with the Police Department, Green Team, Bicycle Advisory Board, Downtown Westfield Corporation, and BRAKES Commission for their time and effort to bring this event to the community!

Since we last met, we've had more new businesses open their doors in Westfield! We've welcomed Wonder's first storefront outside of Manhattan at the former CVS location on South Avenue, as well as Rumble Boxing in the former Victoria's Secret space on East Broad. We've also received the news that Sum Ramen will soon occupy the Kilwin's space on Elm Street, and we look forward to welcoming them to Downtown Westfield!

## **JOINT LETTER ON ENERGY TAX RECEIPTS**

Recently, I joined over 400 fellow New Jersey mayors in signing a joint letter to Governor Murphy and the entire State Legislature, prepared by the NJ League of Municipalities, the Conference of Mayors, and the Urban Mayors Association, calling on the full restoration of energy tax receipts to municipalities, which would be transformative in our ability to provide property tax relief.

By way of background, gas and electric utilities pay taxes for the use of public land (the public right of way) for their equipment. These taxes were originally collected by the host municipalities, and when the state made itself the collection agent for these taxes, it promised to return the proceeds to municipalities for property tax relief. Just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the state is supposed to collect energy taxes for the benefit of municipal governments.

For years though, state officials have diverted funding from energy taxes to plug holes in the state budget and to fund state programs. For over a decade, at least \$350M has been diverted from municipal governments for state budget purposes. In Westfield, we have been deprived of over \$47M in energy tax receipts since the state began collecting them in 2001. A restoration of this funding would enable municipalities to provide significant property tax relief.

Last year the state budget included an additional \$75M in Municipal Relief Funds as the first step in restoration of the energy tax receipts, which was a pittance when filtered down locally. For Westfield, it resulted in an incremental \$20K. Next year's proposed state budget does not include this funding.

With a nearly \$10B budget surplus, the time has come to restore to local budgets the millions in property tax relief that have been annually diverted to meet state needs. The mayors who have signed the letter, from both political parties and from urban, suburban, and rural municipalities, are calling on the State Legislature to build upon its commitment last year and again amend the proposed budget to include funding for energy tax receipts to municipalities. I'm happy that Senator Jon Bramnick is in support of restoration. It is our view that local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services.

## **MINDOWASKIN PLAYGROUND IMPROVEMENTS**

Today, our contractor began surface repairs at Mindowaskin Playground, which means the area is closed to the public through June 15 as the work is completed. As a reminder, this is a specialized surface and certain areas have been repaired twice with patch treatments. Due to heavy use of the playground, these areas now require an additional repair, and the Recreation Department has contracted with a new company for a different, larger scale treatment that will now be put in place to improve safety for our playground visitors. Thank you to the residents who reported the issue on Westfield Connect, which is always the most efficient way to let the Town know of any areas in need of attention.

In addition, the fence that was approved at our last Town Council meeting to enclose the playground is scheduled for installation beginning on June 21. This work is expected to take several days, during which time the playground will remain open.

## **RECENT CRIMINAL ACTIVITY**

As many of you are aware, we have seen a recent uptick in criminal activity – specifically in burglarized and stolen cars, and now burglaries of several homes and businesses. While these acts are not unique to Westfield and are actually indicative of a statewide problem, they are extremely unsettling. Without question, everyone deserves to feel safe in their homes.

Yesterday, Chief Battiloro, Jim Gildea, and I met with residents who live near the home on Minisink Way that experienced a forced entry on early Friday morning, and we had a productive conversation about what each of us can do on the home safety and legislative fronts to improve the situation over the short and long term. And while there are no quick fixes to a problem much bigger than our municipal borders, I remain committed to working with a coalition of bipartisan mayors throughout the state to advocate for amendments to existing bail reform that empowers our police and prosecutors to criminally charge and hold repeat offenders.

Tonight, I've asked Chief Battiloro to address the public with the details of these recent events and, more importantly, what the professional men and women of the Westfield Police Department are doing to combat the issue.

With that, let's get to work.

## **Westfield Police Chief Battiloro's Comments**

I'd like to take the opportunity tonight to provide the community with some information about recent criminal activity that has occurred in Westfield and to address some of your concerns.

- On Friday, June 2nd, at approximately 4:27 AM, the Westfield Police Department was alerted to a burglary in progress at Adlers, a jewelry store located on the 200 block of W. North Avenue. A passerby reported that while traveling east on the 200 block of W. North Avenue, she encountered two dark sport utility vehicles blocking the roadway and her route of travel. After sounding her horn, she then observed multiple suspects exit the store and flee in the waiting vehicles at a very high rate of speed. Responding officers subsequently determined that entry into the premises was forcibly gained via the front door and the entire interior of the store had been ransacked. It is believed this burglary was one of five such jewelry store burglaries committed in central and northern New Jersey on the same night by the same criminal crew.

- On Friday, June 9th, at approximately 2:50 AM, the Westfield Police Department was alerted to a burglary in progress at a residence located on the 1100 block of Minisink Way. The resident reported that he was awakened by the activation of the burglar alarm and observed two (2) persons on a surveillance camera in his kitchen. They were searching through cabinets. He yelled at them, at which time they exited through a window and fled in a vehicle waiting out front. Responding officers subsequently determined that entry into the residence was forcibly gained via a locked window that was pried open. It is believed that the suspects were looking for key fob(s) to steal one or more of the resident's high-end vehicles.

- On Sunday, June 11th, at approximately 3:45 AM, the Westfield Police Department was alerted to an attempted burglary on the 600 block of Ardsleigh Drive. The resident stated he and his family were awakened by the activation of the burglar alarm and subsequently observed a basement window wide open. Although he did not see anyone, it is believed suspect(s) entered the residence, likely to look for key fob(s) to steal one or more of the resident's high-end vehicles parked in the driveway.

The vehicles involved in the Adlers burglary have been recovered. Both were identified as stolen. Approximately \$100,000 in proceeds from the jewelry store burglaries and thefts were recovered in one them. The other was apparently set on fire – there was nothing left of it but a burned-out shell. The vehicle involved in the Minisink Way burglary has also been recovered and it was identified as stolen as well.

Last weekend, officers located two (2) stolen vehicles in residential Westfield neighborhoods – one during the mid-morning hours on Saturday, June 3rd, and the other during the early morning hours on Sunday, June 4th. Officers attempted to stop both, but their drivers refused to do so and high-speed pursuits ensued. Both pursuits were eventually terminated by the officers involved because of the great danger presented by them.

The occupants of these stolen vehicles were here in Westfield for one sole reason – to commit crimes. One was involved in an early morning burglary to a residence on Dickson Drive where suspect(s) sought to steal a vehicle in the garage. An officer located it as it was seemingly blocking the road – protecting those who were burglarizing the residence from police approach. It was subsequently chased out of town. The other was chased out of town as well – before its occupants could find a vehicle to steal.

There was another high-speed pursuit on a recent Friday evening on Central Avenue in which the stolen vehicle was involved in a crash and lost a tire, but even after losing a tire, it was still being driven at speeds of 70+ MPH – a pursuit deemed to be far too dangerous to continue and it was allowed to flee.

This criminal activity is occurring all over the immediate area. On Sunday morning, June 11th, vehicles were stolen during the early morning hours from locations in Garwood and Scotch Plains. Additionally, during the morning hours of June 12th, jewelry stores were burglarized in Scotch Plains and Union.

While I cannot and will not comment further on any recent burglaries, so as not to compromise on-going investigations, I want you to know that officers are working hard to combat this crime and the Westfield Police Department is certainly well-equipped, well-trained, and well-prepared to do so. Its operating budget, as well as its sworn officer strength, is higher now than at any point in its history – and that includes more officers assigned to patrol duties than ever before. Any intimation that the Westfield Police Department is not properly funded, understaffed and/or that it is not deploying its officers properly is patently false.

Know that your police have increased patrols and are conducting targeted enforcement activities. But also know that we live in a free society, and your police will not engage in any enforcement activities that violate one's constitutional rights – like restricting one's right to freely travel on any of our streets and roads.

The Westfield Police Department is a professional law enforcement organization, and no officer shall ever be permitted to target any person based on his or her race, ethnicity, nationality, religion, disability, gender, gender identity, sexual orientation, or any other protected characteristic.

We are focusing our efforts in the following ways:

- The Westfield Police Department continues to supplement normal patrols with additional officers, detectives, and supervisors hired on overtime to focus on specific criminal activity, like vehicle theft – as well as quality of life issues in our downtown area at night. These officers work in both uniform and plainclothes, in marked and unmarked vehicles, and on foot patrol.
- To help combat the on-going vehicle theft problem, the Westfield Police Department has installed 15 Flock Safety license plate recognition, or “LPR,” cameras at various entrance and exit points to Westfield.

These LPR cameras are motion-activated. They take still photographs that focus solely on the backs of vehicles as they drive by, with particular attention directed towards license plates. The LPR cameras provides real-time alerts if a stolen vehicle passes by. They also provide alerts for vehicles displaying stolen license plates, those vehicles associated with known wanted persons, and more.

The LPR cameras are always actively monitored via computer by personnel assigned to the 9-1-1 Police-Fire-EMS Communications Center and patrol units are immediately notified of real-time “Hot List” alerts. In the case of the Minisink Way incident, although the perpetrators arrived in what was later confirmed to be a stolen vehicle, it had not yet been reported as stolen when its license plate was captured by an LPR camera.

There is no doubt that these LPR cameras have provided us with necessary alerts to thwart numerous other vehicle thefts and attempted vehicle thefts.

In 2022, there were fifteen (15) stolen vehicles – a 46% reduction from the previous year, when there were twenty-eight (28) stolen vehicles. This substantial reduction in vehicle theft is attributed in large part to the LPR cameras.

However, in 2022, there were also thirteen (13) vehicle pursuits – an 85% increase from the previous year, when there were seven (7) vehicle pursuits. This substantial increase is also attributed in large part to the LPR cameras. Eleven (11) of those vehicle pursuits were initiated for stolen vehicles and six (6) of them were the direct result of receipt of real-time “Hot List” alerts.

- A Westfield Police Department officer remains assigned full-time to the New Jersey State Police Auto Theft Task Force, thus allowing us to maintain an overarching emphasis on subsequent investigations rather than initial vehicle pursuits – which can often present substantial safety issues – to identify and apprehend fleeing criminals.

As I’ve communicated many times, the best thing you can do to help prevent crime is to ensure your vehicles and homes are always secured, this to make our neighborhoods less desirable targets. Unfortunately, crime can and does still occur, even when our residents do everything we ask of them – we’ve seen that over many decades here in Westfield.

The unfortunate reality is that today’s criminals have become far more brazen and fearless – and arrests seemingly mean nothing to them. Most identified suspects are part of vehicle theft crews with extensive and often violent criminal histories. Their recidivist behavior has been well-documented. They are targeting affluent suburban neighborhoods in towns like Westfield throughout the state and simultaneously committing burglaries.

Let’s all look out for each other. You know your neighborhoods better than anyone. If something doesn’t look or seem right – a light sensor, a barking dog during the overnight hours, whatever it might be – don’t hesitate to call 9-1-1.

Most importantly, it’s time to start urging those elected officials who make the laws – your state legislators – to pass common sense laws, ones that force our criminal justice system to hold those persons police arrest accountable for their crimes. Without accountability and consequence, there will never be a deterrent. And until there is a deterrent, we are not likely to see change.

There needs to be a much greater solution to our crime problems than the police just trying to push it out and make it someone else’s problem to deal with. When we begin to question our safety in a town like Westfield, then we have a right to be angry and scared – and to demand action. So please do so. But demand that action from those who can effectuate change.

Until that necessary change occurs, the Westfield Police Department stands as ready as ever. We will continue to work as hard as ever to ensure your safety and the security of your property. We have some of the finest men and women in all of law enforcement here, ones who time and time again have risen to the challenge – and proven themselves to be worthy of your trust and confidence.

Mayor Brindle noted that we all have seen firsthand the work of the Police Department. They are professionally accredited in both the office patrol duty as well as dispatch, one of the few in the state. As Chief Battiloro mentioned they have the resources they need and it’s a statewide problem. I’m in a consortium with many suburban mayors who are all working with our state legislatures to see how this can be addressed. There’ll be more on that and see what we can do. Mayor Brindle echoes Chief Battiloro’s comments. We need to look out for each other. In speaking with residents, some have told me that they are reluctant to call the police because they don’t want to bother them. We encourage the residents to please reach out to the police immediately. Mayor Brindle thanked Chief Battiloro for the statement and for all the work that he has done on our behalf’s.

**ADVERTISED HEARINGS**

**GENERAL ORDINANCE NO. 2023-23**

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

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

**GENERAL ORDINANCE NO. 2023-24**

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

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

**PENDING BUSINESS**

An ordinance entitled, “GENERAL ORDINANCE NO. 2023-23 – “AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13.” by Councilwoman Root seconded by Councilman Contract was taken up, read and passed by the following vote of all present upon roll call as follows:

<input type="checkbox"/> <b>Vote Record – General Ordinance No. 2023-23</b>					
		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	Habgood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Parmelee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Adopted	LoGrippo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Adopted as Amended	Katz	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Defeated	Mackey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Tabled	Contract	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Withdrawn	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"/>

An ordinance entitled, “GENERAL ORDINANCE NO. 2023-24 – “AN ORDINANCE TO AMENDING CHAPTER 18 “POLICE” OF THE CODE OF THE TOWN OF WESTFIELD TO INCLUDE THE POSITION OF POLICE CHAPLAIN.” by Councilman Parmelee seconded by

Councilman Dardia was taken up, read and passed by the following vote of all present upon roll call as follows:

<input type="checkbox"/> Vote Record – General Ordinance No. 2023-24					
		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled <input type="checkbox"/> Withdrawn	Habgood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Parmelee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	LoGrippe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Contract and seconded by Councilman Dardia, Council unanimously approved the Minutes of the Town Council Conference Session and Regular Meeting held May 23, 2023.

**PETITIONS AND COMMUNICATIONS**

The Town Clerk received a petition dated June 12, 2023 regarding Special Ordinance No. 2023-03.

Mayor Brindle thanked the petitioners for their efforts and engagement.

The Town Attorney provided an overview of the petition process that is required under state law. The petition that was received seeks a referendum to be placed on the ballot regarding Special Ordinance No. 2023-03, which was adopted by the Mayor & Council on May 23, 2023 related to the design and construction of the Edison School multipurpose fields project. Bond ordinances take effect twenty days after publication (May 25, 2023). The Town did receive a protest petition on June 12, 2023. The Town Clerk’s Office by state law has to verify whether sufficient number of valid signatures were submitted with the petition. This it to certify that the petition qualifies for placement on the ballot. The Town Clerk has ten days or until June 22, 2023 to verify and certify those signatures. If it is determined that there is a sufficient number of valid signatures submitted the next step is that the Mayor & Council would direct the Town Clerk to schedule the referendum question either in a special election held for that purpose or at the general election which is November 7, 2023.

**OPEN DISCUSSION BY CITIZENS**

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Jean Lehmborg, 528 Grove Street, had questions related to the material that is being used to replace sections of the playground at Mindowaskin Park. She urges the Mayor and Council to look for something more sustainable. The materials that are being used at Mindowaskin Playground and Kehler Field begin as pre-production plastic pellets. They are derived from fossil fuels which are coal, oil, and gas. Most often, these come from natural gas and is due to an abundance of fracking. She recognizes that the surface at Mindowaskin Park is there as part of it being an accessible playground but there are materials available that are both accessible and good for the environment. Mrs. Lehmborg stated Westfield prides itself on being a green community.

Steven Goodman, 322 Orenda Circle, believes there has not nor has there been enough discussion regarding important projects around Westfield. Projects such as turf fields, One Westfield Place and other projects that are progressing through. Mr. Goodman feels like the taxpayers should have more input and be involved in the decision process before the decisions are made by having additional public meetings between the Town Council Members, Mayor and

the residents. Mr. Goodman feels the residents along with the Mayor and Council should plan important and costly projects together, especially when tax payer dollars are being spent. Mr. Goodman commented on HBC | Streetworks liquor license. He stated the application was filed in early 2020 before the consummation of the One Westfield Place project. He feels it is disingenuous to allow a license to be received by a company whose redevelopment plan was still under scrutiny. Mr. Goodman provided his opinion that the Town should have sold that particular license to another well-deserved business in the downtown area.

Greg Lehmborg, 528 Grove Street, received an email from the Town of Westfield on May 24<sup>th</sup> announcing the passing Special Ordinance No. 2023-03 to issue a \$11.8-million-dollar bond to support the Edison Field Project. He commented on the newsletter that touched on the topic of stormwater management which states the project will “significantly improve stormwater runoff for this neighborhood that sees flooding from the Robinson’s Branch of the Raritan River. Improvements that would not be possible by maintaining the existing grass fields”. Mr. Lehmborg voiced that statement is blatantly false. He discussed findings from the US Department of Agriculture pertaining to an increase of organic matter and the retention of water. He also questioned a statement from the prior meeting that drainage systems and retention basins work the same whether they are beneath a natural grass field or an artificial turf field. He asked why claim that improvement in stormwater management would not be possible by maintaining existing grass fields when that is not the case. Mr. Lehmborg also discussed the financial details mentioned in the newsletter stating the PILOT revenues anticipated from the Westfield Crossing project, “is expected to yield twenty million over the 30-year agreement.” which will fund most of the projected cost thereby mitigating the burdens to taxpayers. Mr. Lehmborg stated the projected revenue from Westfield Crossings is only projected. The first 15 years are projected to deliver less than \$8 million dollars according to General Ordinance No. 2216. Beyond the initial installation cost of \$11.8 million, the interest on the bonds and at least one replacement, the project would likely cost \$18 million in the first 15 years. With these comments, he does not feel the Westfield Crossing PILOT will fund most of the cost of the project and approximately \$10 million will fall to taxpayers. He further stated the PILOT funds are not hardwired to the Edison Field Project and could be used for any improvements in Westfield. For nearly two years, Mr. Lehmborg and other residents have been told to trust the process and he feels what they have received in return has been a dysfunctional advisory council that met three times in fifteen months instead monthly as advertised, a capacity study that used biased assumptions and did not include a sensitivity analysis, a parking study with off based assumptions and now the process ends with a newsletter that might sound good until residents pull back the curtain and see what’s inside. Mr. Lehmborg fundamentally disagrees about how to improve the athletic facilities in town and feels that could not be clearer after the last two years.

Tony LaPorta, 409 N. Chestnut Street, would like to take this opportunity to congratulate the group of people that went around, knocking on doors, getting signatures for the petition. He feels there is a groundswell against the actions that this Mayor and Council are taking in town. He asked when the last time was the Council in unison voted against something the Mayor wanted. Mr. LaPorta stated the Council rubber stamps what the Mayor wants. He is impressed with the petitioners and the number of signatures that were collected in a short amount of time. Mr. LaPorta also wanted to congratulate Westfield Advocates For Responsible Development for a very successful fundraiser to fund a lawsuit against the town. He addressed Councilman Contract and questioned his vote regarding the Edison School Fields and called his actions shameful after voting against the project for many months to change his mind. Mr. LaPorta stated the residents of Westfield are aware of what is going on and want change.

Greg Kasko, 434 Everson Place, commented on Mr. LaPorta’s comments regarding Councilman Contract and his explanation of why he was voting yes to the Edison School Field project. Mr. Kasko also gives Councilman Contract credit because he has a seat at the table to represent the concerns of Ward 3 residents like him that maybe for or against it. Mr. Kasko explained how previous administration prior to 2017 did not get explanations from Councilmembers. Mr. Kasko stated that former Councilman LaPorta is very well informed about how council meetings take place. He also commented that he felt that there were no discussions in previous administrations and commended the Mayor and Council for the transparency that occurs at Town Council meetings. Whether people agree with the fields or disagree, whether people agree with One Westfield Place or disagree, people have received more information from this Town Council via website, meetings, one-on-one interactions through conversations or email. He knows and he

has. Mr. Kasko also wanted to comment on Chief Battiloro's very detailed comments that were made to explain the situation the Police Department have been dealing with. Recently, Mr. Kasko stated that on social media, a Ward 1 council candidate tried to drive a wedge between this Town Council and the Police Department. This bothered Mr. Kasko as he knows the Police Department is well funded. The Police Department is not hurting for resources. Mr. Kasko grew up in Westfield and explained crimes have always happened but as time goes on the crimes change. He explained that on a recent news brief a State Police Sergeant said there was a decrease of car thefts recently since residents are now locking their doors and not leaving the key fobs in cars, people are listening. The Council candidate suggests the Town place a car 24/7 on Lawrence Avenue by Route 22, Mr. Kasko explained why this is not possible and if so the criminals would just avoid that area. The Westfield Police Department does not have the manpower to man every artery into town. The Westfield Police Department does have assets and a competent Police Chief with a competent Police Department that knows what to do and he's not going to advertise, what exactly his assets are and what they're doing. Mr. Kasko commended the Police Chief for his actions and dedication to his role. He thanked everyone for their time and efforts.

Michael Domogala, 961 Boulevard, is a candidate for Ward 3 Council. He congratulated the Track and Field Team for their accomplishments. He's running for Councilman in Ward 3. He also congratulated all the Eagle Scouts who recently completed projects including a flag drop box located at the Westfield Fire Department Headquarters. He received a question from one of the Ward 3 constituents while campaigning. The question was whether the Mayor or Council has considered any potential compromises on the One Westfield Place project. He asked regardless of any of litigation that's going on, was there any thought to potentially downsizing anything on South Avenue? He thanked the Council.

Liz Mulholland, 1029 Harding Street, thanked the Council for all they do and wanted to congratulate the Track and Field team for their accomplishments as Westfield is very highly ranked in sports accolades year after year. Mrs. Mulholland is proud that this Mayor & Council is so supportive of the sports teams and is being proactive in providing adequate spaces for them to use. Mrs. Mulholland mentioned a Facebook post from a Ward 1 candidate that most of the officers are inside the station and not on patrol. She asked is the Police Chief would provide some clarity on this statement as her understanding is majority of the officers that are employed are on patrol. She further asked for clarification on funding that goes to the Police Department as she has seen and heard comments that they are not well funded and in a time like this she believes facts are and details need to be brought out. Mrs. Mulholland would like the public to be aware of how much the Westfield Police Department and Police Chief does and how the residents can trust his judgement.

Hearing no further comments, Mayor Brindle closed this portion of the meeting.

Mayor Brindle addressed comments made by Mrs. Lehmborg regarding Mindowaskin Playground which are duly noted.

Mayor Brindle addressed Mr. Goodman's comments regarding liquor licenses and advised him the Town is not involved in the sale of liquor licenses as they are a private sale between business entities. Hudson Bay had procured a liquor license for the potential of the Lord & Taylor property irrespective of One Westfield Place. Mayor Brindle further stated, to insinuate that the Town could insert itself to in the private marketplace shows a lack of information and understanding about how liquor licenses work. Mayor Brindle is Chair of the State's Liquor License Reform Task Force and is advocating for change in archaic laws but the Town is not in a position to disrupt private transaction between owners which is what happened in this case.

Mayor Brindle agreed with Mr. Lehmborg that they fundamentally disagree on how the solutions for fields should be addressed in Town. Although Mr. Lehmborg comes to every meeting to speak about stormwater management and municipal finance implying the Town does not have the facts, Mayor Brindle stated she listens to the experts that do have the facts, including the Department of Environmental Protection and the Army Corp of Engineers who agree that the Edison School Field project would improve the stormwater management in the area. Mayor Brindle also defers to municipal finance experts including the Town Administrator, Chief Financial Officer, Chairwoman of the Finance Policy Committee Councilwoman Habgood and others that advise the Town. Mayor Brindle reiterated that she stands by the facts.

Mayor Brindle thanked Mr. Kasko for his comments and appreciates his gratitude towards what this Council has done.

Mayor Brindle addressed Mr. Domogala's comments regarding compromises on One Westfield Place. She noted she was driven initially by a lot of public input and there were compromises that were made in particular on the South side by removing the floor from the office buildings, and changing the apartments on North & Central Avenue to a limited number of townhomes. Many other changes were made that were compromises from a direct result of feedback.

Mayor Brindle wanted to reiterate that Westfield remains one of the safest communities in the State and a large part of that is due to the efforts of the Westfield Police Department and Police Chief. The Mayor wanted residents to understand the impact of the license plate readers that Chief Battiloro has referenced. It epitomizes how policing should be done by using data and technology to drive efficiencies. Officers are able to receive pictures of stolen vehicles in real time with locations to impede a crime before it happens. Mayor Brindle deferred Mrs. Mulholland's questions to the Police Chief.

Chief Battiloro stated the Police Department has an appropriate number of police officers and asks from time to time to over hire in anticipation of retirements. The Department has 63 officers currently which is over the 62 allotted amount due to retirements later in the year. There has been no issues in securing the necessary manpower for the department. Patrol is the backbone of any Police Department, Chief explained. Currently there are more officers on patrol than the department has had in his entire career. 70% of the departments authorized strength are assigned to patrol functions. There are also inside functions including Detectives and administrative staff. The bulk of the workforce are patrol officers and patrol supervisors. When an incident arises everyone of authorized personnel including the Chief and Captains are out the door and on scene. Chief Battiloro stated any assumption that the department has too many personnel assigned to inside jobs is patently false as patrol is the backbone of every department. The Westfield Police Department is supplementing those resources by hiring Detectives, patrol officers and patrol supervisors on overtime to enhance to put out more enhanced patrols to direct those efforts to specific crime issues.

### **BILLS AND CLAIMS**

On motion by Councilman Parmelee, seconded by Councilwoman Mackey, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$2,915,033.58 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 Councilman Parmelee, seconded by Councilman Katz, were unanimously adopted.

#### **Resolution No. 127**

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

<b><u>Name</u></b>	<b><u>Account</u></b>	<b><u>Class</u></b>	<b><u>Fee</u></b>
Nathan Madden	Playground T-05 600-068	Playground Camp 2023 Jefferson School / Mia Madden	\$389.50 Check
Jessica Lasota	Pool Membership 03-55-920-202	Memorial Pool 2023 Membership Resident Family of 4 or Less	\$460.75
Check			

Dan Balassone	Pool Membership 03-55-920-202	Memorial Pool 2023 Membership Resident Family of 4 or Less	\$460.75
Check			
Patrick Martin	Playground T-05-600-068	Playground Camp 2023 Zachary Martin/Jefferson School	\$389.50 Check
Laurie Zimmerman	Playground T- 05 – 600 -068	Playground Camp 2023 Sadie Zimmerman/Tamaques School	\$389.50 Check

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>
Kami Carulli	Program Change	Volleyball Camp / Session 3 Keira Carulli/6-8 Grade Group	\$116.00 Credit Card
Tomasz Kotowicz	Withdrew	Youth Pickleball Camp/Session 1 Jakub & Dominik Kotowicz	\$147.25 \$147.25 Credit Card
Van Huynh	Withdrew	Mad Science Camp #2/Eureka Curtis Huynh	\$242.25 Credit Card
Kasper Burgerhout	Withdrew	Swim Lessons/Memorial Pool Jack Burgerhout/Fearful Beg/Sat 8:45 am	\$82.00 Credit Card
Andrew Bush	Program Change	Volleyball Camp / Session 3 Alexis Bush/6-8 Grade Group	\$116.00 Credit Card
Katie Cuccaro	Withdrew	Memorial Pool 2023 Membership Resident Family or 4 or Less	\$460.75 Credit Card
Christopher Hollins	Class Canceled	Brightwood Nature Class 6/8 Elijah	\$10.00 Credit Card
Abigail Preece	Class Canceled	Brightwood Nature Class 6/8 Owen & Wyatt Preece	\$10.00 \$10.00 Credit Card
Kristy Trapani	Class Canceled	Brightwood Nature Class 6/8 Ethan Trapani	\$10.00 Credit Card
David Veca	Class Canceled	Brightwood Nature Class 6/8 Brooks & Finn Veca	\$10.00 \$10.00 Credit Card
Lauren Lewin	Class Canceled	Brightwood Nature Class 6/8 Tristan Lewin	\$10.00 Credit Card
David Naczycz	Class Canceled	Brightwood Nature Class 6/8 Reese Naczycz	\$10.00 Credit Card
Adric Quackenbush	Class Canceled	Brightwood Nature Class 6/8 Abby & Dylan Quackenbush	\$10.00 \$10.00 Credit Card
Chia Tsung Hsiao	Withdrew	Advanced Beginner Session 2 Swimmer Session 1 Swimmer Session 3 All Ian Hsiao	\$82.00 \$71.00 \$82.00 Credit Card

Matthew Kubicina	Did Not Pass	Swim Team 2023 Aria Kubicina	\$120.00 Credit Card
Carrie Moore	Withdrew	Volleyball Camp/Session 3 Mairin Moore	\$110.20 Credit Card
Michael LoCurto	Did Not Pass	Swim Team 2023 Julia LoCurto	\$120.00 Credit Card
Maura Geller	Did Not Pass	Swim Team 2023 Ilivia Geller	\$120.00 Credit Card
Andrew Wells	Did Not Pass	Swim Team 2023 Beckett Wells	\$120.00 Credit Card
Steve Harrington	Withdrew	Fearful Beginner/Session 2 Fearful Beginner/Session 2 Jack & Charlotte Harrington	\$82.00 \$82.00 Credit Card
Steven Surgent	Did Not Pass	Swim Team 2023 Michaela Surgent	\$120.00 Credit Card
Thomas Sevchuk	Withdrew	Advanced Little Dippers/Session 3 Fearful Beginner / Session 2 Alice & William Sevchuk	\$82.00 \$82.00 Credit Card
Henry Palestrini	Withdrew	Swim Team 2023 Taylor Palestrini	\$114.00 Credit Card
Domenick Mirkovic	Withdrew	Swim Team 2023 Domenick Mirkovic (child)	\$114.00 Credit Card
Shirley Toy	Withdrew Withdrew Withdrew Withdrew	Swim Team 2023 Swimmer Session #1 Swimmer Session #2 Swimmer Session #3 Jonathan Xia	\$114.00 \$71.00 \$82.00 \$82.00 Credit Card
Kelly Zheng	Withdrew	Volleyball Camp/Session #2 Kelly Zheng (child)	\$166.25 Credit Card
Richard Pranke	Withdrew	Volleyball Camp/Session #2 Volleyball Camp/Session #3 John Pranke	\$166.25 \$110.20 Credit Card
Xin Huang	Withdrew	Playground Camp 2023 Alice Goncharoff/Wilson School	\$389.50 Credit Card
Alexander Motamed	Withdrew	Playground Camp 2023 Hudson & Zachary Motamed McKinley School	\$441.75 \$441.75 Credit Card

**Resolution No. 128**

WHEREAS, the following applicants have placed the required cash bond of \$1,500.00 to cover the following Road Opening Permits, and

Date	Permit No.	Applicant	Address of Opening
06/01/22	22-252	Paul Sakson Environmental PO Box 154 Leonardo, New Jersey 07737	428 Palsted Avenue

06/01/22	22-255	D. Villane Construction 2376 South Avenue Scotch Plains, New Jersey 07203	125 Effingham Place
06/01/22	22-256	Adele Reeves 900 Woodmere Drive Westfield, New Jersey 07090	900 Woodmere Drive

WHEREAS, the required one-year hold on the funds has been met and the applicants are therefore entitled to have the bonds returned to them, and

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

NOW THEREFORE BE IT RESOLVED that the Treasurer is authorized to draw a warrant in the name of the applicants noted above for \$1,500.00, forward to the applicants address as listed.

**Resolution No. 129**

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

Makena Green 13555 Cobra Dr. Herndon, VA 20170	Lot 4/Nite Owl	#23480006	\$80.00
Luke Funk 111 Bentley Drive Mt. Laurel, NJ 08054	South Side RR Stn/Lot3	#23030418	\$406.00
Kenneth Hayes 282 Greenbrook Road Plainfield, NJ 07060	Lot 8	#23080301	\$50.00

**Resolution No. 130**

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

WHEREAS, expert advice and testimony was given; and,

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

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

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-02	Daybase, Inc.	231 East Broad Street		
<b>Return to:</b>	<b>Daybase, Inc. c/o Nic Rader</b>	<b>335 Madison Ave, NYC 10017</b>	<b>3-05-560-936</b>	<b>\$1,297.06</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-06	Kai Chung Ho			
<b>Return to:</b>	<b>Kai Chung Ho</b>	<b>732 Tamaques Way</b>	<b>3-05-560-940</b>	<b>\$500.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-07	Anirban Chakravarty			

<b>Return to:</b>	<b>Anirban Chakravarty</b>	<b>8 Doris Parkway</b>	<b>3-05-560-941</b>	<b>\$250.00</b>
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<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-09	Jon Sun Lu			
<b>Return to:</b>	<b>Jon Sun Lu</b>	<b>657 Fairmont Ave</b>	<b>3-05-560-943</b>	<b>\$152.20</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-11	Anthony Como			
<b>Return to:</b>	<b>Anthony Como</b>	<b>851 Carleton Road</b>	<b>3-05-560-945</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-12	Kevin MCKeown			
<b>Return to:</b>	<b>Kevin McKeown</b>	<b>1907 Grandview Avenue</b>	<b>3-05-560-946</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-13	Mark Cassidy			
<b>Return to:</b>	<b>Mark Cassidy</b>	<b>110 Hamilton Avenue</b>	<b>3-05-560-947</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-14	Steven Seperson			
<b>Return to:</b>	<b>Steven Seperson</b>	<b>706 Embree Crescent</b>	<b>3-05-560-948</b>	<b>\$734.80</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-15	Christine & Jay Rossin			
<b>Return to:</b>	<b>Christine Rossin</b>	<b>26 Cornwall Drive</b>	<b>3-05-560-949</b>	<b>\$665.39</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-17	Rebecca & Jason Karen			
<b>Return to:</b>	<b>Jason Karen</b>	<b>1605 Boulevard</b>	<b>3-05-560-951</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-18	Amit & Dipti Patel			
<b>Return to:</b>	<b>Amit Patel</b>	<b>521 Kimball Avenue</b>	<b>3-05-560-952</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-19	Joseph & Lauren Benanti			
<b>Return to:</b>	<b>Joseph Benanti</b>	<b>519 Alden Avenue</b>	<b>3-05-560-953</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-20	Joseph & Elyse Gregov			
<b>Return to:</b>	<b>Joseph Gregov</b>	<b>118 Virginia Street</b>	<b>3-05-560-954</b>	<b>\$723.08</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-21	Maite Quinn-Richards			
<b>Return to:</b>	<b>Maite Quinn-Richards</b>	<b>711 Austin Street</b>	<b>3-05-560-955</b>	<b>\$684.62</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-22	John Launchi			
<b>Return to:</b>	<b>John Launchi</b>	<b>640 Maple Street</b>	<b>3-05-560-956</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-23	Edward McGovern			
<b>Return to:</b>	<b>Edward McGovern</b>	<b>326 Benson Place</b>	<b>3-05-560-957</b>	<b>\$703.85</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-24	Jessica & Leonid Dubrovsky			
<b>Return to:</b>	<b>Jessica Dubrovsky</b>	<b>416 Elm Street</b>	<b>3-05-560-958</b>	<b>\$684.62</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-26	Brian Turetsky			
<b>Return to:</b>	<b>Brian Turetsky</b>	<b>545 Alden Avenue</b>	<b>3-05-560-960</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-27	Lea & Dan Gates			
<b>Return to:</b>	<b>Daniel Gates</b>	<b>403 Beechwood Place</b>	<b>3-05-560-961</b>	<b>\$684.62</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>

ZBA 22-28	Anthony Fernandez			
<b>Return to:</b>	<b>Anthony Fernandez</b>	<b>621 Vermont Street</b>	<b>3-05-560-962</b>	<b>\$800.00</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-29	Alicia Harrington			
<b>Return to:</b>	<b>Alicia Harrington</b>	<b>15 Fairhill Road</b>	<b>3-05-560-963</b>	<b>\$626.93</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 22-30	Matthew Ritter			
<b>Return to:</b>	<b>Matthew Ritter</b>	<b>942 Boulevard</b>	<b>3-05-560-964</b>	<b>\$742.31</b>

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
ZBA 21-64	Louis Vozza		<b>3-05-560-914</b>	\$250.00
BOA 22-05	Louis Vozza		<b>3-05-560-939</b>	\$500.00
<b>Return to:</b>	<b>Louis Vozza</b>	<b>507 Birch Avenue</b>		<b>\$750.00</b>

**Resolution No. 131**

RESOLVED that warrants noted below be drawn to the order of Westfield Board of Education for Local School Taxes as provided in the 2023-24 budget, in accordance with R.S. 54:4-75:

July 6, 2023	\$7,902,731.00
August 3, 2023	8,387,261.00
September 7, 2023	9,802,728.00
October 5, 2023	9,802,728.00
November 3, 2023	9,937,261.00
December 7, 2023	9,802,728.00
January 5, 2024	9,802,728.00
February 7, 2024	9,962,261.00
March 7, 2024	9,802,728.00
April 4, 2024	9,802,728.00
May 7, 2024	9,962,261.00
June 6, 2024	<u>9,802,728.00</u>
TOTAL	<u>\$114,770,871.00</u>

**Resolution No. 132**

WHEREAS, the County Board of Taxation is unable to certify the tax rate throughout the county in a timely fashion and the Municipal Tax Collector will be unable to mail the tax bills on a timely basis; and

WHEREAS, the Municipal Tax Collector, in consultation with the Municipal Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield in the County of Union and the State of New Jersey on this 13<sup>th</sup> day of June, 2023, as follows:

1. The Municipal Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Town of Westfield for the third installment of 2023 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2023 is hereby set at \$186,712,572.25.
3. In accordance with the law, the third installation of 2023 taxes shall not be subject to interest until the later of the end of the grace period, or the twenty-fifth calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

2023 CERTIFICATION

Municipal	\$31,026,757.45
School	114,770,871.00
Library	3,057,757.00
County	36,470,642.02
Open Space	<u>1,386,544.78</u>
Totals	\$186,712,572.25

Divided by the assessed value of \$8,466,022,235

= Tax rate of 2.205

CERTIFICATION

Calculation of the 2023 Estimated Tax Rate

Proposed      2023 Adopted Municipal Budget  
                   2023 Adopted School Budget  
                   2023 Adopted Library Budget  
                   2023 Proposed County Levy

2022 Tax Levy & Tax Rate			2023 Estimated Range for Levy	
	<u>2022 Levy</u>	<u>Tax rate</u>	<u>95%</u>	<u>105%</u>
Municipal	\$30,244,511.94	0.360	\$28,732,286.34	\$31,756,737.54
School	109,594,132.00	1.303	104,114,425.40	115,073,838.60
Library	2,838,118.00	0.033	2,696,212.10	2,980,023.90
County	37,769,659.53	0.449	35,881,176.55	39,658,142.51
Open Space	<u>1,292,708.50</u>	<u>0.015</u>	<u>1,228,073.08</u>	<u>1,357,343.93</u>
Totals	\$181,739,129.97	2.160	\$172,652,173.47	\$190,826,086.48

Amount to be Raised by Taxation

2023                      Tax Rate

Municipal	\$31,026,757.45	0.366 (Adopted budget does not exceed 105%)
School	114,770,871.00	1.356(Adopted budget does not exceed 105%)
Library	3,057,757.00	0.036(Adopted budget DOES exceed 105%)
County	36,470,642.02	0.431(Estimated budget does not exceed 105%)
Open Space	<u>1,386,544.78</u>	<u>0.016</u> (Estimated budget does not exceed 105%)
Totals	\$186,712,572.25	2.205

(The Amount to be Raised by Taxation divided by the 2023 Ratable Total of \$8,466,022,235 = Tax Rate of 2.205)

The following resolution, introduced by Councilman Parmelee seconded by Councilman Dardia was adopted by the following roll call vote:

**Resolution No. 133**

WHEREAS, the Westfield Town Council desires to amend the 2023 Capital Budget by inserting thereon the items shown in such budget for Various Improvements and Equipment and Edison School Fields;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, Union County, State of New Jersey that the 2023 Capital Budget is hereby amended as follows:

Section 1. The 2023 Capital Budget of the Town of Westfield is hereby amended by adding thereto a Schedule to read as follows:

Amendment No. 1  
Capital Budget of the Town of Westfield  
Capital Budget (Current Year Action)

1 Project Title	3 Estimated 2023 Project Costs	5b Capital Improvement Fund	5e 2023 Debt Authorized
Public Works Department Improvements	220,000	10,640	209,360
Road Resurfacing Projects	2,430,000	115,715	2,314,285
Intersection & Sidewalk Improvements	625,000	29,765	595,235
General Improvements	200,000	9,525	190,475
Public Safety Departments	210,000	10,020	199,980
Recreation and Parks	175,000	8,335	166,665
Public Improvements – Redevelopment Project	57,000,000		
Edison School Fields	11,800,000	565,000	11,235,000
Various Improvements and Equipment	540,066	540,066	
<b>Total Capital Budget – All Projects</b>	<b>73,200,066</b>	<b>1,289,066</b>	<b>14,911,000</b>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services.

Record of Vote – Resolution No. 133-2023				
	Aye	Nay	Abstain	Absent
Habgood				X
Parmelee	X			
LoGrippo				X
Katz	X			
Mackey	X			
Contract	X			
Dardia	X			
Root	X			
Mayor Brindle	X			

**Special Ordinance No. 2023-04**

Regarding the following ordinance, Councilman Parmelee made the following announcement:

I hereby move that an ordinance entitled, “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.”

The motion was seconded by Councilman Contract.

Record of Vote – Introduction Special Ord. 2023-04				
	Aye	Nay	Abstain	Absent
Habgood				X
Parmelee	X			
LoGrippo				X
Katz	X			
Mackey	X			
Contract	X			
Dardia	X			
Root	X			
Mayor Brindle	X			

Heretofore introduced, Special Ordinance No. 2023-04 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 27th day of June at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**Public Safety, Transportation and Parking Committee**

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

**Resolution No. 134**

WHEREAS, the Westfield Police and Fire Department’s officers and firefighters are first responders to over 2,000 emergency medical calls for service each year; and

WHEREAS, the Police Chief and Fire Chief have determined that an identifiable need exists to provide their respective Departments and first responders with medical oversight, direction and control; and

WHEREAS, the Police and Fire Chief have recommended the appointment of consultant Matthew Letizia, DO, FACOEP, who is uniquely qualified and experienced to serve in the position of Medical Director and to provide medical oversight direction and control services to the Westfield Police and Fire Departments for a period of twelve (12) months, to commence on or about July 1, 2023.

NOW, THEREFORE, BE IT RESOVED, that the Town Council of the Town of Westfield does hereby authorize the Police and Fire Chiefs to enter into a professional services agreement with consultant Matthew Letizia, DO, FACOEP to provide medical oversight, direction and control services to the Westfield Police and Fire Departments for a period of twelve (12) months, to commence on or about July 1, 2023, unless terminated by either party with thirty (30) days written notice, at a cost not expected to exceed \$18,000, with \$6,000 to be charged to account 3-01-125-254 and \$12,000 to be charged to account 3-01-130-215 under Purchase Order #23-02017.

BE IT FURTHER RESOLVED the Town Council of the Town of Westfield does hereby authorize the Police and Fire Chief’s to take whatever actions are necessary to enter into, execute and discharge this agreement.

**General Ordinance No. 2023-25**

Regarding the following ordinance, Councilwoman Root made the following announcement: I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2023-25 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13”.

The motion was seconded by Councilman Dardia.

General Ordinance No. 2023-25 was approved by the following vote of all present upon roll call as follows:

Record of Vote – Introduction General Ord. 2023-25				
	Aye	Nay	Abstain	Absent
Habgood				X
Parmelee	X			
LoGrippo				X
Katz	X			
Mackey	X			
Contract	X			
Dardia	X			
Root	X			
Mayor Brindle	X			

Heretofore introduced, General Ordinance No. 2023-25 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 27th day of June at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**Code Review & Town Property Committee**

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

**Resolution No. 135**

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

Amazing Amusements	McKinley School	Jessica Kopec
238 Boundary Road	June 15, 2023	500 First Street
Marlboro, NJ 07746	500 First Street	Westfield, NJ 07090
	Westfield, NJ 07090	

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.

**Resolution No. 136**

BE IT RESOLVED that the Town Council of the Town of Westfield hereby authorizes the Mayor to execute a lease agreement with the Arena Realty Partners for a temporary ice rink at Gumbert Park.

**Resolution No. 137**

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Town of Westfield and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Town of Westfield that the agreement entitled "COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES," dated June 2014, as amended July 9, 2019 for the Purpose of Inserting a Description of Activities for Fiscal Year 2023-2024 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

**Public Works Committee**

**COMMITTEE REPORTS**

**ADJOURNMENT**

A motion to adjourn, made by Councilwoman Mackey and seconded by Councilman Dardia at 9:10 P.M. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC

Town Clerk