



AGENDA
March 10, 2020
Council Conference Meeting
7:00 p.m.

APPOINTMENTS

PRESENTATIONS

BIDS

RESOLUTIONS

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fee
2. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
3. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for February 2020
4. Resolution authorizing the Chief Financial Officer to draw warrant for overpaid taxes in 2020
5. Resolution authorizing the Chief Financial Officer to draw warrants for 2019 pursuant to Tax Court of NJ
6. Resolution to approve temporary emergency appropriations
7. Resolution to approve budget transfer

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

1. Resolution to approve person-to-person transfer of liquor license
2. Resolution to approve Sidewalk Café Licenses

Public Works Committee

1. Resolution to award contract for various landscape material for the Department of Public Works
2. Resolution authorizing Change Order No. 1 for 2019 ADA Complaint Curb Ramps

ORDINANCES

GENERAL ORDINANCE NO. 2162

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING GROUND MOUNTED AIR CONDITIONING EQUIPMENT

GENERAL ORDINANCE NO. 2163

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING POWER GENERATORS

GENERAL ORDINANCE NO. 2164

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD PERTAINING TO PERMITTED YARD ENCROACHMENTS

GENERAL ORDINANCE NO. 2165

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REVISING THE SUBMISSION REQUIREMENT FOR PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPLICATIONS

GENERAL ORDINANCE NO. 2166

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD LISTING ALL ZONE DISTRICTS

GENERAL ORDINANCE NO. 2167

AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING NOTICE OF HEARINGS

GENERAL ORDINANCE NO. 2168

AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO ESTABLISH THE HUMAN RELATIONS ADVISORY COMMISSION FOR THE TOWN OF WESTFIELD

GENERAL BUSINESS

Update by Westfield Health Officer
Green Team Request
Public Arts Commission Request
Girl Scout Gold Award Request

COMMITTEE REPORTS

OPEN DISCUSSION BY CITIZENS (as needed)

EXECUTIVE SESSION

REMINDER

Next Conference Meeting – March 24, 2020
Next Council Meeting – March 24, 2020

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MARCH 10, 2020

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

John S. Castaldo 617 Fairmont Avenue Westfield, NJ 07090	South Side RR Stn/Lot 3	#20030326	\$580.00
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TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MARCH 10, 2020

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Joseph Cafiero 739 Fairacres Ave Westfield, NJ 07090	T-05 – 600-071 Tennis/Rec	Daddy Daughter Dance Refund – 2 Participants Joseph Cafiero (\$55) Emma Cafiero (\$55) Portrait Mailed Fee (\$3.00)	\$113.00
John Borys 99 Surrey Lane Westfield, NJ 07090	#195 Pool Refund	Pool Membership Refund / Overpaid 2019 Membership	\$100.00
Scott Holzman 941 Cleveland Ave Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Daddy Daughter Dance Refund – 2 Participants Scott Holzman (\$55) Maya Holzman (\$55) Portrait Mailed Fee (\$3.00)	\$113.00
Jessica Lasota 4 Breeze Knoll Drive Westfield, NJ 07090	T-05-600-071 Tennis/Rec	Daddy Daughter Dance Refund/ Paid Twice (2 participants x \$55)	\$110.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MARCH 10, 2020

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$273.60 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 February 2020.

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MARCH 10, 2020

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2020:

<u>Block/Lot/Qualifier</u>		<u>Quarter/Year</u>
<u>Name</u>	<u>Property Address</u>	<u>Amount</u>
2311/10	519 Lenox Avenue	1 st /2020
BARBIERE, Mario		\$4,598.32
Check payable and mailed to:		
Corelogic		
Attn: Refunds Dept.		
3001 Hackberry Road		
Irving, TX 75063		
4201/35	625 Westfield Avenue	1 st /2020
GORDON, Nicole & Mark		\$6,407.54
1546 Fort Palmetto Circle		
Mount Pleasant, SC 29466		

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MARCH 10, 2020

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2019 pursuant to the Tax Court of New Jersey:

Block/Lot

<u>Name</u>	<u>Address</u>	<u>Year</u>	<u>Amount</u>
4103/46	705 Carleton Road	2019	\$5,439.50

LACKETT, Christopher G & Amanda T

Check payable and mail to:

Jennifer R. Jacobus, Trustee for LACKETT, CHRISTOPHER G & AMANDA T
201 Littleton Road, 1st Floor
Morris Plains, NJ 07950

TOWN OF WESTFIELD
RESOLUTION
XX-2020

FINANCE POLICY COMMITTEE

MARCH 10, 2020

WHEREAS, a condition has arisen with respect to either funds being needed for salaries and wages and/or contracts, commitments or payments being due to various vendors prior to the adoption of the 2020 Budget, and no provision was made in the 2020 Temporary Budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of N.J.S.A. 40:4-20 (Chapter 96, P.L. 1951, as amended) including this resolution total \$6,233,904.00 for the Current Fund and \$46,000.00 for the Swimming Pool Utility Fund,

NOW, THEREFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20:

1. The emergency temporary appropriations listed below will be provided for in the 2020 Budget under the titles shown and for the amounts given as follows:

Current Fund

	Salaries & Wages	Other Expenses
Administrative & Executive	22,000.00	30,000.00
Town Clerk	17,000.00	1,000.00
TV 36		2,000.00
Collection of Taxes	17,000.00	2,000.00
Assessment of Taxes	9,000.00	2,000.00
Financial Administration	28,000.00	1,000.00
Legal Services & Costs		47,000.00
Municipal Court	32,000.00	1,000.00
Municipal Prosecutor		
Engineering Services	60,000.00	
Public Works		136,000.00
Public Buildings & Grounds		37,000.00
Fire Department	120,000.00	14,000.00
Fire Official	12,000.00	1,000.00
Fire Hydrant Service		44,000.00
Parking Administration	19,000.00	
Police Department	373,000.00	57,000.00
Crossing Guards		
Emergency Management		
Inspection of Buildings	63,000.00	2,000.00
Planning Board		3,000.00

Telephone		42,000.00
Electricity		9,000.00
Street Lighting		17,000.00
Water		2,000.00
Gasoline		20,000.00
Heating Gas		4,000.00
Board of Health	19,000.00	5,000.00
Board of Health (Contractual)	177,000.00	2,000.00
Recreation	17,000.00	1,000.00
Celebration of Public Events		1,000.00
Maintenance of Free Public Library	6,000.00	
Animal Control		6,000.00
Board of Adjustment		5,000.00
Group Insurance		947,000.00
Other Insurance		138,000.00
Social Security System (OASI)		60,000.00
Debt Service – DBIZ Loan		17,000.00
Defined Contribution Retirement Plan (DCRP)		
Public Employees Retirement System (PERS)		1,030,303.00
Police & Firemen’s Retirement System (PFRS)		2,556,601.00
Subtotal	991,000.00	5,242,904.00

In the total amount of \$6,233,904.00

Swimming Pool Utility Fund

	Salaries & Wages	Other Expenses
Swimming Pool Operations	26,000.00	10,000.00
Public Employees Retirement System (PERS)		6,000.00
Social Security (OASI)		4,000.00
Subtotal	26,000.00	20,000.00

In the total amount of \$46,000.00

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

FINANCE POLICY COMMITTEE

MARCH 10, 2020

RESOLVED that the Chief Financial Officer be and he is hereby authorized to make the following transfer(s) in the 2019 Budget (Appropriation Reserve) accounts:

<u>CURRENT FUND</u>	<u>OUT</u>	<u>IN</u>
FIRE		
9-01-125-219 (Other Expenses)	50	
9-01-125-222 (O/E)	2,100	
9-01-125-224 (O/E)	2,850	
 PUBLIC WORKS		
9-01-137-211 (O/E)		5,000
	<hr/> \$5,000	<hr/> \$5,000

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

MARCH 10, 2020

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License No. 2020-33-001-008 heretofore issued to **WESTFIELD HOSPITALTY, LLC** (t/a Westfield Fish & Brew Company, Westfield Fish & Brew),, a pocket license with a mailing address of 76-86 Elm Street Westfield, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority has reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield does hereby approve, effective March 10, 2020, a person-to-person transfer of the aforesaid Plenary Retail Consumption License to **HBC US PROPCO HOLDINGS, LLC** and

BE IT FURTHER RESOLVED that the Town Council of the Town of Westfield does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to HBC US PROPCO HOLDINGS, LLC with a mailing address of 225 Liberty Street 31st Floor New York New York 10281, effective March 10, 2020".

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

CODE REVIEW & TOWN PROPERTY COMMITTEE

MARCH 10, 2020

WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

Nos Vino	127 Central Avenue
Ralph's Famous Italian Ice	524 Central Avenue
Ono Bowls	107 Quimby Street
Cinnaholic	18 Elm Street
Tinga Taqueria	110 Central Avenue

TOWN OF WESTFIELD
WESTFIELD NEW JERSEY

RESOLUTION NO.

PUBLIC WORKS COMMITTEE

MARCH 10, 2020

WHEREAS, a need exists for the purchase of various landscape material for use by the Department of Public Works, as provided for in Public Works account 137-255, and

WHEREAS, sealed bids were received on Wednesday, February 5, 2020, and

WHEREAS, the low bid, submitted by Northern Nurseries of New Jersey, Inc., 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 to be charged to Public Works account 137-255, under Purchase Order #20-00763, in an amount not expected to exceed \$60,000.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract be awarded to Northern Nurseries of New Jersey, Inc., 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.

PUBLIC WORKS COMMITTEE

MARCH 10, 2020

WHEREAS, on June 18, 2019, the Westfield Town Council awarded a contract by Resolution 165-2019 to **D.L.S. Contracting, Inc.**, for the **2019 ADA Compliant Curb Ramps** project in Westfield, New Jersey as authorized by S.O. 2216A, and

WHEREAS, N.J.A.C. 5:30 provides for increases and decreases in the contract price for unanticipated adjustments through Change Order and Council Resolution, and

WHEREAS, site conditions encountered during construction necessitated additional work items and more material than had been anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to S.O. 2216A under Purchase Order #19-02342, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment in the amount of \$45,846.18 and to effect whatever actions are appropriate by said acceptance for the **2019 ADA Compliant Curb Ramps**, with a final contract price of \$160,922.38 a reduction of \$54,077.62 from the original award of contract.



**TOWN OF WESTFIELD
TOWN COUNCIL
REGULAR MEETING**

**Tuesday, March 10, 2020
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
Administration of Police Department Oaths of Office-Newly appointed officers and promotions
5. Presentations
Lifelong Westfield
Director-Department of Public Works
6. Advertised Hearings
 1. GENERAL ORDINANCE NO. 2160
AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REQUIRE NOTIFICATION TO THE DOWNTOWN WESTFIELD CORPORATION OF BUILDING PERMIT AND DEVELOPMENT APPLICATIONS
 2. GENERAL ORDINANCE NO. 2161
AN ORDINANCE AMENDING THE TOWN CODE TO ESTABLISH REGULATIONS CONCERNING VACANT AND/OR ABANDONED PROPERTIES
7. Approval of Minutes from Town Council Conference Session held February 25, 2020
Approval of Minutes from Town Council Regular Meeting held February 25, 2020

8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$2,969,031.74
11. Reports of Standing Committees

Finance Policy Committee

8. Resolution authorizing the Chief Financial Officer to draw warrant for unused parking permit fee
9. Resolution authorizing the Chief Financial Officer to refund Recreation Department Fees
10. Resolution authorizing the Chief Financial Officer to draw warrant for dog licenses for February 2020
11. Resolution authorizing the Chief Financial Officer to draw warrant for overpaid taxes in 2020
12. Resolution authorizing the Chief Financial Officer to draw warrants for 2019 pursuant to Tax Court of NJ
13. Resolution to approve temporary emergency appropriations
14. Resolution to approve budget transfer

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

3. Resolution to approve person-to-person transfer of liquor license
4. Resolution to approve Sidewalk Café Licenses

5. GENERAL ORDINANCE NO. 2162
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING GROUND MOUNTED AIR CONDITIONING EQUIPMENT
6. GENERAL ORDINANCE NO. 2163
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING POWER GENERATORS
7. GENERAL ORDINANCE NO. 2164
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD PERTAINING TO PERMITTED YARD ENCROACHMENTS
8. GENERAL ORDINANCE NO. 2165
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REVISING THE SUBMISSION REQUIREMENT FOR PRELIMINARY AND FINAL SITE PLAN AND SUBDIVISION APPLICATIONS
9. GENERAL ORDINANCE NO. 2166
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD LISTING ALL ZONE DISTRICTS
10. GENERAL ORDINANCE NO. 2167
AN ORDINANCE TO AMEND THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD REGARDING NOTICE OF HEARINGS
11. GENERAL ORDINANCE NO. 2168
AN ORDINANCE AMENDING AND SUPPLEMENTING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO ESTABLISH THE HUMAN RELATIONS ADVISORY COMMISSION FOR THE TOWN OF WESTFIELD

Public Works Committee

3. Resolution to award contract for various landscape material for the Department of Public Works
4. Resolution authorizing Change Order No. 1 for 2019 ADA Complaint Curb Ramps

12. Reports of Department Heads

Adjournment