

## MINUTES OF ORGANIZATION MEETING HELD JANUARY 3, 2019

Minutes of Organization Meeting of the Council of the Town of Westfield held January 3, 2019 in Council Chambers at 6:30 p.m.

Mayor Brindle read the call as follows:

Welcome to this Special Meeting of the Westfield Town Council of January 3, 2019, at 6:30 p.m. in the Council Chambers of the Municipal Building for the purpose of organizing for the year 2019 and transacting such other business as may properly come before the meeting.

Notice of the meeting was provided on December 13, 2018 to the Westfield Leader, The Star Ledger, and posted on the bulletin board and filed in accordance with the Open Public Meetings Act.

The Invocation was given by Reverend William M. Williams, III, First United Methodist Church of Westfield

Salute to the flag.

The Meeting Called to Order at 6:40 p.m. by Mayor Brindle.

**PRESENT:** Mayor Brindle, Council Members Habgood, Arena, Dardia, LoGrippo, Contract, Stokes, Mackey

**ABSENT:** Councilwoman Neylan

### **GINGERBREAD HOUSE & DISPLAY COMPETITION**

The winners of the Gingerbread House & Display Competition were announced as follows:

#### **Grand Prize Winner**

Westfield Train Station - Modesto Family

#### **Iconic Building Category**

Winner - The Watcher House- Tara & Rob Donnelly and Brian & Amy Shields  
Honorable Mention - Michael Roberts Construction by Elle and Michael Mroz

#### **Group/ Family Effort**

Winner - The Stellingwerf Family  
Honorable Mention - The Bryan Family

#### **Kids Only Category ( Under 14)**

Winner - Edison School by Mackenzie, Hannah, Emily, Natalie and Olivia  
Honorable Mention - Tiny House by Kaiya Murray

### **MAYOR'S OPENING REMARKS**

Happy New Year everyone and welcome to the annual organization meeting of the Westfield Town Council. Thank you all for coming, and a special thank you to Reverend Williams for delivering the invocation.

I think I speak for all of us on the Town Council when I say what a privilege it is to serve our community as volunteer public servants. I would like to extend my personal thanks to all of the members of the Town Council for your support and dedication this past year, and I look forward to continuing to work together for a productive 2019 on behalf of all of our residents.

Thanks also to the families of the Town Council members who tolerate and support many hours and evenings spent away from home. That certainly includes my family, and in particular my husband Kip, who at times I'm sure must feel like a single parent to Grace, Nora and Nick.

And to those volunteers who will be appointed tonight to serve on the various boards and commissions of the Town, as well as to those who just completed their terms, thank you for your contributions and willingness to serve.

I would also like to offer my personal gratitude to all of our Town employees. As a full-time mayor, I get to see first-hand the daily efforts of each one of our staff members, and I couldn't be prouder of the work they do on all of our behalves. I'm sure I speak for all of our residents when I say thank you for your dedication and professionalism, and for being a significant reason as to why Westfield remains such an exceptional place to live.

I'd also like to specifically recognize the efforts of our Town Administrator Jim Gildea who has been so gracious and welcoming to me this past year, and also incredibly patient teaching me the ropes of municipal governance.

I also want to acknowledge the outstanding work of our DPW, led by Director Greg O'Neil, whose efforts this year seemed to make our Town particularly beautiful, reflected in the hundreds of trees that they planted, their beautification of the South Avenue circle, and their ongoing efforts in keeping our streets clean and our parks maintained.

I'd also like to recognize the outstanding members of our Fire Department, led by Chief Kelly, who have embraced every new initiative with enthusiasm (AddamsFest!) as well as the efforts of our Rescue Squad comprised solely of volunteers.

In particular, I'd like to express my extreme gratitude to our police department for their unwavering dedication and professionalism during a very difficult year that was filled with change and uncertainty. The department has now emerged on the other side, with a brighter and more exciting future, under the new leadership of Chief Battiloro and his commitment to transforming the department with a renewed focus on community policing, and who exemplifies the values of integrity and honor that he is committed to uphold.

Congratulations to Chief Battiloro on earning this promotion. It has been a particularly good week for the new chief and I'm not sure what he's more excited about: the fact that he's being sworn in tonight, or that his beloved Clemson Tigers will be playing for the national football championship.

Now before we move on to the tasks at hand tonight, we have some important business to attend to, and that is awarding the winners of the town-wide gingerbread house contest. I will be sharing additional remarks in my State of the Town address a little later.

Mayor Brindle proposed the following Acting and Alternate Acting Mayor appointments for year 2019. Motion made by Councilman Contract, seconded by Councilman Dardia, and unanimously confirmed by Council.

*Acting Mayor – Linda Habgood*

*Alternate Acting Mayor – Dawn Mackey*

Mayor Brindle proposed the following Council appointments. Motion made by Councilman Stokes and seconded by Councilman Dardia was carried.

***Planning Board Liaison***

*Linda Habgood, Class III*

*December 31, 2019*

***Board of Adjustment***

*Matt Sontz*

*December 31, 2022*

*Allyson Hroblak*

*December 31, 2022*

*Mary Doyle, Alternate No. 1*

*December 31, 2020*

*James Keenoy, Alternate No. 2*

*December 31, 2019*

***Special Improvement District Board***

***Property Owner*** - Jeffrey Christakos *December 31, 2021*

***Merchant*** - Jerry Eicke *December 31, 2021*

***Council Designee*** - Dawn Mackey *December 31, 2019*

***Mayor Designee*** - Shelley Brindle *December 31, 2019*

***Ex Officio*** - James H. Gildea *December 31, 2019*

***Town Historian***

*Robert Wendel* *December 31, 2020*

The Mayor proposed the following employee appointments. Motion made by Councilwoman Mackey and seconded by Councilman Dardia, said employee appointments were carried.

1. *Resolution to appoint Municipal Prosecutor* *December 31, 2019*
2. *Resolution to appoint Public Defender* *December 31, 2019*
3. *Resolution to appoint Christopher Battiloro as Chief of Police (Oath of Office administered by Mayor Brindle)*

**Resolution No. 1**

WHEREAS, the Town Code of the Town of Westfield Section 2-85 requires that the appointment of the Municipal Prosecutor shall be made by the Mayor with approval of the Town Council for a term up to one year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield appoint Yvette Gibbons, Esq. to the position of Municipal Prosecutor for a one-year term ending December 31, 2019.

**Resolution No. 2**

WHEREAS, the Town Code of the Town of Westfield Section 2-86.1 requires that the appointment of the Town Public Defender shall be made by the Mayor with approval of the Town Council for a term up to one year.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield appoint Robert S. Bohrod, Esq. to the position of Town Public Defender for a one-year term ending December 31, 2019.

**Resolution No. 3**

WHEREAS, in accordance with the provisions of the Town Charter, the Town Administrator has proposed the appointment of Chris Battiloro as Chief of Police, with consent of the Mayor and approval of the Town Council, and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council hereby approve the appointment of Chris Battiloro to the position of Chief of the Westfield Police Department, retroactively effective to December 12, 2018, and

BE IT FURTHER RESOLVED that Chris Battiloro shall be paid an annual salary of \$153,500 in accordance with the annual salary ordinance commencing January 1, 2019.

**Police Chief comments:**

Police Chief Battiloro provided the following comments in response to his appointment as Westfield Chief of Police:

As a child, growing up in Westfield, I didn't really want to be a police officer. I wanted to be a firefighter . . . just like my father, who served this town as a member of the Fire Department for 34 years and retired as its Fire Chief in 2000.

However, as I came of age, my dreams of being a Westfield firefighter, like my father, were abruptly dashed when my father made explicitly clear that he would never hire me. Instead, he encouraged me to become a police officer. And, so, I pursued what I thought was “the next best” option.

Little did I realize, that 23 years later, what I thought was “the next best” thing, turned out to be one of the best decisions I ever made.

I could never imagine being a Police Officer anywhere but here in Westfield and it is an extreme honor and privilege to be sworn in today as your next Chief of Police.

I’ve worked extremely hard to get where I am today. I assure you, nothing was ever handed to me.

As a 22-year old just out of college, I was fortunate enough to be given a chance by then Chief Anthony Scutti. And for that, I will forever be grateful.

To attain the rank of Chief is no easy task. Since this department was established in 1903 . . . over 115 years ago . . . only 9 other men have ever achieved the rank.

I learned it takes a lot more than just hard work to get here. It takes a tremendous personal commitment, a certain dedication, and a great personal sacrifice that most are willing to make. Over the years, I’ve made that personal sacrifice. My family will tell you, that without question, I’ve put this job before them.

As a married father of three, I can tell you that my wife and children have paid the price for that personal sacrifice.

Whenever calamity struck, I was out the door. I left them home, alone, to fend for themselves . . . during blizzards, hurricanes, and power outages.

I am so thankful for the strength of my wife, who has carried this family through so much . . . and for my children, who many of their friends probably thought didn’t have a father.

I’ve been repeatedly asked, now that I’ve made Chief, what is my first order of business . . . and it is abundantly clear to me, that my first task, is to give my wife and kids a long overdue vacation. They’ve certainly earned it.

Yes, the Westfield Police Department has a Chief, but this department is not, and will not be, about a single individual.

The Westfield Police Department is comprised of 77 men and women . . . from sworn law enforcement and special police officers to civilian clerks and dispatchers . . . each capable of contributing so much to the Town of Westfield.

They all have special skills and talents which, for years, have not been put to their best use. We will empower our officers and members and give them the proper training, equipment and supervision to excel at their positions.

We will accept them, we will appreciate them, and we will recognize them for their efforts. While the Westfield Police Department has made many significant advancements over the last few years, we’ve fallen behind in some very critical areas.

We have a lot to accomplish in 2019 . . . and beyond.

The Westfield Police Department will soon begin the process of seeking accreditation, a 12 to 18 month process which will ensure all of our written directives meet applicable laws, attorney general law enforcement guidelines, and prosecutorial directives.

We will implement law enforcement’s best practices, not only to best protect the people we serve, but to best assure the safety of our officers – our greatest assets.

The Westfield Police Department has already deployed demonstrator body worn cameras and, in the very near future, will equip every uniformed patrol officer and supervisor with one.

These measures are necessary to assure transparency, accountability, and the highest degree of professionalism.

That is what we expect from our officers, and that is what is demanded by the very people we serve.

We will seek to accomplish these imposing initiatives mostly with asset forfeiture monies – sparing as much expense to the taxpayer as possible.

And we will accomplish all of this . . . and much more, together, as a department, a team, not as individuals.

And we will do it all with honor, with integrity, and with pride.

I am extremely grateful to Town Administrator James Gildea, Mayor Shelley Brindle, and each and every member of the Town Council for their faith, their trust, and their confidence in me and my abilities to lead this department.

It is a tremendous honor for me, a Westfield boy, to serve as Westfield's 10<sup>th</sup> Chief of Police.

Mayor Brindle proposed the following Board appointments. Motion made by Councilwoman Habgood and seconded by Councilman LoGrippe was carried.

***Board of Health***

*Denise Rizzolo* *December 31, 2022*

*Sharon Dorry* *December 31, 2022*

*Steve Gorelick, Alternate No. 2* *December 31, 2020*

***Council Liaison - JoAnn Neylan*** *December 31, 2019*

***Recreation Commission***

*Gary Fox, Chair* *December 31, 2019*

*Amy Berman* *December 31, 2021*

*Russell Howell* *December 31, 2021*

***Council Liaison - Michael Dardia*** *December 31, 2019*  
***Historic Preservation Commission***

*Robert Wendel, Class A* *December 31, 2019*

*Greg Blasi, Class B* *December 31, 2019*  
*(Unexpired Term)*

*Maria Boyes, Class C* *December 31, 2020*

*Carol Tener, Class C* *December 31, 2021*

*Katie Spikes, Class C* *December 31, 2021*

*Jennifer Jaruzelski, Class C* *December 31, 2020*

*Kelly Kessler, Class C* *December 31, 2019*

***Council Liaison - Linda Habgood*** *December 31, 2019*

***Board of Architectural Review***

*Gregory Talmont* *December 31, 2021*

**Tree Preservation Commission**

*Tricia Mullaney* *December 31, 2019*  
*(Unexpired Term)*

**Council Liaison -** *Mark LoGrippto* *December 31, 2019*

**Memorial Library Board**

*Mallary Saltzman* *December 31, 2023*

**Council Liaison -** *Doug Stokes* *December 31, 2019*

Mayor Brindle announced the following Mayoral appointments:

**Planning Board**

*Robert Newell, Class IV* *December 31, 2022*

*Ross Goldstein, Alternate No. 1* *December 31, 2020*

*Shelley Brindle, Class I, Mayor's Designee* *December 31, 2019*

*Kris McAloon, Class II* *December 31, 2019*

**Community Development Revenue Sharing Committee**

*William Cariste* *December 31, 2019*

*Josephine Ferrigno-Stack* *December 31, 2019*

**Solid Waste Advisory Board**

*Jeff Bryk* *December 31, 2019*

**Union County Transportation Advisory Board**

*David Judd* *December 31, 2019*

*Marv Gersten, Alternate* *December 31, 2019*

**Air Traffic Advisory Board**

*Scott Jaffee* *December 31, 2019*  
*(Unexpired Term)*

*Chamber of Commerce Liaison – Councilman Frank Arena*

*Union County League of Municipalities – Mayor Shelley Brindle*

*Board of Education Liaison – Councilman David Contract*

*2<sup>nd</sup> Senior Citizens Housing Corporation Liaison – Councilwoman JoAnn Neylan*

*Municipal Alliance Liaison – Councilwoman Dawn Mackey*

Mayor Brindle announced the following Council Committees:

**Finance Policy Committee**

*Linda Habgood, Chairwoman*

*JoAnn Neylan, Vice-Chairwoman*

*David Contract*

*Doug Stokes*

**Public Safety, Transportation & Parking Committee**

*Michael Dardia, Chairman*

*Frank Arena, Vice-Chairman*

*Mark LoGrippto*

*Dawn Mackey*

***Code Review & Town Property Committee****Dawn Mackey, Chairwoman**Mark LoGrippo, Vice-Chairman**Linda Habgood**JoAnn Neylan****Public Works Committee****David Contract, Chairman**Doug Stokes, Vice-Chairman**Frank Arena**Michael Dardia***MAYOR'S STATE OF THE TOWN ADDRESS**

I now have the privilege of delivering the State of the Town address, reflecting a bit on what we accomplished in 2018, and sharing key priorities for 2019 and beyond.

When I took office last January, I committed to focusing on four key priorities:

1. Increase resident engagement by improving transparency and communication
  2. Maintain strong fiscal oversight, identify new sources of revenue, and improve operating efficiencies
  3. Chart a vision for Westfield's future that embraces growth and innovation, improves the downtown business climate, and effectively manages redevelopment
  4. Champion quality of life issues that impact all residents
- I'm very proud of how much progress we made on these priorities and would like to share a few highlights:

To improve communication, transparency and engagement, we began live streaming Council meetings, initiated a town wide volunteer open application process, introduced an RFP/RFQ process for town professional services for the first time, hired a part-time Public Information Officer, and formed many new committees such as the Senior Advisory Council, Youth & Family Mental Health Commission, Technology Advisory Council and Media Council, to name a few.

On the budget and operating front, we maintained a robust \$10mm budget surplus while delivering the lowest municipal tax rate increase in decades. We prioritized capital improvements, which included a 50% increase in road paving, a robust tree planting program, and improvements to our DPW capabilities by accelerating the purchase of new equipment such as trucks, plows and street sweepers.

Additionally, we expect to generate substantial unanticipated revenue by introducing a new cash management plan that was initiated and led by Finance Chair Linda Habgood.

With a focus on efficiencies, I initiated a collaboration with the Scotch Plains and Fanwood Mayors to identify potential shared service DPW opportunities, with support from the Governor's office, which should bear fruit this year.

And as part of my commitment to improve services to residents without using taxpayer dollars, we initiated our first significant public/private partnership with the installation of a temporary outdoor ice rink at Gumbert Park, converting an underutilized town asset into one with broad community benefit paid for by a private operator.

On the third priority, we made progress on charting a collective vision for Westfield, having initiated the Master Plan reexamination and first ever Parks & Recreation strategic plan processes, consistent with my commitment to long-range planning,

In the meantime, I remain focused on improving the business climate in Town through short-term solutions, while a longer-term vision is established through the Master Plan process. I don't get caught up in the ever changing downtown vacancy rate as a reliable indicator of progress. There are too many factors out of our control that determine whether a store stays open or closes. I choose to focus on improving the fundamentals within our control that will make it easier for businesses to be successful, such as strategies to increase foot traffic or policies that will entice new business to set up shop here.

To that end, in 2018 we significantly streamlined how parking is enforced, expanded free parking, and added capacity; we passed ordinances allowing rooftop dining and craft breweries in town, and introduced a variety of new events to increase foot traffic.

While our downtown remains in a transitional phase, and it's tempting to focus on the stores that have closed, I find it more promising to focus on the 29 new business that opened last year, with 8 more scheduled so far this year.

And very importantly, a renewed focus on establishing a personal relationship with Lord & Taylor at the local and corporate level paid off, resulting in their commitment to stay and grow in Westfield.

We made progress on other initiatives around transit, preservation, and safety in an effort to address other quality of life priorities, which was my fourth main objective when I took office.

There is nothing more potentially transformative than obtaining a faster and more reliable commute into Manhattan. As Co-Founder and now Co-Chair of the Raritan Valley Line Mayors Alliance, the 23 Mayors that form the Mayors Alliance have successfully partnered with key legislators to lobby NJT for a Raritan Valley Line peak one seat ride, which is now gradually gaining traction.

I'm also proud of the significant strides made in other areas, including a revitalized and more proactive Historic Preservation Commission, stepped up enforcement and fines for developers who don't properly maintain worksites, a review of zoning ordinances to mitigate prolific subdividing, improvements in pedestrian safety, and a renewed focus on conservation initiatives by a refortified Green Team.

There were also several initiatives that we were fortunate to bring to completion because of the efforts of my predecessor, Mayor Andy Skibitsky, and the previous Council. These include the finalization of our Affordable Housing settlement, a process that began years ago thereby avoiding the lawsuits facing many neighboring towns today. The new inclusive Mindowaskin playground is also a product of their efforts, as is the recently expanded parking lot 7. While 2018 was very productive, it was primarily laying groundwork for the work that lies ahead.

The most significant priorities for 2019 will be:

Continuation of responsible fiscal management while ensuring that we invest in the Town's growth through automation and infrastructure to drive efficiencies and improve services. I remain committed to taking a long term approach to support a vision of responsible growth, and will not be tempted by a "penny wise pound foolish" short-term philosophy.

Completion of our Master Plan reexamination which will address development, transportation, infrastructure, downtown revitalization, and parking. Yes, parking. It's time that we investigate new solutions to address our parking shortage as a means to attract employers, to not only provide daytime foot traffic to sustain a vibrant downtown, but also to diversify our tax base to reduce our reliance on property taxes as a primary source of revenue.

Completion of our Parks strategic plan, which will assess and make recommendations for Recreation programs and services, Memorial Pool membership, recreation facilities, and the common goal of desperately needed new fields.

Focus on improving congestion and walkability by declaring 2019 the "Year of the Pedestrian", with a focused effort on fixing our sidewalks, stepping up traffic enforcement, increasing pedestrian safety measures, and trialing microtransit alternatives to reduce congestion.

Commitment to continue progress on community policing, historic preservation, environmental initiatives, and advocacy for a peak one seat ride.

I also remain committed to creating a more open and inclusive government:

This begins with tonight's establishment of an Investment Advisory Council of community volunteers to advise on investment management strategies for 2019 and beyond.

We will also be holding the Town's first open and public budget forum later this month to get input and feedback from the community before the budget process begins, which will be a new and critical first step.

Additionally, we will be hosting a series of public meetings to solicit input from residents for our Master Plan reexamination and Parks Strategic Plan. Please participate in this opportunity for your voice to be heard to shape the long term vision for our community.

In closing, as I reflect back on 2018, there was one singular event that seemed to encapsulate my vision for our community, and that was AddamsFest. It wasn't the weekend itself, per se, but rather everything that led up to it -- from celebrating one of our own historic icons as a community, to the enthusiastic participation of over 300 volunteers, to the ongoing and close collaboration between the police, fire, DPW professionals and the unpaid volunteers, to ultimately, experiencing the connectedness that the festival created among our residents.

This inclusive spirit is what I aspire to instill in our community every day as your full time volunteer mayor. I am all in. I only ask that you do your part too. Participate. Engage. Volunteer when you can. Be heard. And please...give everyone the benefit of the doubt and consider having all the facts before putting it on Facebook. Or follow the example of the mom who posted in the Westfield moms site yesterday about her 4 year old daughter's awesome experience at the playground with the older boys who befriended her instead of casting her aside. It got over 500 likes! These are the stories we want to share because these are the ones that reflect who we are as a community. We are all neighbors with the common goal of improving the town we choose to call home.

In summary, the State of our Town by all measures is strong. And with your participation, we will usher in a new era to make Westfield a leader in responsible growth, environmental practices, accessibility, parks and recreation, mobility and so much more. Thank you for giving me the privilege to serve.

#### **OPEN DISCUSSION BY CITIZENS**

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments. Hearing no comments, Mayor Brindle closed the public comment portion of the meeting.

#### **REPORTS OF STANDING COMMITTEES:**

##### **Finance Policy Committee**

The following resolutions, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Contract, were unanimously adopted.

##### **Resolution No. 4**

WHEREAS, the Town of Westfield is required to have a Cash Management Plan in accordance with N.J.S.A. 40A:5-14; and

WHEREAS the Cash Management Plan, in accordance with the Local Fiscal Affairs Law, must be adopted annually by the governing body through passage of a Resolution; and

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield, in the County of Union, that the 2019 Cash Management Plan is hereby adopted.

BE IT FURTHER RESOLVED, that a copy of the plan is to be transmitted by the Chief Financial Officer to each named depository.

#### **I. STATEMENT OF PURPOSE**

The Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and Investment ("Permitted Investments") of certain public funds of the Town of Westfield, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereafter referred to. The intent of the Plan

is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes) and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

**II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN**

A. The plan is intended to cover the deposit and/or investment of the following funds and accounts at authorized depositories of the Town of Westfield:

- Current Fund/Treasurer’s and Collector’s Accounts
- General Capital Account
- Dog License Account
- Other Trust Fund Accounts
- Pool Operating and Capital Accounts

B. It is understood that this Plan is not intended to cover certain funds and accounts, specifically:

- County Forfeiture Account
- Federal Forfeiture Account
- Municipal Court (General and Special Bail) Accounts
- Public Assistance Account
- Change and Petty Cash Funds
- Trust Funds to the extent that the deposit of such funds to an interest bearing account would require by law the payment of interest to the provider of funds
- Any Compensating Balances maintained for the purpose of obtaining specific services from financial institutions. Such accounts may be established at the discretion of the Chief Financial Officer based on his determination of their cost effectiveness. The Chief Financial Officer shall have the authority to execute written agreements for said accounts.

**III. DESIGNATION OF OFFICIALS OF THE TOWN OF WESTFIELD AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN**

A. The Chief Financial Officer of the Town of Westfield, (the “Designated Official”) is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. The Chief Financial Officer is authorized to designate in writing an alternate to act in his capacity during an absence.

Prior to making any such Deposits or any Permitted Investments, such officials are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such official.

**IV. DESIGNATION OF DEPOSITORIES**

The following banks and financial institutions are hereby designated as official depositories for the deposit of all public funds referred to in the Plan, including any Certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- |                                 |                               |
|---------------------------------|-------------------------------|
| <b>TWO RIVER COMMUNITY BANK</b> | <b>TD BANK</b>                |
| <b>WELLS FARGO BANK</b>         | <b>PROVIDENT BANK</b>         |
| <b>INVESTORS BANK</b>           | <b>PNC BANK</b>               |
| <b>BANK OF AMERICA</b>          | <b>LAKELAND BANK</b>          |
| <b>J. P. MORGAN CHASE BANK</b>  | <b>VALLEY NATIONAL BANK</b>   |
| <b>NJ CASH MANAGEMENT FUND</b>  | <b>CAPITAL ONE BANK</b>       |
| <b>HAVEN SAVINGS BANK</b>       | <b>PEAPACK-GLADSTONE BANK</b> |
| <b>NORTHFIELD BANK</b>          | <b>CONNECTONE BANK</b>        |

**COLUMBIA BANK****SPENCER BANK**

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

**V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL**

The following brokerage firms and/or dealers and other institutions are hereby designated as

firms with whom the Designated Official (s) of the Town referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official (s) referred to in Section III above.

None designated

**VI. AUTHORIZED INVESTMENTS**

A. Investments shall be limited by the express authority of the Local Fiscal Affairs Law, N.J.S.A. 40A:5-15.1 and except as otherwise specifically provided for herein, the Designated Official is/ are hereby authorized to invest the public funds covered by this Plan in the following types of securities which, if suitable for registry, may be registered in the name of the local unit, and to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United State of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the local unit or bonds or other obligations of school districts of which the local unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, issued by New Jersey school districts, municipalities, counties, and entities subject to the "Local Authorities Fiscal Control Law," P.L. 1983, c.313 (C.40A:5A-1 et seq.). Other bonds or obligations having a maturity date not more than 397 days from the date of purchase may be approved by the Division of Local Government Services of the Department of Community Services for investment by local units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P. L. 1977, c.281 (C.52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a, or are bonds or other obligations having a maturity date not more than 397 days from the date of purchase, issued by New Jersey school districts, municipalities, counties, and entities subject to the "Local Authorities Fiscal Control Law," P.L. 1983, c.313 (C.40A:5A-1 et seq.);
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section 1 of P. L. 1970, c.236 (C.17:9-41); and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.
- (9) Certificates of Deposit in accordance with the following conditions:
  - (a) the funds are initially invested through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41) designated by the local unit;
  - (b) the designated public depository arranges for the deposit of the funds in certificates of deposit in one or more federally insured banks or savings and loans associations, for the account of the local unit;

- (c) 100 percent of the principal and accrued interest of each certificate of deposit is insured by the Federal Deposit Insurance Corporation;
- (d) the designated public depository acts as custodian for the local unit with respect to the certificates of deposit issued for the local unit's account; and
- (e) at the same time that the local unit's funds are deposited and the certificates of deposit are issued, the designated public depository receives an amount of deposits from customers of other banks and savings and loan associations, wherever located, equal to the amount of funds initially invested by the local unit through the designated public depository.

B. Any investment instruments in which the security is not physically held by the local unit shall be covered by a third party custodial agreement which shall provide for the designation of such investments in the name of the local unit and prevent unauthorized use of such investments.

C. Purchase of investment securities shall be executed by the "delivery versus payment" method to ensure that securities are either received by the local unit or a third party custodian prior to or upon the release of the local unit's funds.

D. Any investments not purchased and redeemed directly from the issuer, government money market mutual fund, local government investment pool, or the State of New Jersey Cash Management Fund, shall be purchased and redeemed through the use of a national or State bank located within this State or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967, c.93 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

E. For purposes of this section:

- (1) a "government money market mutual fund" means an investment company or investment trust:
  - (a) which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. s. 80a-1 et seq., and operated in accordance with 17 C.F.R. s.270.2a-7, except that a government money market mutual fund may not impose liquidity fees or redemption gates regardless of whether permitted to do so under 17 C.F.R. s.270.2a-7;
  - (b) the portfolio of which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. s.270.2a-7, securities that have been issued by New Jersey school districts, municipalities, counties, and entities subject to the "Local Authorities Fiscal Control Law," P.L. 1983, c.313 (C.40A:5A-1 et seq.) that meet the definition of an eligible security pursuant to 17 C.F.R. s.270.2a-7, and repurchase agreements that are collateralized by such securities in which direct investment may be made pursuant to paragraphs (1), (3) and (5) of subsection A. of this section; and
  - (c) which is rated by a nationally recognized statistical rating organization.
- (2) a "local government investment pool" means an investment company or investment trust:
  - a) which is managed in accordance with generally accepted accounting and financial reporting principles for local government investment pools established by the Governmental Accounting Standards Board;
  - b) which is rated in the highest category by a nationally recognized statistical rating organization;
  - c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. s. 270.2a-7, securities that have been issued by New Jersey school districts, municipalities, counties, and entities subject to the "Local Authorities Fiscal Control Law," P.L. 1983, c.313 (C.40A:5A-1 et seq.), that meet the definition of an eligible security pursuant to 17 C.F.R.s270.2a-7 and repurchase agreements that are collateralized by such securities in which direct investment may be made pursuant to paragraphs (1), (3) and (5) of subsection A. of this section;
  - d) which is in compliance with such rules as may be adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c.410 (c.52:14B-1 et seq.) by the

- Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which may promulgate rules providing for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments,
- e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value;
  - f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities; and
  - g) which does not impose liquidity fees or redemption gates.

F. Investments in, or deposits or purchases of financial instruments made pursuant to this section shall not be subject to the requirements of the "Local Public Contracts Law," P.L. 1971, c.198 (C.40A:11-1 et. seq.).

#### **VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN**

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Town of Westfield, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Town of Westfield to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Town of Westfield or by a third party custodian prior to or upon the release of the Town's funds.

To assure that all parties with whom the Town of Westfield deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

#### **VIII. POLICIES REGARDING THE AMOUNT TO BE INVESTED AND OBTAINING RATES**

It shall be the responsibility of the Chief Financial Officer to analyze the cash flow and to invest funds in legal investments, with consideration for preservation of capital, liquidity, current and historical investment returns, diversification, maturity requirements, costs and fees, and when appropriate, policies of investment instrument administrators. The Chief Financial Officer will observe the following guidelines:

With regard to obtaining interest on the various investment pools from commercial banks, savings banks and Community banks and other depository institutions listed in Section IV above, the Chief Financial Officer shall attempt to obtain a minimum of three quotations and shall invest at the institutions offering the highest effective rate. If such investment together with all other deposits of the Town of Westfield in said institution exceeds the Federal Deposit Insurance Corporation limit, then the

institution must be covered by a current Government Unit Deposit Protection Act (“GUDPA”) certificate.

The Chief Financial Officer shall determine which type of legal investment will best serve the needs of the municipality and is authorized to place funds in any legal investment unless otherwise restricted by law or by the governing body.

The Chief Financial Officer is authorized to contract the services of a Financial Advisor, as needed.

The Chief Financial Officer shall develop procedures to insure internal controls are adequate to safeguard the Town of Westfield funds.

The amount invested should be limited to idle funds, as determined by the Chief Financial Officer. (The amount of funds remaining after forecasting and calculating bills to be paid, less compensating balance requirements are considered idle funds.)

For investments in any single bond anticipation note, temporary note, emergency note, special emergency note, tax anticipation note or other notes being sold by a municipality, county, board of education or fire district, which exceeds \$2.0MM, the receiving agency should have an underlying bond rating from a nationally recognized statistical rating organization (e.g. Standard & Poor, Moody’s, or Fitch) equivalent to AA or higher.

#### **IX. REPORTING REQUIREMENTS**

On or as close to the first day of each month during which this Plan is in effect, the Designated Official (s) referred to in Section III hereof shall supply to the governing body a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, as a minimum, the following information:

- A. The name of any institution holding funds as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The estimated income to be earned on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable by the Chief Financial Officer from time to time which he believes of interest to the governing body of the Town of Westfield.

#### **X. CREDIT CARDS/DEBIT CARDS AND ELECTRONIC PAYMENTS**

- A. N.J.S.A. 40A:5-43 et seq. and N.J.S.A.2B:1-5 respectively provide for Municipal Courts and municipal agencies to be authorized to establish a system to accept electronic payments such as court imposed obligations, or other valid municipal charges;
- B. All systems established for receipt of electronic payments are subject to the rules established by the Director of the Division of Local Government Services and the Rules of Court which are further delineated by Rule 7:14-4(c) which authorizes municipal courts to accept electronic payments and N.J.A.C. 5:30-9.1 et seq. which are established by the Division of Local Government Services providing guidelines for local governments use and receipt of electronic payments.
- C. Definitions applied when utilizing electronic devices are in accordance with the definitions found in N.J.A.C. 5:30-9.2.
- D. Prior to any municipal agency utilizing a method of electronic payments, the Chief Financial Officer must have evaluated the process to ensure compliance with the rules and regulations and approved the accounting and control procedures to be utilized.

#### **XI. RECEIPTS AND DISBURSEMENTS OF THE FUNDS OF THE TOWN OF WESTFIELD**

- A. All municipal funds received by any official or employee shall be deposited within 48 hours to accounts in the name of the Town of Westfield. Additionally, funds can be

received utilizing methods of electronic payment such as Electronic Funds Transfer (EFT) and/or Automated Clearing House (ACH).

B. No municipal funds shall be disbursed by the Chief Financial Officer prior to the approval of the Town Council except for:

- a. Debt Service payments
- b. Investments
- c. Payroll and Payroll agency turnovers
- d. School and County Tax payments
- e. Refunds not otherwise required to be approved by Town Council

Notification of the disbursements listed above not otherwise memorialized by resolution are to be provided at the next council meeting following payment.

C. The Chief Financial Officer is authorized to designate employees who may, from time to time, initiate wire transfers. Only the Chief Financial Officer or the Town Administrator may confirm wire transfers.

D. Electronic Disbursement/Claimant Certification – In accordance with N.J.S.A. 40A:5-16(c), payments to vendors do not require Claimant Certification under certain circumstances, including but not limited to

- a. when payment to vendors is required in advance of the delivery of certain materials or services that cannot be obtained from any other source at comparable prices; or
- b. when ordering, billing and payment transactions for goods or services are made through a computerized electronic transaction; or
- c. when claim or demand is less than a threshold as set by the board (the Bid threshold) and the certification is not readily obtainable by the contracting unit; but such exceptions shall not include reimbursement of employee expenses or payment for personal services.

E. The Chief Financial Officer is authorized to electronically transmit pay checks bi-weekly to regular salaried employees of the Town of Westfield at the rates approved by Mayor and Council.

## **XII. DESIGNATION OF AUTHORIZING SIGNATURES ON TOWN CHECKS**

N.J.S.A. 40A: 4-63 provides that monies held in any separate fund shall be treated as monies held in trust and shall not be diverted to pay any other purpose. The custodian of the following separate funds shall be Scott H. Olsen, Chief Financial Officer. All disbursements shall be made by checks signed live or by facsimile signature of the Mayor, Town Clerk and Treasurer or by electronic funds transfer:

Town of Westfield Treasurer's Account, Clearing Account, Payroll Account, Payroll Deductions Account, Collector of Taxes Account, General Capital Account, Trust-Other Account, Dog License Account, Swimming Pool Operating Account, Swimming Pool Capital Account, Public Assistance Account, Council on Affordable Housing (CoAH) Growth Share Account, Law Enforcement – Federal Trust Account, Law Enforcement – County Trust Account, Parking Permit Account, Parking Services Coin Account, Credit Card Fee Account and Recreation Merchants Account.

The custodians of the following separate fund(s) shall be Carol Salvaggio or Anne M. Margeotes. All disbursements shall be made by electronic funds transfer or by checks signed live or by facsimile signature of the Court Clerk or the Deputy Court Clerk:

Westfield Municipal Court Fines Account, Westfield Municipal Court Bail Account

The custodian of the following separate fund shall be Philip Israel. All disbursements shall be made by electronic funds transfer or by checks signed live or by facsimile signature of the Library Director or Assistant Library Director or the Treasurer:

Westfield Memorial Library Account

The custodian of the following separate fund shall be David C. Kelly. All disbursements shall be made by electronic funds transfer or by checks signed live or by facsimile signature of the Chief of the Fire Department or the Treasurer:

Westfield Fire Department Violations Account

The custodian of the following separate fund shall be Christopher Battiloro or Dennis Dasilva. All disbursements shall be made by electronic funds transfer or by checks signed live or by facsimile signature of the Chief of the Police Department or the Treasurer:

Westfield Police Department Confidential Account

The custodian of the following separate fund shall be Henry Wang. All disbursements shall be made by electronic funds transfer or by checks signed live or by facsimile signature of the Collector of Taxes and/or the Treasurer:

Redemption Tax Account, Tax Sale Premium Account

### **XIII FEES CHARGED BY THE OFFICE OF THE TAX COLLECTOR**

A. The Collector of Taxes shall charge interest at the rate of 8% per annum on the first \$1,500 of a delinquency and 18% per annum on that amount of the delinquency as defined in N.J.S.A. 54:4-67 in excess of \$1,500 on all delinquent taxes and sewer fees during the year 2019, to be calculated from the date the tax or fee was due until the date of actual payment.

B. The Collector of Taxes shall charge interest at the rate of 8% per annum on the whole delinquency as defined in N.J.S.A. 54:4-67 on all delinquent assessments during the year 2019 until the date of actual payment.

C. The grace period of ten (10) calendar days will be allowed for an installment of taxes, assessments and sewer fees where payments will not be subject to interest charges as provided by Chapter 105, Public Laws of 1965.

D. The Collector of Taxes is hereby authorized to sell all municipal delinquencies through December 31, 2018 in a manner prescribed by N.J.S.A. 54:5-19, and as amended by Chapter 99, Public Laws of 1977, at a date and time which the Tax Collector selects.

### **XIII. TERM OF PLAN**

This Plan shall be in effect from adoption until December 31, 2019. Attached to this Plan is a resolution of the governing body of the Town of Westfield approving this Plan for such period of time. The Plan may be amended from time to time by the Chief Financial Officer. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged

#### **Resolution No. 5**

RESOLVED that warrants in the amount of \$100.00 each be drawn to Petty Cash, for the Chief Financial Officer to distribute to the following custodians and charge same to the Petty Cash account:

Joan Thermann, Executive Assistant  
Christopher Battiloro, Police Chief  
Philip Israel, Library Director  
Megan Avallone, Health Department Director

#### **Resolution No. 6**

WHEREAS, the State of New Jersey Department of the Treasury, Affirmative Action Office has adopted Public Agency Regulations; and

WHEREAS, these Public Agency Regulations for awarding contracts are pursuant to P.L. 1975, Chapter 127, (N.J.S.A. 17:27); and

WHEREAS, every public agency is required to appoint and designate an officer or employee to serve as a Public Agency Compliance Officer (P.A.C.O.) for each year;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Westfield, County of Union, State of New Jersey, designates Tara Rowley as the Public Agency Compliance Officer (P.A.C.O.) for the Town of Westfield for the year 2019.

#### **Resolution No. 7**

WHEREAS, the Town Council of the Town of Westfield, County of Union, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Town Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Town Council has applied for and been approved for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union, and

WHEREAS, the Town of Westfield's Municipal Alliance Program has been approved to receive funding for the FY 2020 period of July 1, 2019 – June 30, 2020 for an amount of \$26,651 for each fiscal year period,

NOW, THEREFORE, BE IT RESOLVED by the Town of Westfield, County of Union, State of New Jersey, hereby recognizes the following:

1. The Town Council does hereby authorize the approval of the application for the FY2020 representing a total award of \$26,651 for the 12-month period, representing a cash match of \$6,663 and In-Kind of \$19,988 to the Westfield Municipal Alliance.
2. The Town Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**Resolution No. 8**

BE IT RESOLVED by the Town Council of the Town of Westfield, at a meeting held January 3, 2019 that the Westfield Leader and the Star Ledger be and hereby are designated as the two newspapers to which notices and other matters are to be provided under the Open Public Meetings Act (N.J.S.A.10:4-6 to 10:21) of the State of New Jersey, otherwise known as "The Sunshine Law".

Town Council Comments:

Councilman LoGrippo discussed Resolution No. 8, which authorizes the designation of official newspapers for 2019, and requested clarification as to why Tap Into Westfield was not included as an official publication.

Mayor Brindle stated that Tap Into Westfield was designated as an official electronic news source in 2018, but prior to 2018 there had been no official designation. Explained that the Town is obligated by law to designate two (2) newspapers for official notifications and it was decided that Tap Into Westfield would also be included in 2018 in the hope of gaining some efficiencies with public notices. Stated that those efficiencies could not be realized until State law changes, and the designation of Tap Into Westfield was reconsidered for 2019 to avoid perception that one (1) media outlet was being favored over another when the Town is not legally obligated to endorse it. Also explained that the designation of Tap Into Westfield was simply a formality and they would continue to be provided with public notices.

Councilman LoGrippo discussed the number of views on Tap Into Westfield for 2018 and feels it should be included as an official publication.

Mayor Brindle stated that she did not want to single out one news source over another, and Tap Into Westfield's designation was only a formality. Explained that all notices and information would continue to be provided, therefore an official designation would have no material impact on them.

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

**Resolution No. 9**

WHEREAS, the Town of Westfield is a member of Sustainable Jersey™ which is a certification and incentive program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term; and

WHEREAS, the Town Council of the Town of Westfield is committed to continuing to develop strategies that will reduce our impact on the environment both collectively and individually so that we might preserve our natural resources for the citizens we serve now, and in the future; and

WHEREAS, the Town Council of the Town of Westfield wishes to continue to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, as part of its participation in the Sustainable Jersey™ program and in an effort to continue to focus attention on “Green” issues, the Town Council reaffirms its establishment of its Green Team.

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Westfield that we do hereby appoint the following fifteen members to the Green Team:

Tim Van Epp (Co-Chair)  
Medea Villere (Co-Chair)  
Amarish Mehta  
Phil Round  
Judi Paris  
Catherine Hirschman  
Maite Quinn-Richards  
Karrie Hanson  
Janette Spiezio  
Ross Katz  
Kirti Malik  
Jim Boyes  
Nancy Albanese  
Bonnie Stewart  
Peter Goldberg  
Damani Parran  
David Contract (Council Liaison)

Town Council Comments:

Councilman Arena stated that he would be voting against the adoption of Resolution No. 9, which authorizes 2019 appointments to the Green Team. Explained that he voted against a line item related to the Green Team that was included in the 2018 Municipal Budget, and while the line item was a small amount, it was his concern that this could morph into a much larger entity. Discussed the number of members appointed to the Green Team and expressed concern that it is becoming a large part of the Town’s government. Feels “big government is bad government” and believes these types of initiatives should be led by federal, state and county governments.

Councilman Contract thanked the Green Team for its contributions in 2018. Stated that climate change is happening and needs to be addressed. Discussed recycling and educational programs that were established through the Green Team in 2018, and explained that the budget does not need to grow because the Green Team is growing. Also explained that the Green Team members are volunteers and are needed for the Town to be on the “front-end” of being environmentally conscience and sustainable.

Mayor Brindle discussed her support for the Green Team. Stated that the 2018 municipal tax increase was the lowest in decades and feels this can be attributed to the engagement of volunteers in the community because it allows the Town to “do more with less”. Discussed the Green Team’s competency, stating that it is comprised of an incredible group of professionals, and applauded its members for their willingness to serve.

Councilman Arena acknowledged that the Green Team is comprised of volunteers but expressed concern that it could require full-time commitments in the future, making the Town government bigger.

Roll Call:

Yeas: Habgood      Nays: Arena   Absent: Neylan  
Dardia  
LoGrippo  
Contract  
Stokes  
Mackey  
Mayor Brindle

The following resolution, introduced by Councilwoman Habgood and seconded by Councilwoman Mackey, was adopted by the following roll call vote:

**Resolution No. 10**

WHEREAS, Chris Battiloro served as the Acting Chief of Police for the Town of Westfield between August 1 and December 11, 2018; and

WHEREAS, the Westfield Town Council has determined to make an appropriate one-time supplemental payment to Chris Battiloro for his Acting Chief duties,  
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that Chris Battiloro shall be paid a one-time supplemental payment equaling \$3,500 for additional duties performed when he served as the Acting Chief of Police.

Roll Call:

Yeas:	Habgood	Nays:	Absent: Neylan
	Arena		
	Dardia		
	LoGrippo		
	Contract		
	Stokes		
	Mackey		
	Mayor Brindle		

The following resolution, introduced by Councilwoman Habgood and seconded by Councilman Contract, was adopted by the following roll call vote:

**Resolution No. 11**

WHEREAS, there exists a need for the Annual Audit of the accounts of the Town of Westfield in accordance with N.J.S.A. 40A:5-4, and

WHEREAS, U.S. OMB Circular 133 and State of New Jersey OMB Circular 98-07 mandate that there be an audit of Federal and State Programs; and

WHEREAS, on July 26, 1996 the Town of Westfield created a Deferred Compensation Plan, which is offered to all employees, pursuant to Sections 403 (b) and 457 of the Internal Revenue Code; and

WHEREAS, pursuant to N.J.A.C. 5:37-10 the Financial Statements of such Deferred Compensation Plan must be reviewed; and

WHEREAS, pursuant to rule 15c2-12(B)(5) of the Securities and Exchange Commission a Preparation of the Secondary Market Disclosure Report must be filed for year ending December 31, 2016; and

WHEREAS, the Local Public Contracts Law, (N.J.S.A. 40A:11-1 et seq) authorizes the letting of contracts for professional services without competitive bidding; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for legal services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, will be furnished to the Town Clerk, subject to adequate funding in the 2019 Operating and Sewer Operating Budgets.

NOW THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enter into a contract with the firm of Suplee, Clooney & Company, Registered Municipal Accountants and Certified Public Accountants, for the following services:
  - (a) To perform the statutory audit of the accounts of the Town of Westfield for the year ending December 31, 2019, in accordance with the regulations of the Division of Local Government Services, Department of Community

Affairs of the State of New Jersey; an audit of Federal and State Programs in accordance with the Federal Uniform Guidance and State of New Jersey OMB Circular 15-08 and Assistance with Preparation of the calendar year 2019 Financial Statement, the Annual Debt Statement and calendar year 2019 Fiscal Year Operating and Capital Budgets, for a fee not to exceed \$67,850; and

2. This contract may be renewed for two (2) additional one (1) year terms, at the Town's discretion; and
3. Total fee for the year will be \$67,850 with said expenditure charged to the various audit accounts in the Current Fund and 195-204 in the Swimming Pool Fund; and
4. This contract is awarded pursuant to the "fair and open" process (N.J.S.A. 19:44A-20.5 et seq.).

Roll Call:

Yeas:	Habgood	Nays:	Absent: Neylan
	Arena		
	Dardia		
	LoGrippo		
	Contract		
	Stokes		
	Mackey		
	Mayor Brindle		

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

**Resolution No. 12**

WHEREAS, a need exists for the Town of Westfield to retain professional legal services of a general legal counsel in conjunction with the duties of the Town Attorney for the Town of Westfield; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for legal services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Thomas C. Jardim, Esq. of Jardim, Meisner and Susser PC has submitted a proposal dated December 17, 2018, indicating that Jardim Meisner and Susser PC would provide the above services based on the fees set forth in the firm's cost proposal; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFQ; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, will be furnished to the Town Clerk, subject to the availability of funds in the 2019 Budget. Expenditure of funds pursuant to this contract is to be charged to Legal Account 120-216.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Thomas C. Jardim, Esq. to engage him to render legal services in furtherance of the ordinary duties of the Town Attorney for the Town of Westfield as described in the Code of the Town of Westfield; and
2. The term of the contract will be for a one year term ending December 31, 2019.
3. This contract may be renewed for two (2) additional one (1) year terms, at the Town's discretion.
4. The estimated total fees for ordinary duties performed by the Town Attorney (and attorney's affiliated with Jardim, Meisner and Susser PC) as that term is described within the Code of the Town of Westfield for the term of the appointment shall not exceed \$48,960 with this expenditure charged to Legal Account 120-216.

5. This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

Roll Call:

Yeas: Habgood      Nays:      Absent: Neylan  
Arena  
Dardia  
LoGrippo  
Contract  
Stokes  
Mackey  
Mayor Brindle

The following resolution, introduced by Councilwoman Habgood and seconded by Councilman Contract, was adopted by the following roll call vote:

**Resolution No. 13**

WHEREAS, a need exists for the Town of Westfield to retain professional legal services of Jardim, Meisner and Susser PC, 30B Vreeland Road, No. 201, Florham Park, New Jersey 07932 in conjunction with the duties of the Town Attorney for the Town of Westfield; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for legal services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Jardim, Meisner and Susser PC has submitted a proposal dated December 17, 2018, indicating it would provide the above services based on the fees set forth in the firm’s cost proposal; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFQ; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, will be furnished to the Town Clerk, subject to the availability of funds in the 2019 Budget. Expenditure of funds pursuant to this contract is to be charged to Legal Account 120-211.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield, New Jersey as follows:

1. The Town of Westfield enters into a contract with Jardim, Meisner and Susser PC to engage such firm to render legal services for the extraordinary duties of the Town Attorney for the Town of Westfield.
2. The estimated total fees for extraordinary duties performed by the Town Attorney (and attorney’s affiliated with Jardim, Meisner and Susser PC) as that term is described within the Code of the Town of Westfield for the term of the appointment shall not exceed \$130,000 with this expenditure charged to Legal Account 120-211.
3. The term of the contract will be for a one year term ending December 31, 2019.
4. This contract may be renewed for two (2) additional one (1) year terms, at the Town’s discretion.

5. This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

## Roll Call:

Yeas: Habgood      Nays:      Absent: Neylan  
Arena  
Dardia  
LoGrippo  
Contract  
Stokes  
Mackey  
Mayor Brindle

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

**Resolution No. 14**

WHEREAS, a need exists for the Town of Westfield to retain the professional legal services of a consultant and negotiator in connection with collective bargaining between the Town and its representative employee organizations; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for legal services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Frederick T. Danser III, Esq. of Apruzzese McDermott Mastro & Murphy has submitted a proposal dated December 13, 2018, indicating that Apruzzese McDermott Mastro & Murphy would provide the above services based on the fees set forth in the firm’s cost proposal; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFQ; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contact, prepared in accordance with N.J.A.C. 5:30-5.4, will be furnished to the Town Clerk subject to the availability of funds in the 2019 Budget. Expenditure of funds pursuant to this contract is to be charged to the Legal Account 120-213.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Frederick T. Danser III, Esq., to engage him (and attorneys affiliated with Apruzzese McDermott Mastro & Murphy) in the representation of the Town of Westfield in labor negotiations with representative employee organizations.
2. The term of the contract will be for one (1) year ending December 31, 2019.
3. This contract may be renewed for two (2) additional one (1) year terms, at the Town’s discretion.
4. The Total fee for the year will be \$33,000 with this expenditure charged to Legal Account.

5. This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

## Roll Call:

Yeas: Habgood      Nays:      Absent: Neylan  
Arena  
Dardia  
LoGrippo  
Contract  
Stokes  
Mackey  
Mayor Brindle

The following resolution, introduced by Councilwoman Habgood and seconded by Councilman Stokes, was adopted by the following roll call vote:

**Resolution No. 15**

WHEREAS, a need exists for the Town of Westfield to retain professional legal services in conjunction with the services provided by Frederick T. Danser III, Esq., in his capacity as labor counsel to the Town; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for legal services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Frederick T. Danser III, Esq. of Apruzzese McDermott Mastro & Murphy has submitted a proposal dated December 13, 2018, indicating that Apruzzese McDermott Mastro & Murphy would provide the above services based on the fees set forth in the firm’s cost proposal; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFQ; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contact, prepared in accordance with N.J.A.C. 5:30-5.4, will be furnished to the Town Clerk, subject to the availability of funds in the 2019 Budget. Expenditure of funds pursuant to this contract is to be charged to the Legal Account 120-212.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Apruzzese McDermott Mastro & Murphy in conjunction with the services provided by Frederick T. Danser III, Esq., as labor counsel to provide legal services to the Town of Westfield for labor, employment and personnel matters and related litigation.
2. The term of the contract will be for one (1) year ending December 31, 2019.
3. This contract may be renewed for two (2) additional one (1) year terms, at the Town’s discretion.
4. The estimated total fees for the year shall not exceed \$60,000 with this expenditure charged to the Legal Account.

5. This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

Roll Call:

Yeas:	Habgood	Nays:	Absent:	Neylan
	Arena			
	Dardia			
	LoGrippo			
	Contract			
	Stokes			
	Mackey			
	Mayor Brindle			

The following resolution, introduced by Councilwoman Habgood and seconded by Councilman Stokes, was adopted by the following roll call vote:

**Resolution No. 16**

WHEREAS, a need exists for the Town of Westfield to retain professional legal services to act as special affordable housing counsel; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for legal services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Jonathan Drill of Stickel, Koenig, Sullivan & Drill has submitted a proposal dated December 11, 2018, indicating that Stickel, Koenig, Sullivan & Drill would provide the above services based on the fees set forth in the firm’s cost proposal; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFQ; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, will be furnished to the Town Clerk, subject to the availability of funds in the 2019 Budget. Expenditure of funds pursuant to this contract is to be charged to the appropriate account.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Stickel, Koenig, Sullivan & Drill in conjunction with the services provided by Jonathan Drill, as special affordable housing counsel to provide legal services to the Town of Westfield.
2. The term of the contract will be for a period ending December 31, 2019.
3. This contract may be renewed for two (2) additional one (1) year terms, at the Town’s discretion.
4. The estimated total fees for the year shall not exceed \$25,000 with this expenditure charged to the appropriate account.
5. This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

Roll Call:

Yeas:	Habgood	Nays:	Absent:	Neylan
	Arena			
	Dardia			
	LoGrippo			
	Contract			
	Stokes			
	Mackey			
	Mayor Brindle			

The following resolution, introduced by Councilwoman Habgood and seconded by Councilman LoGrippe, was adopted by the following roll call vote:

**Resolution No. 17**

WHEREAS, the Town of Westfield requires specialized legal services in connection with the authorization and issuance of bonds or notes of the Town of Westfield (the "Town") in the County of Union, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, the Town of Westfield issued a Request for Qualifications (RFQ) for Bond Counsel services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Rogut McCarthy LLC has submitted a proposal dated December 12, 2018, indicating it would provide the above services based on the fees set forth in the firm's cost proposal; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFQ; and

WHEREAS, the expenditure of funds pursuant to this contract is to be charged to the appropriate account.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield, New Jersey as follows:

1. Steve Rogut, Esquire, for the firm of Rogut McCarthy LLC, 37 Alden Street, Cranford, New Jersey, be and hereby, is appointed Bond Counsel for the Town of Westfield for said services in calendar year 2019.
2. This contract may be renewed for two (2) additional one (1) year terms, at the Town's discretion.
3. This contract is awarded pursuant to the "fair and open" process (N.J.S.A. 19:44A-20.5 et seq.).

Roll Call:

Yeas:	Habgood	Nays:	Absent:	Neylan
	Arena			
	Dardia			
	LoGrippe			
	Contract			
	Stokes			
	Mackey			
	Mayor Brindle			

The following resolution, introduced by Councilwoman Habgood and seconded by Councilwoman Mackey, was adopted by the following roll call vote:

**Resolution No. 18**

WHEREAS, the Town of Westfield has resolved to join both the Suburban Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, following a detailed analysis; and

WHEREAS, the Bylaws of said Funds require that each Municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicate that the commission rate for said Risk Management Consultant shall not exceed six percent (6%) of the Member's Annual Assessment; and

WHEREAS, Requests for Qualifications for Health Insurance Consultant/Broker Services and Risk Management Services were advertised pursuant to General Ordinance 1753 of the Town of Westfield to be returnable on December 21, 2018; and

WHEREAS, after review of the proposal received, Brown & Brown Insurance, 56 Livingston Avenue, Roseland, NJ 07068, proposes to perform the services outlined for two (2 %) percent of the Member's Annual Assessment; and

WHEREAS, engagement of Risk Managers for fees representing less than six (6%) percent requires approval of the Suburban Joint Insurance Fund Commission; and

WHEREAS, the Town of Westfield has decided to award this contract to Brown & Brown Insurance following a fair and open process in accordance with N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield does hereby award a contract to Brown & Brown Insurance for Health Insurance Consultant/Broker Services and Risk Management Services for the year 2019 in accordance with the Fund's Bylaws; and

BE IT FURTHER RESOLVED that this contract may be renewed for two (2) additional one (1) year terms, at the Town's discretion; and

BE IT FURTHER RESOLVED that the Town of Westfield hereby submits this resolution to the Fund Commission for approval.

Roll Call:

Yeas:	Habgood	Nays:	Absent:	Neylan
	Arena			
	Dardia			
	LoGrippo			
	Contract			
	Stokes			
	Mackey			
	Mayor Brindle			

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

**Resolution No. 19**

WHEREAS, Section 40A: 4-19 of the Local Budget Act provides that where any contract, commitments or payments are to be made prior to the final adoption of the 2019 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first thirty days of January, 2019, and

WHEREAS, the total appropriations in the 2018 budget, less appropriations for the Capital Improvement Fund and Debt Service in the said 2018 budget is the sum of \$43,369,567.00, and

WHEREAS, twenty-six and one quarter percent of the total appropriations in the 2018 budget exclusive of any appropriations made for Capital Improvement Fund and Debt Service is the sum of \$11,384,511.34

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made and that a certified copy of the resolution be transmitted to the Chief Financial Officer for his records:

Administrative & Executive – Salaries & Wages	\$81,000.00
Administrative & Executive – Other Expenses	70,000.00
Community TV 36 – Service Other Expenses	4,000.00
Town Clerk – Salaries & Wages	55,000.00
Town Clerk – Other Expenses	3,000.00
Collection of Taxes – Salaries & Wages	30,000.00
Collection of Taxes – Other Expenses	10,000.00
Assessment of Taxes – Salaries & Wages	42,000.00
Assessment of Taxes – Other Expenses	4,000.00
Financial Administration – Salaries & Wages	91,000.00
Financial Administration – Other Expenses	4,000.00
Legal Services & Costs – Other Expenses	53,000.00

Municipal Court – Salaries & Wages	110,000.00
Municipal Court – Other Expenses	6,000.00
Municipal Prosecutor – Salaries & Wages	9,000.00
Public Defender – Salaries & Wages	1,000.00
Engineering Services & Costs – Salaries & Wages	183,000.00
Emergency Management – Other Expenses	1,000.00
Public Works – Salaries & Wages	883,000.00
Public Works – Other Expenses	270,000.00
Public Buildings & Grounds – Other Expenses	78,000.00
Planning Board – Other Expenses	1,000.00
Board of Adjustment – Other Expenses	8,000.00
Group Insurance Plan for Employees	1,672,000.00
Other Insurance Premiums	600,000.00
Fire – Salaries & Wages	970,000.00
Fire – Other Expenses	27,000.00
Fire Official – Salaries & Wages	47,000.00
Fire Official – Other Expenses	1,000.00
Hydrant Service	131,000.00
Parking Administration – Salaries & Wages	62,000.00
Police – Salaries & Wages	1,653,000.00
Police – Other Expenses	62,000.00
Crossing Guard – Salaries & Wages	107,000.00
Inspection of Buildings – Salaries & Wages	139,000.00
Inspection of Buildings – Other Expenses	2,000.00
Street Lighting	83,000.00
Electricity	77,000.00
Telephone	68,000.00
Water	4,000.00
Heating Gas	15,000.00
Gasoline	77,000.00
Board of Health – Salaries & Wages	202,000.00
Board of Health – Other Expenses	10,000.00
Board of Health – Contr. Service – Other Expenses	15,000.00
Recreation – Salaries & Wages	46,000.00
Recreation – Other Expenses	1,000.00
Public Events	1,000.00
Maintenance of Free Public Library	497,000.00
Social Security System (OASI)	183,000.00
Rahway Valley Sewerage Authority	2,100,000.00
Dog Regulation	18,000.00
Debt Service – Loan	7,000.00
Debt Service – Interest on Bond	245,000.00
<b>TOTAL TEMPORARY APPROPRIATIONS</b>	<b>11,119,000.00</b>
Less: Debt Service	(252,000.00)

**APPROPRIATIONS, Less Debt Service \$10,867,000.00**

Roll Call:

Yeas: Habgood      Nays:      Absent: Neylan  
 Arena  
 Dardia  
 LoGrippo  
 Contract  
 Stokes  
 Mackey  
 Mayor Brindle

The following resolution, introduced by Councilwoman Habgood and seconded by Councilman LoGrippo, was adopted by the following roll call vote:

**Resolution No. 20**

WHEREAS, Section 40A: 4-19 of the Local Budget Act provides that where any contract, commitments of payments are to be made prior to the final adoption of the 2019 Pool Utility budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first thirty days of January 2019, and

WHEREAS, the total appropriations in the 2018 budget, less appropriations for the Capital Improvement Fund and Debt Service in the said 2018 budget is the sum of \$873,300.00 and

WHEREAS, twenty-six and one quarter percent of the total appropriations in the 2018 budget exclusive of any appropriations made for Capital Improvement Fund and Debt Service is in the sum of \$229,241.25

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made for the Swimming Pool Utility and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

**Swimming Pool Utility:**

Operating Salaries & Wages	\$45,000.00
Operating Other Expenses	130,000.00
Social Security (OASI)	4,000.00
Interest on Bond	58,000.00
Debt Service - Principal	<u>325,000.00</u>

**TOTAL TEMPORARY APPROPRIATIONS:** 562,000.00

Less: Debt Service (383,000.00)

**APPROPRIATIONS, Less Debt Service:** \$179,000.00

Roll Call:

Yeas: Habgood Arena Dardia LoGrippo Contract Stokes Mackey Mayor Brindle	Nays:	Absent: Neylan
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Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilman Dardia, Chairman of the Public Safety, Transportation and Parking Committee, and seconded by Councilman Contract, were unanimously adopted.

**Resolution No. 21**

BE IT RESOLVED that Anthony W. Tiller is hereby appointed to FIRE OFFICIAL for the Town of Westfield for a term expiring December 31, 2019 as per General Ordinance No.1405, Sec: 11-43 (a) (6).

Code Review & Town Property Committee

The following resolutions, introduced by Councilwoman Mackey, Chairwoman of the Code Review & Town Property Committee, and seconded by Councilman LoGrippo, were unanimously adopted.

**Resolution No. 22**

WHEREAS, the Land Use Ordinance of the Town of Westfield requires the appointment of an employee to act as the Municipal Housing Liaison with responsibility for oversight and administration of the affordable housing program for the Town of Westfield; and

WHEREAS, Article 23, §23.10A of the Land Use Ordinance of the Town of Westfield lists the responsibilities of the Municipal Housing Liaison which includes the following:

1. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for the Town of Westfield, including the following responsibilities, which shall not be undertaken by or contracted out to a third party:

- (a) Serving as the Town's primary point of contact for all inquiries from the State of New Jersey, affordable housing providers, Administrative Agents, and interested households;
- (b) Monitoring the status of all affordable units in the Town's Housing Element and Fair Share Plan;
- (c) Compiling, verifying, and submitting annual reports as may be required by the Superior Court, and reports to the Town Council at such intervals as deemed appropriate by the Council;
- (d) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
- (e) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Superior Court;
- (f) Supervising the Administrative Agent(s), if any, contracted or authorized by the Town Council to administer some or all of the affordable units in the Town;
- (g) The implementation of the Affirmative Marketing Plan and affordability controls; and
- (h) The Municipal Housing Liaison shall be responsible for the additional duties listed in Article 23, §23.10A of the Land Use Ordinance of the Town of Westfield that are not specifically delegated by the Town Council to an Administrative Agent.

NOW, THEREFORE, BE IT RESOLVED, that Donald Sammet, PP/AICP, Westfield Town Planner be and is hereby appointed the Municipal Housing Liaison for the Town of Westfield and shall be responsible for performing the duties set forth in Article 23, §23.10A of the Land Use Ordinance; and

BE IT FURTHER RESOLVED, that the term of this appointment shall be one year commencing on January 1, 2019, and the 2019 compensation shall be \$6,000 in the form of a stipend.

**Resolution No. 23**

WHEREAS, The Town of Westfield Planning Board adopted the Town's most recent Housing Plan Element and Fair Share Plan dated October 19, 2016, on November 7, 2016; and

WHEREAS, The Town of Westfield's Housing Plan Element and Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and the regulations of the Council on Affordable Housing (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, the Town of Westfield's Housing Plan Element and Fair Share Plan includes affordable housing initiatives that create opportunities for affordable housing units through a combination of inclusionary development and court approved credits from prior round affordable housing developments; and

WHEREAS, the Town Administrator and Town Planner recommend to the Mayor and Council that Community Grants, Planning & Housing be selected as the Town of Westfield's Affordable Housing Administrative Agent; and

WHEREAS, the Mayor and Council of the Town of Westfield wish to enter into an agreement with Community Grants, Planning & Housing for the purpose of administering and enforcing the affordability controls and, the Town's Affirmative Marketing Plan which shall be adopted by resolution, in accordance with the regulations of the Council on Affordable Housing pursuant to N.J.A.C. 5:94 et.seq., and the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26 et.seq.; and

NOW, THEREFORE BE IT RESOLVED, that Community Grants, Planning & Housing is selected as the Administrative Agent for the units in The Town of Westfield's affordable housing program for a term effective January 1, 2019 and terminating close of business December 31, 2019; and

BE IT FURTHER RESOLVED that Community Grants, Planning & Housing shall be awarded said contract at a fee not to exceed \$13,350 under the Affordable Housing (Administrative Services), subject to the availability of funds in the 2019 budget Account No. 122-218; and

BE IT FURTHER RESOLVED, that the Town of Westfield hereby designates the Municipal Housing Liaison as the liaison to Community Grants, Planning & Housing; and

BE IT FURTHER RESOLVED, that the proper town officials be, and hereby are, authorized and directed to enter into an agreement with Community Grants, Planning & Housing.

#### Public Works Committee

The following resolutions, introduced by Councilman Contract, Chairman of the Public Works Committee, and seconded by Councilwoman Mackey, were unanimously adopted.

#### **Resolution No. 24**

WHEREAS, N.J.S.A. 58:11-64 et. seq. requires that public sewer collection systems are required to have licensed sewer operators; and

WHEREAS, an operator with the required license is needed for the Town of Westfield's public sewer collection system, and

WHEREAS, MGC Unlimited, 18 Cottler Avenue, Springfield, New Jersey 07081, submitted a proposal dated December 27, 2018 to provide such services at a fee of \$10,200; and

WHEREAS, the Town Administrator has reviewed the aforesaid proposal and recommends that a professional services contract for aforesaid services as outlined in the proposal dated December 27, 2018, be awarded to MGC Unlimited; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30 1.10, will be furnished to the Town Clerk, subject to the availability of funds in the 2019 Budget.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional services required for the Sanitary Sewer Collection System be awarded to MGC Unlimited in the amount of \$10,200, and

BE IT FURTHER RESOLVED that the fees for this work be charged to Account No. 185-215.

The Benediction was given by Reverend William M. Williams, III, First United Methodist Church.

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilman Stokes at 7:35 p.m., was unanimously carried.

Tara Rowley, RMC  
Town Clerk