

MINUTES OF ORGANIZATION MEETING HELD JANUARY 7, 2020

Minutes of Organization Meeting of the Council of the Town of Westfield held January 7, 2020 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 7, 2020, at 6:30 p.m. in the Council Chambers of the Municipal Building for the purpose of organizing for the year 2020 and transacting such other business as may properly come before the meeting.

Notice of the meeting was provided on December 11, 2019 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.

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 his participation this evening. I do, before we get started, want to thank the many public officials here with us this evening...former councilman Carl Salisbury, former councilman David Haas, judge, former councilman Jim Healy, and former councilman Kevin Walsh former Mayor Tom Jardim, and County Clerk Joanne Rajoppi. I have to say our Freeholder and Westfield resident Kim Palmieri-Mouded had a family emergency and wasn't able to be here tonight. She wanted to make sure to send her regards. I am also very happy that joining us tonight is Senate Minority Leader, Tom Kean, Assembly Minority Leader, Jon Bramnick, both Westfield residents as we all know, and Assemblywoman Nancy Munoz. I would ask the three of them to come up and share a few words.

Senator Kean's comments:

Senator Kean stated that it is wonderful to see such a tremendous turnout this evening, and feels it is a great way to begin the new year. Thanked Mayor Brindle for allowing them to be here today and congratulated the councilmembers on their victory. Also congratulated the community for coming together from "both sides of the aisle" to work together for a better future.

Assemblyman Bramnick's comments:

Feels Westfield is a special place for many reasons, not only because it has a great downtown and great people, but because of how Westfield residents interact. Stated that he is proud to be a Westfield resident and proud to be part of a community that shows that politics do not have to be toxic.

Assemblywoman Munoz's comments:

Stated that she is glad to be visiting Westfield, but even happier to be representing Westfield. Feels the residents of Westfield, as well as the other fifteen (15) towns they represent, are what makes New Jersey great. Wished all a Happy New Year and stated that she looks forward to continuing to represent Westfield in Trenton. Feels it is a beautiful town and commended the leadership.

Mayor Brindle continued with her opening remarks as follows:

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 our incumbent Town Councilpersons Linda Habgood, Mike Dardia, David Contract, Dawn Mackey

and Mark LoGrippe for their dedication this past year, and extend a big welcome to our new Councilmen Jim Boyes, Mark Parmelee, and Scott Katz who will be sworn in this evening. I look forward to all of us working together, building on the progress we've made so far, for an even more productive 2020.

Additionally, I want to thank the resident volunteers who will be appointed tonight to serve on Town Boards and Commissions, as well as the numerous volunteers who have been asked to serve on the Mayor's Advisory Councils, including the Media Council, Tech Advisory Council, Access and Inclusivity Council, Senior Advisory Council, Mental Health Commission, Mayor's Wellness Campaign, and the Investment Advisory Council. And to all of those who just completed their terms, thank you for your contributions and service to Westfield.

I would also like to offer my personal gratitude to all of our Town employees. As a full-time mayor, I get to see their efforts first-hand and would like to thank them, on behalf of all of our residents, for their dedication and professionalism. They are a significant reason why Westfield remains an exceptional place to live and call home.

I'd also like to recognize the efforts of our Town Administrator Jim Gildea who puts in many nights and weekends on our behalves, yet remains patient, meticulous, and unflappable. Those same adjectives also apply to our amazing Town Clerk Tara Rowley who prefers to work behind the scenes and is really the heartbeat of Town Hall. And I would be remiss if I didn't acknowledge the efforts of our former Mayor and current Town Attorney Tom Jardim, whose knowledge and guidance has enabled much of the legislative progress that we have made to date.

I also must acknowledge the outstanding work of our DPW, led by Director Greg O'Neil, a group that consistently answers the call when asked to do more, as well as the tremendous efforts of our Rescue Squad, comprised solely of volunteers, and the members of our Fire Department, led by our new Chief Tony Tiller. Chief Tiller is ushering in a new era of department leadership and, very importantly, a new level of collaboration with the Westfield Police Department.

This partnership is possible, thanks in part, to the selfless leadership of Police Chief Chris Battiloro, who in his first year as Chief, lived up to the commitment he made to prioritize community policing. We've seen it through the expanded police presence at every community event, the introduction of bike patrols, escorting troops home from deployment, the introduction of body cams, and new public interactions including coffee with a cop where Chief Battiloro took a spin as a barista at our town Starbucks.

And lastly, thanks to our families, including my own, for enduring the sacrifice of many nights and weekends that we are away from home. We wouldn't be able to serve without you, and our community is grateful for your role in our service.

Let us now move on to tonight's business of swearing in ceremonies and appointments, where I'll be sharing additional remarks in my State of the Town address a bit later.

The Meeting Called to Order by Mayor Brindle.

Union County Clerk Joanne Rajoppi presented Certificates of Election to the newly elected and reelected Council Members

Swearing in of Council Members

Newly-elected 1st Ward Council Member James Boyes was sworn in by the Honorable Parag Patel, Westfield Municipal Court Judge filed his oath as required by law and took his seat with the Council.

Newly-elected 2nd Ward Council Member Mark Parmelee was sworn in by Mayor Brindle, filed his oath as required by law and took his seat with the Council.

Re-elected 3rd Ward Council Member Mark LoGrippe was sworn in by Honorable Lisa Walsh, NJ Superior Court Judge filed his oath as required by law and took his seat with the Council.

Newly-elected 4th Ward Council Member Scott Katz was sworn in by Honorable Parag Patel, Westfield Municipal Court Judge, filed his oath as required by law and took his seat with the Council.

PRESENT: Mayor Brindle, Council Members Habgood, Parmelee, LoGrippo, Katz, Mackey, Dardia, Boyes

ABSENT: Councilman Contract

Mayor Brindle proposed the following Acting and Alternate Acting Mayor appointments for year 2020. Motion made by Councilman Dardia, seconded by Councilman LoGrippo, and unanimously confirmed by Council.

Acting Mayor – Linda Habgood
Alternate Acting Mayor – Dawn Mackey

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

Planning Board Liaison

Linda Habgood, Class III *December 31, 2020*

Board of Adjustment

Michael J. Cohen *December 31, 2023*

Chris Masciale *December 31, 2023*

Samuel Reisen, Alternate No. 2 *December 31, 2021*

Special Improvement District Board

Property Owner - *David Casiere* *December 31, 2021*
(Unexpired Term)

Merchant - *Patricia Hanigan* *December 31, 2022*

Resident - *Lew Kimble* *December 31, 2022*

Council Designee - *Dawn Mackey* *December 31, 2020*

Mayor Designee - *Shelley Brindle* *December 31, 2020*

Ex Officio - *James H. Gildea* *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, 2020*
2. *Resolution to appoint Public Defender* *December 31, 2020*

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.

BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield appoint Howard Egenberg, Esq. to the position of Municipal Prosecutor for a one-year term ending December 31, 2020.

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, 2020.

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

Board of Health

Brendan Bertsch *December 31, 2022*
(Unexpired Term)

Andrea Marcus *December 31, 2023*

Daniel Halevy, MD *December 31, 2023*

Zoe McKelvey, Alternate No. 1 *December 31, 2021*

Council Liaison - Michael Dardia *December 31, 2020*

Recreation Commission

Gary Fox *December 31, 2022*

Gary Fox, Chair *December 31, 2020*

Jennifer Gilman *December 31, 2022*

Larry McDermott *December 31, 2022*

Jeffrey Perrella *December 31, 2022*

Kenneth Rotter, Alternate No. 1 *December 31, 2022*

Jonathan Glacken, Alternate No. 2 *December 31, 2021*

Council Liaison - Scott Katz December 31, 2020

Historic Preservation Commission

Robert Wendel, Class A December 31, 2023

Greg Blasi, Class B December 31, 2023

Kelly Kessler, Class B December 31, 2023

Alison Carey, Class C December 31, 2023

Jacqueline Brevard, Alternate No. 1 December 31, 2020
(Unexpired Term)

Mary Anne Healy, Alternate No. 2 December 31, 2021

Council Liaison - Linda Habgood December 31, 2020

Tree Preservation Commission

Donna Canavan December 31, 2022

Tricia Mullaney December 31, 2022

Council Liaison - James Boyes December 31, 2020

Memorial Library Board

Paul Roth December 31, 2020
(Unexpired Term)

Michelle Habayeb December 31, 2024

Council Liaison - Mark LoGrippe December 31, 2020

Westfield Housing Commission

John O'Brien December 31, 2020

Sasha Nisbet December 31, 2020

Tatiana Sandreschi Reis December 31, 2020

Carol Nixon December 31, 2020

Karna Cestero December 31, 2020

Don Sammet, ex officio member December 31, 2020

Kris McAloon, ex officio member December 31, 2020

Public Arts Commission

Dawn Mackey, Class 1/Town Council Rep. December 31, 2020

Diane Barrasso Nigam, Class 2/Mayor designee December 31, 2020

<i>Paul Federico, Class 3/Town Historian designee</i>	<i>December 31, 2020</i>
<i>Kathleen Miller Prunty, Class 4/DWC Staff</i>	<i>December 31, 2021</i>
<i>Alex Stone, Class 5/Resident</i>	<i>December 31, 2020</i>
<i>Cheryl Rosario, Class 5/Resident</i>	<i>December 31, 2021</i>
<i>Margaret Smith, Class 5/Resident</i>	<i>December 31, 2022</i>
<i>Lee Schaefer, Alternate No. 1</i>	<i>December 31, 2021</i>
<i>Michele Modestino, Alternate No. 2</i>	<i>December 31, 2021</i>

Mayor Brindle announced the following Mayoral appointments:

Planning Board

<i>Matthew Ceberio, Class IV</i>	<i>December 31, 2023</i>
<i>Ann Freedman, Alternate No. 2</i>	<i>December 31, 2021</i>
<i>Shelley Brindle, Class I, Mayor's Designee</i>	<i>December 31, 2020</i>
<i>Kris McAloon, Class II</i>	<i>December 31, 2020</i>

Community Development Revenue Sharing Committee

<i>Dorothy Musho</i>	<i>December 31, 2020</i>
<i>Leo Marcus</i>	<i>December 31, 2020</i>

Solid Waste Advisory Board

<i>Jeff Bryk</i>	<i>December 31, 2020</i>
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Union County Transportation Advisory Board

<i>David Judd</i>	<i>December 31, 2020</i>
<i>Marv Gersten, Alternate</i>	<i>December 31, 2020</i>

Air Traffic Advisory Board

<i>Jerome Feder</i>	<i>December 21, 2021</i>
<i>Scott Jaffee</i>	<i>December 31, 2021</i>

Chamber of Commerce Liaison – Councilman Scott Katz
Union County League of Municipalities – Mayor Shelley Brindle
Board of Education Liaison – Councilman David Contract
2nd Senior Citizens Housing Corporation Liaison – Councilman Mark Parmelee
Municipal Alliance Liaison – Councilman James Boyes

Mayor Brindle announced the following Council Committees:

Finance Policy Committee

Linda Habgood, Chairwoman
David Contract, Vice-Chairman
Mark Parmelee
Mark LoGrippe

Public Safety, Transportation & Parking Committee

Michael Dardia, Chairman
James Boyes, Vice-Chairman
Linda Habgood
Dawn Mackey

Code Review & Town Property Committee

Dawn Mackey, Chairwoman
Mark Parmelee, Vice-Chairman
Scott Katz
Mark LoGrippe

Public Works Committee

David Contract, Chairman
Scott Katz, Vice-Chairman
James Boyes
Michael Dardia

MAYOR'S STATE OF THE TOWN ADDRESS

I now have the privilege of delivering the State of the Town address, reflecting on key 2019 accomplishments and the vision we've worked to set in motion for our future.

First and foremost, I'm happy to report that the state of our Town is strong! We have an immensely bright future, which is a reflection of the contributions of our resident volunteers and Town employees, many of whom are here tonight.

When I took office two years ago, I committed to focusing on the following four key priorities:

1. Maintain strong fiscal oversight
2. Chart a vision for Westfield's future
3. Champion quality of life issues
4. Increase resident engagement

As your full-time volunteer Mayor, these priorities remain the guiding principles of my administration. I'm very proud of how much progress we've made in addressing these priorities, and would like to share a few 2019 highlights:

- ✔ Achieved first 0% municipal tax increase
- ✔ Maintained a robust \$9.5mm budget surplus and AAA bond rating, while making sound investments in our future
- ✔ Paved 20 miles of roads, the most in Town history
- ✔ Completed the Master Plan Reexamination, Parks Strategic Plan, and Bike and Pedestrian Plan, which, combined, represent an unprecedented holistic road map for our Town driven by robust public input
- ✔ Successfully lobbied for restoration of RVL off-peak one-seat rides, and prioritized our fight for better service and peak one-seat rides
- ✔ Introduced policy improvements to incentivize Downtown business climate, and saw the opening of 23 new businesses in 2019 alone
- ✔ Introduced a significant number of community events including our second annual AddamsFest, as well as our first MultiCultural Festival, Chili and Chowder Cookoff, and two movie nights, to name a few
- ✔ Implemented numerous new Green Team initiatives, paving the way to becoming a leading sustainable community
- ✔ Planted over 900 trees, the most in Westfield's history, and strengthened our tree protection ordinance

✔ Received \$935,000 in grants, almost doubling what we've historically received on average

There is a much more exhaustive list of accomplishments that can be found on the Town website, but I prefer to spend my time this evening focusing on our future.

This year, we'll be commemorating the 300th anniversary of our Town's settlement in 1720, while also embarking on a new vision for Westfield's future. In addition to the solid progress we've made to date on multiple fronts, we've also spent the last two years collecting your input to lay the groundwork for the exciting yet challenging decisions that are to come. We've listened, and this Council is now prepared to act.

And so tonight, I'd like to talk about change, and what that means for us as a community. For those worried about the state of our downtown, change hasn't been happening fast enough. For others, when it comes to areas like development, change is happening too abruptly.

Regardless of where you fall on this spectrum, we can all agree that change is both hard and inevitable. It's how we decide to address it that will define us. We can choose to ignore change, and let circumstances drive our outcome, or we can accept, embrace and plan for it to help ensure that we control our own destiny.

Not only do I prefer the latter, but it also represents a hallmark of my approach to problem-solving. From my many interactions with residents, I think most of you prefer this proactive approach as well. To that end, we must work together to build on the progress we've made these past two years for Westfield to become:

- An inclusive community where young couples can afford to put down roots, empty nesters can afford to stay, and our children's children will want to call home
- A community that cherishes its remarkable past and historical character, while embracing the future and the change that inevitably comes with it
- A community that preserves its green and open spaces, while providing more fields and recreation opportunities for youth and adults alike
- A community with a vibrant, walkable downtown where you can meet up with your neighbors in new public spaces, have options to live and work downtown, and enjoy a thriving restaurant, arts and culture scene anchored by a reimagined, multi-purpose Rialto
- A community that finally addresses long-standing challenges that impede progress, including infrastructure, parking, traffic, and walkability

Based on your input into the recently adopted Master Plan Reexamination, this is the future that you, our residents, envisioned for Westfield. This vision wasn't imagined by a select few, but rather by consensus from the public at large, and this is the year when we will determine how best to achieve it.

I'm certain we all agree on a top priority, that we can't rely on raising property taxes to deliver this vision and the services we want and deserve. Any plan must include new and creative sources of revenue to diversify our tax base and reduce our over-reliance on residential property taxes. With 85% of collected taxes coming from residents, it's not sustainable, reasonable, or fair to ask us to contribute more.

With that understood, let me highlight the key priorities we will address this year:

1. **Revitalizing Our Downtown:** While there are many different studies, indicators, and opinions on what makes a great downtown, all agree that successful downtowns don't just happen. They require hard work, proactive planning, a concrete vision for the future, and the courage and willingness to make that vision a reality. To that end, this Council, in collaboration with the Planning Board and DWC, and incorporating the input we've received from downtown property owners and merchants, is prepared to prioritize and advocate for the following:

- Address parking deficiencies for commuters, shoppers, and employees by reevaluating capacity of all municipal parking lots and seeking sensible opportunities for expansion
 - Identify a plan for developing downtown space that attracts a broader variety of commercial tenants, thereby increasing downtown foot traffic while also expanding our tax base
 - Create new open spaces, public meeting places, and culture and arts opportunities, while continuing to drive productive discussions about the Rialto's future and its hopeful re-opening as a performing arts center
 - Diversify our housing stock through zoning changes that enable more downtown housing options for young couples, downsizers, and seniors
 - Reenergize the Downtown Westfield Corporation by prioritizing economic development, adding new highly engaged Board members, and hiring a permanent Executive Director
2. **Increasing Parks and Recreation Opportunities**
- Implement initial Parks Strategic Plan recommendations, prioritizing the addition of new fields in partnership with the Board of Education
 - Improve maintenance of existing parks, optimize open spaces, and plan to add trails, water fountains and restroom facilities where needed
3. **Prioritizing Quality of Life Issues**
- Continue to fight for RVL peak one-seat ride service to improve commute and increase property values
 - Establish circulation and traffic management plan to mitigate congestion and pedestrian safety issues associated with existing and new development
 - Strengthen our Historic Preservation ordinance to protect the historic character of our town, and build upon the momentum of the recent historic designations
 - Expand sensible investment in infrastructure, including accelerated road paving, addressing storm water issues, and automation of town services
 - Continue to strive towards becoming a leader in sustainability by expanding the Green Team and their initiatives

In closing, let's remind ourselves that the most important quality of life issue can't be solved by a series of ordinances voted upon by the nine of us. It can only, truly, be solved by all of us. And that is a commitment to living up to the ideals of the kind of community that we want to be. One that prioritizes compassion, acceptance, kindness and empathy. One that celebrates and welcomes diversity, and works through disagreements civilly and respectfully. I know that's the Westfield we all want, and the one that will help us advance our shared goals.

In closing, my final ask of you is to commit yourself to remaining engaged and informed. You can do this by proactively staying on top of information we share, either by following me and the Town on our social media channels, subscribing to our email updates, or regularly perusing the Town website. I also ask that you continue holding us accountable, and approach this year with an open mind and a heart full of gratitude for being fortunate enough to live in this great community.

It remains a privilege to be your mayor. God bless our great community and country. Happy new year! Now let's get to work!

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 Councilwoman Mackey, were unanimously adopted.

Resolution No. 3

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 2020 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 DEPOSITORY

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:

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

OCEANSFIRST 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 Anthony Tiller. 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 Chief 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 and/or Administrator:

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 2020, 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 2020 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, 2020 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.

E. If any check or draft received by the Tax Collector from any person or organization for the payment of taxes is dishonored after deposit for "insufficient funds" or for any other reason, the Tax Collector shall not redeposit such check or draft but shall notify such person or organization by letter of this dishonor and require a replacement check, draft or cash to replace the amount of the check in addition to any interest that may accrue. A fee of \$20 shall be charged if the check is returned for "Insufficient Funds". The Tax Collector shall not accept replacement payment until the fee of \$20 is paid.

XIII. TERM OF PLAN

This Plan shall be in effect from adoption until December 31, 2020. 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. 4

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
 Anthony Tiller, Fire Chief
 Philip Israel, Library Director
 Megan Avallone, Health Department Director

Resolution No. 5

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 2020.

Resolution No. 6

BE IT RESOLVED by the Town Council of the Town of Westfield, at a meeting held

January 7, 2020 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”.

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

Resolution No. 7

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:

Janette Spiezio (Co-Chair)
 Tim Van Epp (Co-Chair)
 David Contract (Council Liason)
 Amarish Mehta
 Catherine Choudhry
 Damani Parran
 Jay Goldring
 Judy Paris
 Karrie Hanson
 Kirti Malik
 Lois Kraus
 Maite Quinn-Richards
 Nancy Albanese
 Phil Round
 Ross Katz
 Medea Villere
 Peter Goldberg
 Donna Pizzi
 Patrick Evans
 Liz Chacko
 Adrian Newall
 Bruce Johnson
 Keith Gilman
 Emily Posyton
 Shreya Jyotishi
 Walter Korfmacher
 Zoe McKelvey

Roll Call:

Yeas: Habgood
 Parmelee
 LoGrippe
 Katz

Nays:

Absent: Contract

LoGrippto
 Katz
 Mackey
 Dardia
 Boyes
 Mayor Brindle

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

Resolution No. 9

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, 2019, 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 2020 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 (1) year term ending December 31, 2020.
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 \$50,300 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 Parmelee LoGrippto Katz Mackey Dardia Boyes Mayor Brindle	Nays:	Absent: Contract
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The following resolution, introduced by Councilwoman Habgood and seconded by Councilwoman Mackey, was adopted by the following roll call vote:

Resolution No. 10

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, 2019, 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 2020 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 \$220,000 with this expenditure charged to Legal Account 120-211.
3. The term of the contract will be for a one (1) year term ending December 31, 2020.
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:	Contract
	Parmelee			
	LoGrippo			
	Katz			
	Mackey			
	Dardia			
	Boyes			
	Mayor Brindle			

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

Resolution No. 11

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 12, 2019, 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 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 2020 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, 2020.
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: Contract
Parmelee		
LoGrippo		
Katz		
Mackey		
Dardia		
Boyes		
Mayor Brindle		

The following resolution, introduced by Councilwoman Habgood, seconded by Councilman Parmelee 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 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 12, 2019, 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 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 2020 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, 2020.
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 \$50,000 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 Parmelee LoGrippo Katz Mackey Dardia Boyes Mayor Brindle	Nays:	Absent: Contract
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The following resolution, introduced by Councilwoman Habgood and seconded by Councilwoman Mackey 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 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 3, 2019, 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 2020 Budget. Expenditure of funds pursuant to this contract is to be charged to the Legal Account 120-217.

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, 2020.
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 \$20,000 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 Parmelee LoGrippo Katz Mackey Dardia Boyes Mayor Brindle	Nays:	Absent: Contract
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The following resolution, introduced by Councilwoman Habgood and seconded by Councilman Stokes, was adopted by the following roll call vote:

Resolution No. 14

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 6, 2019, 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 Capital Fund accounts.

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 2020.

- 2. This contract may be renewed for two (2) additional one (1) year terms, at the Town’s discretion.
- 2. 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 Parmelee LoGrippe Katz Mackey Dardia Boyes Mayor Brindle	Nays:	Absent: Contract
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The following resolution, introduced by Councilwoman Habgood and seconded by Councilman LoGrippe, was adopted by the following roll call vote:

Resolution No. 15

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 17, 2019; 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. Contract is subject to adequate funding in the 2020 budget and is to be charged to Other Insurance Account 184-221.

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 2020 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 Parmelee LoGrippe Katz	Nays:	Absent: Contract
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Mackey
Dardia
Boyes
Mayor Brindle

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

Resolution No. 16

WHEREAS, The Town of Westfield Planning Board adopted the Town's most recent Housing Plan Element and Fair Share Plan dated February 22, 2018, on March 5, 2018; 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, 2020 and terminating close of business December 31, 2020; 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 2020 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.

Roll Call:

Yeas:	Habgood	Nays:		Absent:	Contract
	Parmelee				
	LoGrippe				
	Katz				
	Mackey				
	Dardia				

Boyes
 Mayor Brindle

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

Resolution No. 17

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 2020 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, 2020, and

WHEREAS, temporary appropriations shall not exceed 26.25% of the prior year’s appropriations, less appropriations for the Capital Improvement Fund and Debt Service, and

WHEREAS, the total appropriations in the 2019 budget, less appropriations for the Capital Improvement Fund and Debt Service in said 2019 budget is the sum of \$44,912,972.00, and

WHEREAS, twenty-six and one quarter percent of the total appropriations in the 2019 budget exclusive of any appropriations made for Capital Improvement Fund and Debt Service is the sum of \$11,789,655.15

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	\$98,000.00
Administrative & Executive – Other Expenses	70,000.00
Community TV 36 – Service Other Expenses	4,000.00
Town Clerk – Salaries & Wages	56,000.00
Town Clerk – Other Expenses	3,000.00
Collection of Taxes – Salaries & Wages	27,000.00
Collection of Taxes – Other Expenses	6,000.00
Assessment of Taxes – Salaries & Wages	44,000.00
Assessment of Taxes – Other Expenses	5,000.00
Financial Administration – Salaries & Wages	90,000.00
Financial Administration – Other Expenses	4,000.00
Legal Services & Costs – Other Expenses	73,000.00
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	202,000.00
Emergency Management – Other Expenses	1,000.00
Public Works – Salaries & Wages	931,000.00
Public Works – Other Expenses	438,000.00
Public Buildings & Grounds – Other Expenses	78,000.00
Planning Board – Other Expenses	4,000.00
Board of Adjustment – Other Expenses	9,000.00
Group Insurance Plan for Employees	1,672,000.00
Other Insurance Premiums	600,000.00
Fire – Salaries & Wages	998,000.00
Fire – Other Expenses	33,000.00
Fire Official – Salaries & Wages	48,000.00
Fire Official – Other Expenses	1,000.00
Hydrant Service	89,000.00
Parking Administration – Salaries & Wages	70,000.00
Police – Salaries & Wages	1,707,000.00
Police – Other Expenses	133,000.00
Crossing Guard – Other Expenses	150,000.00
Inspection of Buildings – Salaries & Wages	148,000.00
Inspection of Buildings – Other Expenses	4,000.00
Street Lighting	83,000.00

Electricity	77,000.00
Telephone	68,000.00
Water	4,000.00
Heating Gas	17,000.00
Gasoline	77,000.00
Board of Health – Salaries & Wages	14,000.00
Board of Health – Other Expenses	12,000.00
Board of Health – Contr. Service – Salaries & Wages	192,000.00
Board of Health – Contr. Service – Other Expenses	15,000.00
Recreation – Salaries & Wages	48,000.00
Recreation – Other Expenses	1,000.00
Public Events	3,000.00
Maintenance of Free Public Library	497,000.00
Social Security System (OASI)	179,000.00
Defined Contribution Retirement Plan	7,000.00
Rahway Valley Sewerage Authority	2,100,000.00
Dog Regulation	18,000.00
Debt Service – Principal	2,682,000.00
Debt Service – Interest on Bond	424,000.00
TOTAL TEMPORARY APPROPRIATIONS	14,440,000.00
Less: Capital Improvement Fund and Debt Service	(3,106,000.00)

**TOTAL TEMPORARY APPROPRIATIONS, Less
Capital Improvement Fund and Debt Service** **\$11,334,000.00**

Roll Call:

Yeas: Habgood	Nays:	Absent: Contract
Parmelee		
LoGrippe		
Katz		
Mackey		
Dardia		
Boyes		
Mayor Brindle		

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

Resolution No. 18

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 2020 Swim 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 2020, and

WHEREAS, the total appropriations in the 2019 budget, less appropriations for the Capital Improvement Fund and Debt Service in said 2019 budget is the sum of \$892,683.00 and

WHEREAS, twenty-six and one quarter percent of the total appropriations in the 2019 budget exclusive of any appropriations made for Capital Improvement Fund and Debt Service is in the sum of \$234,329.29

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	\$100,000.00
Operating Other Expenses	104,000.00
Social Security (OASI)	8,000.00
Interest on Bond	47,000.00
Debt Service - Principal	<u>325,000.00</u>
TOTAL TEMPORARY APPROPRIATIONS:	584,000.00

Less: Debt Service (372,000.00)

**TOTAL TEMPORARY APPROPRIATIONS, Less
Debt Service:** \$212,000.00

Roll Call:

Yeas: Habgood Parmelee LoGrippo Katz Mackey Dardia Boyes Mayor Brindle	Nays:	Absent: Contract
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Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolution, introduced by Councilwoman Mackey, Chairwoman of the Code Review & Town Property Committee, and seconded by Councilman Dardia, was unanimously adopted.

Resolution No. 19

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 is one year, commencing on January 1, 2020 and the 2019 compensation shall be \$6,500 in the form of a stipend.

Public Works Committee

The following resolution, introduced by Councilman Katz, Vice-Chairman of the Public Works Committee, and seconded by Councilman Parmelee, was unanimously adopted.

Resolution No. 20

WHEREAS, the Town of Westfield is seeking a qualified professional to provide sewer collection services as well as pump station inspection and monitoring services; and

WHEREAS, MGC Unlimited, 18 Cottler Avenue, Springfield, New Jersey 07081, is a New Jersey Licensed Collection System Operator and has submitted a proposal to provide sewer collection services at a fee of \$10,200, and a proposal to provide pump station inspection and monitoring services at a fee of \$4,800; and

WHEREAS, the Town Administrator has reviewed the aforesaid proposals and recommends that a professional services contract 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 2020 Budget.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional services be awarded as follows:

1. Sewer Collection System Operator at a fee not to exceed \$10,200; and
2. Pump Station Inspection and Monitoring Services at a fee not to exceed \$4,800; and

BE IT FURTHER RESOLVED that the fees for this work be charged to Budget 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 Councilwoman Habgood at 7:30 p.m., was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk