

MINUTES OF REGULAR MEETING HELD FEBRUARY 25, 2020

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, February 25, 2020 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2019. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

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

ABSENT: Mayor Brindle

INVOCATION AND FLAG SALUTE

Invocation was given by Councilman Contract followed by the flag salute.

PRESENTATIONS

Acting Mayor's Remarks

Acting Mayor Habgood delivered the following remarks on behalf of Mayor Brindle:

- Discussed the Rialto Theater and stated that the Town continues to seek a funding partner to help realize its potential vision as a performing arts center because the current marketplace does not appear to support its re-opening strictly as a movie theater. Explained that the Town is not looking to take on the full financial responsibility of running the theater, ongoing conversations continue about potential funding avenues that would make the most sense in terms of investment, viability and versatility;
- Provided an update on the status of the train station coffee kiosk improvements and stated that the exterior kiosk renovation is nearly complete, with the roofing just installed and only the paint work remaining. Explained that the main cause of the project's delay is in the scope of the interior work that the site requires, including a complete overhaul of the outdated electrical system that is out of code compliance, as well as the installation of water lines that were not previously in place. Further explained that this interior work requires ongoing coordination between NJ Transit, NJ American Water, and PSE&G. While the contractor can begin the trenching work and line installation for both water and electricity to the kiosk, the Town is dependent on PSE&G, NJ American Water, and NJ Transit to get the final connections in place. The Town is looking forward to the work being completed so that RFP's can be issued to secure an operator for the kiosk;
- Informed residents that Mayor Brindle, along with Mayors Todisco and Giblin, recently met with Tom Bracken, President of the NJ State Chamber of Commerce, to learn about their proposed economic master plan and ask for their vocal support for small businesses, particularly those in walkable downtowns like Westfield. Explained that as the State reevaluates its economic development approach, it is critical that local mayors continue to work together and advocate for policies that are favorable to businesses;
- Announced that there will be a meeting of the 32 mayors of the RVL Mayors' Alliance this week. Speakers will include representatives from the Governor, Senator Booker, and Congressman Malinowski's Office. Also presenting will be officials from NJ Transit, including their customer care advocate. Priorities for the meeting are to receive an update on the RVL peak one-seat ride feasibility study, request for potential of offering one-seat ride weekend service, and an update on NJ Transit's efforts to improve overall service and communication.

Councilwoman Mackey's Remarks

Councilwoman Mackey provided the following updates on behalf of Mayor Brindle:

- Extended her appreciation to Kathleen Miller Prunty as she completes her role as the DWC's Interim Executive Director, and announced that the DWC Board voted to approve the appointment of Robert Zuckerman to the position of Executive Director, effective March 23. Stated that Mr. Zuckerman has extensive experience in downtown organizations, Special Improvement Districts and Main Street Programs. He most recently headed the South Orange Village Center Alliance and is currently President of Downtown New Jersey, a state-wide professional organization that advocates for downtowns. In addition, stated that Mr. Zuckerman's vast experience, including business recruitment and serving on the Board of Governors for the South Orange Performing Arts Center, innovative thinking, and knowledge of municipal government made him a natural choice for the position;
- Discussed the expansion of the DWC and announced that the Town Council would vote this evening on the appointment of four (4) additional members to the DWC Board, following a recent ordinance authorizing its expansion. Those to be appointed are Lillian Pien (Owner Director), owner of Akai and a new Downtown building owner; Roberta Loew (Operator Director), owner of Acting Out Studio on South Avenue; Michael LaPlace (Resident Director), who was the first Executive Director of the DWC; and Bob Conway (Resident Director), who owns Brownie Points in Summit and is a member of Summit's equivalent downtown board. Feels these new members bring extremely valuable and diverse experience to the DWC Board, and as Council liaison, stated that she is thrilled and grateful for their willingness to lend their time and expertise to benefit the Downtown;
- Provided an update of Westfield 300 efforts and announced that this past Sunday, a Colonial Dinner & Drinks event was hosted in partnership with the Westfield Historical Society at 16 Prospect Wine Bar & Bistro. Stated that this sold out event featured a historical discussion of Westfield's taverns and inns, as well as colonial dinner items. In addition, Jenn Wilner, the Westfield 300's logo designer, has produced new Westfield 300 logos featuring retail, dining, and the Blue Devil mascot, which will appear on local merchandise and on Westfield's athletic uniforms. In addition, an online donation portal is expected to be available on the Town's website shortly, making it more convenient for those interested to contribute to Westfield 300 efforts. Also stated that there would be information to share in the coming weeks and months and that the Town is still accepting volunteers.

Green Team Medallion Program Announcement

Karrie Hanson and Nancy Albanese of the Green Team were present.

Ms. Hanson discussed the second-year launch of the Green Westfield Medallion Program. Also thanked and acknowledged the DWC for its partnership with the Green Team in connection with this program.

Ms. Albanese discussed the program and the increase in requirements for 2020. Explained that it is a voluntary program and medallions are awarded to businesses who participate. Provided some examples of the requirements to qualify for a medallion, such as asking customers if they need utensils rather than automatically providing them, use of recyclable materials, and encouraging bicycling, walking and the use of electric vehicles when applicable to their business.

Councilman Contract feels the Green Westfield Medallion Program is a great program and believes shoppers want businesses that have implemented sustainable practices. Also provided the website address for those interested in information concerning this program.

Affordable Housing Compliance Update

The Town Planner provided an update concerning the Town's compliance with its affordable housing obligation. Explained that the Town obtained its Final Judgment of Compliance and Repose from the court in August of 2018, which means that the Town's housing plan was found to be fair to low and moderate income households and provides an opportunity for the development of workforce housing in the Town. In addition, this judgment provides the Town with immunity from Builders Remedy lawsuits. Feels the Town has a plan that is well thought out, focuses on transit-oriented development and provides for development in places where the Town can be "true" to its identity, while meeting its affordable housing obligation and providing thoughtful growth.

The Town Planner continued his update by explaining that the Town is now in the implementation stage of its plan and has not only adopted its Housing Element and Fair Share Plan as part of the Town's Master Plan, but has adopted a number of ordinances and an affordable housing spending plan, which is required for use of the affordable housing trust fund. In addition, the Town administers an affordable housing program by way of an Administrative Agent, who is responsible for the marketing and the application intake for affordable housing units. Stated that he serves as the Town's Municipal Housing Liaison and administers the program in-house in coordination with the Administrative Agent. As part of the implementation of the Town's Affordable Housing Plan, he is required to provide an update of the Town's compliance update at a noticed Town Council meeting each February.

The Town Planner then discussed efforts the Town has taken to have twenty (20) additional homes constructed by not for profit housing agencies. The Town is required to meet with these agencies each year. Reported that last year he hosted an inaugural meeting with non-profit housing organizations, which was well-attended. During that meeting, he explained the Town's housing plan, what potential opportunities there might be, and the funds available in the Town's affordable housing trust fund to help them meet their goals. Reiterated that this was an inaugural meeting that generated much interest, and he has had at least three (3) requests for follow up meetings. Explained that not for profits are seeking help with land costs from municipalities. Further explained that transit-oriented municipalities like Westfield are "hot" right now and land costs have and continue to "skyrocket". As such, not for profits need help from municipalities in acquiring Town-owned land for free or at a nominal cost, or to minimize the cost for land purchase through the use of trust fund dollars so that affordable units can be produced at a cost that allows them to maintain the affordability of those units.

The Town Planner also discussed the newly established Westfield Housing Commission, which is required as part of the Town's compliance with its affordable housing obligation, and recognized those Housing Commission members in attendance. Explained that the Housing Commission will help the Town with its meetings with not for profit agencies, will help to fulfill its obligation in constructing the twenty (20) additional homes required, and could also help the Town in the implementation of its housing plan. In addition, this annual meeting is also required in conjunction with an annual report he has prepared describing efforts the Town has taken to assist not for profit developers, which was distributed to the Mayor and Town Council and is filed with the court and Fair Share Housing Center. Explained that the Town's implementation of its housing obligation is closely monitored by the courts and Fair Share Housing.

The Town Planner concluded his report by discussing efforts taken beyond the not for profit piece of the plan, including 339 West Broad Street, which was issued Certificates of Occupancy. Affordable units included in this project have been marketed and application review is taking place at this time. The former Pan Am site is currently under construction and includes affordable units. 244 Myrtle Avenue was constructed by the ARC of Union County for special needs housing and a Certificate of Occupancy has been issued. 304 Myrtle Avenue is also currently under construction by the ARC of Union County and should be completed this year. 321 Grove Street, a townhouse project, is near full completion, and while it does not include affordable units, its obligation pursuant to settlement approved by the court was moved to a project to be constructed on South Avenue, which is one of the properties being considered as an area in need of redevelopment. In addition, a ten (10) unit project on Ross Place was issued site plan approval. This project also does not have affordable units, pursuant to settlement, but a payment in lieu is being provided to the Town's affordable housing trust fund. Discussed the daily administration of the Town's affordable housing obligation in conjunction with the Administrative Agent, which involves a great deal of time and effort, and explained that many municipalities are faced with this issue. Also discussed the sessions and meetings he has attended with respect to affordable housing and informed the Town Council that Westfield is doing very well with the implementation of its plan. Explained that this is important because the Town will reach its mid-point review this year with respect to the implementation of its housing plan. Also stated that his presentation this evening is a status update and while no action is needed by the Town Council at this time, he hopes to continue to have the support needed in terms of program and ordinance implementation. Lastly, announced that anyone interested in applying for affordable units in Westfield can find information at www.affordablehomesnewjersey.com. Links to affordable housing units in Westfield as well as other municipalities are available at that site.

The Town Administrator thanked the Town Planner for his efforts, as well as the Town's Administrative Agent, Community Grants Planning and Housing. Also thanked the members of the Housing Commission in attendance.

APPOINTMENTS

Acting Mayor Habgood proposed the following Council appointments. Motion made by Councilwoman Mackey and seconded by Councilman Boyes was carried.

Special Improvement District Board

<i>Owner Director -</i>	<i>Lillian Pien</i>	<i>December 31, 2020</i>
<i>Operator Director -</i>	<i>Roberta Loew</i>	<i>December 31, 2021</i>
<i>Resident Director -</i>	<i>Michael LaPlace</i>	<i>December 31, 2020</i>
<i>Resident Director -</i>	<i>Bob Conway</i>	<i>December 31, 2022</i>

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2158

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

Advertised returnable this evening.

Hearing no comments, Acting Mayor Habgood declared the hearing closed.

GENERAL ORDINANCE NO. 2159

“AN ORDINANCE ESTABLISHING THE HUMAN RELATIONS COMMISSION FOR THE TOWN OF WESTFIELD”

Advertised returnable this evening.

Hearing no comments, Acting Mayor Habgood declared the hearing closed.

SPECIAL ORDINANCE NO. 2219

“A SPECIAL ORDINANCE AUTHORIZING THE SALE OF TOWN PROPERTY KNOWN AS 320 VIRGINIA STREET, BLOCK 5706, LOT 2 IN THE TOWN OF WESTFIELD”

Advertised returnable this evening.

Hearing no comments, Acting Mayor Habgood declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, “GENERAL ORDINANCE NO. 2158 - AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13” by Councilman Dardia, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, “GENERAL ORDINANCE NO. 2159 - AN ORDINANCE ESTABLISHING THE HUMAN RELATIONS COMMISSION FOR THE TOWN OF WESTFIELD” by Councilwoman Mackey, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Parmalee	Nays:	Absent: Mayor Brindle
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Acting Mayor Habgood		

An ordinance entitled, “SPECIAL ORDINANCE NO. 2219 - A SPECIAL ORDINANCE AUTHORIZING THE SALE OF TOWN PROPERTY KNOWN AS 320 VIRGINIA STREET, BLOCK 5706, LOT 2 IN THE TOWN OF WESTFIELD” by Councilwoman Mackey, seconded by Councilman Katz, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Parmalee	Nays:	Absent: Mayor Brindle
LoGrippo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Acting Mayor Habgood		

BIDS

MINUTES

On a motion by Councilman Dardia and seconded by Councilman LoGrippo, Council approved the Minutes of the Town Council Conference Session, Executive Session and Regular Meeting held February 11, 2020.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

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

Emily Root, 738 Mountain Avenue, discussed the Furniture Assist Linen Drive that she organizes with her volunteer partner and resident, Amy Flax. Stated that this is third year of the drive and items are being collected beginning March 1 and ending March 28, 2020. Named the businesses that volunteered as drop off sites and discussed the items in need. Also discussed the program’s success in previous years and hopes that success will continue. Mentioned that those interested in participating can also drop off items at Furniture Assist’s main office in Springfield.

Councilman Contract feels this is a great program and thanked Ms. Root for her efforts.

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

BILLS AND CLAIMS

On motion by Councilman Contract, and seconded by Councilman LoGrippo, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$255,458.81 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town

Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilman Contract, and seconded by Councilwoman Mackey, were unanimously adopted.

Resolution No. 56

RESOLVED that the Chief Financial Officer be and is hereby authorized to issue a warrant for \$16.00 for the payment of the 2020 Animal License application fee to:

Linda Kolterjahn
1445 Lamberts Mill Road
Westfield, NJ 07090

Resolution No. 57

WHEREAS, the Westfield Recreation Department's annual Daddy-Daughter Dance held at The Westwood for Westfield residents is scheduled for Sunday March 8, 2020 and,

WHEREAS, payment for each participant to The Westwood is required day of the event;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to prepare warrants for participant payment to The Westwood located at 438 North Ave., Garwood, NJ 07027 in an amount of \$18,000 charged to the Recreation Department's Trust 217 Account (T05-600-071)

Resolution No. 58

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

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
808/4 LAVELLE, William	602 Embree Crescent	1 st /2020 \$4,003.84
4702/53 QUAY, Patrick	972 Cherokee Court	1 st /2020 \$4,215.62

Resolution No. 59

WHEREAS, a need exists for the purchase of a 14 Passenger Bus with a Wheelchair lift for the Recreation Department as provided for in Special Ordinance No. 2216C, and

WHEREAS, the contract to purchase this item is to be awarded to an authorized vendor through a Cooperative Purchasing agreement #HCESC-Trans 19-11 with the Hunterdon County Education Services Commission, of which the Town of Westfield is a member, and

WHEREAS, this equipment will be sufficient to meet the needs of the Department, and

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under a Cooperative Purchasing Agreement, a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in the amount of \$71,768.12 charged to Special Ordinance No.

2216C, account number C-07-19-221-6C1 under Purchase Order #20-00582 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield will purchase the following equipment from the indicated vendor:

H.A. DeHart & Sons Inc.

311 Crown Point Road

Thorofare, NJ 08086

(1) 2020 Ford E350 Diamond Line VIP 14 Passenger Bus w/wheelchair lift \$71,768.12

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

Resolution No. 60

WHEREAS, a need exists for the Town of Westfield to retain professional redevelopment planning services; and

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

WHEREAS, Philip Abramson, AICP/PP, Topology NJ, LLC, submitted a proposal, indicating that Topology NJ, LLC would provide the above referenced 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 Account 20-1001-190-216, under a Purchase Order number to be determined upon adoption of the 2020 Budget.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town of Westfield enters into a contract with Topology NJ, LLC, 60 Union Street, Newark, New Jersey 07102 in conjunction with the services provided by Philip Abramson, AICP/PP, to provide redevelopment planning 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 \$50,000 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.).

Resolution No. 61

WHEREAS, Steven Freedman retired from the position of Construction Official on January 31, 2020, and

WHEREAS, Frank Vuoso has demonstrated his capabilities to serve as Construction Official and possesses the necessary license (#008912) to serve as Construction Official, and

WHEREAS, the Town Engineer, pursuant to Section 2-11 of the Town Code and N.J.A.C. 53:27D-126 has appointed Mr. Vuoso as Construction Official for a four (4) year term, effective February 24, 2020, with approval of the Town Administrator and consent of Mayor and Town Council.

NOW, THEREFORE BE IT RESOLVED, that the Town Council hereby concurs with the Town Engineer and approves the appointment of Frank Vuoso as Construction Official for a term of four (4) years, effective February 24, 2020, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the New Jersey Department of Community Affairs, Office of Regulatory Affairs.

Comments:

The Town Administrator introduced the new Construction Code Official, Frank Vuoso, who was in attendance. Stated that Mr, Vuoso started on February 24, 2020 and discussed his experience with the Borough of Somerville.

Mr. Vuoso thanked the Town Council for the opportunity and that he looks forward to working with everyone.

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

Resolution No. 62

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

	<u>OUT</u>	<u>IN</u>
<u>CURRENT FUND</u>		
ADMINISTRATION		
9-01-100-256 Other Expenses (O/E)		500
TAX ASSESSOR		
9-01-110-201 (O/E)		100
FIRE		
9-01-125-221 (O/E)	1,500	
9-01-125-222 (O/E)	600	
FIRE SAFETY OFFICIAL		
9-01-127-203 (O/E)	1,500	
9-01-127-211 (O&E)	1,500	
POLICE		
9-01-130-246 (O/E)		2,000
PUBLIC WORKS		
9-01-137-254 (O/E)		2,500
	<hr/> \$5,100	<hr/> \$5,100

SWIM POOL FUND

POOL OPERATING

9-03-195-101 Salaries & Wages (S&W)		500
9-03-195-202 (O/E)	500	
	\$500	\$500

Yeas: Parmalee
 LoGrippe
 Katz
 Mackey
 Contract
 Dardia
 Boyes
 Acting Mayor Habgood

Nays:

Absent: Mayor Brindle

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

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

Resolution No. 63

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

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

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

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

- | | |
|--------------------------|-----------------------|
| 1958 Cuban Cuisine | 301 South Ave West |
| Bovella’s Pastry Shoppe | 101 East Broad Street |
| Chipotle Mexican Grill | 117 East Broad Street |
| Ferraro’s Restaurant | 8-14 Elm Street |
| Fresh Bui | 57 Elm Street |
| Bagel Chateau | 223 South Ave East |
| Turning Point | 137 Central Ave |
| Xocolatz Café | 235 Elmer Street |
| Starbucks | 117 Central Avenue |
| Farinolio | 121 East Broad Street |
| Brunella Portuguese Deli | 615 South Ave West |
| Sweet Waters | 43 Elm Street |

Resolution No. 62

WHEREAS, on September 3, 2019, the Mayor and Council adopted Resolution Number 220-2019, requesting and authorizing the Planning Board to undertake a preliminary investigation to determine whether the following properties:

- Block 3307, Lots 1 & 2;
- Block 4004, Lot 17; and
- Block 4005, Lots 3 & 4;

as identified on the Official Tax Map of the Town of Westfield (the “Study Area”) qualify as a “non-condemnation” area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, et seq. (the “Redevelopment Law”); and

WHEREAS, the Planning Board retained the services of the Town Planner, Donald B. Sammet, PP/AICP (“Mr. Sammet”), to assist in conducting the necessary investigations and analysis to determine whether the Study Area does or does not qualify as an area in need of redevelopment under the criteria set forth in the Redevelopment Law; and

WHEREAS, Mr. Sammet conducted such investigations and prepared a report of his investigations entitled “*Area in Need of Redevelopment Preliminary Investigation Report: Block 3307, Lots 1 and 2; Block 4004, Lot 17; Block 4005, Lots 3 and 4*” dated December 9, 2019 (the “Redevelopment Investigation Report”); and

WHEREAS, the Redevelopment Investigation Report concludes that the Study Area and the properties therein exhibit conditions which conform with various redevelopment criterion, including criteria a, b, d and h under Section 5 of the Redevelopment Law, *N.J.S.A. 40A:12A-5*, as more specifically set forth in the Redevelopment Investigation Report; and

WHEREAS, on January 6, 2020, the Planning Board conducted a duly-noticed public hearing, pursuant to *N.J.S.A. 40A:12A-6*, at which time it heard a presentation of the Redevelopment Investigation Report by Mr. Sammet, the primary author of the Redevelopment Investigation Report, as well as comments from members of the public in attendance; and

WHEREAS, Mr. Sammet responded to questions from the Planning Board members and members of the public; and

WHEREAS, based upon the Redevelopment Investigation Report, Mr. Sammet’s testimony concerning the Redevelopment Investigation Report and the comments from the public, the Planning Board accepted the findings of the Redevelopment Investigation Report and concluded that the Study Area meets the criteria for designation as an area in need of redevelopment under the Redevelopment Law and recommending that the Mayor and Council designate the Study Area as an area in need of redevelopment, pursuant to the Redevelopment Law; and

WHEREAS, the Mayor and Council accept the conclusions of the Redevelopment Investigation Report and the Planning Board’s recommendation and wish to designate the Study Area as an area in need of redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield that the Study Area described herein be and hereby is designated as a Non-Condensation Redevelopment Area, pursuant to the Redevelopment Law.

General Ordinance No. 2160

Regarding the following ordinance, Councilwoman Mackey made the following announcement:

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2160 – AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REQUIRE NOTIFICATION TO THE DOWNTOWN WESTFIELD CORPORATION OF BUILDING PERMIT AND DEVELOPMENT APPLICATIONS”

The motion was seconded by Councilman LoGripo

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Parmalee	Nays:	Absent: Mayor Brindle
LoGripo		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Acting Mayor Habgood		

Heretofore introduced, General Ordinance No. 2160 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 10^h day of March 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

General Ordinance No. 2161

Regarding the following ordinance, Councilwoman Mackey made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2161 – AN ORDINANCE AMENDING THE TOWN CODE TO ESTABLISH REGULATIONS CONCERNING VACANT AND/OR ABANDONED PROPERTIES"

The motion was seconded by Councilman Contract

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

Heretofore introduced, General Ordinance No. 2161 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 10th day of March 2020 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Works Committee

The following resolutions, introduced by Councilman Contract, Chairman of the Public Works Committee and seconded by Councilman Katz, was unanimously adopted.

Resolution No. 65

WHEREAS, by Resolution 278-2018, dated November 6, 2018, the Town of Westfield hired HL Petroleum Co., Inc., a Licensed Site Remediation Professional (LSRP) to perform the necessary environmental investigation and evaluation of municipally-owned facilities in the Town of Westfield Public Works Complex, in order to be in compliance with New Jersey Department of Environmental Protection (NJDEP) regulations, and

WHEREAS, during the course of their evaluation of these facilities, HL Petroleum Co., Inc., identified a potential matter that needs an initial investigation to determine compliance with appropriate NJDEP protocols, and

WHEREAS, the Town Engineer has reviewed the Proposal, dated February 5, 2020, and recommends that a professional services contract for the aforementioned services be awarded to HL Petroleum Co., Inc., P.O. Box 1247, 2020 Clinton Street, Linden, NJ 07036, pursuant to N.J.S.A. 40A:11-5(1)a(i), "Exceptions to bidding for Professional Services, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30 1.10

has been furnished to the Town Clerk. Expenditure of funds to be charged to Public Works Operating Account 137-254, under Purchase Order 20-00580.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional engineering services be awarded to HL Petroleum Co., Inc., P.O. Box 1247, 2020 Clinton Street, Linden, NJ 07036, in an amount not to exceed \$12,000.00.

Resolution No. 66

WHEREAS, a need existed for the contract rental of privately owned equipment for use by the Department of Public Works in the 2019 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, by Resolution 240-2019, dated September 24, 2019, various contracts were awarded to the low bidders to perform the necessary work, and

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

WHEREAS, conditions were encountered during the leaf collection program that necessitated additional work from the equipment than had been originally anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the amended contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. The amended contracts, totalling of \$33,010.50, is to be charged to the Clean Communities Grant, account number G-01-15-137-201.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 1 in the following amounts be authorized:

Messercola Excavating	increase \$ 2,176.00
Camarato Trucking, Inc.	increase \$29,464.50
Ameritico Disposal	increase \$ 3,628.00
Frank Galbraith & Son	increase \$ 2,440.00
Jesco, Inc	reduce \$(-4,698.00)

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make Final Payment and to effect whatever actions are necessary in the execution and discharge of this amendment for the 2019 Leaf Collection Program.

Reports of Department Heads

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$38,305.14 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of January 2020 was received, read and ordered filed.

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$11,633.00 during the month of January 2020 was received, read, and ordered filed.

Report of Christopher Battiloro, Chief of the Police Department, showing fee collecting in the amount of \$39,135.60 during the month of January 2020.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$36,789.00 representing monies collected during the month of January 2020.

Report of Anthony Tiller, Chief of the Fire Department, showing Fees collected in January 2020 in the amount of \$5,719.00 was received, read and ordered filed.

ADJOURNMENT

A motion to adjourn, made by Councilman Parmalee and seconded by Councilman Contract at 8:45 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk