

## MINUTES OF REGULAR MEETING HELD MARCH 26, 2019

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, March 26, 2019 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 13, 2018. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

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

**ABSENT:** Councilman LoGrippto

### INVOCATION AND FLAG SALUTE

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

### PRESENTATIONS

Mayor Brindle presented the following proclamation:

*Town of Westfield*

*Westfield, New Jersey*

*Proclamation*

Virginia Apgar

June 7, 1909 – August 7, 1974

**WHEREAS**, Virginia Apgar was born in Westfield, New Jersey, on June 7, 1909 and from a very early age demonstrated an interest in science and medicine; and

**WHEREAS**, an excellent student in the sciences, she graduated from Westfield High School in 1925 and enrolled in Mount Holyoke College, majoring in zoology; and

**WHEREAS**, while an undergraduate student, Ms. Apgar played on seven sports teams, was a reporter for the college newspaper, acted in school theatre productions, and played violin in the orchestra, all while excelling academically; and

**WHEREAS**, after graduating from Mount Holyoke College in 1929, Ms. Apgar began her medical training at Columbia University's College of Physicians and Surgeons, one of only nine women in a class of 90, and completed her medical degree in 1933, finishing fourth in her graduating class; and

**WHEREAS**, after receiving her M.D., Dr. Apgar began a two-year surgical internship at Columbia Presbyterian Hospital (currently New York-Presbyterian Hospital/Columbia University Medical Center); and

**WHEREAS**, despite her promising performance in surgery, her mentor - concerned that the economic prospects for women surgeons would be poor during the Depression - suggested she pursue anesthesiology, a field just beginning to develop as a medical specialty, and Dr. Apgar concurred; and

**WHEREAS**, after training in anesthesia at the University of Wisconsin and Bellevue Hospital, Dr. Apgar returned to Columbia Presbyterian Hospital in 1938 as the first Director of the new Division of Anesthesia; and

**WHEREAS**, dedicating herself to research and education in anesthesia, Dr. Apgar was appointed the first woman Professor at the College of Physicians and Surgeons of Columbia University in 1949, enabling her to devote more time to research in obstetrical anesthesia and lowering neonatal mortality rates; and

**WHEREAS**, from 1950 to 1952, Dr. Apgar devised and tested the Apgar score, a scoring system to assess newborn viability immediately after birth which, to this day, is standard practice performed on babies born in hospitals worldwide; and

**WHEREAS**, by the late 1950s, Dr. Apgar had attended over 17,000 births and in the course of refining the scoring system, she began to correlate the Apgar scores with the cases of birth defects she encountered; and

**WHEREAS**, in 1958, Dr. Apgar took a sabbatical leave and pursued a Master Degree in Public Health at Johns Hopkins, graduating in 1959, and shortly thereafter began a new calling where she could focus on the prevention of birth defects, accepting the position of Chief of the National Foundation - March of Dimes' new Division of Congenital Malformations; and

**WHEREAS**, during her lifetime, Dr. Apgar was a pioneering clinician, researcher, and educator, an author, and an ambassador for the March of Dimes; she received many awards and honors and she never retired, working until her death in 1974; and

**WHEREAS**, in addition to her professional pursuits, Dr. Apgar was an accomplished violinist and could make her own stringed instruments, an enthusiastic gardener, an avid golfer, an ardent stamp collector, and in her fifties, started taking flying lessons; and

**WHEREAS**, in 1994 Dr. Apgar was memorialized on a commemorative U.S. postage stamp and in 1995 was inducted into the National Women's Hall of Fame;

**NOW, THEREFORE, BE IT PROCLAIMED** on this twenty-sixth day of March, 2019, that I, Mayor Michelle W. Brindle, in celebration of Women's History Month, hereby honor Dr. Virginia Apgar and remember her many accomplishments, particularly in the area of improving the health of mothers, babies and unborn infants.

#### Mayor's Remarks

- Announced that she recently hosted the entire Wilson School fifth grade class in Council Chambers, met with the fourth grade Girl Scouts from Jefferson School, and was interviewed by an Eagle Scout. In addition, she read to tots to celebrate Here We Grow's 17th Anniversary and observed 6th graders in action at the Maker's Space at Roosevelt School;
- Announced that she spoke on a panel at Union County College last week with other female elected officials and was able to witness the community at its best by standing in solidarity against hate at the MLK Association's vigil honoring the victims of the Christchurch mosque massacre. Also stated that she was privileged to perform her first gay wedding for a very happy Westfield couple;
- Discussed her attendance at Fire Chief Kelly's retirement party which marks the end of the Kelly legacy in Westfield. Stated that she had the privilege of swearing in Deputy Chief Tony Tiller as Acting Fire Chief which marks a new beginning;
- Informed residents that there is some encouraging news related to the Raritan Valley Line (RVL). Stated that the RVL Mayor's Alliance recently submitted a letter to New Jersey Transit (NJT) on behalf of the six (6) RVL senators that requested a feasibility study to determine how to bring peak one seat ride service to the RVL, and last week, Senator Scutari and Senator Kean introduced legislation to move that request forward, with a six (6) month completion date for the study and recommendations. In addition, Governor Murphy appointed a new NJT board of directors as part of his initiative to overhaul NJT, which is required to include two (2) resident commuters. Stated that Westfield is very fortunate that one of its residents, Lynn Spadaro, is one of the resident appointees after being recommended by Senator Kean. Feels it is great to have an RVL advocate with a seat at the table. Also stated that the Town Council would be voting to adopt a resolution demanding restoration of the off peak one seat ride, which would be submitted to Governor Murphy, the DOT Commissioner, and the NJT Executive Director. Announced that all thirty-one (31) Mayors that comprise the RVL Mayors' Alliance are also adopting this resolution to demonstrate their unity and resolve in demanding a timeline and commitment to restoration of the off peak one seat ride;
- Extended her thanks to the many residents that attended the Master Plan workshop last Thursday. Stated that the turnout was great in spite of the rain, and feels the feedback and input was fantastic. Announced that the next public meeting would be held on April 3 in

the Community Room. It would be a joint workshop for both the Master Plan and the Parks and Recreation Strategic Plan and encouraged all to attend. Stated that participation in both surveys has been great, with over five hundred and fifty (550) participants posting over three thousand, three hundred (3,300) comments in the Master Plan survey, and one thousand, three hundred (1,300) participants in the Parks and Recreation survey posting two thousand (2,000) comments. Encouraged all residents to consider taking both surveys so that the final output reflects the community at large;

- Announced that in support of the Town's Year of the Pedestrian initiative, the Town Planner hosted a walkability workshop yesterday with members of the Green Team and Master Plan Steering Committee as part of the technical assistance grant the Town received from North Jersey Transportation Planning Authority (NJTPA), Sustainable New Jersey, and the Voorhees Transportation Center. The purpose of the workshop was to identify opportunities to improve safety for pedestrians and bicycles along the North Avenue corridor from Central Avenue to South Euclid Avenue with the expectation that any recommendations could be adopted on a larger scale across town. The recommendations would be made public and eventually incorporated into the Master Plan;
- Discussed downtown economic development and stated that she has been very focused on Downtown Westfield during the last two weeks. Informed residents that since her last update, she met with Jeffery Realty, the largest retail broker in New Jersey, attended a DWC Board meeting, and hosted a round table for downtown restaurant owners to create a forum for collaboration and to obtain their input as to how the Town could better support their businesses. Retail brokers confirmed that Westfield remains a top ten town in New Jersey for retailers to consider locating, in spite of the retail transition that is happening in many downtowns. Explained that lack of adequate parking for both shoppers and employees remains a key reason why Westfield often loses a potential new tenant to another town.
- Stated that yesterday she met with Richard Baker, the Chairman of Lord and Taylor's parent company, Hudson's Bay Corporation. Explained that she has been having regular conversations with various executives at Hudson's Bay since being elected, including Richard Baker, after reaching out in anticipation of potential future changes to Lord and Taylor, and to ensure that Westfield is a participant in that dialogue. Feels these conversations have been very fruitful and while she would not speculate on what the future holds for Lord and Taylor specifically, she could confirm that Hudson's Bay is committed to being a collaborative partner and potential transformative long term investor in Westfield;
- Announced that she and the Town Administrator have been conducting ongoing conversations with PSE&G regarding the 69kV project, including a meeting last week where they drove the original proposed route with PSE&G to point out the specific neighborhood impact and why it is unacceptable. A PSE&G recommended potential alternate route with less residential and tree impact was also reviewed, and additional feedback was provided to them to further address these issues, which PSE&G is working on. Stated that PSE&G has since shared that they feel confident enough to support this alternate route and move forward in scheduling a public workshop on April 10, 2019 at 7:00 PM at the Westfield Library. Announced that the Town plans on sharing the full proposal for the alternate route with the public by Friday, March 29, 2019 in advance of

the public workshop, once there has been a the chance to brief the full Town Council. Explained that she wanted to inform residents of this workshop with as much notice as possible so that the public would have the opportunity to come out, ask questions and hear directly from PSE&G about their plans. Announced that no work on the 69kV project would commence prior to the public meeting, and the Town has also asked PSE&G to stop work on all of their projects in Town so there is no misperception by the public that this particular project has begun. Also stated that PSE&G is currently winding down projects that are in process. Thanked the many neighbors and residents that mobilized to voice their concerns. Feels this collective community effort has made an impact with PSE&G as the Town navigates a better path forward;

- Lastly, announced that tonight the 2019 Municipal Budget would be presented, which she feels is full of great news. Extended thanks to the members of the public that provided feedback and suggestions and announced that for the first time in decades, the Town would be delivering a zero (0%) percent municipal tax levy while prioritizing investment in infrastructure and technology and maintaining an extremely healthy surplus.

### **Budget Presentation**

## 2019 Municipal Budget



March 26, 2019

## Objectives



### Overall

- Establish a 5-10 year roadmap for growth and smart development to increase ratables, diversify our tax base, and improve infrastructure, traffic, mobility and parks to create a vibrant, livable, and affordable town for residents of all ages and abilities

### Budget

- Minimize tax burden on residents while investing in people, processes, and infrastructure to establish Westfield as a 21st Century Community
- Create a smarter, more efficient government over the long-term enabling us to "do more with less"

## 2018: Looking Back

### Goal 1

**Demonstrate fiscal responsibility & sound financial management**

### Goal 2

**Improve transparency, communication, service & engagement**

### Goal 3

**Increase operating efficiencies while enhancing services**

### Goal 4

**Assess critical town assets, invest in infrastructure & promote safety**

### Goal 5

**Emphasize smart planning, economic development & growing ratables**

## 2018 Results: How Did We Do?

### Goal 1

#### **Demonstrate fiscal responsibility & sound financial management**

### Goal 2

- Maintained Westfield's 'AAA' bond rating
- Generated \$200k in additional unanticipated revenue with new cash management plan
- Put surplus to work with strategic investments while lowering resident tax burden
- Established Investment Advisory Council and hosted first public budget meeting to solicit input
- Generated another \$4.2mm surplus

## 2018 Results: How Did We Do?

### Goal 1

#### **Demonstrate fiscal responsibility and sound financial management**

### Goal 2

#### **Improve transparency, communication, service & engagement**

### Goal 3

- Introduced volunteer open app process, live streamed Council meetings, published names of appointees, posted all agendas and Board members online
- Hired part-time Public Information Officer (PIO) thereby improving overall timeliness of town communication and enabling proactive social media presence; enhanced emergency notifications; introduced email comm tool
- Introduced first time RFP/RFQ process for all Town paid professional services
- Established new committees: Senior Advisory Council, Adaptive and Inclusion Committee, Media Council, Tech Advisory Council, Mental Health Commission

## 2018 Results: How Did We Do?

Goal 1  
**Demonstrate**

Goal 2  
**Improve c**

Goal 3  
**Increase operating efficiencies while enhancing services**

Goal 4  
**Assess critical town assets and infrastructure, and promote safety**

Goal 5  
**Emphasize smart planning, economic development, & growing ratables**

- Purchased new DPW equipment including street sweepers, plows & road repair equipment
- Exploring shared DPW and Court services with nearby towns
- Hired new engineering inspector to assist in expediting inspections for capital infrastructure improvements, construction site violations, and ADA compliance enforcement

## 2018 Results: How Did We Do?

Goal 1  
**Demonstrate**

Goal 2  
**Improve com**

Goal 3  
**Enhance serv**

Goal 4  
**Assess critical town assets, invest in infrastructure & promote safety**

Goal 5  
**Emphasize smart planning, economic development, & growing ratables**

- Implemented proactive sewer cleaning downtown to mitigate clogging/flooding
- Hired consultant to complete 5 year strategic road paving plan for implementation beginning in 2020
- Hired new school resource officers at the request of the BOE
- Installed new safety measures at key pedestrian intersections

## 2018 Results: How Did We Do?

- Initiated Master Plan Reexamination and Parks Strategic plan processes
- Introduced inaugural successful AddamsFest event that has significant growth & revenue potential
- Reduced parking enforcement downtown as a means to improve the business climate
- Strengthened partnership with reenergized DWC to enhance downtown events as a means to drive foot traffic (Second Sundays, Farmer's Market relocation, AddamsFest, enhanced Festifall and tree lighting festivities)

Goal 4  
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Goal 4  
Assess critical tow

Goal 5

**Emphasize smart planning, economic development, & growing ratables**

## 2019 Proposed Budget



## 2019 Goals and Key Actions

### Goal 1

**Continue track record of strong fiscal management, with an emphasis on managing surplus, investing strategically, and improving cost efficiencies**

### Goal 2

**Continue to invest in technology and automation as a means to improve service and support growth without adding costs**

### Goal 3

**Modernize and upgrade critical Town assets to improve efficiencies and service**

### Goal 4

**Prioritize smart planning and redevelopment as Master Plan and Parks Plan come to fruition**

### Goal 5

**Expand efforts and opportunities to engage the community**

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### Goal 1

**Continue strong fiscal management, with an emphasis on managing surplus, investing strategically, and improving cost efficiencies**

- *Presenting a 2019 municipal budget with a 0% increase in the tax rate*
- *Maintain the Town's 'AAA' bond rating*
- *Maintain a healthy \$9.5 million in fund balance or surplus*
- *Continue to evaluate our cash management plan to maximize returns with input from the Investment Advisory Council*
- *Reassess all opportunities to grow non-property tax revenue sources while ensuring alignment with Town objectives and quality of life initiatives*

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## Goal 2

### **Continue to invest in technology and automation as a means to improve service, convenience and support growth without adding costs**

- *Introduce new, advanced and interactive website*
- *Implement and enhance online features of our expanded SDL platform to enable online permitting, property searches, and payments*
- *Launch new "Westfield Connect" app for online reporting and tracking of public works issues*
- *Fund recodification of our Town Code with implementation of eCode360, enabling search functionality*
- *Initiate a body-worn camera system for all patrol officers to better serve community and increase transparency in police interactions*

## Goal 3

### **Modernize and upgrade critical Town assets to improve efficiencies and service**

- *Evaluate key Town Hall meeting areas in anticipation of renovation and technology upgrades*
- *Expand support of sewer cleaning program in the downtown as a means to support and attract businesses*
- *Install EV charging stations in municipal parking lots and future development projects*
- *Continue investing in Public Works and Public Safety equipment to modernize fleet and reduce maintenance costs*

#### Goal 4

##### **Prioritize smart planning and redevelopment as Master Plan and Parks Plan come to fruition**

- *Fund a unified Land Use Element and Transportation Plan as companion documents to the Master Plan Reexamination report to proactively address changing trends and new developments*
- *Anticipate potential recommendations from both Plans and prepare to move forward expeditiously*
- *Leverage recently awarded grants for walkability and bicycle/pedestrian planning assistance to implement various pedestrian enhancements across the Town to align with the "Year of the Pedestrian" initiative*

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#### Goal 5

##### **Expand efforts and opportunities to engage the community**

- *Continue our partnership with the Board of Education to provide School Resource Officers to enhance safety and renew positive police relationships with students, staff and parents*
- *Fund new Health Educator position in the Board of Health to assist in implementing proactive public health programs and support relevant advisory committees*
- *Support town wide special events such as Addamsfest, Green Team & Historic Preservation initiatives, Memorial Day parade, etc. Continue to partner with DWC to support and enhance downtown events*

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## 2019 Budget Highlights

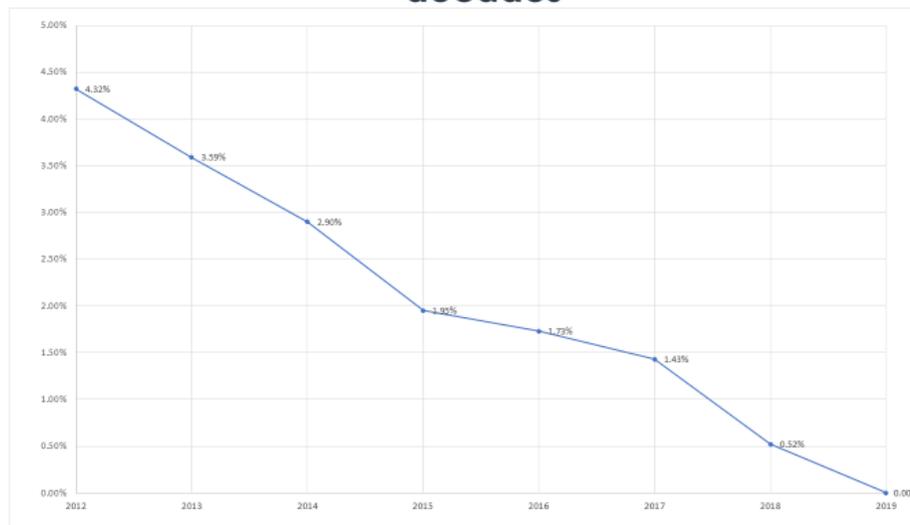
--Zero % Municipal Tax Increase in 2019

--Total revenues increase by 6%, total expenditures increase by 2.32%

--Fiscally smart use of surplus. Putting "savings" to work to stabilize the tax rate and continue to invest in the Town's future.

--Surplus balance retained at \$9.5 million target

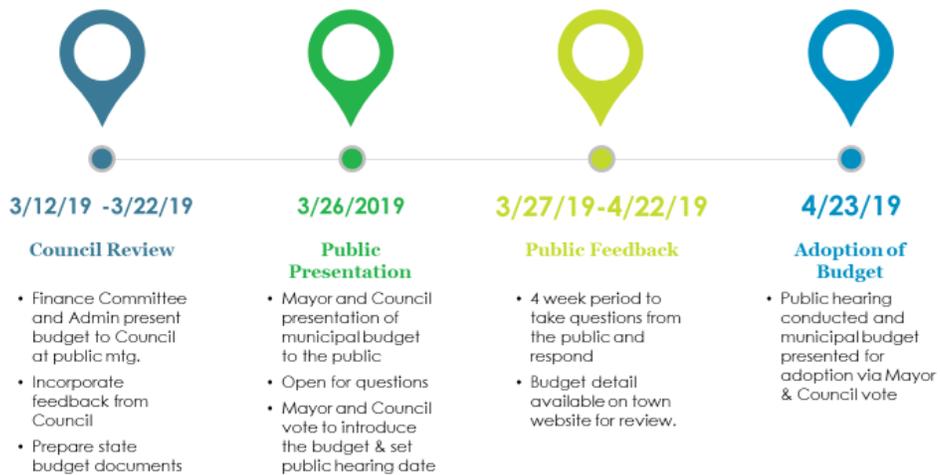
## There will be no municipal tax increase for the first time in decades



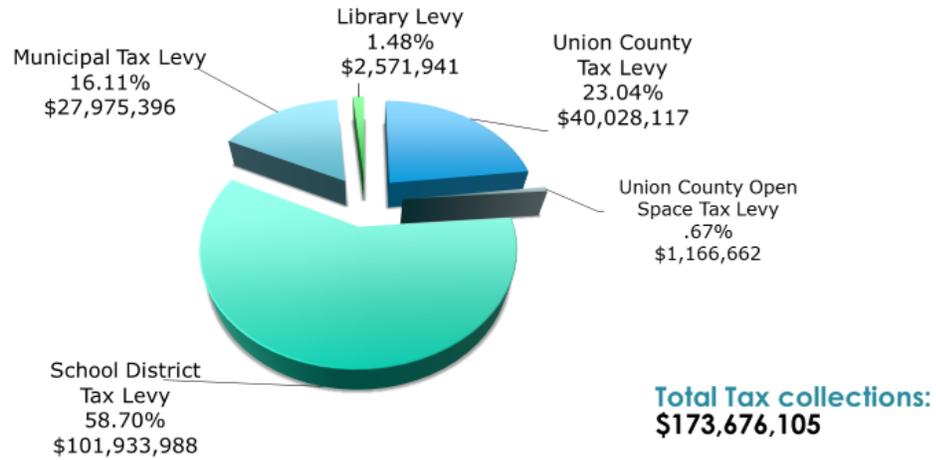
## Budget Process and Timeline



## Budget Process and Timeline



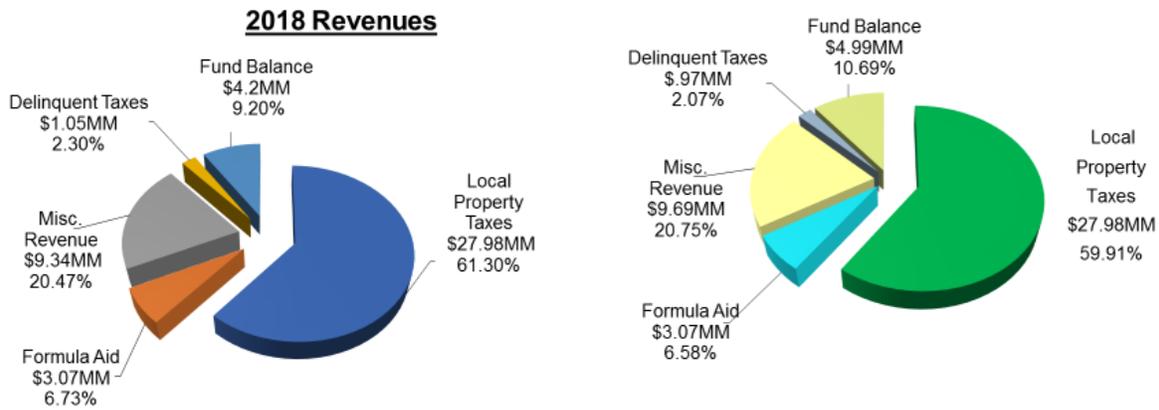
### Where Your Taxes Go - 2018



### Westfield relies disproportionately on residential vs. commercial property taxes to fund all services (Town, BOE, County)

	<u>Vacant</u>	<u>Residential</u>	<u>Commercial</u>
<b>County Wide Average</b>	<b>1.83%</b>	<b>76.09%</b>	<b>22.07%</b>
Westfield	0.71%	89.67%	9.62%
Summit	0.38%	82.45%	17.17%
Cranford	0.42%	83.10%	16.47%

### 2019 budget reflects new revenue sources



### Putting our Surplus to work, but maintaining ample nest egg!

Year	Balance Available Jan 1	Balance Appropriated	Balance Remaining	Amount Generated
2009	\$2,848,423	\$2,700,000	\$148,423	\$1,907,122
2010	\$2,055,545	\$1,840,000	\$215,545	\$1,627,557
2011	\$1,843,103	\$1,719,000	\$124,103	\$74,391
2012	\$198,494	\$0	\$198,494	\$1,431,303
2013	\$1,629,798	\$750,000	\$879,798	\$3,840,667
2014	\$4,720,465	\$906,023	\$3,814,442	\$2,776,449
2015	\$6,590,891	\$167,172	\$6,423,719	\$3,159,303
2016	\$9,583,023	\$974,344	\$8,608,679	\$3,800,986
2017	\$12,409,665	\$2,174,344	\$10,235,321	\$4,275,196
2018	\$14,510,517	\$4,200,000	\$10,310,517	\$4,200,840
2019	\$14,511,357	\$4,994,000	\$9,517,357	?

**Investing \$4,994,000 of the 2019 available surplus will leave the town with a \$9.5 mm surplus – 20% of the budget!**

**Anticipated Miscellaneous Revenues Increase by 6%**

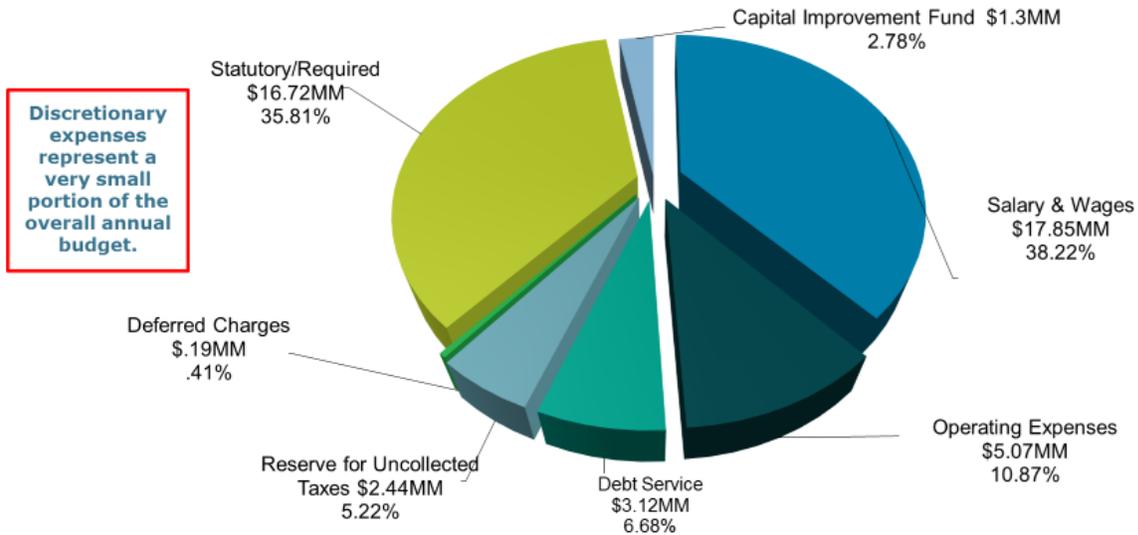
	2019 <u>Anticipated</u>	+/- <u>vs. 2018</u>
•Parking Fees (Permits, Meters & Paystations)	\$1,730,000	<b>(-\$65,000)</b>
•Sewer Fee	\$1,710,000	(+\$10,000)
•Building Department Fees	\$1,230,000	(+\$30,000)
•Miscellaneous Fees & Permits	\$ 858,740	(+\$234,340)
•Health Service Agreements	\$ 632,961	(+\$103,511)
•Municipal Court Fines and Fees	\$ 565,000	<b>(-\$135,000)</b>
•Cable Franchise Fees	\$ 469,471	<b>(-\$18,903)</b>
•Interest on Investments	\$ 380,000	(+\$205,000)
•Interest & Costs on Taxes	\$ 250,000	(Flat)

**Interest on investments increase due to 2018 changes in cash management plan.**

**Fees & permit increase due to additional collections in Public Works Dept. including the new bulk waste program, sale of material at CC & road opening permits.**

**Court Revenue decreased due to conscious decision to reduce parking enforcement. Parking tickets issued in 2018 down 46% vs. 2017.**

**Appropriations Highlights**



## Municipal Appropriations – 3 Year Review

	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>Inc./Dec.</u>
S&W	\$16,831,838	\$17,326,844	\$17,851,123	+ \$524,279 (3.03%)
Operations	\$4,468,220	\$4,820,702	\$5,076,372	+ \$255,670 (5.30%)
Debt Service	\$2,585,060	\$3,116,660	\$3,120,908	+ \$4,248 (0.14%)
Reserve for UT	\$2,345,000	\$2,390,000	\$2,440,000	+ \$50,000 (2.09%)
Deferred Charges	\$50,000	\$190,000	\$190,000	+ \$0
Statutory/Required	\$15,449,869	\$16,070,080	\$16,721,963	+ \$651,883 (4.06%)
Capital Imp. Fund	<u>\$1,100,000</u>	<u>\$1,725,000</u>	<u>\$1,300,000</u>	<u>- \$425,000 (-24.64%)</u>
Total	\$42,829,987	\$45,639,286	\$46,700,366	+ \$1,061,080 (2.32%)

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## 2019 Capital Improvement Fund

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- 2 large dump trucks
- 4 mid size pick up trucks
- 1 large dump truck
- 1 sewer jet truck
- General additions to Capital Improvement Fund



Total 2019 Cost: \$1,300,000

**2019 Capital Improvement Fund budget represents year 7 of a 9 year capital investment and rebranding plan for public works equipment initiated in 2015. Equipment purchases were doubled in 2016 and 2018.**



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**Salary & Wages represent 38% of total budget**

	<u>+/- vs. 2018</u>
Health Dept.	+ \$ 143,610 (18.10%)
Fire Dept.	+ \$ 92,000 (2.53%)
Police Dept.	+ \$ 70,673 (1.00%) (Police, Parking & Crossing Guards)
Engineering	+ \$ 52,313 (7.90%)
Administration	+ \$ 50,284 (4.57%) (Admin., Clerk, Collector, Assessor, Finance & Legal Depts.)
Building Dept.	+ \$ 47,371 (7.72%)
Public Works	+ \$ 41,030 (1.35%)
Recreation	+ \$ 14,228 (7.87%)
Court	+ \$ 8,220 (1.91%)
Fire Safety Official	+ \$ 4,550 (2.75%)

**Public Safety Services  
represent 60% of total  
S&W.**

**Public Works represents  
17% of S&W.**

**Statutory/Required Expenses represent 36% of the budget**

	<u>+/- vs. 2018</u>
RVSA	+ \$289,248 (7.67%)
PFRS Pension	+ \$246,487 (11.13%)
PERS Pension	+ \$83,757 (8.61%)
Utilities	+ \$42,000 (2.59%)
Social Security	+ \$15,000 (2.31%)
Other Insurance (JIF)	- \$23,609 (-2.19%)
Health Insurance	- \$251,000 (-4.84%)

**Total Health  
Insurance budget is  
at 2016 levels.  
Reduction due  
positive experience &  
annual negotiation  
resulting in reduction  
of premiums.**

**RVSA fee has  
increased 20% since  
2016. Town  
subsidizes more than  
half of the fee.**

**Operating Expenses represent 11% of total budget**

	<u>+/- vs. 2018</u>
Public Works	+ \$288,883 (14.80%)
Police Dept.	+ \$71,870 (9.75%)
Building Dept.	+ \$31,950 (19.13%)
Public Buildings	+ \$4,000 (1.37%)
Health Dept.	+ \$2,629 (2.80%)
Administration	+ \$725 (.10%) (Admin., Clerk, Collector, Assessor, Finance & Legal Depts.)
Court	- \$1,750 (-5.04%)
Board of Adj.	- \$3,027 (-18.32%)
Public Events	- \$5,000 (-13.89%)
Recreation Dept.	- \$39,750 (-94.64%)
Fire Dept.	- \$91,550 (-20.68%)

**Public Works Dept. budget includes increase in annual recycling contract which totaled \$350,000.**

**Revaluation Impact:**

**Revaluation changes the tax rate, but not total taxes collected**

- 2018 Total Tax Rate - \$9.297 (Town, School, County, & Library)
- Adjustment to Ratable Base due to Revaluation
  - 2018 - \$1,866,530,500
  - 2019 - \$8,247,768,600
- Recast 2018 Total Tax Rate - \$2.104
- 2019 Total Tax Rate? – To be established when all governmental budgets are approved and final tax rates are certified by the County

**Revaluation Impact:****Profile of Average Residential Property**

2018 Avg. Assessed Value: \$181,931  
 2018 Total Tax Rate: \$9.297  
*Average 2018 Residential Taxes: \$16,914*

2018 Recast Assessed Value: \$795,159  
 2018 Recast Tax Rate: \$2.104  
*Average 2018 Recast Residential Taxes: \$16,730*

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**Municipal Tax Rate Calculation - 2019**

Total Expenditures	\$46,700,366 <i>(2.32% increase)</i>
<i>minus</i>	
Anticipated Revenues	\$18,724,071 <i>(6% increase)</i>
<i>equals</i>	
Tax Levy	\$27,976,295 <i>(0% increase)</i>
<i>divided by</i>	
Total Ratable Value	\$8,254,337,891 <i>(New ratable base after revaluation)</i>
<i>equals</i>	
Tax Rate (Municipal)	0.339 <i>(0% increase)</i>

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## 2019 Budget Summary/Next Steps

- ZERO % increase in 2019 municipal tax rate. This hasn't happened in decades
- Surplus remains at a healthy \$9.5 million! AAA rating maintained
- Residents will still see a tax increase due to proposed 2.8% increase by BOE and proposed 2% increase by County.
- Accomplishing all that we set out to do—investment in infrastructure, roads, technology, planning, engagement—but adhering to our fiscal objectives
- Next Steps – Finalization of 2019 capital budget including:
  - road paving
  - sidewalk replacement
  - facility enhancements
  - technology upgrades
  - equipment replacement



Questions?

Website: [www.westfieldnj.gov](http://www.westfieldnj.gov)

Email: [budget@westfieldnj.gov](mailto:budget@westfieldnj.gov)

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## **APPOINTMENTS**

## **ADVERTISED HEARINGS**

## **PENDING BUSINESS**

**BIDS****MINUTES**

On a motion by Councilman Contract and seconded by Councilman Stokes, Council approved the Minutes of the Town Council Conference Session and Regular Meeting and Executive held March 12, 2019.

**PETITIONS AND COMMUNICATIONS****OPEN DISCUSSION BY CITIZENS**

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

Walter Korfmacher, 252 Hazel Avenue, stated that he moved to Westfield in 1991, raised his children in Westfield, and his children are now raising their children in Westfield. Also stated that he has a PhD in Chemistry and retired last year. Discussed the issue of climate change and global warming and the need to keep global warming to no more than 1.5 degrees centigrade. Explained that in order for this to occur, emissions of CO2 need to be reduced by forty-five (45%) percent from 2010 levels by the 2030. Feels that since the White House remains in denial on this issue, efforts must be made at the state and local levels. Called upon the Mayor and Town Council to investigate ways it could reduce its use of fossil fuels and explained that one way this could be done is to add solar panels to all government buildings. Mentioned that five (5) Westfield schools have solar panels on their roofs. Also referenced an article in the Westfield Leader which indicated that the solar panels are working well, and the schools' energy costs have been reduced by approximately \$100,000 per year while providing clean renewable energy for these schools. Feels this is a good start but more needs to be done and recommended that the Town add solar panels to its buildings, to more schools and to Town parking lots. Also feels homeowners should be encouraged to add solar panels to their own roofs. Discussed tax credits being provided by the federal government to encourage property owners to install solar panels and stated that solar panels can supply up to eight (80%) percent of electrical power needed by the home. Discussed the ordinance within the Town Code that prohibits the installation of solar panels on the street facing side of the roof and referenced the Westfield Board of Adjustment's recent denial of a variance application for the installation of solar panels due to this ordinance. Stated that this ordinance prevents many property owners from installing solar panels on their roof and feels the Town should eliminate this ordinance. Specifically requested that the Mayor and Town Council move forward with the following items:

- Approve a waiver for the denied applicant and allow this property owner to install solar panels on his roof;
- Rescind the Town ordinance prohibiting solar panels on the street facing roof of the home as soon as possible;
- Investigate ways to encourage more homeowners to add solar panels to their roofs;
- Install solar panels to the roofs of all municipal and school buildings if possible; and
- Install solar "Y" roofs to all municipal parking lots and add one (1) to three (3) electric charging stations.

Feels it is time for Westfield to take the lead in the fight against climate change.

Councilman Arena stated that moving forward with these recommendations would impact the zero (0%) budget increase that was proposed.

Councilwoman Mackey thanked Mr. Kormacher for his perspective and stated that his level of expertise is appreciated. Discussed a conversation she had with Mr. Kormacher during the Master Plan workshop and explained that there are several initiatives the Town is considering, but the public might not be aware of many of them. Stated that the Town has a very robust Green Team which is investigating ways to make the Town more sustainable. Informed Mr. Kormacher that she met with Councilman Contract and a municipal solar expert and, after a “ride around”, a serious assessment of the Town’s buildings and parking lots is necessary to determine whether a serious solar initiative could be undertaken. Explained that the Code Review and Town Property Committee is struggling to find a balance with the ordinance and plans to invite Tesla Solar Panels to present to the Code Review and Town Property Committee in order to provide the Board of Adjustment with tangible criteria. Further explained that the Code Review and Town Property Committee is attempting to find a balance on the “homeowner front” because the entire community needs to be represented. The Town recognizes that it would like to be a leader in sustainability. Also informed Mr. Kormacher that the Town is considering an ordinance with respect to charging stations and making it a requirement for all development. The Town is also working with builders to potentially include solar panels as a requirement of the development plan in Westfield. The status of these efforts would be presented to the public once there are tangible reports.

Councilman Contract thanked Mr. Kormacher for his comments and stated that he is encouraged to hear that the Code Review and Town Property Committee is considering amendments to the ordinance concerning solar panels. Stated that the Green Team has strongly recommended an amendment to the ordinance for several months. Explained that the Green Team has a “multi-pronged” strategy to help make the Town more sustainable at little or no cost to the Town. Explained that there are ways to install canopies at parking lots with solar panels at no cost that would generate electricity and lower the Town’s electricity costs. Also stated that the Green Team is reviewing a low-cost Residential Energy Efficiency Audit Program so that all residents could have a low-cost energy audit which would provide ways for residents to reduce energy bills. Encouraged all who care about this issue to attend the Master Plan workshops, take the survey and make sustainability an issue in Westfield. Also discussed the Free Market and encouraged all to participate.

Councilman Stokes mentioned that that Westfield Memorial Library was the first Town property to install solar panels on its roof, explaining that he was the President of the Library when that project was undertaken. Stated that he agrees that the Town should continue to investigate solar energy for its Town properties.

Councilman Arena explained that he supports ways of improving efficiency at no cost to the Town but feels many green initiatives lead to “lunacy”. Discussed the new “green deal” which involves using trains as a method of transportation from California to Hawaii rather than flying. Discussed environmental issues that were the focus during the 1970’s such as global cooling and

the ozone. Stated that both those issues went away and now the focus is global warming. Explained that these are his concerns with green initiatives.

Mayor Brindle thanked Mr. Kormacher for his comments and feels the majority of the Town Council supports his suggestions. Explained that sustainability is a key priority of the Master Plan.

Councilman Arena also discussed the sewer bill and stated that Governor Murphy recently approved a "rain tax". Feels that many green initiatives could result in additional taxes to fund them.

Mr. Kormacher referred to the ordinance which prohibits solar panels on street facing roofs and stated that he contacted his solar panel provider and only one (1%) percent of municipalities in New Jersey have them.

Ed Kevelson, 633 Shackamaxon Drive, spoke on behalf of the organization, "No Monster Power Lines Westfield", and explained that this is an issue driven, non-partisan organization formed by Westfield residents in opposition to PSE&G's initial project that would have changed their residential community, and to encourage the Town and PSE&G to seek other safe and viable alternatives. Explained that he and his wife have been residents of Westfield for eighteen (18) years but moved to their home on Shackamaxon Drive the day before they learned of PSE&G's proposed project. Stated that the project involves the installation of high-voltage transmission lines in his neighborhood and would run directly in front of five hundred (500) homes, Kehler Stadium, Edison School and Memorial Pool. This project also involved the removal of more than fifty (50) mature trees and cutting back many more, most of which are on private property. Explained that there has been an incredible response since the formation of this organization approximately two (2) weeks ago. An online petition opposing the project was created and over one thousand, nine hundred (1,900) signatures were obtained in less than one (1) week. Discussed the first goal of the organization which includes stopping PSE&G's initial plan. Referenced Mayor Brindle's update from March 20, 2019 and a more recent update from this afternoon and stated that it appears that this goal might have been met. Quoted Mayor Brindle's update from March 20, 2019, stating, "As far as we are all concerned this project will not proceed as proposed. No work will begin until the public has had the opportunity to weigh in at a PSE&G public workshop, and an alternate plan is ultimately approved by Town officials." The Mayor also added that the Town was prepared to take legal action if PSE&G had insisted on moving forward with its initial plan. Thanked the Mayor, Town Council and State elected officials for their support and strong stance on that particular matter. Also thanked others who became involved and voiced concerns. Discussed the organization's second goal, which is to have PSE&G put forward and adopt an alternative solution that has minimal impact to residential streets. Explained that while the organization is grateful for the Town official's opposition to the initial proposed plan, feels they must solve the problem even though the solution might be difficult. Referenced an earlier comment by the Town Administrator which pertained to the fact that Westfield is special because it is highly residential. Stated that he agrees with that comment and for this reason this organization does not feel that any solution should involve installation of these power lines through an entirely residential neighborhood and past a school, stadium and Town pool. Referred to Mayor Brindle's update released this afternoon which indicated that

“PSE&G has recommended a potential alternative route that has been reviewed by Town officials. This proposed alternate route would have less residential and tree impact, and feedback has been given to PSE&G to further address these issues, which they are working on. Public release of the route would be provided by Friday, and a public workshop to discuss the alternate route would be held on April 10, 2019”. Informed the Mayor and Town Council that the immediate reaction to this statement by residents was mixed. Explained that some felt the statement was encouraging, while others were disappointed that not enough details were provided, and are skeptical of a positive outcome. Stated that many residents continue to have questions that they want answered and feel an avenue for considering and answering these questions must be provided. Feels that regardless of the reaction to the recent update, all are eager for further details of the new plan, and hopes PSE&G would take this opportunity to present any alternative plan with transparency, detail, sufficient advance notice and with any impact to the Town discussed openly. Feels all can agree that the way PSE&G handled the first plan was unacceptable. Informed the Mayor and Town Council that volunteers have gone door-to-door for the past two (2) weeks distributing flyers, educating residents and urging them to learn the facts and get involved. Explained that some of the impacted residents are elderly and do not use the internet. Feels if it were not for these volunteers going door-to-door, many might not have learned of the project, or had a sense of the full scope of the project. Stated that many residents are extremely concerned and stressed over this project, which he feels highlights, even more acutely, the need for openness and transparency moving forward. Referred to the last Town Council meeting in which at least one hundred (100) residents attended to voice their objections to the PSE&G project because they were concerned with health, safety, environmental, aesthetics and property value impact. Stated that since the last Town Council meeting, the public outcry has only grown louder, and PSE&G needs to know that Westfield residents want a better plan, one that is guided by the principle of protecting its residential neighborhoods, where its children play and walk to school, and where substantial investments have been made to purchase and maintain homes along tree-lined streets. Also stated that until an acceptable plan has been fully presented publicly and adopted, residents would continue to urge their Town officials to find an acceptable solution, one that minimizes or eliminates the impact on residential streets. They would also continue outreach efforts and would continue to speak to and learn from leaders from other community groups who have prevailed in similar situations to this. Residents would also continue to explore all options, including legal action, to protect their children, their trees and their town. Urged all in attendance and who are watching to like No Monster Power Lines Westfield’s Facebook page and website, and to join their email and volunteer list to learn more and to get involved. Thanked all who have donated their time to this effort, stating that all have been volunteering their time while balancing life and work commitments, and are doing so because they love Westfield and want to protect the things that make it a special place. Also commended the Town Administrator, Councilwoman Habgood and all those involved with the 2019 Municipal Budget presentation. Feels the Town is committed to making Westfield a better place to live and are “thinking outside the box” to find ways to do that, as evidenced by the budget presentation. Asked the Mayor and Town Council to apply these same principles to solving this issue.

Mayor Brindle discussed the amount of consideration given concerning the information that was released with respect to the alternate route proposed by PSE&G. Explained that not all of the details have been provided to the Town so it was decided to provide some information and as

much advance notice as possible concerning the workshop meeting on April 10, 2019. Explained that she does not have full information concerning the alternate route and has not had the opportunity to communicate information to the Town Council. Discussed efforts to have information provided to all by Friday, March 29, 2019. Commended Mr. Kevelson and Mr. Krieger for their efforts. Feels the silver lining in all of this is that it has brought residents together to collectively work for a cause and protect neighborhoods. Stated that it reminds her of the efforts of the New England Drive residents who came together and banded as one to protect their neighborhood, and hopes this would continue beyond any resolution that is reached concerning this project.

George Rizk, 370 Orenda Circle, stated that he is the resident Mr. Korfmacher was referring to when he mentioned the denied variance application for the installation of solar panels. Stated that he has lived at this residence since 2001. Requested that the Town Council rescind its ordinance prohibiting solar panels on street-facing roofs, and to potentially find a solution to his problem. Explained that in January of 2019, he and his wife decided to install solar panels on the roof of their house and retained a Tesla dealer. After surveying the house and its position relative to the sun, Tesla's technician concluded that the only option would be to install the panels on the street-facing side of the roof. All other directions are either non-existent or not efficient. The technician also informed him that the Town has an ordinance that prohibits the installation of solar panels on the street-facing side of the house and, as such, he submitted an application for a variance. Discussed the requirement of the variance process which involves notice to property owners located within two-hundred (200') feet of his property in order to provide those residents with an opportunity to object to the application. Stated that no residents objected to his application, and at the variance hearing, he and representatives from Tesla explained why it would not be possible to install the panels at the back of the house and why the front of the home was the only option from an efficiency standpoint. The Tesla expert also informed Board of Adjustment members that the new panels now have a low profile design with curb appeal in mind, and that multiple similar systems have been installed on the street-facing side of homes in Westfield, including Orenda Circle. Stated that the variance was denied, with the only objection being aesthetics. Reiterated his prior statement concerning the lack of objections by his neighbors, and stated that his next-door neighbor expressed disappointment and surprise with the Board of Adjustment's decision. Informed the Mayor and Town Council that in March of 2017, the owners of 118 North Scotch Plains Avenue applied for a variance to install solar panels on the front of the roof which was approved. Feels there has been precedent set with other homes being permitted to install panels to the front of the home. Believes the ordinance prohibiting panels on the front of the home needs to be amended or rescinded. Feels there are two (2) arguments to support this, the first being that he feels the ordinance puts the Town in legal jeopardy and referred to a legal case in Birmingham Pennsylvania whereby the property owner was prohibited from installing solar panels on the front of his home because the municipality adopted an ordinance prohibiting it for aesthetic reasons. This resident sued the municipality based upon the argument that it was unconstitutional to prohibit the installation of solar panels purely on the grounds of aesthetics. Explained that while this resident could have won a substantial judgment from the municipality, he settled for being allowed to move forward with the installation of the solar panels. Discussed his second argument, which involves state legislation that restricts these types of ordinances. Explained that Massachusetts has adopted legislation prohibiting zoning ordinances from unreasonably regulating the installation of solar energy systems or the building of structures that

facilitate the collection of solar energy, except when necessary to protect the public health, safety or welfare. Mentioned that in both Pennsylvania and Massachusetts, there have been ordinances based upon aesthetics that were upheld, but they were related to the preservation of historical buildings, which his home is not. Informed the Town Council that he is currently exploring his options to rectify this situation, the first being to resolve it amicably. If that is not possible, he believes that precedence and the issue of constitutionality are on his side and that he would prevail if he were forced to resolve this through legal action. Feels it would a greater benefit to Westfield to have this ordinance overturned.

Resident, Normandy Drive, stated that she has been a resident of Westfield for fourteen (14) years and recently moved to Normandy Drive from Columbus Avenue. Explained why she is opposed to the PSE&G project even though she does not live on the impacted route. Stated that many of her neighbors and friends spent time over the past two (2) weekends going door-to-door and distributing flyers to alert residents of the project. Explained that residents that do not live along the route of the project care about it because they feel it would impact residential areas and schools and could possibly impact property values and the character of the Town. In addition, residents care about the potential safety and health concerns to their children and they care about their friends and neighbors that live on the proposed route. Also feels there was virtually no communication to residents by PSE&G with respect to the project and stated that many of the residents that she has spoken to were not aware of it. Feels residents need to know what is happening in the Town and PSE&G needs to do a better job communicating to them. Stated that she is happy that the Mayor and Town Council have been providing information to residents but feels additional methods of communication are needed because senior citizens typically do not use Facebook, texts or email. Also requested that information concerning the proposed alternate route be provided to residents as early as possible and that PSE&G, as well as other utility companies, improve its communication to residents. Discussed the public workshop that would be held with PSE&G and stated that many commuters are concerned with the start time of 7:00 PM and the meeting location of the Library because the room might not hold enough people. Requested that a larger room be considered. Also requested that the Town consider a sign-up sheet to determine how many residents plan to attend the workshop so that a larger room could be located if over-capacity.

Mayor Brindle referred to the comment concerning senior citizens and discussed the presentation provided during the Conference Meeting by the Senior Advisory Council. Explained that the Senior Advisory Council's mission is to collect information from seniors so that the Town can improve its communication with them. Also explained that the meeting location was chosen by PSE&G and she requested that PSE&G move the start time to 7:00 PM because PSE&G typically holds its meetings at 6:00 PM.

Thiago De Oliveira, 779 Summit Avenue, stated that he moved to Westfield eighteen (18) months ago from Massachusetts. Explained that the criteria for choosing his home were safety, quality of the schools, and a stable housing market. Also stated that he is married and has two (2) children. Explained that he is against the PSE&G project because he would be impacted by the proposed route and feels Westfield is not the appropriate location for industrial power lines. Discussed the distance between his home and his children's rooms from the proposed utility poles. Also discussed research he has conducted over the past two (2) weeks which indicated that

there are many potential health risks to children associated with these power lines, including leukemia and its permanent psychological effects, and stated this information was devastating to him. Explained that he lived in different countries before settling in the United States and decided to conduct research of other countries. Stated that, given the scientific uncertainty associated with long-term exposure to electromagnetic fields (EMF), the World Health Organization established a series of recommendations and precautionary policies to avoid unnecessary exposure to EMF's. The World Health Organization is an international body that sets global policies and guidelines in every aspect of health and is a specialized agency of the United Nations. Stated that he was very upset to learn that there are no federal regulations in the United States as related to the same standards of the World Health Organization. Explained that New Jersey is one of the few states within the United States that sets guidelines as to the minimal safe distance from these utility poles. Explained that, per these guidelines, the minimal safe distance is one meter for every three (3kV) kilovolts, and the calculation for a sixty-nine (69kV) kilovolt line would amount to a radius or distance of seventy-five (75) feet. Expressed concern that PSE&G has not shared this information and stated that his home, as well as many other homes along the proposed route, would be within the seventy-five (75) foot radius of these utility poles. Requested that PSE&G explain why it is failing to follow global guidelines and guidelines specific to New Jersey. Also requested that the Mayor and Town Council focus on what is important from a health standpoint and risk to children as it negotiates with PSE&G. Councilman Contract referred to Mr. De Oliveira's comments concerning safe distances between these poles and residences and stated that he believes California requires a distance of one hundred (100) feet.

Shari Holtzman, Westfield resident and local real estate agent, stated that she has a vested interest in this issue as a Westfield homeowner for over twenty (20) years and as a professional who relies on the strength of the real estate market to earn a living. Discussed Westfield's reputation for safety, its vibrant downtown, and its family friendly environment. Stated that while the details of the proposed route for the PSE&G project are not yet known, feels that anything that takes away from the image of Westfield would be detrimental to all residents. Stated that the proposed power lines would be an "eyesore" at best and a health hazard at worst and would affect the perception of the entire Town. Feels the perception of the Town would change from a positive one to a negative one and would affect the number of buyers interested in calling Westfield home, impacting all property values. Also explained that uncertainty is never a good thing with respect to real estate and feels the uncertainty of this project as well as other potential utility projects would diminish buyers' interest in Westfield.

Jing Peng, 1100 Irving Avenue, explained that she was fearful at the last Town Council meeting, but is now more hopeful because of the information that has been provided to residents through social media concerning the PSE&G project. Believes many are feeling more informed and educated. Stated that she moved to United States from another country and wants to remain and raise her child in Westfield. Informed the Town Council that she has spoken to many people over the last two (2) weeks, including people at work. Discussed the guidelines pertaining to distances between homes and high voltage wires and stated that potential homebuyers are using devices that measure EMF levels when deciding to purchase a home. Explained that while the health impacts are inconclusive, feels no one wants to risk the health of their children. Reiterated her goal to remain in Westfield and hopes everyone will come together. Also discussed Sycamore

Soccer Field and expressed concern with children's exposure to EMF's while playing soccer at this field.

Jennifer Principato, 261 South Scotch Plains Avenue, stated that she has helped distribute flyers over the past two (2) weeks. Also stated that she is a real estate agent and was speaking to the owner of a property for sale at North Scotch Plains Avenue. Informed the Mayor and Town Council that two (2) potential buyers pulled their offers to purchase this home after learning of the proposed PSE&G project and feels the project is already impacting property values.

Westfield resident, stated that he does not live near the proposed route of the PSE&G project and after hearing the comments this evening has become alarmed. Feels the project would have a significant impact on the Town. Also feels no family should be exposed to the unknown health risks that are posed and safety should be the focus when negotiating with PSE&G.

Councilwoman Neylan requested clarification as to PSE&G's authority to conduct this project in Westfield.

Mayor Brindle explained that PSE&G is attempting to connect the substation in Scotch Plains to the one being constructed on Walnut Avenue in Cranford. Stated that it is difficult to have PSE&G gerrymander Westfield because the argument being made is that Westfield should not be excluded from what other municipalities are absorbing.

Councilwoman Neylan stated that it is her understanding that the Town was first notified of the project on December 14, 2018. Explained that she was not aware of the project and learned of it two (2) weeks ago. Also referenced an "emergency" meeting that was held by Assemblyman Bramnick with respect to the project. In addition, stated that it is her understanding that PSE&G presented the project to the Town Council on February 26, 2019 and that the Mayor attended a meeting with PSE&G on January 28, 2019. Feels the timeline is important and commended the residents for its reaction when learning of the project.

Mayor Brindle discussed the timeline and explained that residents need to appreciate that Westfield is one of the only municipalities that requires that PSE&G and other utility companies come before the full Town Council before any project moves forward. Stated that PSE&G sent an initial email in December to the Town Administrator notifying the Town of the project, but details were not provided. Also stated that details were not provided during the meeting on January 28. Explained that PSE&G was scheduled to present to the full Town Council on February 12, but it was postponed due to the weather until February 26, 2019. Explained that the project would not move forward until PSE&G presented to the full Town Council.

Councilwoman Neylan stated that she would like a better understanding as to the timeline and feels it is fortunate that residents reacted quickly to stop the project from moving forward.

Councilwoman Mackey stated the four (4) southside councilmembers began to question the project as soon as it began receiving questions from residents. Explained that she attended a meeting with PSE&G representatives four (4) days prior to the meeting held by Assemblyman Bramnick and the project was stopped as a result of this meeting with PSE&G. Also explained that PSE&G was originally scheduled to attend the Town Council meeting on March 12, 2019

and while their attendance was cancelled, the project was not to move forward until the public had an opportunity to express their concerns to PSE&G. Stated that the other southside councilmembers could attest to her attendance on their behalf at the meeting with PSE&G and that they were united in stopping the project until PSE&G spoke to the public. Assured everyone that councilmembers reacted immediately to the outreach by residents.

Councilman Contract stated that it is his understanding that PSE&G clarified publicly as to its level of communication to the Town concerning this project and does not believe there was much information shared by PSE&G prior to the Town Council meeting in late February. Also feels there was a lack of transparency by PSE&G and explained that when PSE&G attended the Town Council meeting to present the project, they did not mention EMF levels. Stated that he expressed concern with the removal of trees, but otherwise there was very little to no negative feedback by councilmembers because PSE&G did not present the project in full transparency and did not share the risks and concerns that were raised by other municipalities. Feels the presentation was essentially perfunctory. Also stated that he began sharing information with residents and requested feedback, and residents then began to respond.

Mayor Brindle stated that she agrees with Councilman Contract's comments. Also feels credit should be given to the Town Administrator because she feels that it was the Town Administrator's relationship with PSE&G that allowed for the "road block" of the project until PSE&G presented to the full council. The Town is now in an unprecedented place whereby PSE&G has agreed to change the project.

David Krieger, 728 Shackamaxon Drive, stated that he would not comment as to "who knew what when", but feels now there is no dispute that every member of council and all in attendance are aware of PSE&G's intentions and that the current plan is still "on the table". Feels whatever plan that moves forward must pass muster because all are on notice as to the effects to health, safety, aesthetics and property values.

Councilwoman Neylan explained that she brought up the timeline concerning notification of the project because she feels there were many implications and it should have been questioned.

Michael Krupnick 1006 Ripley Avenue, feels Councilwoman Neylan could have raised her concerns if she had attended the Town Council meeting when PSE&G presented the project to the Town Council.

Councilwoman Neylan stated that she was away on business and feels Mr. Krupnick's comment is unfair.

Mr. Krupnick feels the entire conversation is unfair. Stated that he does not live along the proposed route but lives somewhat nearby. Explained that he is an electrical engineer and that sixty-nine (69 kV) kilovolts is not something that can be "plugged" into a home. It needs to be connected to a substation. Feels PSE&G is essentially putting a high voltage "highway" through the Town with no "off-ramp".

Dennis Cariello, 51 Tamaques Way, stated that he thinks it is great that Westfield has a law requiring PSE&G to come before the Town Council.

Mayor Brindle explained that it is not a law, but a commitment that PSE&G has made to the Town based upon its relationship with Westfield. Also stated that PSE&G does this voluntarily and municipalities do not have the authority to require it.

Mr. Cariello questioned PSE&G's noticing requirements to residents and also questioned what was discussed during the meeting on January 28. Feels the information PSE&G provided to the Town was not clear and asked if there is something the Town could do to require that PSE&G improve its communications process. Also asked if Mayor Brindle could share what occurred during the meeting on January 28.

Mayor Brindle explained that PSE&G indicated that they would be conducting a pole replacement project for upgrading purposes and for system reliability, and that it would follow along the existing twenty-six (26 kV) kilovolt route. The Town expressed concerns with the removal of trees. PSE&G was unable to quantify the impact to trees at that time and were asked to ensure that the information be available before they appeared before the Town Council.

Mr. Cariello asked if PSE&G discussed voltage during that meeting.

Mayor Brindle stated that she believes PSE&G called the project "69kV", however the primary purpose of the meeting on January 28 was not to discuss the project, but to introduce PSE&G's new point of contact for the Town because they were undergoing an employee transition.

Councilwoman Neylan asked who attended the meeting on January 28.

Mayor Brindle stated that she and the Town Administrator were in attendance. Also explained that she does not interact with utility companies on a daily basis. Referred to Mr. Cariello's comment concerning PSE&G's communications process and stated that PSE&G has been chastised many times by courts because of its poor communication and notification. Also explained that when PSE&G attended the Town Council meeting, a follow up meeting was planned to obtain both clarification on the impact to trees, and to discuss how the Town would supplement PSE&G's notification because the Town did not trust PSE&G's ability to communicate to residents appropriately and timely. Mentioned that this follow up meeting was the meeting that Councilwoman Mackey discussed earlier this evening, and was held a few days after PSE&G's appearance at the Town Council meeting.

Mr. Cariello asked if there were any option available to the Town that would require that PSE&G provide more complete notice to residents.

Mayor Brindle explained that that type of requirement would have to be legislated through Trenton. Stated that municipalities have basically been "neutered" in terms of its ability to impede. Discussed the Vegetation Response Act which would provide utility companies with the authority to remove trees without permission of the municipality.

Councilman Contract encouraged residents to contact legislators and express their opposition to the Vegetation Response Act.

Mayor Brindle explained that the assembly passed the Vegetation Response Act almost unanimously, but the senate has not yet voted on the bill. Stated that she spoke to Senator Kean's office and they indicated that they have received some calls about the bill.

Drew Matus, 300 South Scotch Plains Avenue, referred to Mayor Brindle's previous reference to the substation on Walnut Avenue in Cranford and questioned why the project would move forward at this time when PSE&G has not yet been granted permission to construct a substation at that location. Inferred that it might be related to return on equity, but was unsure. Discussed an existing route from Front Street in Scotch Plains along the railroad tracks to Walnut Avenue in Cranford and questioned why that route was not considered. Lastly, Mr. Matus asked if the Town Council has been provided with any documentation indicating that PSE&G has approval for this project.

Mayor Brindle feels the authority can be based on the similar projects they have conducted in other municipalities.

Mr. Matus asked if the Town Council has seen the actual approval.

Councilman Stokes and Councilman Contract both stated that they had not seen any approval.

Councilman Contract stated that the Town could request documentation from PSE&G.

Mr. Matus discussed PSE&G's indication to the Town that it must conduct this project, but when he checked the website, this project is shown as a supplemental project that is not required. Feels there are open questions as to who approved the project and if it is required. Feels if it were required, PSE&G would not have asked for the Town's input.

Marian Wuchte, 676 Summit Avenue, explained that she does not live along the route, but she is very close with her neighbors that do live along the route and she supports their efforts. Stated that on the website page for this project, there are many municipalities listed where this work has been done and questioned whether this was a complete list.

Mayor Brindle stated that it is her understanding that this project has been conducted in sixty (60) municipalities, but is uncertain if they are all listed on the website.

Ms. Wuchte stated that most of the Towns listed on this webpage have commercial and industrial sections which Westfield does not have. Feels this is what makes Westfield special and questioned why Westfield would be included. Referenced Mayor Brindle's comment about the difficulty with gerrymandering PSE&G but feels everyone needs to fight for the Town to a certain degree. Also feels it is inappropriate for this type of project to be proposed for a residential neighborhood, and expressed concern that an alternate route could directly impact her neighborhood. Encouraged everyone to go to the webpage she has discussed and look at the Google maps because they will show that several of the routes in those municipalities were along railroads with no houses.

James Foerst, 262 South Scotch Plains Avenue, suggested that the Town Council request two (2) items from PSE&G, the first being that PSE&G provide the Town with the Board of Public Utilities' (BPU) approval or legal authority that allows PSE&G to conduct this project. Stated

that he has done research and has been unable to find it on BPU's website or on PSE&G's website. Stated that BPU Vegetation Management Standards are referenced, but there is no information indicating that the project is required. The second request concerns tree removal and explained that he has been unable to find any information indicating that PSE&G has the legal right to remove trees from private property. Feels these two (2) pieces of information would provide the Town with a great bargaining tool that could prevent Westfield from becoming the "transmission line" for a private utility company.

Jean Erickson, 880 New England Drive, stated that she is wearing a ribbon in support of the residents against the PSE&G project and that she believes in their cause. Explained that residents of New England Drive have been "fighting their own fight" and feels it is commendable that residents are voicing their concerns when they are unhappy with things that are happening in their town. Referred to Mr. Foerst's comments and stated that she is glad to see him fight for his neighborhood. Also stated that she understands that it is upsetting to see a neighborhood facing these power lines, large scale tree removal and a major change to its character and she supports that. Stated that she and her neighbors on New England Drive have been fighting Mr. Foerst's efforts to remove trees and subdivide properties to "cram" multiple houses where two (2) homes currently stand. Feels it is ironic that Mr. Foerst has been outspoken in defense of his neighborhood but opposes the efforts of the New England Drive residents to defend and maintain the character of their neighborhood. Also feels it is ironic that Mr. Foerst represented her ward when he was a member of the Town Council. Stated that she is glad to see Mr. Foerst support his cause and hopes the Town Council would continue to support her cause.

Jerome Feder, 789 Knollwood Terrace, stated that he is Westfield's Air Traffic Noise representative and discussed the requirements for air route changes, including environmental assessments and environmental impact statements. Feels the PSE&G project is clearly controversial with respect to the environment and wanted to introduce these issues for the residents who might be pursuing this from a legal standpoint.

Mayor Brindle feels Mr. Feder understated his role as Westfield's Air Traffic Noise representative and thanked him for his service.

Councilman Stokes stated that many things have been heard tonight but feels what should be pointed out is the fact that the community came together, is on notice and is learning moving forward. Discussed the announcement that the route would be changed, and while the details are not yet known, feels the efforts made were for the Town. Assured all residents that the Town Council is behind them and that everyone is standing together to stop this project. Stated that councilmembers are also their neighbors and when comments become heated it is because everyone is passionate about the issue.

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

### **BILLS AND CLAIMS**

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

RESOLVED that the bills and claims in the amount of \$413,809.06 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 Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilwoman Mackey, were unanimously adopted.

#### **Resolution No. 76**

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

<b><u>Name</u></b>	<b><u>Account</u></b>	<b><u>Class</u></b>	<b><u>Fee</u></b>
Stephanie Nash 237 Munsee Way Westfield, NJ 07090	Tennis/Rec Trust 217	Refund/Dance Recital Daddy Daughter Dance Joshua Kuntz (\$52.00) Sadie Nash (\$52.00)	\$104.00
Rachel Hergan 824 Cedar Terr Westfield, NJ 07090	Tennis/Rec Trust 217	Refund/Dance Recital Daddy Daughter Dance Josh Hergan (\$52.00) Liv Hergan (\$52.00)	\$104.00
Brigita Rumpeters 648 Clark Street Westfield, NJ 07090	Tennis/Rec Trust 217	Refund/Wrong Class Volleyball Krista Rumpeters	\$150.00

#### **Resolution No. 77**

WHEREAS, certain taxpayers of the Town of Westfield are expected to file tax appeals disputing their assessed valuation for the year 2019, and

WHEREAS, such tax appeals can be anticipated prior to May 1, 2019 the last day for filing, and

WHEREAS, the Tax Assessor is of the opinion that said properties may, in many cases by undervalued and that the assessment for said properties should be increased and not decreased as the taxpayer seeks, and

WHEREAS, a method exists in the tax law for the municipality to counterclaim against the property owner to seek an increase in the assessment, and

WHEREAS, it would be in the best interest of the Town of Westfield to do so in certain cases as the Town Attorney and Tax Assessor may decide upon receiving the appeal:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that the Town Attorney and Tax Assessor are authorized and directed to take whatever steps seeking to raise the assessments for said properties to the value which the Tax Assessor deems to more properly reflect the value of said property where appropriate.

**Resolution No. 78**

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 has been a member since 1994; 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 Town of Westfield solicited requests for proposals for such services in accordance with G.O. 1753 of the Town of Westfield; and

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

WHEREAS, Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068 submitted a proposal to perform such services outlined for two percent (2%) of annual assessment; and

WHEREAS, the Bylaws of the aforesaid Fund require that in such case the municipality will make payment for such professional services directly to the Risk Management Consultant.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer of the Town of Westfield be, and hereby is, authorized and directed to draw warrant to the order of Brown and Brown, 56 Livingston Avenue, Roseland, NJ 07068, in the sum of \$11,516.23 representing the first half of the annual assessment.

**Resolution No. 79**

BE IT RESOLVED by the Town Council of the Town of Westfield that Mayor and Council be and hereby are authorized to make payment in the amount of \$3,500.00 for an easement to allow for the installation of a traffic light by Union County on Lamberts Mill Road and Rahway Avenue.

**Resolution No. 80**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally

granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Town of Westfield has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Town meets the necessary conditions to participate in the program for the 2019 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Council of the Town of Westfield that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

**Resolution No. 81**

WHEREAS, the Local District School Tax for the year July 1, 2018 to June 30, 2019 was raised in the 2018 Tax Levy in the sum of \$101,933,988.00, and

WHEREAS, the statutes permit the deferral of such School Tax up to 50% of the School Tax Levy or \$50,966,994.00,

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Westfield, County of Union, that the Deferred School Tax for Local District School purpose be the sum of \$50,966,994.00 as of December 31, 2018.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services.

The following resolution, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Dardia, was adopted by the following roll call vote:

**Resolution No. 82**

RESOLVED that the Chief Financial Officer be and he is hereby authorized to make the following transfer(s) in the 2018 Budget (Appropriation Reserve) accounts:

	<u>OUT</u>	<u>IN</u>
<b><u>CURRENT FUND</u></b>		
ENGINEERING		
8-01-135-101 (SALARY & WAGES)	18,000	
PUBLIC WORKS		
8-01-137-211 (OTHER EXPENSES)		15,000
ELECTRICITY		
8-01-168-211 (O/E)		2,000
WATER		
8-01-169-211 (O/E)	_____	_____
	\$18,000	1,000 \$18,000

Yeas: Habgood  
 Arena  
 Dardia  
 Neylan

Nays:

Absent: LoGrippto

Contract  
Stokes  
Mackey  
Mayor Brindle

The following resolution, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Stokes, was adopted by the following roll call vote:

**Resolution No. 83**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2019;

BE IT FURTHER RESOLVED that said Budget or Summary be published in the Westfield Leader and/or The Star Ledger in the issue of March 28, 2019 The Governing Body of the TOWN OF WESTFIELD does hereby approve the following as the Budget for the year 2019:

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

Notice is hereby given that the Budget and Tax Resolution was approved by the TOWN COUNCIL of the TOWN OF WESTFIELD, COUNTY OF UNION, on March 26, 2019. A Hearing on the Budget and Tax Resolution will be held at the MUNICIPAL BUILDING on April 23, 2019 at 8:00 o'clock (p.m.) at which time and place objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.

**Town Council comments:**

Councilwoman Neylan thanked Councilwoman Habgood and the members of the Finance Policy Committee for their efforts.

Mayor Brindle explained that, for purposes of clarification, this resolution involves introduction of the budget, not adoption, and a vote being taken this evening is to introduce the budget.

Councilwoman Neylan stated that the vote to be taken pertains to introduction and approval of the budget.

Councilwoman Habgood stated that final adoption would occur in approximately one (1) month.

Councilwoman Neylan stated that she would be voting against the 2019 Municipal Budget because of the alarming trend in increased spending and because of the reduction in surplus. Feels government is “growing” while using surplus that took years of planning to achieve. Stated that she has five (5) points to highlight which explain why she cannot support the proposed budget and discussed them as follows:

1. Feels there has been an excessive use of surplus and stated that last year thirty (30%) of the Town’s surplus was used, with thirty-four (34%) percent being used this year. Feels the Town is relying more on the use surplus to fund the budget and believes this surplus spending is irresponsible and unsustainable;
2. Stated that last year the Town spent approximately \$2.4 million in surplus and, contrary to comments that the Town regenerated the full amount, \$650,000 came from a trust fund that was shifted to surplus giving the appearance that the Town generated as much as it spent. Believes without that shift to savings, the Town would have spent more than it generated;
3. Stated that this year the Town would be spending close to \$5 million in surplus, and if funds are not regenerated, the surplus balance would be reduced to \$9.5 million. Explained that while the Finance Policy Committee Chairwoman is comfortable with a \$9.5 million surplus balance, she is not comfortable with a possible \$5 million reduction in one (1) year. Feels this is not a good trend and believes this approach could result in no remaining surplus within two (2) years. Stated that it is easy to increase spending when living in a strong economic climate, but feels most economists would agree that a downturn is not only likely, but inevitable, and while the Town has experienced some savings in areas that typically have cost increases, feels it is unlikely that this would happen again. Explained that one time reductions in spending do not happen all of the time and feels these factors together indicate that the budget would increase next cycle;
4. Discussed the zero (0%) percent tax increase that is proposed and feels it is important to explain that this means that more savings is being used to manage the budget. Stated that the “bottom line” is that one half of anticipated surplus is being used to lower the tax rate. Feels using savings to balance the budget is alarming to her and is bad financial planning; and
5. Stated that she would not use her household savings to pay for daily expenses and would not run the Town that way either.

Councilwoman Habgood asked Councilwoman Neylan for clarification of her statement concerning anticipated surplus.

Councilwoman Neylan explained that it is what the Town anticipates it would be getting back.

Councilwoman Habgood stated anticipated surplus does not exist in the budget.

Councilwoman Neylan explained that the Town is spending close to \$5 million in surplus in 2019 and if that amount is not regenerated, the Town could be spending that amount in one (1) year.

Councilwoman Habgood explained that \$5 million is being used this year, but every year the budget is looked at differently because every year there are different needs with different amounts of discretionary versus non-discretionary spending, and every budget is managed around new costs and revenues. The decision to use \$5 million in 2019 relates to this year's budget only. Explained that there is no trend to keep reducing surplus and the Town is not being put into any jeopardy. Efforts are being made to utilize funds that came from taxpayers that are not needed this year and "put them to good use".

Councilwoman Neylan stated that that is Councilwoman Habgood's philosophy and prerogative.

Councilwoman Habgood explained that it is not only her philosophy and that many people were consulted throughout this process. Stated that the Town has a AAA bond rating and information was provided by the Town's auditor, bond counsel and experts from the Finance Advisory Council, and all have advised that there is no need to have a greater surplus balance than what is being targeted this year. Stated that Councilwoman Neylan is entitled to her opinion, but she wanted to explain to ensure that there is no misunderstanding as this budget is presented to the public.

Mayor Brindle feels excess surplus is an over tax on residents and questioned why Councilwoman Neylan would support an over tax on residents.

The following resolution, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilwoman Mackey, was adopted by the following roll call vote:

**Resolution No. 84**

WHEREAS, the Downtown Westfield Corporation Budget of the Town of Westfield's Special Improvement District, County of Union, for the Year 2019:

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Downtown Westfield Corporation Budget for the Year 2019; and

BE IT FURTHER RESOLVED that said Budget be published in THE WESTFIELD LEADER in the issue of March 28, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Westfield does hereby approve the following as the Downtown Westfield Corporation Budget for the year 2019:

**DOWNTOWN WESTFIELD CORPORATION**  
**SPECIAL IMPROVEMENT DISTRICT**  
**2019 BUDGET**

**REVENUES**

<u>GENERAL REVENUE</u>	<u>ANTICIPATED REVENUE</u>
Amount to be raised by	
Special Improvement District Assessment	<u>\$416,347.00</u>
Total General Revenue	\$416,347.00

**APPROPRIATIONS**

<u>GENERAL APPROPRIATION</u>	<u>APPROPRIATIONS</u>
Operating	
Salaries & Wages	\$200,132.00
Other Expenses	<u>\$216,215.00</u>
Total General Appropriations	\$416,347.00

Notice is hereby given that the Downtown Westfield Corporation Budget was approved by the Town Council of the Town of Westfield, County of Union, on March 26, 2019.

A hearing on said Budget will be held at the Westfield Municipal Building on April 23, 2019 at 8:00 p.m. at which time and place objections to said Budget for the Year 2019 may be presented by Downtown Special Improvement District taxpayers or other interested persons.

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

**General Ordinance No. 2130:**

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

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2130 – AN ORDINANCE FOR CALENDAR YEAR 2019 TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)” be approved on first reading.

The motion was seconded by Councilman Contract.

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

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

Mayor Brindle

Heretofore introduced, General Ordinance No. 2130 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9th day of April 2019 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Safety, Transportation and Parking Committee

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

**Resolution No. 85**

WHEREAS, Raritan Valley Line (RVL) trains currently terminate in Newark Penn Station, and riders destined for midtown Manhattan and New York Penn Station must transfer platforms and trains; and

WHEREAS, RVL is one of the busiest and fastest growing lines of NJ Transit, with more than 23,000 weekday passengers and no midtown direct, one-seat ride in and out of New York; and

WHEREAS, RVL did get some off-peak hour, one-seat service in 2014 and 2015 that provided relief and on average a 30-minute reduction in commuting time each way; and

WHEREAS, the off-peak, one-seat service on RVL, as well as all service on the Atlantic City and Princeton Branch (Dinky) Lines were suspended in 2018 because of Positive Train Control installation; and

WHEREAS, Atlantic City and Princeton trains will be fully restored on May 24, 2019, but there has been no confirmation that service will be restored and the RVL; and

WHEREAS, the Town of Westfield and the Raritan Valley Line Mayors Alliance of 32 mayors in Union, Somerset, Hunterdon and Middlesex Counties, organized in 2018 by Fanwood Mayor Colleen Mahr, Westfield Mayor Shelley Brindle and Bound Brook Mayor Robert Fazen, are committed advocates for equitable service for RVL; and

WHEREAS, 23,000 commuters and approximately 400,000 residents in towns served by the RVL deserve to know when the suspended off-peak morning and evening direct trains into New York will be back on schedule; and

WHEREAS, midtown direct train service, known as "one-seat ride," has a tangible impact on Westfield, the quality of life for its residents, home values and business growth;

NOW, THEREFORE, BE IT RESOLVED the Mayor and Town Council of the Town of Westfield urge Governor Phil Murphy, DOT Commissioner Gutierrez-Scaccetti and our State Legislators to support the immediate restoration of the off-peak hour, “one-seat ride” to NY Penn Station.

BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to Governor Murphy, the Town of Westfield’s Legislative Delegation and NJ Transit.

**Code Review & Town Property Committee**

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

**Resolution No. 86**

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
Akai Lounge	102 East Broad Street
Bagel Chateau	223 South Avenue East
Brick Oven of Westfield	117 Quimby Street
Cosimo’s	118 East Broad Street
Fiamma Pizza	108 Quimby Street
Rockn Joe Coffee House	20 Prospect Street
Rooster Spin	251 North Avenue West
Tinga Taqueria	110 Central Avenue
Xocolatz Café	235 Elmer Street

**General Ordinance No. 2131:**

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

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2131 – AN ORDINANCE AMENDING CHAPTER 4 OF THE TOWN CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REGULATE THE HOURS FOR THE RETAIL SALE OF ALCOHOLIC BEVERAGES.” be approved on first reading.

The motion was seconded by Councilman Dardia.

Town Council comments:

Councilwoman explained that there was an unintended consequence when the Town Council amended the hours for the sale of alcohol which inadvertently impacted a local business. Explained that the intent of the original ordinance was to help local businesses and this ordinance would correct the time change that was unintended.

Councilwoman Neylan stated that she would be voting against the adoption of General Ordinance No. 2131 because she feels it was not properly vetted, and the full impact of the ordinance was not fully understood with the first change, which has resulted in the need for additional amendments. Stated, for the record, there were never this many amendments needed for the passage of an ordinance during her tenure as a councilmember.

Councilwoman Mackey stated that Councilwoman Neylan was opposed to this ordinance from the first time it was considered by the Code Review and Town Property Committee and believes she had no intention of supporting it.

Councilwoman Neylan stated that that is untrue, and explained that while she had some reservations, she initially stated that she would support the ordinance.

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

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

Heretofore introduced, General Ordinance No. 2131 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9th day of April 2019 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.

Town Council Comments:

Public Works Committee

Reports of Department Heads

**ADJOURNMENT**

A motion to adjourn, made by Councilman Stokes and seconded by Councilwoman Habgood at 10:45 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk