

MINUTES OF REGULAR MEETING HELD APRIL 23, 2019

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, April 23, 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 LoGrippo, Contract, Stokes, Mackey

ABSENT: Councilwoman Neylan departed the meeting at 8:35 PM.

INVOCATION AND FLAG SALUTE

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

PRESENTATIONS

Mayor Brindle presented the following proclamation:

Town of Westfield

Westfield, New Jersey

PROCLAMATION

Dr. Derrick E. Nelson

Whereas, born on January 29, 1975 to proud and loving parents Willie and Juanita Nelson, Derrick E. Nelson dedicated his life to family, service, and education; and

Whereas, Derrick Nelson valued educational achievement and pursued its uppermost levels, graduating from St. Peter’s High School (New Brunswick) where he was a member of JROTC, and earning a Bachelor of Arts Degree in Mass Communication from Delaware State University, a Master of Education degree in Administration and Supervision from St. Peter’s College, and a Doctorate in Education Administration from Seton Hall University; and

Whereas, Dr. Nelson began his career in marketing and communications, and while working as an account executive for a major media company, realized his true calling to become an educator; and

Whereas, in 2002, Dr. Nelson turned to the city where he was raised to begin his career in education as a teacher at Washington Elementary School in Plainfield, New Jersey; and

Whereas, after his successful tenure in Plainfield, Dr. Nelson served as the Assistant Principal to two elementary schools in Orange, New Jersey, before coming to Westfield to serve as the Assistant Principal at Roosevelt Intermediate School; and

Whereas, known for his innovation and inspiration, Dr. Nelson’s dedication to the Westfield community and student population led to his appointment as Assistant Principal of Westfield High School and later as interim Principal, ascending to Principal in 2017 when he was unanimously appointed to the position by the Board of Education; and

Whereas, in addition to his service as an esteemed educator, Dr. Nelson joined the Army in 1994 and served in the Army Reserve for over twenty years, achieving the rank of Chief Warrant Officer 2 (CW2); and

Whereas, during his meritorious Army career, Dr. Nelson continued to fulfill his desire to educate by volunteering for, and graduating from, the rigorous United States Army Drill Sergeant School, serving for a time as a drill sergeant and later as an Instructor for the Regional Training Center East, Fort Dix. In 2013, he was deployed to Kuwait for a year as a Chemical, Biological, Radiological and Nuclear (CBRN) Specialist; and

Whereas, Dr. Nelson earned several military awards and decorations, including the Meritorious Service Medal, two Army Commendations, and three Army Achievement Medals; and

Whereas, as a teacher, as a co-worker, as a school administrator, as a soldier, and as a person, Dr. Nelson was a positive influence to all those who were fortunate enough to know him. Superintendent of Schools Dr. Margaret Dolan wrote: “Dr. Nelson touched us all with his kindness, compassion, integrity, and endlessly positive attitude.” Lt. Col. Adam Jackson, an Army Reserve spokesman, stated to Army Times, “...we must not forget the valuable contribution he made to his country and the impact he has left on our organization.” Governor Murphy proclaimed that Dr. Nelson “embodied all that makes New Jersey great”; and

Whereas, perhaps the greatest tributes, and the ones Dr. Nelson would no doubt be very proud of, came from the hundreds of past and present students who came forward to share their stories about how Dr. Nelson inspired them day after day to challenge themselves, try something new, and commit to achieving a goal; and

Whereas, in an act of pure selflessness true to his character, Dr. Nelson volunteered to donate bone marrow to a 14-year old boy in France in desperate need of stem cells, and in the course of the procedure, suffered extremely rare complications that ultimately ended his life;

Now, therefore, be it proclaimed that I, Mayor Michelle W. Brindle, on behalf of a grateful community, hereby recognizes the many accomplishments of Dr. Derrick E. Nelson and offer this Proclamation as a lasting tribute to him. **Further**, on behalf of a grieving community, I offer our heartfelt condolences to his family, his fiancée Sheronda Braker, and their beloved daughter, Morgan, and thank them for sharing this wonderful and inspiring man with us.

Mayor’s Remarks

- Discussed her attendance at the wake and funeral for Westfield High School principal Dr. Derrick Nelson. Stated that the outpouring of support, including national media attention, speaks to the genuine hero Dr. Nelson was and the enormity of the community’s loss. Announced that a Proclamation would be issued tonight to honor Dr. Nelson’s extraordinary life;
- Provided an update of PSE&G’s proposed 69kV project and discussed the public workshop that was held to answer residents’ questions and concerns. Feels that while the format was not ideal for hearing collective questions and answers, it did reveal a lack of transparency around many issues, and provided clarity around the specific issues that need to be addressed in order for the Town to determine a path forward, including, but not limited to:
 - Documentation specifying the project's necessity and the scope of its actual mandate, including whether this project is considered baseline or supplemental;
 - Concerns with the vegetation management plan, including the necessity of removing the number of trees along the South Avenue route; and
 - Specifics regarding the cost and feasibility of moving the lines underground.

Explained that, in the interim, she has asked the Town Council Public Works Committee Chair and Vice Chair, Ward 3 Councilman David Contract, and Ward 4 Councilman Doug Stokes, to serve as the liaisons between residents and PSE&G as the Town moves forward. Explained that these councilmembers would work together in a bipartisan effort to ensure that the Town continues to collect and respond to all concerns in an organized and comprehensive fashion. Explained that the Town already has an initial follow up meeting with PSE&G scheduled to make introductions and to discuss next steps after the workshop. Once the Town is confident that PSE&G is able to sufficiently respond to the many questions and concerns that continue to be raised, residents could expect

an additional opportunity to meet with PSE&G. Assured all that no work would be done on this project before then and that the Town is united in fighting for the best interests of its residents. Also stated that Councilman Contract would provide an update later this evening in conjunction with his Public Works Committee report. Lastly, informed residents that PSE&G plans to complete some ongoing work it had been doing on the north side of Town over the last few months. Notifications to all affected residents and businesses would be provided by PSE&G in the coming days with more details. Assured all that this work is not part of the 69kV project, but is instead bringing to completion a project that has been underway for quite some time;

- Informed residents that she has had conversations regarding the proposed UCC cell tower with Freeholder Chairwoman Bette Jane Kowalski in which she reiterated the Town's strenuous opposition to the cell tower. Also stated that she spoke with Cranford Mayor Patrick Giblin who has directed the Cranford Planning Board attorney to assert its position that this project requires the Cranford Planning Board's approval. Mayor Giblin just confirmed that Verizon/UCC has agreed to submit an application for approval, and feels this is a significant development. Explained that Cranford has not yet adopted a resolution formally opposing the cell tower because the Township was awaiting a response from Verizon's legal counsel. Westfield is working on its own resolution, which could potentially come to the full Town Council after being reviewed by the Code Review Committee at its next meeting;
- Informed residents that the Town Council would be voting on the adoption of the 2019 budget. Stated that she is proud to remind everyone that the Town has introduced a budget with a zero (0%) percent municipal tax increase, which is the first time that this has happened in decades. Stated that she is looking forward to passing this budget so that the Town could begin working on the many technology, equipment and infrastructure improvements that it enables. In addition, explained that in two (2) weeks the Town would be introducing a capital ordinance which would include the budget for road paving and other capital improvements. The list of roads is being finalized and the Town is also in contact with Elizabethtown Gas to have the utility company perform full width paving on roads where utility work has occurred, rather than just patching or half road paving. Also stated that the Town received a \$375,000 grant award from the New Jersey Department of Transportation, and a \$95,000 grant award from Union County, for the paving of Rahway Avenue. Stated that she looks forward to sharing the final 2019 road paving list with the public shortly;
- Reminded residents that there would be a public meeting tomorrow night at Edison School for the Parks Strategic Plan to solicit additional public input and encouraged all to attend;
- Discussed many events to be held in the next few weeks, beginning with baseball/softball opening day festivities on April 27, 2019, followed by Greta's Run on April 28, 2019. In addition, to commemorate Earth Month, a cleanup of parks would occur on April 28, 2019. Explained that the parks cleanup is one of many events leading up to the numerous Earth Day activities that have been planned for Saturday May 4. Separately, as part of Autism Awareness and Acceptance Month, the Westfield Police Department is hosting an Autism Family Day on April 28, 2019 from 11:00 AM to 1:00 PM for families of children on the spectrum. In addition, to further the Police Department's commitment to community policing, residents are invited to "Pizza with the Police" hosted by Outta Hand Pizza on Thursday, May 2, 2019.

Town Administrator's Reports

- Provided an update of the roads that were carried from the 2018 Paving Program and announced that a section of Sycamore Street, a section of Grove Street, and a section of Cranford Avenue were paved and are now finished, and the entire length of Stevens Avenue was paved and is also finished. The remaining outstanding road from the 2018 Paving Program is Park Drive, and the plan is to coordinate paving of that road with the pathway replacement project that is scheduled to occur in Mindowaskin Park;
- Announced that installation of the restroom facility at Memorial Park has been completed and would be ready for opening day of both the softball and baseball leagues this coming weekend.

Councilman LoGrippe requested an update concerning the striping of Grove Street and Sycamore Street.

The Town Administrator explained that striping usually follows within a few days to a few weeks after paving is complete. The Town Engineer has been in contact with the vendor. Also explained that there is striping that is needed that is directly related to road paving, and there is striping needed in connection with other projects as well.

APPOINTMENTS

ADVERTISED HEARINGS

“2019 SPECIAL IMPROVEMENT DISTRICT BUDGET.”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

“2019 MUNICIPAL BUDGET.”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilwoman Mackey and seconded by Councilman Dardia, Council approved the Minutes of the Town Council Conference Session and Regular Meeting April 9, 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.

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 Stokes, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$998,155.30 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 Councilman LoGrippo, were unanimously adopted.

Resolution No. 99

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Julie Paone 301 Roanoke Road Westfield, NJ 07090	Tennis/Rec Trust 217	Refund/Conflict Field Hockey Phoebe Paone (\$70.00)	\$70.00
Vivian Turetsky 720 Stevens St	Tennis/Rec Trust 217	Refund/Conflict Cartooning	\$115.00

and discharge of Change Order No. 1, for the 2018 Town-wide Revaluation, increasing the contract price to \$677,662.00.

Resolution No. 104

WHEREAS, there is a need for the purchase and installation of the Splash Pad surface at Westfield Memorial Pool; and

WHEREAS, MRC, P.O. Box 106, Spring Lake, NJ 07762 is an authorized vendor under the US Communities Government Purchasing Alliance for the purchase, furnishing, and installation of splash pads; and

WHEREAS, the purchase of goods and services by a local contracting unit under US Communities Government Purchasing Alliance is authorized by N.J.S.A. 52:34-6.2(b)2; and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be in the amount of \$78,726.00 charged to the Swim Pool Miscellaneous Improvements Account No. 9-03-195-257, under Purchase Order No. 19-01521 prepared in accordance with N.J.A.C. 5:30-1.10, and subject to final adoption of the 2019 Swim Pool Budget.

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the MRC be and hereby is awarded a contract for the purchase, furnishing and installation of a Splash Pad Surface at Westfield Memorial Pool at a cost not to exceed \$78,726.00 under US Communities Government Purchasing Alliance, Contract No. 1804; and

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

Resolution No. 105

WHEREAS, a need exists for the purchase of benches for Mindowaskin Playground in Mindowaskin Park; and

WHEREAS, Ben Schaffer Recreation, PO Box 844, Lake Hopatcong, New Jersey 07849, has submitted a cost proposal for this purchase in the amount of \$20,979.20; and

WHEREAS, Ben Schaffer Recreation is authorized to offer this product for purchase through NJ State Contract # 16-FLEET-00135; and

WHEREAS, this equipment would be sufficient to meet the needs of the Town of Westfield; and

WHEREAS, the New Jersey Local Public Contracts Law (40A:11-3) requires that purchases through New Jersey State Contracts be authorized by resolution of the governing body; and

WHEREAS, the Chief Financial Officer has certified to the availability of adequate funds for payment to be charged to S.O. 2211 under PO #19-01519 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield hereby authorizes an award of contract to Ben Schaffer Recreation for the purchase of benches for Mindowaskin Playground in Mindowaskin Park under NJ State Contract # 16-FLEET-00135 at a fee not to exceed \$20,979.20; and

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

Resolution No. 106

WHEREAS, a need exists to install benches purchased for Mindowaskin Playground in Mindowaskin Park; and

WHEREAS, Corby Associates, 590 Grand Avenue, PO Box 496, Ridgefield, New Jersey 07657, has submitted a cost proposal for this service in the amount of \$15,450.00; and

WHEREAS, Corby Associates is authorized to offer this service through the Educational Services Commission of New Jersey’s Cooperative Pricing System (ESCNJ); and

WHEREAS, the New Jersey Local Public Contracts Law (40A:11-3) requires that purchases through cooperative pricing systems be authorized by resolution of the governing body; and

WHEREAS, , the Chief Financial Officer has certified to the availability of adequate funds for payment to be charged to S.O. 2211 under PO #19-01520 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield hereby authorizes an award of contract to Corby Associates for the installation of benches at Mindowaskin Playground in Mindowaskin Park under the Educational Services Commission of New Jersey’s Cooperative Pricing System (ESCNJ) at a fee not to exceed \$15,450.00; and

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

Resolution No. 107

BE IT RESOLVED that as attestation of compliance has been provided pursuant to NJSA 40A:4-8 (1a) and (1b) the 2019 Municipal Budget may be read by title.

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

Resolution No. 108

BE IT RESOLVED by the Council of the Town of Westfield, County of Union, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$27,976,294.66 (Item 2, below) for municipal purposes, and \$2,633,514.00 (Item 3, below) for Minimum Library Levy and certification to the County Board of Taxation of the following summary of general revenues and appropriations:

1. General Revenues	
Surplus Anticipated	\$4,994,000.00
Miscellaneous Revenues Anticipated	12,762,071.34
Receipts from Delinquent Taxes	968,000.00
2. Amount to be Raised by Taxation for Municipal Purposes	27,976,294.66
3. Amount to be Raised by Taxation - Minimum Library Levy	<u>2,633,514.00</u>
Total Revenues	<u>\$49,333,880.00</u>
4. <u>General Appropriations</u>	
Within “CAPS”	
Operating including Contingent	\$29,916,877.12

Deferred Charges	4,206,063.00
Excluded from "CAPS"	
Operations	8,160,031.88
Capital Improvements	1,300,000.00
Municipal Debt Service	3,120,908.00
Deferred Charges-Municipal	190,000.00
Reserve for Uncollected Taxes	2,440,000.00
Total General Appropriations	<u>\$49,333,880.00</u>

Town Council comments:

Councilwoman Neylan thanked Councilwoman Habgood and the members of the Finance Policy Committee for their efforts. Announced that she would be voting against adoption of the 2019 Municipal Budget and feels it is important to express her opinion. Explained that she is opposed to the 2019 Municipal Budget because of the alarming trend in increased spending and because of the reduction in surplus. Feels government is "growing" in terms of events, boards, teams and commissions, and is using surplus that took years of planning to achieve. Stated that she has five (5) points to highlight which explain why she does not 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 in one year;
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 of the balance 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 a substantial amount of 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 thanked Councilwoman Neylan for her comments and for participating on the Finance Policy Committee. Explained that the Town has been targeting a \$10 million surplus balance, even before she was elected to the Town Council. Feels the use of surplus is not irresponsible spending and stated that the purpose is to "put those dollars to work" because they are not needed in savings. Explained that the municipal budgeting process is very conservative and adjustments could be made next year if necessary. Believes it is more fiscally sound to use these funds for improvements rather than continuing to build up surplus when only a couple of percentage points are earned.

Councilman Contract stated that surplus was targeted to reach \$10 million last year, but was regenerated back to a \$14 million balance by year-end. Feels the Town collects more taxes than it anticipates and, for this reason, believes the surplus used for the 2019 Municipal Budget would be regenerated by year-end, but if that were not to happen, he believes that a \$10 million balance

is still a large number. Also stated that the Town has consulted with several experts concerning this matter, and all believe that a \$ 10 million surplus balance is a good level for the Town. Feels there has been “fear mongering” regarding the use of surplus and does not believe residents should be worried. Referred to Councilwoman Neylan’s comment that this spending trend could result in the use of the entire surplus balance in two (2) years. Explained that each budget year is discrete and decisions concerning next year’s budget would be based upon the Town’s finances at year end 2019.

Councilwoman Neylan stated that while she appreciates Councilman Contract’s opinion, she takes exception to his characterization of her comments as “fear mongering”. Feels all should be respectful of each other’s opinions.

Councilman Contract feels statements that indicate that there could be no remaining surplus in two (2) years is not accurate and could be worrying people unnecessarily.

Mayor Brindle feels there is a difference in philosophies and, in her opinion, an excess surplus is an over tax on residents. Referred to Councilwoman Neylan’s comment that surplus is being used to manage the budget, but she feels surplus is being used to give back to residents. Since the Town’s fixed expenses increased by two and a half (2.5%) percent, feels a budget increase of two and a half (2.5%) could have been easily rationalized, but instead it was decided to give that excess surplus back to residents. Stated that she understands the different philosophies, but overall she is proud of the budget and the way that everyone worked together.

Councilman Arena stated that he would be voting to support adoption of the budget. Explained that he shares some of Councilwoman Neylan’s concerns but would support the budget because of the zero (0%) percent increase. Discussed tax increases at the state and county levels and feels the Town’s approval of a zero (0%) percent increase is an example that should be replicated throughout the country. Also stated that fiscal prudence under Mayor Skibitsky is what has led to the Town being in this enviable position. Stated that Councilwoman Neylan had been the Finance Policy Chairperson in the past and feels the Town has had great financial leadership over the years. Commended the current leadership for the zero (0%) percent budget increase but he also shares Councilwoman Neylan’s concerns with government “growing” at the municipal level.

Councilman LoGrippo asked Councilwoman Habgood if the Town is still confident that it could maintain its Triple A Bond Rating.

Councilwoman Habgood stated that the experts that were consulted have no concern with the use of surplus impacting the Town’s bond rating and asked the Town Auditor to comment.

The Town Auditor explained that it is the amount of surplus that is generated that is considered, not the amount that is utilized, and to assume that no surplus would be regenerated would be a false assumption. Stated that the Town has traditionally generated between \$3 and \$4 million each year, and if this pattern continues, which he assumes it would, feels there is no reason to be concerned.

Councilman Stokes stated he has served on the Finance Policy Committee for the past two (2) years and he is proud of the zero (0%) percent increase. Explained that the Finance Policy Committee spends a lot of time reviewing each line item and each department’s budget proposal and feels residents should feel comfortable knowing that it is a very thorough process.

The Town Administrator thanked the Town Council, Chief Finance Officer, and all Department Managers. Explained that the budget process is a process that never ends, and while the 2019 Municipal Budget has been approved, it is actually a plan which that is monitored until the end of the year. Also thanked the public for its input and feels obtaining public input has been a good process.

Councilwoman Habgood thanked the Town Administrator for his efforts and stated that something is learned from him every single budget year.

Yeas: Habgood
Arena
Dardia
LoGrippo

Nays: Neylan

Absent:

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. 109

BE IT RESOLVED by the Town Council of the Town of Westfield, County of Union, that the Special Improvement District Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of

\$416,347.00 for Special Improvement District Purposes

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

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

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

Resolution No. 110

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.

Kilwins Westfield	9 Elm Street
Northside Kitchen	360 Prospect Street
Orgreen Poke	132 East Broad Street
Spice Bazaar	114-116 Quimby Street
Splash of Thai	321 South Avenue West

Resolution No. 111

RESOLVED that the following application for children’s amusement devices be approved:

Seashore Amusements	WNC Street Fair	WNC
11 Hendry Lane	June 8, 2019	127 Cacciola Place
Brick, NJ 08723	South Ave Train Station	Westfield, NJ 07090
	WNC Street Fair	
	August 17, 2019	

South Ave Train Station

WNC Street Fair
October 12, 2019
South Ave Train Station

Seashore Amusements
11 Hendry Lane
Brick, NJ 08723

Spring Fling Street Fair
May 5, 2019
East Broad Street
Westfield, NJ

Rich Sieb
11 Hendry Lane
Brick, NJ 08723

The New Fun Services
9 Kulick Road
Fairfield, NJ 07004

Baseball Opening Day
April 27, 2019
Gumbert Field
Westfield, NJ

Jay Berger
P.O. Box 151
Westfield, NJ 07090

Resolution No. 112

RESOLVED that the following applications for Peddlers License be and the same are hereby approved:

Karen Sasso
Ice Cream Creations
196 Mountain Way
Rutherford, NJ 07070

BE IT FURTHER RESOLVED that the licenses shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

Public Works Committee

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

Resolution No. 113

WHEREAS, Fischer Contracting Inc., is under contract to the Town of Westfield for the 2018 Improvement of Parking Lot #7 as authorized by the S.O. 2203A, S.O. 2208A and Downtown Improvement Project 2018, and

WHEREAS, Change Order No. 1, Resolution No. 309 was adopted on December 11, 2018 and it raised the original contract by \$40,996.76 and,

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

WHEREAS, site conditions encountered subsequent to Change Order No. 1 during construction necessitated additional work items and more material than had been anticipated, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for the changed contract price, as described below, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to S.O. 2203A, S.O. 2208A and Downtown Improvement Project 2018, under Purchase Order No. 18-02562.

NOW THEREFORE BE IT RESOLVED, that Change Order No. 2 in the amount of \$17,172.41 executed by Kris J. McAloon, Town Engineer, be authorized, and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make payment and to effect whatever actions are necessary in the execution and discharge of Change Order No. 2, for the 2018 Improvement of Parking Lot #7

increasing the contract price to \$368,111.92, which is below the 20% Change Order threshold.

Public Works Committee Update

PSE&G

Councilman Stokes provided an update of PSE&G's proposed 69kV project and discussed the Mayor's designation of him and Councilman Contract to serve as the liaisons between residents and PSE&G. Informed residents that he and Councilman Contract met with PSE&G's project manager on April 15, 2019, and another meeting has been scheduled for tomorrow morning because the meeting on April 15 created more questions than answers. Explained that the Town would continue to meet with PSE&G to have its questions answered and expressed his appreciation for those who have provided input. Also explained that the main questions the Town would like answered involve confirmation of the entity that provided PSEG with approval to conduct this project, information pertaining to those who designed the routes, and the associated cost to install the power lines underground, if underground installation is an option. Also stated that the Town has not yet received confirmation that this project is a necessity. In addition, explained that PJM designed the baseline route, and PSE&G has developed a supplemental project, which is the project that is impacting Westfield. It has been confirmed that there is no substation on Walnut Avenue in Cranford, as PSE&G does not own that property yet and the topic of discussion for tomorrow's meeting would include the approval process with PJM for the supplemental project, which the Town has not yet seen.

Councilman Contract added that the Town is attempting to gather facts which would most likely involve a multi-meeting plan. Once facts are gathered, they would be shared with the public. Provided a special email address for those wishing to submit questions and stated that some questions that have already been submitted would be included in tomorrow's discussion. Referred to Councilman Stoke's comments as to the questions the Town would like answered, specifically whether this project is a necessity and why. Second, if the project is a necessity, information is needed as to why the route along South Avenue was chosen versus another route. Also reiterated the Mayor's comment that PSE&G would not be working on this project until there is a mutually satisfying outcome for both PSE&G and the Town.

Green Team

Councilman Contract discussed upcoming Earth Day events scheduled for May 4, 2019 and informed residents that reusable bags and reusable straws would be provided to those who attend. Also discussed the Free Market to be held and encouraged residents to participate.

Reports of Department Heads

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippo and seconded by Councilwoman Habgood at 8:40 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk