

## **MINUTES OF REGULAR MEETING HELD JUNE 19, 2018**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, June 19, 2018 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 12, 2017. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, THE STAR LEDGER, and TAP INTO WESTFIELD and filed with the Clerk of the Town of Westfield.”

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

**ABSENT:** Council Members Arena and LoGrippo

### **INVOCATION AND FLAG SALUTE**

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

### **PRESENTATIONS**

#### Town Administrator's Reports

- Announced that the Town has been awarded funds through a recycling grant program for the purchase of additional sheds at the Conservation Center. This would allow for the drop off of additional items, such as Styrofoam, Batteries and Fluorescent Bulbs at the Conservation Center;
- Provided an reminder update of recent changes to curbside recycling and announced that information would be included in the tax bill mailed to all residents;
- Announced that tree planting in Downtown Westfield is complete. All trees that were removed have been replaced. Discussed tree plantings throughout the entire Town and stated that nearly two hundred (200) trees were planted, and approximately two hundred (200) more are scheduled to be planted. Also discussed plantings that occurred in Ward 1 by the Edgewood Avenue Tree Park;
- Provided an update of the revaluation process. Stated that inspections are continuing and encouraged residents to check the Town's website for updates. Announced that the process would be completed in November with final tax bills being issued in 2019.

#### Mayor's Remarks

- Stated that she met with Franklin Elementary School 3rd graders in Mindowaskin Park as part of their day long walking field trip to important historical destinations in Westfield;
- Discussed a tour of Town Hall that she provided to the 3rd grade Franklin Girl Scout Troop;
- Discussed a tour of Town Hall that she provided for over 30 preschoolers and kindergarten students from Westfield Day Care Center;
- Announced that she had the privilege of participating in a women's career panel organized by the 4th grade Girl Scout Troop at Jefferson Elementary School, in which she and other women were asked about their careers;
- Announced that she had the privilege of attending her second Rotary Club luncheon where eighteen (18) high school students were awarded with almost \$100,000 in scholarships. Congratulated all recipients and stated that she is extremely impressed with the high school talent in Westfield;
- Extended her thanks to the Optimist Club for inviting her to their dinner last week. Stated that she is committed to trying to live up to their creed, notably “to wear a cheerful countenance at all times and give every living creature you meet a smile,” and “to give so much time to the improvement of yourself that you have no time to criticize others.”;

- Announced that she attended a Mayors roundtable discussion with Dave Daly, the new President of PSE&G, along with eight (8) other Mayors from various municipalities. Storm responsiveness and opportunities for improvement were discussed. Other topics included more timely communication, the desire to move to smart meters, and the need for additional and enhanced street lighting, including the need to convert to LED lighting;
- Stated that this past week was focused on promoting historic preservation and considering what measures could be taken to ensure that the historic character of the Town is preserved. The Town of Westfield, the Westfield Historic Preservation Commission, and the Westfield Historical Society are collaborating to identify solutions to save the historic Clark Pierson home that was built in 1755. Informed residents that the owner is about to put the home on the market and is willing to donate it to anyone that will relocate it. Feels the home would likely be demolished if a suitable buyer interested in saving it does not emerge. Encouraged residents to visit the HPC Facebook page to post comments or suggestions, or reach out directly to HPC Chairman Kelly Kessler;
- Announced that the Historic Preservation Commission reprised the long dormant Harry Devlin Awards and acknowledged the efforts of thirteen (13) residents and businesses that have done an exemplary job in restoring their properties. Feels it is important to recognize those residents who have invested in preserving or restoring their homes and stated that the Chairman's Choice award was presented to Helaine Donnelly and her late husband Pat Velderman for the extraordinary restoration of their Kimball Avenue home;
- Stated that another area of focus is improvement of the business climate downtown. In the short term, the Town is working with the DWC to create events to generate more foot traffic downtown, while addressing longer term strategic solutions in the Master Plan. Feels a great example of this approach was the yoga event that took place on Quimby Street last weekend, which was a resounding success, with almost one hundred and fifty (150) participants;
- Informed residents that the Westfield Farmers Market is continuing to see a significant increase in foot traffic with its relocation to the north side train station lot. Stated that vendors are excited with the new location and many downtown businesses have reported significant increases in sales on Saturdays. Feels this is a very positive development because the Town was in danger of losing the Farmers Market altogether due to diminishing foot traffic. Explained that the new location remains a work in progress and the Greater Westfield Area Chamber of Commerce is committed to addressing issues as they arise, such as the need to assist seniors and others who may need help in getting purchases to their cars parked in the south lot;
- Informed residents that she hosted her third meeting with property owners to discuss vacancies, development, and parking. That meeting was followed by a merchant meeting, where opportunities for cross promotion and upcoming events were covered. Also discussed her participation in a Downtown Westfield Corporation Board retreat where DWC priorities, specific objectives for each committee, and a new approach to Main Street centered around establishing downtown as a live, work, play destination;
- Discussed a meeting she attended with the Town Administrator, the Garwood Mayor and the Police Chief in Gumbert Park to walk them through the plans for the temporary ice rink to be installed on November 1. Stated that she and Mayor Lombardo had already spoken several times about the rink, and this meeting was held to walk them through the set-up, address any concerns, and explain the permanent improvements that are being made to the park. Informed residents that they raised no concerns that had not already been addressed, and all agreed to continue to cooperate and collaborate to ensure a successful outcome for all;
- Discussed items included on the Town Council's agenda this evening, including the adoption of an ordinance to establish certain requirements for short-term rentals. Explained that this ordinance is meant to address the lack of any type of rental regulation that exists today;
- Announced that the Town Council would also be voting on resolutions to remove the existing Mindowaskin playground to make way for a new one, to award the contracts for road paving so that work can begin next month, and to authorize the purchase of two (2) new street sweepers as approved in the budget;
- Stated that a resolution to amend the current cash management plan is also being considered for adoption. Explained that this would provide the Town Administrator and the Chief Financial Officer with the latitude to expand investment options for the Town's cash reserves in order to improve returns, while mitigating risk;

- Lastly, announced that the Town Council is considering adoption of a resolution for the purchase of a new Work Management System tool called SeeClickFix. Explained that this would ultimately enable residents to report designated DPW issues, such as potholes, through an app on their phone.

#### Town Council Remarks

- Councilman Stokes feels the Town Council should recognize the diversity of Westfield and acknowledged that June is Gay Pride Month.

#### APPOINTMENTS

Mayor Brindle announced the following appointment:

Appointment of Michael Ash to the Planning Board to fill an unexpired term ending December 31, 2020.

#### ADVERTISED HEARINGS

##### General Ordinance No. 2105

GENERAL ORDINANCE NO. 2105 - AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2073 ENTITLED - "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE."

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

##### General Ordinance No. 2106

GENERAL ORDINANCE NO. 2106 – "AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 9 (BUSINESS AND OCCUPATIONS GENERALLY) OF THE TOWN CODE OF THE TOWN OF WESTFIELD TO ENACT A NEW SECTION REGULATING AND ESTABLISHING CERTAIN REQUIREMENTS FOR SHORT-TERM RENTALS IN THE TOWN OF WESTFIELD."

Advertised returnable this evening.

Deborah Chaskin, 749 First Street, discussed the provisions of General Ordinance No. 2106 and feels these regulations will make it difficult for residents to sell their home. Also feels some residents need additional income and these regulations will cause harm to those residents, including senior citizens.

The Town Attorney provided an overview of General Ordinance 2106 and explained that state law prohibits these types of restrictions for senior citizens. Also explained that the ordinance would not pertain to long-term rentals and discussed the provisions of the ordinance.

Hearing no further comments, Mayor Brindle declared the hearing closed.

#### PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2105 - AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2073 ENTITLED - "AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD CHAPTER 2, "ADMINISTRATION," ARTICLE II, TOWN OFFICERS AND EMPLOYEES, DIVISION 3, PERSONNEL POSITIONS AND SALARY SCHEDULE," SEC. 2-12.28, "SCHEDULE." by Councilwoman Habgood, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood  
 Dardia  
 Neylan  
 Contract  
 Stokes  
 Mackey  
 Mayor Brindle

Nays:

Absent: Arena  
 LoGrippto

An ordinance entitled, "GENERAL ORDINANCE NO. 2106 – AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 9 (BUSINESS AND OCCUPATIONS GENERALLY) OF THE TOWN CODE OF THE TOWN OF WESTFIELD TO ENACT A NEW SECTION REGULATING AND ESTABLISHING CERTAIN REQUIREMENTS FOR SHORT-TERM RENTALS IN THE TOWN OF WESTFIELD." by Councilwoman Mackey, seconded by Councilwoman Habgood, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood  
 Dardia  
 Neylan  
 Contract  
 Stokes  
 Mackey  
 Mayor Brindle

Nays:

Absent: Arena  
 LoGrippto

**BIDS**

**TOWN OF WESTFIELD  
 INVITATION TO BID  
 WEDNESDAY, June 13, 2018  
2018 IMPROVEMENT OF GROVE STREET**

**Bidder**

**Amount of Bid**

<b>4 Clean-Up Inc.</b>	<b>\$297,540.50</b>
<b>P.O. Box 5098</b>	
<b>North Bergen, NJ 07047</b>	
<b>Fischer Contracting Inc.</b>	<b>\$251,362.75</b>
<b>10 Short Hills Lane</b>	
<b>Scotch Plains, NJ 07076</b>	
<b>DLS Contracting, Inc.</b>	<b>\$242,950.00</b>
<b>271 Highway 46, Suite D-205</b>	
<b>Fairfield, NJ 07004</b>	
<b>Schifano Construction Corp.</b>	<b>\$291,713.00</b>
<b>1 Smalley Avenue</b>	
<b>Middlesex, NJ 08846</b>	
<b>P&amp;A Construction Inc.</b>	<b>\$248,625.25</b>

<b>P.O. Box 28</b>	
<b>Colonia, NJ 07067</b>	
<b>Top Line Construction Corp.</b>	<b>\$293,069.87</b>
<b>22 Fifth Street</b>	
<b>Somerville, NJ 08876</b>	

**TOWN OF WESTFIELD  
INVITATION TO BID  
WEDNESDAY, June 13, 2018  
2018 VARIOUS ROAD IMPROVEMENTS**

**Bidder****Amount of Bid**

<b>Schifano Construction Corp.</b>	<b>\$2,894,562.00</b>
<b>1 Smalley Avenue</b>	<b>Alternate: \$463,125.00</b>
<b>Middlesex, NJ 08846</b>	
<b>Fischer Contracting Inc.</b>	<b>\$2,412,869.00</b>
<b>10 Short Hills Lane</b>	<b>Alternate: \$377,625.00</b>
<b>Scotch Plains, NJ 07076</b>	
<b>D.L.S. Contracting Inc.</b>	<b>\$2,428,450.00</b>
<b>271 Highway 46, Suite D-205</b>	<b>Alternate: \$712,500.00</b>
<b>Fairfield, NJ 07004</b>	
<b>P&amp;A Construction Inc.</b>	<b>\$2,363,761.00</b>
<b>P.O. Box 28</b>	<b>Alternate: \$570,000.00</b>
<b>Colonia, NJ 07067</b>	

**MINUTES**

On a motion by Councilwoman Mackey and seconded by Councilman Dardia, Council approved the Minutes of the Town Council Conference Session, Executive Session, and Regular Meeting held June 5, 2018.

**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 \$2,300,203.46 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, Chairman of the Finance Policy Committee, and seconded by Councilman Dardia, were unanimously adopted.

**Resolution No. 142**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$109.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of May 2018.

**Resolution No. 143**

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

Name	Account	Class	Fee
Allison Charles 610 Prospect Street Westfield, NJ 07090	#195 / Pool	Partial Refund/Pool Membership From Family of 5 to Parent/Child In-Town / Resident	\$190.00
Alice Leshick 414 Baker Ave Westfield, NJ 07090	#195/Pool	Refund/Pool Membership Senior Citizen In-Town/Resident	\$90.00
Kathryn Beard 319 High Street Cranford, NJ 07016	T05-600-071 Trust 217 Tennis/Rec	Golf/Spring Session 2 Ethan Beard	\$110.00
Katherine Serra 966 Woodmere Drive Westfield, NJ 07090	T05-600-071 Trust 217 Tennis/Rec	Golf/Spring Session 2 Madeline Serra Mark Serra	\$165.00
Meryem-Erzi Colakoglu 357 Orenda Circle Westfield, NJ 07090	T05-600-071 Trust 217 Tennis/Rec	Golf/ Spring Session 2 Derin Colakoglu	\$82.50
Susan Novak 330 Benson Place Westfield, NJ 07090	T05-600-073 Trust 218 Sports Camps	Get Better Basketball Camp Justin (JB) Blaise	\$150.00

**Resolution No. 144**

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid for 2018:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
804/5 GESSNER, Martha & Paul	285 Seneca Place	2 <sup>nd</sup> /2018 \$3,425.64

**Check payable to:**  
Amrock

**Mail to:**

Amrock (Formerly Title Source)  
 Lauren Thompson  
 662 Woodward  
 Detroit, MI 48226

**Resolution No. 145**

WHEREAS, the Town of Westfield has maintained Change Funds at various locations, which allows for departments to make change for those residents who pay cash for taxes, permits and other fees; and

WHEREAS, the Chief Financial Officer has reviewed these Funds with each Department Head and has determined that efficiencies can be reached by changing the number and sources of Change Funds;

NOW, THEREFORE BE IT RESOLVED that the Schedule of Change Funds be revised as follows:

<u>Department</u>	<u>Original Amount</u>	<u>Revised Amount</u>
Treasurer	\$100	\$150
Tax Collector	100	100
Town Clerk	100	100
Librarian	170	170
Board of Health	100	100
Municipal Court	300	300
Recreation	<u>-</u>	<u>100</u>
	\$870	\$1,020
<u>Swimming Pool Utility</u>		
Pool	\$100	\$100

**Resolution No. 146**

RESOLVED that warrants noted below be drawn to the order of Westfield Board of Education for Local School Taxes as provided in the 2018-19 budget, in accordance with R.S. 54:4-75:

July 6, 2018		\$5,918,684.00
July 23, 2018	Debt Service	1,339,598.00
August 8, 2018		8,138,190.00
September 4, 2018		7,398,354.00
September 12, 2018	Debt Service	1,028,807.00
October 5, 2018		9,289,044.00
November 6, 2018		9,289,044.00
December 6, 2018		9,289,044.00
January 7, 2019		8,220,393.00
February 4, 2019		8,220,393.00
March 1, 2019	Debt Service	920,867.00
March 6, 2019		8,220,393.00
April 2, 2019		8,220,393.00
May 6, 2019		8,220,393.00

June 4, 2019	8,220,391.00
TOTAL	<u>\$101,933,988.00</u>

**Resolution No. 147**

WHEREAS, N.J.S.A.40A:4-87 (Chapter 159, P.L. 1948) provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by the law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$54,695.74, which is now available from the Solid Waste Administration, Clean Communities Grant; and

BE IT FURTHER RESOLVED that the like sum be, and the same is hereby appropriated under the following caption:

General Appropriations	
Public and Private Programs Offset by Revenues	
Clean Communities	\$54,695.74

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer.

**Resolution No. 137**

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

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

WHEREAS, a Cash Management Plan was adopted by the Town Council of the Town of Westfield on January 2, 2018 as resolution 2018-05; and

WHEREAS, the Chief Financial Officer has prepared an amended Cash Management Plan in accordance with the aforementioned statute, which follows below;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield, in the County of Union, that the 2018 Cash Management Plan as amended below is hereby adopted.

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

**I. STATEMENT OF PURPOSE**

The Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and Investment ("Permitted Investments") of certain public funds of the Town of Westfield,

pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes) and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

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

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

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

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

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

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

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

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

## **IV. DESIGNATION OF DEPOSITORIES**

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

**TWO RIVER COMMUNITY BANK  
 WELLS FARGO BANK  
 INVESTORS BANK**

**BANK OF AMERICA  
 J. P. MORGAN CHASE BANK  
 NJ CASH MANAGEMENT FUND  
 HAVEN SAVINGS BANK  
 NORTHFIELD BANK  
 TD BANK  
 PROVIDENT BANK  
 PNC BANK  
 LAKELAND BANK  
 VALLEY NATIONAL BANK  
 CAPITAL ONE BANK  
 PEAPACK-GLADSTONE BANK  
 CONNECTONE BANK**

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

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

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

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

None designated

**VI. AUTHORIZED INVESTMENTS**

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

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United State of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the local unit or bonds or other obligations of school districts of which the local unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, issued by New Jersey school districts, municipalities, counties, and entities subject to the "Local Authorities Fiscal Control Law," P.L. 1983, c.313 (C.40A:5A-1 et seq.). Other bonds or obligations having a maturity date not more than 397 days from the date of purchase may be approved by the Division of Local Government Services of the Department of Community Services for investment by local units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P. L. 1977, c.281 (C.52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection a, or are bonds or other obligations having a maturity date not more than 397 days from the date of purchase, issued by New Jersey school districts, municipalities, counties, and entities subject to

the “Local Authorities Fiscal Control Law,” P.L. 1983, c.313 (C.40A:5A-1 et seq.);

- (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section 1 of P. L. 1970, c.236 (C.17:9-41); and
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.
- (9) Certificates of Deposit in accordance with the following conditions:
- (a) the funds are initially invested through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41) designated by the local unit;
  - (b) the designated public depository arranges for the deposit of the funds in certificates of deposit in one or more federally insured banks or savings and loans associations, for the account of the local unit;
  - (c) 100 percent of the principal and accrued interest of each certificate of deposit is insured by the Federal Deposit Insurance Corporation;
  - (d) the designated public depository acts as custodian for the local unit with respect to the certificates of deposit issued for the local unit’s account; and
  - (e) at the same time that the local unit’s funds are deposited and the certificates of deposit are issued, the designated public depository receives an amount of deposits from customers of other banks and savings and loan associations, wherever located, equal to the amount of funds initially invested by the local unit through the designated public depository.

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

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

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

E. For purposes of this section:

- (1) a “government money market mutual fund” means an investment company or investment trust:
  - (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. s. 80a-1 et seq., and operated in accordance with 17 C.F.R. s.270.2a-7, except that a government money market mutual fund may not impose liquidity fees or redemption gates regardless of whether permitted to do so under 17 C.F.R. s.270.2a-7;
  - (b) the portfolio of which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. s.270.2a-7, securities that have been issued by New Jersey school districts, municipalities, counties, and entities subject to the “Local Authorities Fiscal Control Law,” P.L. 1983, c.313 (C.40A:5A-1 et seq.) that meet the definition of an eligible security pursuant to 17 C.F.R. s.270.2a-7, and repurchase agreements that are collateralized by such securities in which direct investment may be made pursuant to paragraphs (1), (3) and (5) of subsection A. of this section; and
  - (c) which is rated by a nationally recognized statistical rating organization.

- (2) a “local government investment pool” means an investment company or investment trust:
- a) which is managed in accordance with generally accepted accounting and financial reporting principles for local government investment pools established by the Governmental Accounting Standards Board;
  - b) which is rated in the highest category by a nationally recognized statistical rating organization;
  - c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. s. 270.2a-7, securities that have been issued by New Jersey school districts, municipalities, counties, and entities subject to the “Local Authorities Fiscal Control Law,” P.L. 1983, c.313 (C.40A:5A-1 et seq.), that meet the definition of an eligible security pursuant to 17 C.F.R.s270.2a-7 and repurchase agreements that are collateralized by such securities in which direct investment may be made pursuant to paragraphs (1), (3) and (5) of subsection A. of this section;
  - d) which is in compliance with such rules as may be adopted pursuant to the “Administrative Procedure Act,” P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which may promulgate rules providing for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments,
  - e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value;
  - f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities; and
  - g) which does not impose liquidity fees or redemption gates.

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

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

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

To assure that all parties with whom the Town of Westfield deals either by way of Deposits

or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

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

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

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

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

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

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

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

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

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

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

A. The name of any institution holding funds as a Deposit or a Permitted Investment.

B. The amount of securities or Deposits purchased or sold during the immediately preceding month.

C. The class or type of securities purchased or Deposits made.

D. The book value of such Deposits or Permitted Investments.

E. The estimated income to be earned on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.

F. The fees incurred to undertake such Deposits or Permitted Investments.

G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.

H. All other information which may be deemed reasonable by the Chief Financial Officer from time to time which he believes of interest to the governing body of the Town of Westfield.

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

A. N.J.S.A. 40A:5-43 et seq. and N.J.S.A.2B:1-5 respectively provide for Municipal Courts and municipal agencies to be authorized to establish a system to accept electronic payments such as court imposed obligations, or other valid municipal charges;

B. All systems established for receipt of electronic payments are subject to the rules established by the Director of the Division of Local Government Services and the Rules of Court which are further delineated by Rule 7:14-4(c) which authorizes municipal courts to accept electronic payments and N.J.A.C. 5:30-9.1 et seq. which are established by the Division of Local Government Services providing guidelines for local governments use and receipt of electronic payments.

C. Definitions applied when utilizing electronic devices are in accordance with the definitions found in N.J.A.C. 5:30-9.2.

D. Prior to any municipal agency utilizing a method of electronic payments, the Chief Financial Officer must have evaluated the process to ensure compliance with the rules and regulations and approved the accounting and control procedures to be utilized.

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

A. All municipal funds received by any official or employee shall be deposited within 48 hours to accounts in the name of the Town of Westfield. Additionally, funds can be received utilizing methods of electronic payment such as Electronic Funds Transfer (EFT) and/or Automated Clearing House (ACH).

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

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

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

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

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

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

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

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

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

Town of Westfield Treasurer's Account, Clearing Account, Payroll Account, Payroll Deductions Account, Collector of Taxes Account, General Capital Account,

Trust-Other Account, Dog License Account, Swimming Pool Operating Account, Swimming Pool Capital Account, Public Assistance Account, Council on Affordable Housing (CoAH) Growth Share Account, Law Enforcement – Federal Trust Account, Law Enforcement – County Trust Account

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

Westfield Municipal Court Fines Account, Westfield Municipal Court Bail Account

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

Westfield Memorial Library Account

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

Westfield Fire Department Violations Account

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

Westfield Parking Account, Westfield Parking Meter Account, Westfield Police Department Confidential Account

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

A. The Collector of Taxes shall charge interest at the rate of 8% per annum on the first \$1,500 of a delinquency and 18% per annum on that amount of the delinquency as defined in N.J.S.A. 54:4-67 in excess of \$1,500 on all delinquent taxes and sewer fees during the year 2018, to be calculated from the date the tax or fee was due until the date of actual payment.

B. The Collector of Taxes shall charge interest at the rate of 8% per annum on the whole delinquency as defined in N.J.S.A. 54:4-67 on all delinquent assessments during the year 2018 until the date of actual payment.

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

D. The Collector of Taxes is hereby authorized to sell all municipal delinquencies through December 31, 2017 in a manner prescribed by N.J.S.A. 54:5-19, and as amended by Chapter 99, Public Laws of 1977, at a date and time which the Tax Collector selects.

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

This Plan shall be in effect from adoption until December 31, 2018. Attached to this Plan is a resolution of the governing body of the Town of Westfield approving this Plan for such period of time. The Plan may be amended from time to time by the Chief Financial Officer. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

#### **Resolution No. 148**

WHEREAS, the Town of Westfield has a need to purchase and install Request Work Management System web tool for citizens to report non-emergency neighborhood issues to the Town; and

WHEREAS, the Town Administrator has secured a quote in the total amount of \$10,800.00 from SeeClickFix (the "Contractor") for the purchase, licensing and installation of the Request Work Management System web tool; and

WHEREAS, the Chief Financial Officer has certified to the availability of adequate funds for payment, which will be in the amount of \$10,800.00 charged to Budget Operating #8-01-100-256, under PO# 18-02234 and 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 that the Mayor is hereby authorized and directed to execute documents necessary to effectuate such purchase with the Contractor; and

BE IT FURTHER RESOLVED that this contract award is subject to the Contractor's compliance with the requirements of N.J.S.A. 10:5-31 et seq. and the regulations thereunder regarding affirmative action; and

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

**Resolution No. 149**

WHEREAS, a need exists to remove and dispose of existing playground equipment at Mindowaskin Park; and

WHEREAS, three (3) quotes were solicited and received, and Corby Associates, Inc., 590 Grand Avenue, PO Box 496, Ridgefield, NJ 07657, has submitted a quote for the aforementioned service for a fee not to exceed \$16,875.00; and

WHEREAS, the Town Treasurer has certified to the availability of adequate funds for payment, which will be in an amount not to exceed \$16,875, charged to Special Ordinance 2211, account C-07-222-11A, under Purchase Order #18-02238 and prepared in accordance with N.J.A.C. 5:30 1.10; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that Corby Associates, Inc., be and hereby is awarded a contract for removal and disposal of existing playground equipment at Mindowaskin Park at a fee not to exceed \$16,875.00; and

BE IT FURTHER RESOLVED that this one-year contract award is subject to the Contractor's compliance with the requirements of N.J.S.A. 10:5-31 et seq. and the regulations thereunder regarding affirmative action; and N.J.S.A. 34:11-56.25 et seq. regarding the New Jersey State Prevailing Wage Act.

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

**Resolution No. 150**

WHEREAS N.J.S.A. 40A:9-141 requires that every municipality provide for the appointment of a municipal tax collector; and

WHEREAS, Section 2-77a of the Town Code of the Town of Westfield requires that the Tax Collector shall be appointed by the Town Administrator with consent of the Mayor and Town Council; and

WHEREAS, pursuant to N.J.S.A. 40A:9-142, every municipal tax collector shall hold office for a term of four (4) years from the first day of January next following said appointment. Vacancies other than due to expiration of term shall be filled by appointment for the unexpired term; and

WHEREAS, N.J.S.A. 40A:9-145 requires that the municipal tax collector possess the required certification for performing the duties of the office; and

WHEREAS, Henry Wang possesses the required certification.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the

Town of Westfield be and hereby consent to the appointment of Henry Wang to the position of

Tax Collector for an unexpired term commencing July 1, 2018 and ending December 31, 2021.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Division of Local Government Services in the Department of Community Affairs.

**Resolution No. 151**

RESOLVED that the payroll consisting of the following regularly salaried employees of the Town of Westfield be adopted effective January 1, 2018 and that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<b><u>Name</u></b>	<b><u>Title</u></b>	
James H. Gildea	Town Administrator	\$178,161
Tara Rowley	Town Clerk	\$100,238
Joan Thermann	Executive Assistant	\$ 82,871
Scott Olsen	Chief Financial Officer	\$147,907
Jessica Wang	Payroll/Benefits Manager	\$ 71,072
Annmarie Switzer	Tax Assessor	\$ 94,526
Steve Freedman	Construction Official	\$115,726
Keith Allara	Electrical Subcode Inspector	\$ 76,950
Robert Bohrod	Municipal Defender	\$ 15,000 (Effective 1/31/18)
Yvette Gibbons	Municipal Prosecutor	\$ 32,000 (Effective 1/31/18)
Maureen Lawshe	Deputy Town Clerk	\$ 55,688
Michael Cuppari	Custodian	\$ 41,414
Don Bogardus	Recreation Director	\$ 96,188
Heather Ferratti	Aquatics Supervisor	\$ 64,294
David Wayman	Police Chief	\$157,735
Raeann Anthony	Administrative Secretary	\$ 65,500
Scott Mersereau	Parking Services Director	\$ 75,000
Kris McAloon	Town Engineer	\$136,927
Kathleen Neville	Zoning Officer	\$ 80,378
Kathleen Nemeth	Assistant Zoning Officer	\$ 56,223
Paul Horta	Town Surveyor	\$ 96,435
Donald Sammet	Town Planner	\$107,471
Gregory O'Neil	Director of Public Works	\$109,084
Craig Gibson	Supervisor–Public Works	\$ 81,475
Eugene Watkins	Supervisor–Public Works	\$ 81,475
Richard Eubanks	Supervisor–Public Works	\$ 81,475
Robert Kosciolk	Supervisor–Public Works	\$ 81,475
David Kelly	Fire Chief	\$148,801
Anthony Tiller	Deputy Fire Chief	\$132,728
Carol Salvaggio	Court Administrator	\$ 82,616
Parag Patel	Municipal Magistrate	\$ 58,000 (Effective 1/31/18)

**Resolution No. 152**

RESOLVED that the payroll consisting of the following regularly salaried employees of the Town of Westfield be adopted effective July 1, 2018 and that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Name</u>	<u>Title</u>	
James H. Gildea	Town Administrator	\$179,943
Tara Rowley	Town Clerk	\$101,240
Joan Therman	Executive Assistant	\$ 83,700
Scott Olsen	Chief Financial Officer	\$149,386
Jessica Wang	Payroll/Benefits Manager	\$ 71,783
Henry Wang	Tax Collector	\$ 75,000
Annamarie Switzer	Tax Assessor	\$ 95,471
Steve Freedman	Construction Official	\$116,883
Keith Allara	Electrical Subcode Inspector	\$ 77,720
Maureen Lawshe	Deputy Town Clerk	\$ 56,245
Michael Cuppari	Custodian	\$ 41,828
Don Bogardus	Recreation Director	\$ 97,150
Heather Ferratti	Aquatics Supervisor	\$ 64,937
David Wayman	Police Chief	\$159,312
Raeann Anthony	Administrative Secretary	\$ 66,155
Scott Mersereau	Parking Services Director	\$ 75,750
Kris McAloon	Town Engineer	\$138,296
Kathleen Neville	Zoning Officer	\$ 81,182
Kathleen Nemeth	Assistant Zoning Officer	\$ 56,785
Paul Horta	Town Surveyor	\$ 97,399
Donald Sammet	Town Planner	\$108,546
Gregory O'Neil	Director of Public Works	\$110,175
Craig Gibson	Supervisor–Public Works	\$ 82,290
Eugene Watkins	Supervisor–Public Works	\$ 82,290
Richard Eubanks	Supervisor–Public Works	\$ 82,290
Robert Kosciolk	Supervisor–Public Works	\$ 82,290
David Kelly	Fire Chief	\$150,289
Anthony Tiller	Deputy Fire Chief	\$134,055
Carol Salvaggio	Court Administrator	\$ 83,442

#### **Resolution No. 153**

WHEREAS, the Board of Trustees of the Westfield Memorial Library, pursuant to authority granted to the Trustees by Statute, has adopted a payroll for employees and the salary amounts;

NOW, THEREFORE BE IT RESOLVED, that the payroll consisting of the following regularly salaried employees of the Westfield Memorial Library be adopted retroactive to be effective January 1, 2018 and that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Name</u>	<u>Title</u>	
Phil Israel	Library Director	\$109,904
Jennifer Schultz	Librarian - Dept. Head	\$ 81,354
Adrienne Basso	Librarian – Dept. Head	\$ 75,047
Mary Adams	Librarian – Dept. Head	\$ 66,471
Jeannine Forbes	Library Associate	\$ 43,354
Issac Lebron	Senior Custodian	\$ 45,118
Maryann Prokop	Office Manager	\$ 52,319
Warren Hoffman	Library Assistant I	\$ 36,020
Emily Pope	Library Assistant I	\$ 33,663

#### **Resolution No. 154**

WHEREAS, the Board of Trustees of the Westfield Memorial Library, pursuant to authority granted to the Trustees by Statute, has adopted a payroll for employees and the salary amounts;

NOW, THEREFORE BE IT RESOLVED, that the payroll consisting of the following regularly salaried employees of the Westfield Memorial Library be adopted retroactive to be effective July 1, 2018 and that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor

and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Name</u>	<u>Title</u>	
Phil Israel	Library Director	\$111,003
Jennifer Schultz	Librarian - Dept. Head	\$ 82,168
Adrienne Basso	Librarian – Dept. Head	\$ 75,797
Mary Adams	Librarian – Dept. Head	\$ 67,136
Jeannine Forbes	Library Associate	\$ 43,788
Issac Lebron	Senior Custodian	\$ 45,569
Maryann Prokop	Office Manager	\$ 52,842
Warren Hoffman	Library Assistant I	\$ 36,380
Emily Pope	Library Assistant I	\$ 34,000

**Resolution No. 155**

RESOLVED that the payroll consisting of the following regularly salaried employees of the Town of Westfield represented by CWA Local 1040 for collective bargaining purposes be adopted effective July 1, 2018 and that the Chief Financial Officer be authorized to draw warrants to their order, biweekly, as their names appear on the departmental payrolls, and that the Mayor and the Town Clerk be, and they are hereby, authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

<u>Office/ Name</u>	<u>Title</u>	<u>2018 Salary</u>
<b><u>Town Clerk's Office</u></b>		
Tracy Fooster	General Office Clerk	\$ 45,813
<b><u>Regional Board of Health</u></b>		
Loray Kozar	Secretary (Board of Health)	\$ 53,612
Tanya Moon	Sr. Reg. Envir. Health Specialist	\$ 79,971
Jesse Powell	Reg. Envir. Health Specialist	\$ 66,625
Giselle Alfaro	Reg. Envir. Health Specialist	\$ 63,402
<b><u>Finance Office</u></b>		
Mary Poon	Cost Analysis Clerk/QPA	\$ 53,599
Janey Chen	General Office Clerk	\$ 47,470
<b><u>Tax Assessor's Office</u></b>		
Sandra Giordano	General Office Clerk	\$ 34,802
<b><u>Tax Collector's Office</u></b>		
Maria Santos	General Office Clerk	\$ 34,116
<b><u>Construction/Building Division</u></b>		
Viviane Guy	Building Code Processor	\$ 47,665
<b><u>Recreation Office</u></b>		
Linda Johnson	Recreation Program Coordinator	\$ 42,180
Joanne Colaneri	Secretary (Recreation)	\$ 50,713
<b><u>Pool Utility</u></b>		
Paul Checchio	Pool Maintenance Technician	\$ 67,787
<b><u>Police Department</u></b>		
Kim Sakr	Dispatcher	\$ 52,236
Edward Feins	Dispatcher	\$ 34,802
Nicole Grossmith	Dispatcher	\$ 34,802
Brianna Scotto	Dispatcher	\$ 34,802
Emma Jones	Dispatcher	\$ 34,802
Joseph Demico	Dispatcher	\$ 34,802
Andra Don	General Office Clerk (Police)	\$ 38,145

Dominick Sandelli	IT Technician	\$ 57,747
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**Planning & Zoning Division**

Linda Jacus	Secretary	\$ 38,116
	Board of Adjustment	\$ 2,589
	Planning Board	\$ 2,589

**Municipal Court**

Ann Margetoes	Deputy Court Administrator	\$ 58,258
Barbara Sheldon	General Office Clerk	\$ 43,361
Mary Heeney	General Office Clerk	\$ 39,343
Maureen Gabriel	General Office Clerk	\$ 39,343
Fran Pelosi	General Office Clerk	\$ 39,343

**Parking Administration**

Helen Cicalese	Traffic/Parking Enforcement	\$ 43,094
Robert Denny	Traffic/Parking Enforcement	\$ 37,000
Donald Picciano	Traffic/Parking Enforcement	\$ 33,094
Regina Powell	General Office Clerk	\$ 40,901

**Resolution No. 156**

RESOLVED that the following stated rates of pay for employees of the Department of Public Works, and the Engineering and Construction Official's office represented by Local 469 of the International Brotherhood of Teamsters for collective bargaining purposes be adopted effective July 1, 2018, and that the Chief Financial Officer be authorized to make payment to, and draw warrants bi-weekly in accordance with the following schedule:

<u>Name</u>	<u>Step</u>	<u>Hourly Rate</u>
D. Gary	1	\$34.73
W. Moore, Jr.	1	\$34.73
J. Giordano	1	\$34.73
T. McCaskill	1	\$34.73
M. Glagola	1	\$34.73
J. Russitano	1	\$34.73
R. Vastano	1	\$34.73
J. Handy	1	\$34.73
F. Watkins	1	\$34.73
G. Stabenow	1	\$34.73
T. Cuccaro	1	\$34.73
E. Maris	1	\$34.73
R. Watt	1	\$34.73
C. Calvello	1	\$34.73
B. Segebade	1	\$34.73
L. Scipioni	1	\$34.73
B. Cioffi	1	\$34.73
S. Chamberlin	1	\$34.73
G. Long	1	\$34.73
D. Clark Jr.	1	\$34.73
V. Brodo	10	\$20.10
C. Bohnyak	10	\$20.10
C. DePasquale	10	\$20.10
J. Louise	10	\$20.10
J. Steward	10	\$20.10
J. Giordano Jr.	10	\$20.10
J. Pafumi	10	\$20.10
T. Bryant	10	\$20.10
D. Sangston	10	\$20.10
K. Dachnowski	10	\$20.10
A. DiCosmo	10	\$20.10

C. Elliot	10	\$20.10
T. Vreeland	12	\$18.80
O. Lucas	13	\$18.15
C. Daniels	13	\$18.15
A. Graf	13	\$18.15
F. Scalera	14	\$17.50
K. Muller	14	\$17.50
G. Gray - Survey Party Chief		\$70,212
G. Junkroft - Building Subcode Official		\$78,884

**Public Safety, Transportation and Parking Committee**

The following resolution, introduced by Councilman Dardia, Chairman of the Public Safety, Transportation and Parking Committee and seconded by Councilman Contract, was adopted with Councilwoman Neylan abstaining.

**Resolution No. 157**

RESOLVED that the application of Fireworks Extravaganza for a Type 3 permit to discharge fireworks at Echo Lake Country Club on June 30, 2018 from 8 p.m. to 9 p.m. is approved subject to the following conditions:

- (1) The display shall comply with all requirements as set forth in Chapter 33 of the 2006 International Fire Code New Jersey Edition and NFPA 1123, 1124 and 1126;
- (2) The applicant shall reimburse the Town for the costs of the use of fire equipment and manpower and shall deposit with the Town the sum of \$1,000.00 as an escrow to cover said costs;
- (3) The operator shall be approved by the Chiefs of Police and Fire Department;
- (4) The types or kinds of fireworks and the location of the storage place prior to display to be used must be approved by the Chief of the Fire Department;
- (5) The applicant shall comply with all Display Company requirements;
- (6) The applicant must provide a Certificate of Insurance in an amount not less than \$1,000,000.00 to cover property damage and injury to persons;
- (7) The time, duration, and location of the fireworks will not, due to noise, traffic congestion, spectators, or other factors, unreasonably disturb the peace of persons residing within the vicinity of the display; and
- (8) The applicant shall comply with all other conditions and requirements imposed by the Chief of the Fire Department to insure public safety, including without limitation, providing an acceptable site plan of where the fireworks display is to be conducted.

**Code Review & Town Property Committee**

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

**Resolution No. 158**

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

Jose Cachada  
 Joes Catering  
 258 Perry Avenue  
 Union, NJ 07083

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.

**Resolution No. 159**

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 below have made application as required by Sec. 24-48 of the Town Code.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield hereby approves the operation of sidewalk cafés for those establishments listed below:

<b><u>Name</u></b>	<b><u>Location</u></b>
Theresa's	47 Elm Street
Mojave Grill	35 Elm Street
Farinolio	121 East Broad Street; and

BE IT FURTHER RESOLVED that the Town Clerk shall not issue licenses unless the applicants have submitted a development plan and have met insurance and indemnification requirements as required by Chapter 24 of the Code of the Town of Westfield.

**Resolution No. 160**

BE IT RESOLVED that application for the following liquor license renewals for the 2018-2019 licensing term be and hereby are granted, subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et. seq.:

**PLENARY RETAIL DISTRIBUTION LICENSE**

Elicia Corporation t/a Nos Vinos 2020-44-010-010	127 Central Avenue
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Parikhs Corporation t/a Central Avenue Wines & Liquors 2020-44-018-010	781 Central Avenue
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**Resolution No. 161**

BE IT RESOLVED that application for the following liquor license renewal for the **2017-2018** licensing term be and hereby is granted, subject to full compliance with Alcoholic Beverage Law R.S. 33:1.1 et. seq.:

**PLENARY RETAIL DISTRIBUTION LICENSE**

The Office at Westfield, LLC (inactive) t/a The Office Beer Bar & Grill 2020-33-009-009	
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**Resolution No. 162**

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of Westfield and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Westfield that the agreement entitled “COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,” dated June 2014, as amended July 11, 2017 for the Purpose of Inserting a Description of Activities for Fiscal Year 2018-2019 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

**General Ordinance No. 2107**

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

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2107 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT REGARDING COMPLIANCE WITH THE TOWN’S AFFORDABLE HOUSING OBLIGATIONS”

Motion was seconded by Councilman Stokes.

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

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

Heretofore introduced, General Ordinance No. 2107 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 10th day of July 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**General Ordinance No. 2108**

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

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2108 - AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF

WESTFIELD TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT REGARDING COMPLIANCE WITH THE TOWN'S AFFORDABLE HOUSING OBLIGATIONS"

Motion was seconded by Councilwoman Habgood.

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

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

Heretofore introduced, General Ordinance No. 2108 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 10th day of July 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**General Ordinance No. 2109**

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

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2109 AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD ESTABLISHING AN AFFORDABLE HOUSING DEVELOPMENT FEE"

Motion was seconded by Councilman Dardia

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

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

Heretofore introduced, General Ordinance No. 2109 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 10th day of July 2018 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**Public Works Committee**

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

**Resolution No. 163**

WHEREAS, sealed bids were received by the Town Clerk on June 13, 2018 for the 2018 Improvement of Grove Street in Westfield, New Jersey as authorized by S.O. 2212A, and

WHEREAS, the low bid, in the amount of \$242,950.00 submitted by D.L.S. Contracting, Inc., 271 Highway 46, Suite D-205, Fairfield, NJ 07004 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2212A, under Purchase Order #18-02243.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$242,950.00 be awarded to D.L.S. Contracting, Inc., 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 of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents, and

BE IT FURTHER RESOLVED, that award of this contract is subject to concurrence of award from the New Jersey Department of Transportation.

**Resolution No. 164**

WHEREAS, sealed bids were received by the Town Clerk on June 13, 2018 for the 2018 Various Road Improvements in Westfield, New Jersey as authorized by S.O. 2206D and S.O. 2212A3, and

WHEREAS, in accordance with N.J.S.A. 40A:11-23.1(d), the Town has determined to exercise its option in selecting Alternate Item A1, "Concrete Sidewalk, 4" Thick, Stamped and Colored," and

WHEREAS, the low base bid, with the selected alternate A1, in the amount of \$2,711,771.00, submitted by Fischer Contracting Inc., 10 Short Hills Lane, Scotch Plains, NJ 07076 has been analyzed and found to be in conformance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2206D and S.O. 2212A, under Purchase Order #18-02244

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract in the amount of \$2,711,771.00 be awarded to Fischer Contracting Inc., 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 of discharge of this Contract, and

BE IT FURTHER RESOLVED, that the Town Clerk shall notify the Contractor by letter requesting submittal of appropriate Performance Bond and Certificate of Insurance, so as to further execute the Contract documents.

**Resolution No. 165**

WHEREAS, a need exists for the purchase of public works related equipment as provided for in the Capital Improvement Fund 236-213, and

WHEREAS, the contract to purchase these is to be awarded to an authorized vendor through the Keystone Purchasing Network, and

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

WHEREAS, the New Jersey State Public Contract Law 40A:11-3 states that when accepting an item under Keystone Purchasing Network Contract #KPN-201501-03, a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment, which will be in the amount of \$490,000.00 charged to Special Ordinance No. 2215, under Purchase Order #18-02245 prepared in accordance with N.J.A.C. 5:30 1.10.

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

Northeast Sweepers & Rentals, Inc.

16 Passaic Avenue, Unit 9

Fairfield, NJ 07004

(2) RAVO 5 iSeries Street Sweepers @ \$245,000.00 \$490,000.00

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.

#### Reports of Department Heads

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$58,269.35 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of May 2018 was received, read and ordered filed.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$118,938.00 for the month of May 2018 was received, read and ordered filed.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$80,741.00 representing monies collected during the month of May 2018.

#### ADJOURNMENT

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

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk