



**AGENDA**  
**March 26, 2019**  
**Council Conference Meeting**  
**7:00 p.m.**

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**APPOINTMENTS**

**PRESENTATIONS**

Senior Advisory Council

**BIDS**

**RESOLUTIONS**

**Finance Policy Committee**

1. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
2. Resolution authorizing the Town Attorney & Tax Assessor to file counterclaims
3. Resolution authorizing the Chief Financial Officer to draw warrant for Risk Management Consultant Fee
4. Resolution authorizing easement payment
5. Resolution providing for self-examination of the 2019 Municipal Budget
6. Resolution to defer Local District School Tax
7. Resolution to approve budget transfer
8. Resolution to introduce and approve the 2019 Municipal Budget
9. Resolution to introduce and approve the 2019 Special Improvement District Budget

**Public Safety, Transportation and Parking Committee**

1. Resolution to support the immediate restoration of the off-peak hour “one seat ride”

**Code Review & Town Property Committee**

1. Resolution to approve Sidewalk Café licenses

**Public Works Committee**

**ORDINANCES**

**GENERAL ORDINANCE NO. 2130**

“AN ORDINANCE FOR CALENDAR YEAR 2019 TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)”

**GENERAL ORDINANCE NO. 2131**

“AN ORDINANCE AMENDING CHAPTER 4 OF THE TOWN CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REGULATE THE HOURS FOR THE RETAIL SALE OF ALCOHOLIC BEVERAGES”

**GENERAL BUSINESS**

**COMMITTEE REPORTS**

Public Safety, Transportation and Parking Committee  
Code Review and Town Property Committee

**OPEN DISCUSSION BY CITIZENS (as needed)**

**EXECUTIVE SESSION**

**REMINDER**

**Next Conference Meeting – April 9, 2019**

**Next Council Meeting – April 9, 2019**

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**

**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

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

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**

**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

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

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

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

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

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

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**

**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

WHEREAS, the Town of Westfield has resolved to join both the Suburban Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund, following a detailed analysis and has been a member since 1994; and

WHEREAS, the Bylaws of said funds require that each municipality appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Town of Westfield solicited requests for proposals for such services in accordance with G.O. 1753 of the Town of Westfield; and

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

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

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

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

**TOWN OF WESTFIELD**  
**WESTFIELD, NEW JERSEY**

**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**  
**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

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

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

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

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

6. That all other applicable statutory requirements have been fulfilled.

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**

**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

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

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

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

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**

**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

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

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**  
**RESOLUTION NO.**

**FINANCE POLICY COMMITTEE**

**MARCH 26, 2019**

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

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

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

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

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

**GENERAL REVENUE**

**ANTICIPATED REVENUE**

Amount to be raised by

Special Improvement District Assessment \$416,347.00

Total General Revenue \$416,347.00

**APPROPRIATIONS**

**GENERAL APPROPRIATION**

**APPROPRIATIONS**

Operating

Salaries & Wages \$200,132.00

Other Expenses \$216,215.00

Total General Appropriations \$416,347.00

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

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**  
**RESOLUTION NO.**

**PUBLIC SAFETY, TRANSPORTATION & PARKING COMMITTEE**

**MARCH 26, 2019**

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

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

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

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

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

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

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

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

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

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

**TOWN OF WESTFIELD**  
**WESTFIELD NEW JERSEY**

**RESOLUTION NO.**

**CODE REVIEW & TOWN PROPERTY COMMITTEE**

**MARCH 26, 2019**

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

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

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

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

1958 Cuban Cuisine	301 South Ave West
Akai Lounge	102 East Broad Street
Bagel Chateau	223 South Avenue East
Brick Oven of Westfield	117 Quimby Street
Cosimo's	118 East Broad Street
Fiamma Pizza	108 Quimby Street
Rockn Joe Coffee House	20 Prospect Street
Rooster Spin	251 North Avenue West
Tinga Taqueria	110 Central Avenue
Xocolatz Café	235 Elmer Street



**TOWN OF WESTFIELD  
TOWN COUNCIL  
REGULAR MEETING**

**Tuesday, March 29, 2019  
8:00 PM**

**PROPOSED AGENDA**

This agenda is prepared for the information of the public. It is the order of the meeting; however, if changes in order, deletions or additions are made, they will be noted at the time.

1. Roll Call
2. Invocation
3. Salute to the flag
4. Presentations

Proclamation  
Virginia Apgar

Budget Presentation  
2019 Municipal Budget

5. Appointments
6. Advertised Hearings
7. Approval of Minutes from Town Council Conference Session held March 12, 2019  
Approval of Minutes from Town Council Regular Meeting held March 12, 2019  
Approval of Minutes from Town Council Executive Session held March 12, 2019
8. Petitions and Communications
9. Open discussion by citizens
10. Bills and Claims in the amount of \$413,809.06
11. Reports of Standing Committees

Finance Policy Committee

1. Resolution authorizing the Chief Financial Officer to refund Recreation Department fees
2. Resolution authorizing the Town Attorney & Tax Assessor to file counterclaims

3. Resolution authorizing the Chief Financial Officer to draw warrant for Risk Management Consultant Fee
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Public Safety, Transportation and Parking Committee

2. Resolution to support the immediate restoration of the off-peak hour “one seat ride”

Code Review & Town Property Committee

1. Resolution to approve Sidewalk Café licenses
2. GENERAL ORDINANCE NO. 2131  
“AN ORDINANCE AMENDING CHAPTER 4 OF THE TOWN CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, IN ORDER TO REGULATE THE HOURS FOR THE RETAIL SALE OF ALCOHOLIC BEVERAGES”

Public Works Committee

12. Reports of Department Heads

Adjournment