

MINUTES OF REGULAR MEETING HELD JULY 13, 2021

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, July 13, 2021 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 11, 2020. 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, Parmelee, LoGrippe, Katz, Mackey, Contract, Dardia, and Boyes

ABSENT: None

INVOCATION AND FLAG SALUTE

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

PRESENTATIONS

Town Administrator's Update

- Provided an update on the installation of the traffic signals at West Broad Street and Scotch Plains Avenue and Lamberts Mill Road and Rahway Avenue and stated that handicap ramps and curbing would be finalized in the next few weeks. Underground work has been completed at both locations and drainage work was completed at Rahway Avenue/Lamberts Mill Road. Explained that the light stanchions have been ordered but Union County informed the Town today that delivery is delayed due to COVID related delivery issues. Stated that he is hopeful that both projects would be completed in the next few months;
- Provided an update on road paving and stated that the Town's contractor has been working on manhole replacements and listed the roads where work is taking place. Once manhole replacements are complete, milling and paving would follow, with work expected to be completed by September, weather permitting;
- Discussed the status of road paving being conducted by Elizabethtown Gas and stated that paving and striping have been completed on 13 roads. Also discussed the next set of roads to be paved and the involvement of the new Town Engineer in this process.

Mayor's remarks

Mayor Brindle provided the following remarks:

Good evening, everyone, and welcome back to the Council Chambers! After 16 months, it's so nice to be back in person as our lives return to some sense of normalcy.

The last time we were all gathered here was on March 10, 2020, when, as part of our meeting, we formally recognized the promotion of several members of the Westfield Police Department. In my opening remarks that night, I spoke about the Coronavirus briefing the Town Council had received from our Regional Health Officer, Megan Avallone, and about the newly launched Coronavirus Information Center on our website. Just two days later, I sent out my very first COVID update, communicating that there were 29 cases of COVID in New Jersey, including one death, and one case in Union County. I wrote about Megan being in regular contact with Dr. Dolan to make determinations about potential school closures. Governor Murphy had declared a State of Emergency and had restricted outdoor gatherings to 250 people. I communicated that all Town-run programs and events were postponed until April 19, at which time we would reassess the public health situation. Two days later, on March 14, we had our first confirmed case in Westfield.

Since then, there have been 2,420 lab confirmed cases of COVID and 57 COVID deaths here in Westfield. This was unimaginable the last time we sat here together. So much has happened in that time span, and I think it's important to look back at where we were and how far we've come. On March 10, 2020, we could not have fathomed the need for a national COVID vaccination roll out. Today, Westfield's vaccination rate is 68% for our entire population (87% for those 18 and over, and 89% for those 65 and over).

But more than anything else in the last 16 months, our community has demonstrated its compassion, humanity, and resilience, and I thank each of you for doing your part. While COVID is not gone, and certainly the new variants remain a concern that we must watch closely, I am very proud of the way Westfield came together during a truly unprecedented time. And so, thanks to everyone who came out tonight to join us, as it signifies more than just a meeting. For all of those here in person, please remember that, in accordance with CDC guidelines, those who are unvaccinated are strongly encouraged to wear a mask to protect themselves and others in the room.

Just as we did prior to the pandemic, our meetings continue to be live streamed for viewing only on Facebook, and public comment will be accepted in person only. As always, the replay will also be available afterwards on Facebook, YouTube, and TV 36.

UPDATE ON CELL TOWER PROPOSAL

I thought it would be helpful to update everyone on the current status of the cell tower proposal at Houlihan/Sid Fay Fields that I've previously discussed. We are currently working with our consultant -- who, as a reminder, is retained at no cost to the Town -- to finalize the public call for bids that we expect to issue in the next few weeks. We will then evaluate any responses we receive and solicit public input for consideration before any final decisions are made. Any cell tower proposal would include a requirement to install bathrooms and substantial additional parking at the field complex as recommended in the Parks Strategic Plan. More information about this proposal can be found on our website at <https://bit.ly/houlihan-sidfay-proposal>.

EDISON SCHOOL FIELDS PROJECT

We continue to receive very helpful feedback and questions from residents regarding the proposed Edison School Multipurpose Fields Project, and I want to thank everyone who has taken the time to provide their thoughts. As a reminder, this plan is in concept phase only, and will ultimately be driven by the public input we receive -- knowing that hearing from the public is the most important driver of a successful outcome for neighbors, user groups, and the community as a whole.

Our public input phase continues with ongoing outreach to the neighbors in the vicinity of Edison School, as well as broader public meetings on July 21, September 1, and September 20 at Edison at 7:00PM. Comments are also being accepted via email at edisonfields@westfieldnj.gov. You can review the details and FAQs related to the proposal at <https://bit.ly/Edison-Fields-Project>.

DOWNTOWN HAPPENINGS

After last week's weather-related cancellation, DWC's Sweet Sounds Downtown Music Festival returns tonight for its 24th year, and will be held every Tuesday night in July and August from 7:00 to 9:00PM. Musicians will perform on Central Avenue, at the corner of Quimby and Elm, and in Foundation Park.

Don't miss the Westfield Community Concert Band Concert on Thursday, July 15 at 7:30 in Mindowaskin Park. Following a COVID-driven hiatus, the band returns for its 109th year and will feature selections of popular American music.

Also this week, don't miss the annual Sidewalk Sale event from July 15-18, when downtown streets will be lined with some of our local retailers' best products. Sidewalk Sale days are a perfect opportunity to shop local and support Downtown Westfield!

TONIGHT'S AGENDA

We have another busy agenda tonight. We will vote on resolutions to award on-call traffic review, circulation planning services, and parking consulting services for our redevelopment sites. These services, which will be paid out of developer escrow accounts, continue our relationship with the firms that prepared details within the Traffic and Circulation element of the Master Plan. Importantly, their purpose is to ensure that we thoroughly address traffic and parking concerns as part of any redevelopment projects in Westfield.

We will also vote on a resolution authorizing the extension and expansion of the contract with Spiezle Architectural Group, who have served as the consultants on the Edison Fields project. This contract expansion includes their participation in the upcoming public input meetings as well as an initial parking assessment.

Tonight, we will also hold the public hearing and vote on the Handler Building redevelopment plan, which was approved last week by the Planning Board. If you missed the presentation by Topology at the last Town Council meeting, it's absolutely worth a look, and you can find it at <https://bit.ly/RediFarmsPlan>.

Westfield residents Greg Redington and Michele Modestino purchased the Handler Building on North Avenue and plan to launch Redi-Farms, a vertical hydroponic farm that will produce locally grown organic produce year-round, in addition to education classes about indoor farming, an eatery, and an event space. Their vision reflects many of the priorities of this administration and our community: strategic economic development, historic preservation and adaptive reuse of an older building, sustainability, equity and inclusion.

While I'm very excited about the potential of this new Westfield business, I'm most proud of how we've gotten to this point through the innovative mindset of our Planning and Zoning team and our good standing with the Fair Share Housing Center in order to allow for the transfer of the affordable housing units originally designated for this site.

The net result of the six unit affordable housing transfer is that, in lieu of an apartment building on North Avenue, Westfield can instead gain a local vertical farm to serve as an economic development driver with significant social impact potential. It's also very gratifying that Redi-Farms is being created by two Westfield residents who are also successful business owners and employers as Founder/CEO of [REDCOM Design & Construction LLC](#). In a significant vote of confidence, they are investing in Westfield for a second time, validating our strategy to use the tools of redevelopment for the first time in Town history to signal to business owners and investors that Westfield is open for business!

The Redi-Farms redevelopment plan provides Westfield an opportunity to be a leader in the growing green economy, having demonstrated our commitment to sustainability by attaining silver certification by Sustainable NJ for the first time ever this past year. We are furthering those efforts as we activate six new EV charging stations in municipal parking lots this week, and will soon be welcoming [Karma of Westfield](#), a new EV auto dealership on North Avenue scheduled to open next month. Redi-Farms will only further burnish our reputation as an environmental and economic development leader by making Westfield an eco-destination in the region.

With that, let's get to work. I want to remind everyone that I will be enforcing Robert's Rules this evening to ensure we stay on topic and the meeting runs efficiently.

APPOINTMENTS

Mayor Brindle proposed the following Council appointment. Motion made Councilwoman Mackey and seconded by Councilman Boyes.

Tree Preservation Commission

Lisa Moore December 31, 2022 (Unexpired Term)

PRESENTATIONS

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2219

AN ORDINANCE ADOPTING THE HANDLER BUILDING REDEVELOPMENT PLAN

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2219 - AN ORDINANCE ADOPTING THE HANDLER BUILDING REDEVELOPMENT PLAN" by Councilman Parmelee, seconded by Councilman Dardia, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood	Nays: LoGrippe	Absent: None
Parmelee		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Town Council comments:

Councilman LoGrippe stated that he feels the concept plan for this property is great, but he opposes its adoption because there was no discussion by the Code Review and Town Property Committee. Also stated that he disagrees with the transfer of residential units to the Williams Nursery site.

BIDS

MINUTES

On a motion by Councilman Boyes and seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Special Executive Meeting, Town Council Regular and Conference Meeting held June 29, 2021.

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.

Shawn Mullen, Carleton Road, discussed the South Avenue Redevelopment Project and referenced a comment by Mayor Brindle that a PILOT agreement for this project would provide for a better-quality project. Also discussed Mayor Brindle and Councilwoman Mackey's opposition to Assembly Bill 1571 which requires prevailing wage for redevelopment projects. Feels the Town is well served by the union employees it has and questioned why there would be opposition to union labor for a project that is very impactful to the Town. Feels the ability to provide prevailing wages allows for good paying and highly skilled jobs.

Mr. Mullen also stated that he is thankful that invocations are being included in Town Council meetings and asked why they were not included for the past 16 months.

Marci Bandelli, 209 Tuttle Parkway, thanked the Mayor and Town Council for their efforts and stated that she feels they are the hardest working team that Westfield has ever seen. Also discussed the continued focus and the many projects that moved forward, despite the pandemic. Feels many residents are happy with the efforts of the governing body and understands that it is a thankless job.

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

Mayor Brindle addressed Mr. Mullen's comments and stated that prevailing wage has always been paid on Town projects and that she is a huge supporter of the union labor movement. The reason that she opposed the assembly bill referenced by Mr. Mullen is because it took a lot of control away from local government. In addition, she spoke with Senator Kean and Assemblyman Bramnick about this bill and they both opposed it as well. Explained that the bill "died" very quickly because of the universal bipartisan opposition to it by nearly every mayor in the state.

Mayor Brindle also addressed Mr. Mullen's comment concerning the invocation and explained that it was awkward to give the invocation over Zoom and she is also happy that they have resumed.

Mayor Brindle thanked Ms. Bandelli for her comments.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$664,575.75 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 and seconded by Councilwoman Mackey, were unanimously adopted.

Resolution No. 162

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$138.00 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 June 2021.

Resolution No. 163

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$850.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of April - June 2021.

Resolution No. 164

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$10.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box 370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of April - July 2021.

Resolution No. 165

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>
Russ Chiappetta	Pool/Swim Lessons	Refund	\$70.00

1014 Prospect St Westfield, NJ 07090 11:20	03-55-920-203	Swim Lessons Ava Chiappetta/Intermediate Sess 1
Thao Tran 918 South Ave-West Westfield, NJ 07090 10:10 (\$70) (\$70)	Pool/Swim Lessons 03-55-920-203	Refund \$140.00 Swim Lessons Zain Nasser/Swimmer Session 3 Raza Nasser/Adv Beg Session 1 9:00
Kevin Karol 712 Coolidge St Westfield, NJ 07090 11:20	Pool/Swim Lessons 03-55-920-203	Refund \$70.00 Swim Lessons Klaire Karol/Adv Begin Session 1
Justin Schwartz 735 Hanford Pl Westfield, NJ 07090 3 9:35	Pool/Swim Lessons 03-55-920-203	Refund \$70.00 Swim Lessons William Schwartz/Fearful Beg Sess
Alexis Collado 229 Golf Edge Drive Westfield, NJ 07090 (\$350) Park (\$350)	Tennis/Rec T-05-600-071	Refund \$700.00 Playground/Summer 2021 Cameron Collado/Memorial Park Carter Collado/Memorial
Bryan Giordano 729 Hyslip Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund \$350.00 Playground/Summer 2021 Gemma Giordano/Tamaques Park
Van Huynh 219 Seneca Place Westfield, NJ 07090 10:10 (\$70) 10:10 (\$70)	Pool/Swim Lessons 03-55-920-203	Refund \$140.00 Swim Lessons Cara Huynh/Adv Begin Session 3 Curtis Huynh/Adv Begin Session 3
Mohit Desai 7 South Wickom Dr Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund \$165.00 Program Canceled/LEGO Camp Roshni Desai/Session 7
Nikita Desai 8 Max Place Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund \$165.00 Program Canceled/LEGO Camp Rishi Desai/Session 7
Michael Shulman 382 Carolina St Westfield, NJ 07090	Pool/Membership 03-55-920-202	Refund \$120.00 Wrong Membership/2021 Michael Schulman
Peter Man 935 Brown Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund \$370.00 Camp Canceled/Magic Sydney Man (\$185) Liam Man (\$185)

Resolution No. 166

WHEREAS, Frank M. Fortino, 1 Priscilla Lane, Westfield, NJ 07090 has paid \$450.00 towards Board of Adjustment application No. 21-26 for 807 Mountain Avenue, and

WHEREAS, per the Zoning Official, the check was given in error and needs to be refunded.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of the homeowner, Frank M. Fortino, 1 Priscilla Lane, Westfield, NJ 07090.

Resolution No. 167

RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$12,076.00 to the TREASURER, STATE OF NEW JERSEY for the first quarter Construction Official's State permit fees for 2021.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton , New Jersey 08625-0802.

Resolution No. 168

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2021:

Block/Lot/Qualifier		Quarter/Year
<u>Name</u>	<u>Property Address</u>	<u>Amount</u>
901/29	458 Birch Place	Sewer/2021
SUJANTHAKUMAR, Subramanian		\$191.87

Resolution No. 169

WHEREAS, the Town of Westfield has determined that a need exists for on-call traffic review and circulation planning services for redevelopment sites; and

WHEREAS, WSP USA, 3rd floor, 2000 Lenox Drive, Lawrenceville, New Jersey 08648 has submitted a proposal dated July 1, 2021 indicating that WSP USA would provide the above referenced services at a fee not to exceed \$16,000; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with NJAC 5:30-1.10, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Streetworks/HBC Developers Escrow account 20-01, under Purchase Order 21-02199.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield be and hereby authorizes an award a contract to WSP USA for on-call traffic review and circulation planning services for redevelopment sites at a fee not to exceed \$16,000; and

BE IT FURTHER RESOLVED that the proper Town Officials be authorized to effect whatever actions are necessary in the execution and discharge of this contract.

Resolution No. 170

WHEREAS, the Town of Westfield has determined that a need exists for on-call parking consulting services; and

WHEREAS, THA Consulting, Inc., 144 Livingston Avenue, New Brunswick, New Jersey 08901 has submitted a proposal dated July 9, 2021 indicating that THA Consulting, Inc. would provide the above referenced services at a fee not to exceed \$17,000; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with NJAC 5:30-1.10, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to the Streetworks/HBC Redevelopment Escrow Account number 20-01 under Purchase Order 21-02.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield be and hereby authorizes an award a contract to THA Consulting, Inc. for on-call parking consulting services at a fee not to exceed \$17,000; and

BE IT FURTHER RESOLVED that the proper Town Officials be authorized to effect whatever actions are necessary in the execution and discharge of this contract.

Resolution No. 171

WHEREAS, by Resolution No. 158-2020, dated July 14, 2020, the Town of Westfield retained Spiezle Architectural Group, 1395 Yardville Hamilton Square Road, Suite 2A, Hamilton, NJ 08691 for the development of a Fields Master Plan for Edison Intermediate School property; and

WHEREAS, it is necessary to amend the contract to include additional professional services; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to Park Improvement Trust Fund, Account No. T-05-600-076 under Purchase Order #20-02180.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract be amended to include an additional amount not to exceed \$8,500.

Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilman Dardia and seconded by Councilman LoGrippe, were unanimously adopted.

Resolution No. 172

BE IT RESOLVED that Police Chief Chris Battiloro is hereby appointed as Emergency Management Coordinator for the Town of Westfield for a term expiring July 31, 2024.

Town Council comments:

Mayor Brindle discussed the reappointment of Chief Battiloro as Emergency Management Coordinator and commended him for his efforts during the pandemic. Also thanked the Deputy Coordinators as well.

General Ordinance No. 2220

Regarding the following ordinance, Councilman Dardia made the following announcement: I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2220 - AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13, AS IT RELATES TO PARKING"

The motion was seconded by Councilman LoGrippe.

Yeas: Habgood	Nays:	Absent: None
Parmelee		
LoGrippe		
Katz		
Mackey		
Contract		
Dardia		
Boyes		
Mayor Brindle		

Heretofore introduced, General Ordinance No. 2220 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 August 2021 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a

notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Town Council Announcements

Councilwoman Mackey:

- Discussed the upcoming Paint the Pond event to be held in Mindowaskin Park for families with children with special needs. Thanked Union County for sponsoring the event as well as Commissioner Mouded for her involvement;
- Announced that an outdoor photo exhibit, Community through the Lens, sponsored by the Westfield Public Arts Commission, would be held next weekend;
- Discussed the call to artists within the community to create murals under the Central Avenue trestle. Discussed the theme for each side of the underpass, Welcome and Charles Addams, and mentioned the sponsor for each theme. Encouraged those interested to submit a sketch.

Councilman Contract:

- Announced that the next Lifelong Westfield webinar, Living Healthy at Home, would be held on July 14, 2021 and provided information for those interested participating.

ADJOURNMENT

A motion to adjourn, made by Councilman Katz and seconded by Councilman Contract at 8:28 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk