

## **MINUTES OF REGULAR MEETING HELD MAY 21, 2019**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, May 21, 2019 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 13, 2018. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

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

**ABSENT:** Councilwoman Habgood

### **INVOCATION AND FLAG SALUTE**

Invocation was given by Councilwoman Mackey followed by the flag salute.

### **PRESENTATIONS**

#### **Green Team-Reduce Use of Single Use Plastics**

Jim Boyes, Westfield Green Team member, discussed the launch of the Green Westfield Business Initiative, which is a voluntary program designed to encourage downtown businesses to reduce the amount of single-use plastics. Explained that plastics pollution is a serious environmental problem and discussed the issues created with discarded plastic items, such as plastic bags, straws, eating utensils and take out containers. Discussed ways to reduce the use of single-use plastics and explained how the Green Westfield Business Initiative would work through the partnership of the Downtown Westfield Corporation (DWC). Also discussed other municipalities that have banned the use of single-use plastic bags.

Councilwoman Mackey feels this initiative benefits businesses and that many support the program. Also feels incentivizing citizens would encourage more to use reusable bags when shopping.

Mr. Boyes discussed the timeline for implementation of the initiative.

Councilman Contract discussed recent grant funding awarded to the Town through the Sustainable Jersey Small Grants Program that would help support this initiative.

Councilwoman Neylan requested clarification as to who authorized the implementation of the Green Westfield Business Initiative.

Councilman Contract stated that this program is being implemented in conjunction with the DWC and that the DWC board approved the program.

Councilwoman Neylan stated that while she understands that the program is voluntary and there would be no penalty to businesses that do not participate, feels the Town Council would need to become involved if that were to change. Expressed concern with any negative impact to downtown businesses.

Mayor Brindle explained that the DWC has a vested interest in the initiative succeeding, and if it does not succeed, adjustments to the initiative could be made.

#### Town Administrator's Reports

- Provided an update of road paving and stated that the Town is coordinating schedules with Elizabethtown Gas. In addition, a notice to bidders for Town road paving has been advertised with a deadline for submission on May 29;
- Discussed the Residential Cleanup (Bulky Waste) Program which was typically held in the spring each year. Explained that in 2018 the Town had difficulty in finding a vendor to provide the service and the program was moved to the fall. Stated that the Town plans to move forward with the program in the fall again this year, but reminded residents that there is a bulky waste disposal option available at the Conservation Center. The cost is \$30 per carload for Westfield residents, and a permit for the Conservation Center is not required;
- Announced that PSE&G would be performing vegetative management on the north side of Town and stated that this work is unrelated to the proposed 69kV project;
- Provided an update of road striping and stated that there was a delay due to weather, but striping is expected to move forward in the next few weeks.

Councilman Stokes discussed the new Westfield Connect app. Feels it has been a success and commended all involved with its implementation.

The Town Administrator thanked the Department of Public Works for their efforts with Westfield Connect. Stated that there have been many requests received through the app and reminded all that the Town is still learning, but feels the program has worked well.

Councilman Contract stated that he tested the app and feels it is user friendly. Also thanked the Chiefs for hosting the breakfast with senior citizens.

#### Mayor's Remarks

- Thanked the senior citizens that attended the Breakfast with the Chiefs last week, and extended a special thanks to Police Chief Battiloro and Acting Fire Chief Tiller for meeting with the group and answering their questions. Stated that residents could expect more events like this and referenced the recent Pizza with the Police and the WPD's

Autism Family Day as examples. Feels both departments continue to focus on community policing and engagement models that prioritize interaction and establishing relationships with the public. Also thanked Lifelong Westfield, an initiative of the Senior Advisory Council, which is comprised of dedicated volunteers who are more closely integrating the senior population into community events;

- Discussed Girls' Night Out and stated that it was a huge success with over one thousand (1,500) registered attendees from twenty-one (21) towns in New Jersey and ten (10) different states. The feedback from the merchants was that there was a significant increase in daytime attendance this year. Explained that the purpose of these events is to drive foot traffic to benefit local merchants and thanked the DWC for its efforts. In addition, announced that Second Sunday events would begin with "Get Fit on Quimby" on June 9, which would include a stretch session by Kika Stretch Studio, a yoga class led by Satsang Yoga and Brassy Buddha Yoga Studio, and a cardio dance flash mob;
- Welcomed new Downtown businesses Cinnaholic, Bespoke by Gambert, the Roig Gallery, and JAG Physical Therapy. Also announced that Spice Bazaar would be opening its new expanded location on June 10. New restaurants Buddha Fish and Innovation Taco plan to open by mid-June. In addition, discussed the social media reaction and feels everyone is excited by the announcement that Westfield's first microbrewery, Lions Roar Brewing Company, would soon be a reality with an opening planned for this fall;
- Discussed the Memorial Day Parade scheduled for Monday, May 27 at 9:00 AM. Stated that in addition to the tribute to veterans and the participation of many Westfield organizations, there would also be a celebration of the 100th Anniversary of the parade sponsor, American Legion Post 3, who has named the beloved Dr. Derrick Nelson as Honorary Grand Marshal, in honor of his service. Stated that she looks forward to honoring Dr. Nelson's legacy, along with the many brave men and women who have paid the ultimate sacrifice for all of us;
- Discussed the public input received in connection with the Parks and Recreation Strategic Plan and stated that more than one thousand, six hundred (1,600) participants casted nearly forty thousand (40,000) votes and provided two thousand, four hundred (2,400) comments on the Strategic Parks Plan survey. Discussed the next step in the process which involves a presentation by the Town's consultant of these findings, along with all previous analyses, to the Steering Committee within the next month, with final recommendations to be presented this fall. Feels it is an exciting time and thanked those for providing input to help shape the Town's future;
- Announced that the Town Council would be voting to adopt an updated version of the Town's Tree Preservation Ordinance. Explained that there would be number of changes being made, all with the goal of being more proactive about protecting the Town's trees, particularly with regard to the ongoing development in Town. These more stringent requirements are being implemented with an eye toward thoughtful preservation, including neighboring property notification requirements, increased fees for removal applications and penalty fines, and mandated donations to the tree trust fund above a certain removal threshold;
- Thanked Robert and Pam Newell who recently historically designated their home on Clark Street, the first designation in Town since 1991. Stated that the Town would be following their example and hoping to inspire others to do the same as the Town Council votes on ordinances to designate both the Reeve House and Triangle Park as historic

landmarks. Explained that, in a town with such a rich history, prioritizing its preservation would remain a top area of importance during her administration;

- Discussed additional official action included on the agenda this evening, including an ordinance to purchase additional Public Works equipment, a resolution supporting the Police Department's Click It or Ticket campaign, and an ordinance authorizing an expansion of overnight parking in Municipal Lot No. 3.

The Town Administrator referenced Mayor Brindle's remarks concerning the Tree Preservation Ordinance and announced that nearly four hundred (400) trees have been planted this year by the Department of Public Works. Explained that the number of trees planted each year is dependent on the budget.

Councilman Contract requested clarification as to the Strategic Parks Plan survey and whether the survey is still open for comments.

The Town Administrator stated that the Strategic Parks Plan survey is now closed, but the Master Plan survey would remain open until September.

Councilman Mackey discussed the fashion show held by Progress Clothing Resale, which is a girl's vintage clothing store located on South Avenue, and encouraged all to visit this business.

## **APPOINTMENTS**

### **ADVERTISED HEARINGS**

#### **SPECIAL ORDINANCE NO. 2216**

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS, AND THE ACQUISITION OF NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS, AND EQUIPMENT, IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,760,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

#### **SPECIAL ORDINANCE NO. 2217**

"CAPITAL ORDINANCE OF THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE ACQUISITION OF VARIOUS VEHICLES, EQUIPMENT AND MACHINERY FOR THE USE OF THE DEPARTMENT OF PUBLIC WORKS IN, BY AND FOR THE TOWN, APPROPRIATING THEREFOR THE SUM OF \$1,000,000 AND PROVIDING THAT

SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWN.”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

### **PENDING BUSINESS**

An ordinance entitled, SPECIAL ORDINANCE NO. 2216 - “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS, AND THE ACQUISITION OF NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS, AND EQUIPMENT, IN, BY AND FOR THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$4,760,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE CAPITAL SURPLUS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.” by Councilman Stokes, seconded by Councilman Contract, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, SPECIAL ORDINANCE NO. 2217 - “CAPITAL ORDINANCE OF THE TOWN OF WESTFIELD, IN THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE ACQUISITION OF VARIOUS VEHICLES, EQUIPMENT AND MACHINERY FOR THE USE OF THE DEPARTMENT OF PUBLIC WORKS IN, BY AND FOR THE TOWN, APPROPRIATING THEREFOR THE SUM OF \$1,000,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWN.” by Councilman Stokes, seconded by Councilman Dardia, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

Mackey  
Mayor Brindle

## **BIDS**

### **MINUTES**

On a motion by Councilwoman Mackey and seconded by Councilman LoGrippe, Council approved the Minutes of the Town Council Conference Session, Regular Meeting and Executive held May 7, 2019.

## **PETITIONS AND COMMUNICATIONS**

### **OPEN DISCUSSION BY CITIZENS**

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

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

### **BILLS AND CLAIMS**

On motion by Councilwoman Neylan, and seconded by Councilman Dardia, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$274,738.97 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 Neylan, and seconded by Councilman Stokes, were unanimously adopted.

#### **Resolution No. 126**

RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

Robert M. Saunders 241 North Ave West, Suite 200 Westfield, NJ 07090	Lot 8	#19080211	\$400.00
Daniel Ehrlich 1002 Boulevard Westfield, NJ 07090	SS RR Stn/Lot 3	#19030443	\$184.00

**Resolution No. 127**

RESOLVED that the Chief Financial Officer be and is hereby authorized to issue a warrant for \$6.00 for the overpayment of the 2019 Animal License application fee to:

Rachele Price  
421 Tuttle Parkway  
Westfield, NJ 07090

**Resolution No. 128**

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

Name	Account	Class	Fee
William Gee 102 Marion Ave Westfield, NJ 07090	Tennis/Rec Trust 217	Refund / Safe Sitter Class Victoria Gee May Class Cancelled	\$95.00
Brendan Hickey 124 Marion Ave Westfield, NJ 07090	Pool #195	Refund Overpaid Membership	\$100.00

**Resolution No. 129**

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2019:

Block/Lot/Qualifier	Quarter/Year	
Name	Property Address	Amount
701/35	240 Seneca Place	1 <sup>st</sup> /2019
SWANSON, Jeffrey Lee & Stacey L		\$4,360.30

**Resolution No. 130**

WHEREAS, the following applicants have posted monies to be held in escrow to cover expert advice and testimony in connection with Board of Adjustment and Planning Board applications on said property; and

WHEREAS, expert advice and testimony was given, and

WHEREAS, all bills for these applications have been submitted and paid; and

WHEREAS, the applicant has requested in writing to have the balance of escrow monies be released to them;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is authorized to draw a check for the balance of the escrow monies as follows:

<b>App #</b>	<b>Name</b>	<b>Address</b>	<b>G/L</b>	<b>Refund Balance</b>
PB 17-06	569 Downer, LLC.	569 Downer Street	9-05-550-287	\$296.81
<b>Return to:</b>	<b>Javerbaum Wurgaft</b>	<b>370 Chestnut Street</b>	<b>Union NJ</b>	<b>07083</b>
PB 18-03	227 Elmer Street, LLC.	227 Elmer Street	9-05-550-300	\$40.21
<b>Return to:</b>	<b>Michael Hertz</b>	<b>304 Roanoke Road</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 18-04	570 Westfield Avenue, LLC.	570 Westfield Avenue	9-05-550-301	\$212.12
<b>Return to:</b>	<b>Robert Panza</b>	<b>100 Winchester Way</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 18-05	John Butler & Katherine Brown	226 Lynn Lane	9-05-550-302	\$412.12
<b>Return to:</b>	<b>John Butler &amp; Katherine Brown</b>	<b>226 Lynn Lane</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 18-07	Broad Realty, LLC.	435 East Broad Street	9-05-550-304	\$261.38
<b>Return to:</b>	<b>Ella Shuster</b>	<b>616 S. Chestnut Street</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-25	Bradley & Penelope Pulliam	129 Hazel Avenue	9-05-560-688	\$447.81
<b>Return to:</b>	<b>Bradley &amp; Penelope Pulliam</b>	<b>129 Hazel Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-29	Paul Panaro	214 Edgewood Avenue	9-05-560-692	\$671.71
<b>Return to:</b>	<b>Paul Panaro</b>	<b>214 Edgewood Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-43	Heffernan/Su	515 A/B Carleton Road	9-05-560-706	\$347.81
<b>Return to:</b>	<b>Lindabury McCormick</b>	<b>53 Cardinal Dr P.O. Box 2369</b>	<b>Westfield NJ</b>	<b>07091</b>
BOA 18-45	Robert Dufkis	5 Thomas Court	9-05-560-708	\$197.81
<b>Return to:</b>	<b>Robert Dufkis</b>	<b>5 Thomas Court</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-46	Jacqueline Stelling	146 Harrison Avenue	9-05-560-709	\$697.81
<b>Return to:</b>	<b>Jacqueline Stelling</b>	<b>145 Harrison Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-47	Timothy & Christine Booher	200 East Dudley Avenue	9-05-560-710	\$197.81
<b>Return to:</b>	<b>Timothy &amp; Christine Booher</b>	<b>200 East Dudley Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-49	Matthew Strycharz	120 Marlboro Street	9-05-560-712	\$947.81
<b>Return to:</b>	<b>Matthew Strycharz</b>	<b>120 Marlboro Street</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-50	Jeffrey Rush	801 Harding Street	9-05-560-713	\$447.81
<b>Return to:</b>	<b>Jeffrey Rush</b>	<b>801 Harding Street</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-51	Alexandro Posada	822 Village Green	9-05-560-714	\$447.81
<b>Return to:</b>	<b>Alexandro Posada</b>	<b>822 Village Green</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-52	Rebecca & Jonathan Schaffer	538 Colonial Avenue	9-05-560-715	\$197.81
<b>Return to:</b>	<b>Rebecca &amp; Jonathan Schaffer</b>	<b>538 Colonial Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-54	Vineet & Shweta Jain	700 Boulevard	9-05-560-717	\$447.81
<b>Return to:</b>	<b>Vineet &amp; Shweta Jain</b>	<b>700 Boulevard</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-56	Kenneth & Donna Pace	638 Kimball Avenue	9-05-560-719	\$947.71
<b>Return to:</b>	<b>Kenneth &amp; Donna Pace</b>	<b>638 Kimball Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>

BOA 18-57	Jamie Keim	35 Azalea Trail	9-05-560-720	\$197.81
<b>Return to:</b>	<b>Jamie Keim</b>	<b>35 Azalea Trail</b>	<b>Westfield</b>	<b>07090</b>
BOA 18-58	Michael Varano	1001 Wyandotte Trail	9-05-560-721	\$250.00
<b>Return to:</b>	<b>Michael Varano</b>	<b>1001 Wyandotte Trail</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-61	Brett Kahn	606 Benson Place	9-05-560-724	\$447.81
<b>Return to:</b>	<b>Brett Kahn</b>	<b>606 Benson Place</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-62	Lori Spector	132 Marlboro Street	9-05-560-725	\$447.81
<b>Return to:</b>	<b>Lori Spector</b>	<b>132 Marlboro Street</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-63	Devin & Kerry Clarke	529 Wychwood Road	9-05-560-726	\$447.81
<b>Return to:</b>	<b>Devin &amp; Kerry Clarke</b>	<b>529 Wychwood Road</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-64	Raymond & Gail Mooney	815 Dartmoor	9-05-560-727	\$197.81
<b>Return to:</b>	<b>Raymond &amp; Gail Mooney</b>	<b>815 Dartmoor</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-65	Robert Rossitto	817 Lenape Trail	9-05-560-728	\$197.81
<b>Return to:</b>	<b>Robert Rossitto</b>	<b>1350 Overhill Street</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-66	Jeanne Martel	250 Seneca Place	9-05-560-729	\$447.81
<b>Return to:</b>	<b>Jeanne Martel</b>	<b>250 Seneca Place</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-69	Kevin & Michelle McGurn	421 Birch Avenue	9-05-560-732	\$447.81
<b>Return to:</b>	<b>Kevin &amp; Michelle McGurn</b>	<b>421 Birch Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 19-02	Thomas & Brittany Moore	1121 Wychwood Road	9-05-560-734	\$447.81
<b>Return to:</b>	<b>Thomas &amp; Brittany Moore</b>	<b>1121 Wychwood Road</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 19-03	Eric Mulchaski	909 North Avenue West	9-05-560-735	\$447.81
<b>Return to:</b>	<b>Eric Mulchaski</b>	<b>909 North Avenue West</b>	<b>Westfield NJ</b>	<b>07090</b>

**General Ordinance No. 2132:**

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

I hereby move that an ordinance entitled, "AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2105 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." be approved on first reading.

The motion was seconded by Councilman Contract.

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

Yeas: Arena  
Dardia  
Neylan  
LoGrippto

Nays:

Absent: Habgood

Contract  
Stokes  
Mackey  
Mayor Brindle

Heretofore introduced, General Ordinance No. 2132 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 4th day of June 2019 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Safety, Transportation and Parking Committee

The following resolutions, introduced by Councilman Dardia, Chairman of the Public Safety, Transportation and Parking Committee, and seconded by Councilman LoGrippe, were unanimously adopted.

**Resolution No. 131**

WHEREAS, the safety and security of the citizens of the Town of Westfield is vitally important; and

WHEREAS, a large percentage of our citizens regularly drive or ride in motor vehicles on our roadways; and

WHEREAS, the use of seat belts in passenger vehicles saved an estimated 14,955 lives of occupants 5 and older in 2017; and

WHEREAS, regular seat belt use is the single most effective way to reduce fatalities in motor vehicle crashes; and

WHEREAS, the use of seat belts is supported by the laws of the State of New Jersey and the Town of Westfield; and

WHEREAS, May 20 – June 2, 2019, has been designated as the national “*Click It or Ticket*” seat belt enforcement mobilization period; and

WHEREAS, across the country, law enforcement officers will actively be participating in this mobilization to ensure that all motor vehicle occupants are buckled up, both day and night, to reduce the risk of injury and death caused in traffic crashes; and

WHEREAS, increased enforcement of seat belt laws, coupled with publicity, has proven to be an effective method to increase seat belt use rates and decrease fatal crashes.

THEREFORE, now be it resolved that the Town of Westfield does hereby declare its support for the “*Click It or Ticket*” Seat Belt Enforcement Mobilization, both locally and nationally, from May 18 – June 2, 2019, and urges all of its citizens to always wear seat belts when driving or riding on our roadways.

**Resolution No. 132**

WHEREAS, a need exists in the Police Department for the purchase of uniforms for the Police Department, and

WHEREAS, bids for the aforesaid purchase were advertised on April 6, 2017 to be returnable on April 19, 2017; and

WHEREAS, bids were received for aforesaid purchase on April 19, 2017; and

WHEREAS, the bid submitted by Galls, LLC DBA Universal Uniform Sales Co., Inc., has been analyzed and found to be responsive with the option to renew the contract for three (3) subsequent years,

WHEREAS, Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this renewed 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 2019 Police Operating Accounts 130-223 (\$2,000), 130-226 (\$3,000) and 130-246 (\$23,000).

NOW, THEREFORE BE IT RESOLVED that the Town of Westfield award the contract in the amount of \$28,000 to Galls, LLC DBA Universal Uniform Sales Co., Inc., PO Box 1015 Broad Street, Newark, NJ 07201 for aforesaid uniforms, under Purchase Order 19-01963.

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.

**General Ordinance No. 2133:**

Regarding the following ordinance, Councilman Dardia made the following announcement:

I hereby move that an ordinance entitled, “AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 13.” be approved on first reading.

The motion was seconded by Councilman LoGrippo.

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

Yeas: Arena  
Dardia  
Neylan  
LoGrippo

Nays:

Absent: Habgood

Contract  
Stokes  
Mackey  
Mayor Brindle

Heretofore introduced, General Ordinance No. 2133 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 4th day of June 2019 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**General Ordinance No. 2134:**

Regarding the following ordinance, Councilman Dardia made the following announcement:

I hereby move that an ordinance entitled, "AN ORDINANCE AMENDING THE CODE OF THE TOWN OF WESTFIELD, NEW JERSEY, TO PERMIT OVERNIGHT PARKING ON THE WEEKENDS." be approved on first reading.

The motion was seconded by Councilman Contract.

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

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

Heretofore introduced, General Ordinance No. 2134 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 4th day of June 2019 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Code Review & Town Property Committee

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

**Resolution No. 133**

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.

The Liquor Basket

115 Quimby Street

**Resolution No. 134**

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

Mohammed Awawda  
Good Humor  
700 Probst Avenue  
Fairview, NJ 07022

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. 135**

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

Jersey Jumpy  
PO Box 217  
Iselin, NJ

Block Party  
May 27, 2019  
174 Harrison Ave  
Westfield, NJ 07090

Lauren Colon  
174 Harrison Ave  
Westfield, NJ

Amazing Amusements  
238 Boundary Road  
Marlboro, NJ 07746

McKinley School Field Day  
June 7, 2019  
500 First Street

McKinley School PTO  
500 First Street  
Westfield NJ, 07090

## Westfield, NJ

**Resolution No. 136**

WHEREAS, by application to the Westfield Historic Preservation Commission, The Town of Westfield, requests to designate the property located at 201 Mountain Avenue, Westfield, New Jersey, 07090, shown on the Town tax maps as block 2407, lot 1, and commonly known as “Triangle Park” a historic landmark (“the property”), and

WHEREAS, pursuant to the provisions contained within the Historic Designation and Preservation Ordinance of the Town of Westfield, the Historic Preservation Commission gave full and complete consideration to the petition for historic designation of the property; and

WHEREAS, the Historic Preservation Commission held a public hearing on February 25, 2019 on the proposed historic designation of the property where all those who desired to be heard were heard; and

WHEREAS, the Historic Preservation Commission adopted Resolution Number 19-01 which sets forth its findings of fact, describes any public input received during the public hearing, and provides its rationale for its final decision on the historic designation which is to approve the application for historic preservation designation of the property; and

WHEREAS, at a public meeting held on May 6, 2019, the Town Planning Board reviewed the proposed designation pursuant to the Historic Designation and Preservation Ordinance of the Town of Westfield and New Jersey Municipal Land Use Law Section 40:55D-26 and found that designation of the property would be consistent with the goals and objectives contained within the Master Plan; and

WHEREAS, the Town Planning Board noted that the property is identified within the Historic Preservation Element of the Town Master Plan as being part of the Dudley Park – Kimball Avenue Historic Districts, but is not identified separately as an individual historic site. Although not identified as an individual historic site in the Historic Preservation Element, it contributes to the historic fabric of the Town of Westfield.

WHEREAS, the Town Planning Board recommends that as the property is not identified as an individual historic site, but rather as part of a historic district within the Historic Preservation Element of the Town Master Plan, that the Mayor and Council include the reasoning behind designation as a historic site within a resolution, and record the reasoning in the meeting minutes pursuant to the New Jersey Municipal Land Use Law Section 40:55D-65.1; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield, in the County of Union and the State of New Jersey that Triangle Park is of

particular historic and cultural significance to the Town of Westfield, and that the character of the Town depends in great measure upon the Town protecting its heritage of the past, and the ongoing presence of historic landmarks are an essential element of municipal character and identity.

BE IT FURTHER RESOLVED, that the resolution and report of the Historic Preservation Commission attached hereto provide evidence of the historic and cultural significance of Triangle Park to the Town of Westfield.

BE IT FURTHER RESOLVED, that a copy of this resolution, and resolution and report of the Westfield Historic Preservation Commission be recorded in the minutes of the governing body.

**General Ordinance No. 2135:**

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

I hereby move that an ordinance entitled, “AN ORDINANCE DESIGNATING 314 MOUNTAIN AVENUE, SHOWN ON THE TOWN TAX MAPS AS BLOCK 2403, LOT 10 AND COMMONLY KNOWN AS THE “REEVE HOUSE”, AS A HISTORIC LANDMARK AND MODIFYING THE ZONING MAP.” be approved on first reading.

The motion was seconded by Councilman Stokes.

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

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

Heretofore introduced, General Ordinance No. 2135 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 4th day of June 2019 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**General Ordinance No. 2136:**

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

I hereby move that an ordinance entitled, “AN ORDINANCE DESIGNATING 201 MOUNTAIN AVENUE, SHOWN ON THE TOWN TAX MAPS AS BLOCK 2407, LOT 1 AND COMMONLY KNOWN AS THE “TRIANGLE PARK”, AS A HISTORIC LANDMARK AND MODIFYING THE ZONING MAP.” be approved on first reading.

The motion was seconded by Councilman Dardia.

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

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

Heretofore introduced, General Ordinance No. 2136 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 4th day of June 2019 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**General Ordinance No. 2137:**

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

I hereby move that an ordinance entitled, “AN ORDINANCE TO AMEND AND RESTATE THE TREE PRESERVATION ORDINANCE OF THE TOWN OF WESTFIELD.” be approved on first reading.

The motion was seconded by Councilman LoGrippo.

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

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

Stokes  
Mackey  
Mayor Brindle

Heretofore introduced, General Ordinance No. 2137 does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 4th day of June 2019 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Public Works Committee

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

**Resolution No. 137**

WHEREAS, a need exists for the purchase of public works related equipment as provided for in Special Ordinance No. 2217, and

WHEREAS, the contract to purchase this equipment is to be awarded to authorized vendors through various Cooperative Purchasing Agreements, 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 a Cooperative Contract, specifically, National Joint Powers Alliance Contracts #080818-HPI and #081716-NAF, a resolution must be adopted by the Governing Body, and

WHEREAS, the Town Treasurer certifies to the availability of adequate funds for payment, which will be in the amount of \$180,906.00, subject to final adoption of Special Ordinance No. 2217, prepared in accordance with N.J.A.C. 5:30 1.10, under Purchase Order 19-01967 (for Brown's Hunterdon) and 19-01968 (for Henderson Truck Equipment)..

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

Brown's Hunterdon  
963 State Route 173  
P.O. Box 98  
Bloomsbury, NJ 08804

(1) 2020 MACK GRANITE 42FR MHD Cab/Chassis

\$100,881.00

Henderson Truck Equipment NJ  
94 North Dell Avenue  
Kenvil, NJ 07847

- (1) 10' Stainless Steel Dump Body with 11' reversible plow \$ 80,025.00

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.

**Resolution No. 138**

WHEREAS, the Town hired HL Petroleum Co., Inc., a Licensed Site Remediation Professional (LSRP) to perform the necessary environmental investigation and evaluation of municipally-owned facilities in the Town of Westfield, which are currently out of compliance with New Jersey Department of Environmental Protection (NJDEP) regulations, and

WHEREAS, during the course of their investigation, HL Petroleum Co., Inc., has determined that additional testing and evaluations are necessary in order to comply with these NJDEP regulations, and

WHEREAS, the Town Engineer has reviewed the Proposals and recommends that a professional services contract for the aforementioned services as outlined in the Proposals for the Public Works Complex, dated March 11, 2019, be continued with HL Petroleum Co., Inc., P.O. Box 1247, 2020 Clinton Street, Linden, NJ 07036, pursuant to N.J.S.A. 40A:11-6 – “Emergency Contracts”, and

WHEREAS, Certificate of the Town Treasurer, certifying to 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 to be charged to Public Works Operating Account 137-254 under Purchase Order #19-01957 (\$13,377.30) and Accounts Payable Account 9-01-900-211 under Purchase Order 14-02280 (\$3,876.00), 14-24350 (\$3,218.70) and 18-04267 (\$7,028.00).

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield that the aforementioned contract for professional engineering services be awarded to HL Petroleum Co., Inc., P.O. Box 1247, 2020 Clinton Street, Linden, NJ 07036, in an amount not to exceed \$27,500.00.

**Resolution No. 139**

WHEREAS, a need exists for the purchase of public works related equipment, specifically a firewood super-splitter, as provided for in Capital Improvement Fund, SO 2215A, and

WHEREAS, the Town Engineer advertised the contract for bids to be received on October 24, 2018, and

WHEREAS, no bids were received, and the Town Engineer was authorized to readvertise for this service, and

WHEREAS, bids were next advertised to be received on May 1, 2019, and

WHEREAS, again, there was no bid response to the advertisement, and

WHEREAS, the New Jersey Public Contracts law permits contracts to be negotiated at fair and reasonable prices for the respective services when bidding on two occasions has been unsuccessful.

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is hereby authorized to negotiate for prices for the purchase of a firewood super-splitter.

#### Reports of Department Heads

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$65,421.00 for the month of April 2019 was received, read and ordered filed.

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$14,673.00 during the month of April 2019 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 \$77,971.00 representing monies collected during the month of April 2019.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$48,978.55 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of April 2019 was received, read and ordered filed.

Report of Anthony Tiller, Acting Chief of the Fire Department, showing Fees collected in April 2019 in the amount of \$8,358.00 was received, read and ordered filed.

Report of Christopher Battiloro, Chief of the Police Department, showing fee collecting in the amount of \$8,178.55 during the month of April 2019.

#### Town Council comments:

Councilman Stokes provided an update of PSE&G's 69kV project and stated that he and Councilman Contract have another scheduled meeting with PSE&G representatives on May 30. Explained that PSE&G is considering the Conrail line as an alternative route to the South Avenue route. Explained that, in the meantime, no work would be done in connection with this project.

#### ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippto and seconded by Councilman Contract at 8:45 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk