

## **MINUTES OF REGULAR MEETING HELD MAY 22, 2018**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, May 22, 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, Arena, Dardia, Neylan, LoGrippo, Contract, Stokes, Mackey

**ABSENT:** None

### **INVOCATION AND FLAG SALUTE**

Mayor Brindle announced the sudden passing of Detective Eric Lieberman, a 27-year veteran of the Westfield Police Department, and requested a moment of silence following the Invocation.

Invocation was given by Councilman Arena, followed by the flag salute

### **PRESENTATIONS**

#### Town Administrator's Reports

- Provided an update of the bulky waste program and announced that the Town is currently negotiating with potential vendors. Explained that the Town is hopeful to have a program in place in the fall, but the cost and the length of time to complete collection is expected to increase. Also discussed the bulky waste program at the Conservation Center, which is available to residents at a cost of \$30/carload;
- Provided an update of road improvements and announced that notices to bidders have been advertised, with a deadline for response and contract awards occurring in June;
- Announced that the collection of storm debris was completed on May 11 and that the Department of Public Works has resumed with its normal responsibilities. Also announced that Union County was contacted for the removal of debris from Union County roads. Thanked residents for their compliance and patience.

#### Mayor's Remarks

- Announced that the Department of Public Works is completing storm debris collection, as well as planting and mulching around Town. Also thanked Keller Williams, in partnership with Williams Nursery, for sponsoring a beautification effort at the south side train station flower bed;

- Congratulated the Westfield Historical Society on the celebration of its 50<sup>th</sup> Anniversary at Echo Lake Country Club, which featured former Governor Tom Kean. Stated that Councilwoman Dawn Mackey was also in attendance and presented a proclamation on behalf of the Town;
- Discussed her attendance at a banquet hosted by the Boosters to celebrate Westfield High School senior athletes. Stated that thirty-one (31) athletes were presented with various scholarships, which she feels demonstrated the breadth of the academic and athletic excellence of this senior class. Also congratulated senior Natalie Bond, who was the recipient of the President's Award, and would be continuing her lacrosse career at Stanford in the fall;
- Stated that she had the pleasure of speaking to Ms. Conneely's 7th grade social studies class at Roosevelt Intermediate School, which is also her son's class, and shared with the students some of the Town's most unusual ordinances;
- Extended her thanks to Brad Chanie and Phil Michel, co-chairs of the Senior Citizen Advisory Council, for hosting a senior citizen's breakfast on May 18, 2018. Stated that there was a large turnout, and breakfast was provided by Vine Ripe Market. Attendees completed a survey about services they would like provided by the Town, and how the Town could best communicate with them. Feels senior citizens are critical to the vitality of the community, and that the Town is committed to ensuring that they are included and able to remain as residents of Westfield;
- Congratulated the Downtown Westfield Corporation for the sponsoring the recent "Girls Night Out" event. Announced that over one thousand, five hundred (1,500) women registered to attend the event, and feels it was a great success;
- Announced that the Annual Memorial Day Parade would be held on Monday, May 28, 2018 at 9:00 AM. Stated that she looks forward to seeing the community participate and is hopeful for good weather;
- Announced that Council would be voting tonight on a resolution allowing her to execute a lease agreement with Union Sports Arena for a temporary ice rink at Gumbert Park. If passed, the resolution would allow the Town to negotiate and execute a lease for the installation of a temporary rink, subject to reaching final agreement on terms, and obtaining all required permits and approvals from the Town. Discussed the history of the proposal, explaining that it has been in process for a few years, predating this Council. Also explained that it was thought worthy of consideration by the previous administration, but did not seem feasible until Union Sports Arena agreed to be the management entity. Discussed the initial review of the proposal by the Recreation Commission, then the Code Review and Town Property Committee, and ultimately the Town Council. Feels the proposal meets two of the objectives she had prioritized since being elected; to improve services to residents at little or no cost to taxpayers, and to increase community engagement. Explained that she is evaluating the proposal on those merits, while taking into consideration the impact on the neighborhood. Assured residents that she has no other vested interest and is not a "hockey mom". Stated that she also does not have a relationship with Union Sports Arena. Discussed input received from neighbors of Gumbert Park, who have expressed legitimate concerns about noise, traffic and safety. Input was also received from neighbors offering their support for the proposal. Feels many accommodations have been made to mitigate concerns, but believes there would be some inconveniences. Assured residents that if the proposal moves forward, the Town is committed to making it a positive experience for all, including establishing a neighborhood ice rink forum that would enable neighbors of Gumbert Park to provide regular feedback and direct communication with Union Sports Arena. Also

discussed the fact that this proposal is being considered for a four (4) month trial, and the assessment afterwards would include input from neighbors of the park, the hockey and non-hockey communities, and Union Sports Arena, to determine the future viability of a temporary ice rink and appropriate locations going forward. Reminded residents that they are all neighbors, regardless of the results of Council's vote, and that every perspective matters. Also requested that residents remain respectful of differing points of view and to refrain from cheering, jeering and general disruption.

**APPOINTMENTS**

**ADVERTISED HEARINGS**

“SPECIAL ORDINANCE NO. 2215 - 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 \$1,550,000 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. 2215 - 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 \$1,550,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM THE CAPITAL IMPROVEMENT FUND OF THE TOWN.” 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  
LoGrippto  
Contract  
Stokes  
Mackey  
Mayor Brindle

Nays: Arena  
Neylan

Absent:

**BIDS**

## **MINUTES**

On a motion by Councilman LoGrippo and seconded by Councilwoman Mackey, Council approved the Minutes of the Town Council Conference Session and Regular Meeting held May 8, 2018, Executive Sessions held April 10, and May 8, 2018, Emergency Conference Session held May 17, 2018 and Emergency Executive Session held May 17, 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.

Susan Levy, 635 Salter Place, spoke in opposition to the proposed ice rink. Explained that while she appreciates some concessions made, feels this proposal only benefits the hockey community. Also stated that she is “appalled” that a Green Acres site is being utilized for this endeavor. Feels the tent to be installed is an industrial structure and listed commercial properties that she feels would be a more appropriate site as opposed to a residential neighborhood. Expressed concern with the proposed lighting as well as traffic and parking issues she feels would result. Discussed existing parking and traffic issues that occur during baseball season and urged the Town Council to vote against this proposal.

John McDevitt, 180 Lincoln Road, board member of Westfield Hockey Club, feels the proposed temporary hockey rink allows for a community benefit, as the site requires no investment from the Town or taxpayers. Also discussed the fact that it is being proposed on a trial basis. Feels it is a smart plan that deserves the support of the Mayor and Town Council.

Matt Maranz, 627 Salter Place, discussed his involvement in coaching and stated that he is a hockey fan. Explained that he would like to support the temporary ice rink, but feels he cannot because of the negative impact he believes it would have on the neighborhood. Questioned what has prompted this proposal to occur. Feels there has been no outcry for a hockey rink in the past and the Town is attempting to resolve a problem that does not exist. Stated that he would like a “cute” community rink in Town, but feels this is not what is being proposed. Also feels that Union Sports Arena is proposing this plan to expand its business and profits and provides very little advantage to Westfield residents. In addition, stated that only four (4) hours of public ice time per week would be permitted, which would yield a small percentage of profit. Also feels local Garwood businesses and Union Sports Arena stand to profit the most from this proposal. Discussed travel time “hockey parents” feel they will save with a local rink, and feels the amount of time saved would be minimal. Also feels this proposal might eventually cost the Town money and believes better terms should be negotiated. Feels harm is being inflicted on a residential neighborhood for no reason.

Logan Calder, 400 Salter Place, discussed the basketball courts and fields currently available at schools and the fact that there is no local rink available. Referred to a previous comment that there has been no “outcry” for an ice rink, but feels the number of people in attendance tonight is evidence that there is a need for a rink. Discussed the fact that the rink is being proposed on a trial basis and feels it would be a waste if the Town did not at least give the proposal a chance.

Reed, 524 Washington Street, feels it would be “cool” to have a rink in Town. Also feels it would allow players to get home more quickly for homework.

Shana Wallack, 638 Fourth Avenue, requested that the Council vote no on the temporary ice rink at Gumbert Park. Stated that she agrees there is a need for an ice rink that needs a solution, but feels further discussion is necessary. Urged the Town Council to put themselves in the position of the residents of the Gumbert Park neighborhood.

Maggie Katz, 4 Pine Court, spoke in support of the proposed ice rink. Discussed the amount of time spent traveling to and from other rinks, and the need to coordinate carpools because not all players are able to drive. Also discussed instances in which vans were rented for travel to rinks which becomes costly. Urged the Town Council to vote in favor of the temporary rink at Gumbert Park.

Ben Handwerker, 721 Scotch Plains Avenue, 7<sup>th</sup> grade student, stated that he has played hockey since he was five (5) years old. Discussed his involvement in establishing the Police and Fire Department hockey game. Also discussed Ken Anderson of Union Sports Arena's contribution to the Westfield community. Feels there is a loyalty in sports amongst team members and all players, and feels that same loyalty is needed amongst neighbors.

Ellie Meacock, 643 South Chestnut Street, stated that she understands the need for an ice rink because she runs track and faces similar issues with travel time to meets, but feels the proposed ice rink at Gumbert Park would benefit the hockey community only, at the expense of the neighborhood. Feels parking and traffic issues would result, which would also create safety issues. Urged the Town Council to vote against the proposed ice rink.

Chris Forno, 136 Harrison Avenue, President and co-founder of the Westfield Hockey Club, thanked the Mayor and Town Council for its support. Explained that the Council would be voting to negotiate for a four (4) month temporary plan. Feels this is an opportunity for the Town and brings professional management to an underutilized site, as well as site improvements to the park. Also explained that Union Sports Arena is searching for a commercial site, but is also looking for a temporary solution until a permanent site can be located. Feels there are over three hundred (300) hockey players and their families that would benefit from this proposal.

Colleen Meacock, 543 South Chestnut Street, requested that the Town Council take more time to consider this proposal. Explained that on May 1, 2018, residents were first notified of this proposal, followed by a Facebook Live broadcast and a Q&A on the Town's website. Believes residents have only had approximately fourteen (14) days to understand all aspects of this proposal. Discussed her concerns with the proposal and asked why it is being rushed. Also asked if the Green Team has been consulted for input regarding the proposal. Urged the Town Council to vote against the proposed ice rink at Gumbert Park.

Sara Bernardes, 42 Sandy Hill Road, stated that she has been playing hockey for one year and enjoys the sport. Explained that the only problem is that there are only two (2) nearby rinks and that several schools and clubs have to compete with each other for ice time. Feels allowing a rink at Gumbert Park would allow the hockey program to expand. Also feels that since it is being proposed on a trial basis, it does not have to continue if it is not successful.

Alex Sumas, 1021 Wyandotte Trail, stated that she plays both ice hockey and field hockey and explained that playing surfaces makes a difference. Feels there are many fields available for other sports, but learning and practicing skating is impacted because of limited ice time. Also discussed

the impact traveling time has to schoolwork. Feels approving the ice rink at Gumbert Park would have a positive impact on both the boys and girls hockey teams.

Deborah Valencia, 924 Harding Street, stated that she is not a hockey parent, but is an ice skater, and feels residents should remember that the proposed hockey rink is being considered as a temporary arrangement.

Greg Simpson, 500 Salter Place, stated that he commutes to New York City and walks to the bus stop from his home. Feels the proposed ice rink could create a safety issue for those who walk to the bus stop during the evening hours. Requested that the Town Council vote against the proposed ice rink.

Ally Hornstein, 23 Plymouth Road, stated that she plays hockey and feels an ice rink at Gumbert Park is a safer option for players because of highways that need to be traveled to existing rinks. Also discussed accessibility to those rinks and feels statements that they are only a twenty (20) minute drive away are inaccurate. Also stated that it should not be assumed that parents are available to drive players to those rinks, and a local rink would allow players to drive each other. Also discussed the expansion of the sport which has resulted in a need for more rinks.

Ray Garguilo, 1001 Cranford Avenue, feels residents are in attendance tonight because the Union County Freeholders have not responded to the needs of residents. Discussed proposals for ice rinks at Union County properties that were supposed to move forward but did not. Feels Westfield should stand together against Union County Freeholders to demand that the needs of residents are met.

Alex Faust, 550 Hillcrest Avenue, stated that he can see both sides of the argument concerning the proposed ice rink, but feels a decision should not be made within a short timeframe. Also feels a permanent solution, not a temporary one, should be found. Stated that he supports the Town and hopes a solution is found.

Megan Ryan, 549 Fairmont Avenue, thanked Union Sports Arena for proposing this option to Westfield. Discussed the number of sports her children are involved in and feels this demonstrates the many opportunities the Town provides to its residents. Believes the proposed ice rink is another opportunity being offered to the community and thanked the Town Council for its consideration.

Will Meacock, 543 South Chestnut Street, urged the Town Council to vote against the proposed ice rink at Gumbert Park. Explained that he empathizes with the hockey community but feels it is unfair to rush the proposal through at the expense of the community. Also feels installing a temporary ice rink at the site is technically a change in use and requires ninety (90) days notice for a public hearing. Also feels the installation of the tent and other equipment are not temporary structures.

Matt Calder, 400 Salter Place, commended the young people that spoke this evening. Explained that this proposal is not about the inconvenience of travel time to rinks, but the fact that players are being turned away from the sport because the increase in players cannot be accommodated with the limited facilities that exist.

Paul Savin, 524 Salter Place, discussed the proposed ice rink and explained that he does not want players to be turned away from the sport, but feels a better location is needed. While he understands

the rink would be temporary, feels safety issues would be created. Also feels the Town will regret its decision if this proposal moves forward and a child is hit by a car. Suggested alternative locations such as Tamaques Park and Memorial Pool. Feels those locations would be more appropriate because they are more remote.

Emmanuel Pantow, 518 Parkview Avenue, middle school student, feels if the ice rink was proposed to benefit the residents of Westfield, than it does not make sense to put it elsewhere. Discussed the fact that the rink would be temporary and stated that the Anderson family confirmed this because the equipment would be rented. Also explained that the Anderson family selected the Gumbert location because it has a surface that would be readily available for the upcoming season. Referred to concerns that the chillers would generate too much noise and feels this problem has been solved because they would be in the area closest to North Avenue and away from homes. Explained that existing rinks do not provide enough ice time for the number of practices needed per team. Requested that Town Council vote in favor of an ice rink at Gumbert Park.

Frank Dill, 642 Fourth Avenue, referred to comments that the rink would be temporary and feels further clarification is needed. Also requested clarification as to how much noise, traffic and parking issues would need to result in order for the Town Council to cancel the program. Requested that the Town Council state for the record that this would be a temporary arrangement. Also discussed an existing storm drain located at the basketball court where the rink is proposed to be located and expressed concern with the impact to drainage.

Brent Wallack, 638 Fourth Avenue, urged the Town Council to vote against the proposed ice rink. Commended the children for voicing their opinions this evening. Feels an effort was made to address the concerns of residents, but feels further consideration is needed. Stated that little was done to change the hours of operation, and the decision to change the sides of the rink would do little to nothing to mitigate noise. Feels more time is needed to consider the impact to the neighborhood before a decision is made.

Sara Miller, 521 Prospect Street, stated that she decided to join the hockey team because of her friends. Feels the proposed rink would allow more time to play and learn to skate, even if the arrangement is only temporary.

Beckett Calder, Salter Place, discussed the recent school bus accident and feels having a local rink would reduce the risk of these types of accidents. Asked the Town Council to vote in favor of the proposed ice rink.

Heather Stillufsen, 667 Fourth Avenue, feels there is a need for an ice rink in Town, but does not feel it should be located at Gumbert Park. Urged the Town Council to vote against the proposed rink. Feels a decision is being rushed without a traffic or environmental study being conducted. Feels Gumbert Park is not underutilized, as per a previous comment, and believes that this proposal only benefits Union Sports Arena. Stated that when she chose to purchase her home, she did not expect a tent forty feet high with lighting for an ice rink to be installed.

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 Dardia, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$728,963.54 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 Councilwoman Mackey, were unanimously adopted.

**Resolution No. 117**

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

Name	Account	Class	Fee
Dara Beckerman 1612 Boynton Ave Westfield, NJ 07090	#195 / Pool	Refund/Pool Membership Individual/Resident In-Town	\$185.00
Randy Saperstone 630 Lenox Ave Westfield, NJ 07090	#195 / Pool	Refund/Pool Membership Family of 4 or less/Resident In-Town	\$380.00
Suzanne Dedman 925 St. Marks Avenue Westfield, NJ 07090	#195 / Pool	Refund/Pool Membership Family of 4 or less with childcare/Resident In-Town	\$560.00
Junichiro Hayashi 738 Grandview Ave Westfield, NJ 07090	#195 / Pool	Refund/Swim Lessons 1 Child - Advanced Beginner (\$55) 1 Child – Swimmer (\$55)	\$110.00

**Resolution No. 118**

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

Richard M. Skoller 1450 Garden St. Apt. S308 Hoboken, NJ 07030	SS RR Stn/Lot 3	#18030560	\$464.00
--	-----------------	-----------	----------

**Resolution No. 119**

BE IT RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons for overpayment of 2018-2019 liquor license renewal fee:

<u>Name</u>	<u>Amount</u>
MRY Associates LLC	\$40.00

**Mail to:**

MRY Associates, LLC (Attention Carol Werner)  
355 Springfield Avenue  
Summit, NJ 07901

**Resolution No. 120**

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:

<u>Block/Lot/Qualifier</u>	<u>Property Address</u>	<u>Quarter/Year</u>
1001/12.01	707 Prospect Street	2 <sup>nd</sup> /2018

**Check payable to:**

MAY, Irene C

**Mail to:**

Joyce K. Wegbreit  
218 Avon Road  
Westfield, New Jersey 07090

2805/8	728 Shackamaxon	3 <sup>rd</sup> /2018
--------	-----------------	-----------------------

**Check payable and mail to:**

WELLS FARGO HOME MORTGAGE  
WELLS FARGO REAL ESTATE TAX SERVICES  
1 HOME CAMPUS  
MAC F2302-04D  
DES MOINES, IA 50328

**Resolution No. 121**

RESOLVED that the Treasurer be and he hereby is authorized to draw warrants to the order of the following persons, this being the amount taxes were overpaid for the year 2011-2017 pursuant to the Tax Court of New Jersey:

<u>Block/Lot</u>	<u>Address</u>	<u>Year</u>	<u>Amount</u>
2311/18	522 East Broad Street	2016	\$24,739.46

**Payable to:**

Micahel I. Schneck, Trustee for

WESTFIELD PROFESSIONAL BUILDING, LLC

2017

\$28,154.07

\$52,893.53

**Mail to:**

Schneck Law Group LLC  
301 South Livingston Avenue  
Suite 105  
Livingston, New Jersey 07039

4803/2	214 Grove Street East	2011	\$5,672.25
<b>Payable to:</b>		2012	\$5,896.50
KREVSKY, SILBER & BERGEN, ATTORNEYS FOR		2013	\$10,228.75
C.F.G.R., L.L.C.		2014	<u>\$8,557.00</u>
<b>Mail to:</b>			\$30,354.50

Philip M. Krevsky, Esq.  
Krevsky, Silber & Bergen  
P.O. Box 99  
123 North Union Avenue  
Cranford, New Jersey 07016

**Resolution No. 122**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, N.J.S.A 40A:5-29 provides for receipt of Donations – Acceptance of Bequests and Gifts for the Charles Addams Festival by the municipality to provide for the operating costs to administer this act, and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Donations – Acceptance of Bequests and Gifts for Charles Addams Festival are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Town of Westfield, County of Union, New Jersey, as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations – Acceptance of Bequests and Gifts for Charles Addams Festival, as authorized under N.J.S.A. 40A:5-9.
2. The Clerk of the Town of Westfield, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**Resolution No. 123**

WHEREAS, the Qualified Purchasing Agent has recommended that a pilot program be established for the use of procurement cards where appropriate for purchases of and/or for the Town of Westfield; and

WHEREAS, the use of procurement cards can be a highly beneficial tool for local governments looking to further utilize e-commerce and strengthen their purchasing controls; and

WHEREAS, the rules adopted by the Local Finance Board governing the use of procurement cards are set forth in N.J.A.C. 5:30-9A; and

WHEREAS, the law, N.J.S.A. 40A:5-16(c) establishes the specific circumstances when procurement cards can be used; and

WHEREAS, the Chief Financial Officer and Administrator agree with the Qualified Purchasing Agent's recommendation; and

WHEREAS, the Town Council of the Town of Westfield find that a procurement card pilot program would be beneficial to the Town and wish to authorize their use and establish policy and procedures for their use as required by law; and

WHEREAS, the Procurement Card Pilot Program Policy and Procedures are attached.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield hereby adopts the Procurement Card Pilot Program Policy and Procedures attached hereto, and approves implementation of the Procurement Card Pilot Program.

This resolution shall take effect upon approval by the Town Council pursuant to law.

**Resolution No. 124**

WHEREAS, N.J.S.A. 40A:5-16 permits the use of Procurement Cards (P-cards) by local units for specific circumstances to be used for certain payments; and

WHEREAS, FIA Card Services, N.A., a Bank of America company, has been awarded the State of NJ contract to provide State agencies and Cooperative Purchasing participants with the ability to purchase goods and services through the use of a Procurement Card (P-card) Index #T-1654, Contract #84675; and

WHEREAS, the Town of Westfield, as a Cooperative Purchasing participant, is eligible to enter into this contract with FIA Card Services, N.A.; and

WHEREAS, transactions must comply with provisions of the Local Public Contracts Law and the use of a P-card will not change or eliminate provisions of that law; and

WHEREAS, internal controls that ensure compliance with the statutory authorization and the Local Finance Board's rules will be in place.

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield does hereby authorize the use of a Procurement Card in accordance with N.J.S.A. 40A:5-5.16 and N.J.A.C. 5:30-9A; and

BE IT FURTHER RESOLVED, that the Administrator shall hereby be enabled to sign the Linking Authorization Contract with FIA Card Services, N.A. for Procurement Card Services.

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 Stokes, were unanimously adopted.

**Resolution No. 125**

WHEREAS, a need exists in the Police Department for the purchase 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 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 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 2018 Police Operating Accounts 130-246, 130-223 and 130-226,

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Westfield be and hereby authorizes an award of contract in the amount of \$28,000 to Universal Uniforms Sales Co., Inc., PO Box 637, Newark, NJ 07101 for aforesaid uniforms.

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. 126**

WHEREAS, a need exists for the purchase of replacement vehicles as provided for in the 2018 Operating Budget, 165-251, and

WHEREAS, the contract for this purchase is to be awarded to an authorized vendor through various Cooperative Purchasing Agreements, and

WHEREAS, these vehicles 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 N.J. State Contract #A86922, and Cranford Cooperative Pricing System, #47-CPCPS, 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 \$75,629.00 charged to 2018 Building Department Operating 165-251 prepared in accordance with N.J.A.C. 5:30 1.10.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield be and hereby authorizes an award of contract to Hertrich Fleet Services, 1427 Bay Road, Milford, DE 19963 for the purchase the following vehicles:

One (1) 2018 Dodge Journey SE	1 @ \$18,349.00	\$18,349.00
Two (2) 2018 Dodge Durango	2 @ \$28,640.00	\$57,280.00; 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.

#### Code Review & Town Property Committee

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

#### **Resolution No. 127**

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

Emanuel Kambourelis  
Danny's Soft Serve  
1081 E. Grand Street  
Elizabeth, NJ 07201

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. 128**

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:

**Name**

Inspiration Roll  
The Liquor Basket

**Location**

106 Central Avenue  
115 Quimby Street

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. 129**

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 CONSUMPTION LICENSE**

Ferraro's Restaurant Group, LLC  
t/a Ferraro's  
2020-33-025-009

8-14 Elm Street

341 Westfield Corp.  
t/a Fujiyama Mama  
2020-33-004-015

341 South Avenue E.

UT Westfield LLC  
t/a Addams Tavern  
2020-33-028-005

115 Elm Street

Chez Catherine Inc. (Hotel Conditional)  
t/a Chez Catherine  
2020-33-024-007

431 North Avenue West

MRY Westfield Liquor, LLC (inactive)  
2020-33-001-007

Echo Lake Country Club  
2020-33-027-002

515 Springfield Avenue

**PLENARY RETAIL DISTRIBUTION LICENSE**

Trader Joe's East, Inc.  
t/a. Trader Joe's  
2020-44-008-007

155 Elm Street

Shreeji Holdings, LLC.  
2020-44-013-008  
t/a Liquor Basket of Westfield

115 Quimby Street

**Resolution No. 130**

WHEREAS families who have loved ones with Alzheimer's or other forms of dementia, or developmental challenges such as autism, face significant concerns for the safety and security of their loved ones; and

WHEREAS the Alzheimer's Association estimates that three out of five persons with dementia or Alzheimer's will experience confusion and wander away from their caregivers, and half of those who wander will suffer serious injury or death if not found within 24 hours; and

WHEREAS data published in *Pediatrics* in 2012 revealed that 49 percent of children with autism wander from caregivers, and a 2017 study from the National Autism Association revealed that nearly one-third of those cases resulted in death or serious injury, with the majority of those being children between the ages of 5 and 9; and

WHEREAS the federal "Missing Alzheimer's Disease Patient Alert" program was established in 2009 to provide grant funding to assist caregivers and law enforcement in locating missing patients with Alzheimer's and other elderly individuals; and

WHEREAS in 2016, legislation called "Kevin and Avonte's Law," named for an elementary school student in Iowa and a high school student in New York City, both of whom were autistic, wandered from the safety of their home and school, and tragically drowned, was introduced and ultimately passed into law in 2018 through the efforts of a bipartisan group of legislators, including New Jersey Congressman Chris Smith; and

WHEREAS Kevin and Avonte's Law expands the Missing Alzheimer's Patient Alert program to include children with autism and other developmental disabilities who may wander, re-naming the program the "Missing Americans Alert Program;" and WHEREAS the law provides \$2 million in grants in 2018 to be used for the development of training and emergency protocols for school officials and first responders, to teach individuals with these conditions personal safety and survival skills, and for families and caregivers to purchase locative tracking technology to find individuals who may wander from safety - funding which will become available later this year; and

WHEREAS the Town of Westfield wishes to show its unwavering support for families and caregivers of those who have Alzheimer's, autism, or other conditions that may lead them to wander from safety, by obtaining access to these grants and other necessary tools to prevent wandering, and to locate and bring these citizens home safely in the event they do wander;

NOW, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Town of Westfield expresses its deepest appreciation to all friends and family members who are caregivers to persons with Alzheimer's or other forms of dementia, and autism or other developmental challenges, and thanks them for the everyday sacrifices they make to protect and enhance the lives of these most special citizens.

2. The Town of Westfield shall apply for the maximum amount of grant money permitted, and for which it is eligible under the Missing Americans Alert Program, when that funding becomes available.
3. The Town of Westfield shall take all steps necessary and practicable to meet any known preconditions of applying for the Missing Americans Alert Program, and review and evaluate any procedures the Town currently employs to protect and locate Town citizens who are at risk of wandering as identified under the Missing Americans Alert Program.
4. The Town Administrator shall confer with the appropriate personnel in the Westfield Police and Fire Departments, the Town School District, and the Chair of the Westfield Board of Health, to gather information regarding the Town's current actions, and coordinate the Missing Americans Alert Program grant application, within 90 days of the adoption of this Resolution.
5. The Town Administrator shall report to the Council regarding the outcomes of these meetings within 30 days thereafter. That report will provide (a) information regarding the requirements of the grant application, if available; (b) information regarding the steps the Town and School Board are already taking to minimize the risk of wandering and locate those citizens who have wandered (c) assess the Town's readiness to submit its application; and (d) recommend any actions the Town can take in addition to applying for this grant to address and minimize wandering.
6. The Town Administrator shall coordinate the grant application process.

Councilmember comments:

Councilwoman Neylan thanked the Council for its consideration of Resolution No. 130. Also thanked Westfield resident, Lisa Bertone, for bringing this matter to her for consideration and read the resolution in full.

The following resolution, introduced by Councilwoman Mackey, Chairman of the Code Review & Town Property Committee and seconded by Councilman LoGrippe, was adopted by the following roll call vote:

**Resolution No. 131**

BE IT RESOLVED that the Town Council of the Town of Westfield be and hereby authorizes the Mayor to execute a lease agreement with the Arena Realty Partners for a temporary ice rink at Gumbert Park.

Councilmember comments:

Councilman Dardia stated that he intends to vote against the proposed ice rink, but only because of the proposed location. Feels it would be unreasonable to burden the residents of the ward he represents. Thanked all in attendance, especially the children, for expressing their opinions.

Councilwoman Neylan stated that she would be voting against the proposed ice rink because she feels more information is needed. Discussed the resolution to be voted on and stated that it does not include any terms, including an indication that the rink would be temporary. Also feels more discussion is needed. Explained that she supports the players and the need for a rink but feels much more information is needed in order for her to make an informed decision. Expressed concern with the process and the location, and also feels more information as to the benefits to the community is needed. Also expressed concern that this could become a permanent location for the rink.

Councilman Stokes expressed his appreciation for those in attendance. Explained that he supports the need for a rink, but feels this proposal is a Westfield issue and impacts more than just Ward 2 and Gumbert Park neighborhood residents. Discussed his campaign and the slogan that Westfield is the jewel of Union County and does not feel a rink should be considered for another ward, but a determination as to whether a rink is in the best interest of Westfield is needed.

Councilman LoGrippe thanked all residents for attending the meeting this evening. Also thanked John McDevitt, Chris Forno and Eric Snyder for building the Westfield Hockey Club for many years. Feels this issue is not limited to hockey, but also provides public skating to the community. Also discussed other proposals and Union County's promise to construct an ice rink at Oak Ridge Park that did not materialize. Also thanked former Councilman Sam Della Fera for his previous involvement in this initiative.

Councilwoman Habgood stated that she supports the proposed ice rink at Gumbert Park. Explained that she considered the issue very carefully and listened to all comments from residents. Stated that she supports the proposal because it provides an opportunity for a private-public partnership, and feels Mr. Anderson of Union Sports Arena has responded to all concerns and would be a good partner for the Town. Also stated that Mr. Anderson would be held accountable for complying with all that was promised. Assured residents that Gumbert Park would not be a permanent location. Also reminded everyone that this facility is in someone else's "backyard" and the park must be respected. Expressed her thanks to all in attendance.

Councilwoman Mackey feels the vote concerning this proposal was not easy, but feels Mr. Anderson has been very willing to work with the Town. Expressed her appreciation for those who voiced their opinion. Explained that while she represents the fourth ward, she also represents the community at large and has received overwhelming support for this proposal. Assured residents that Mr. Anderson is not organizing this at his discretion and the Town would be involved.

Councilman Contract stated that he plans to vote in favor of the proposed ice rink, but explained that it was a difficult decision, as excellent points were made from both sides. Commended Councilwoman Mackey and Mayor Brindle for their efforts with this proposal and for listening to all who expressed an opinion. Stated that he would have preferred that the process moved forward more slowly, but feels many concerns, especially noise, have been addressed. Believes that because this would be done on a trial basis, the Town has an opportunity to learn and hopefully refine the process as it moves forward.

Mayor Brindle thanked Councilwoman Mackey for her due diligence in connection with the proposed ice rink. Also thanked Councilwoman Habgood for her efforts with the proposal. Feels the fact that Council has heard from so many residents is impressive. Assured residents that safety is her main concern and that she would ensure that all safety issues are addressed. Explained that

negotiations are still occurring, and that the permits required would address issues brought forth, such as the storm drain previously mentioned this evening. Also informed residents that the Town is discussing this proposal with representatives from Green Acres. Explained that the implementation of this proposal on a trial basis does not mean Gumbert is being considered as a permanent location. It is being implemented on a trial basis to determine if an ice rink is viable for the community. Also assured residents that Mr. Anderson is very cognizant of the impact to residents. Also discussed the opportunity this proposal provides for public skating.

Yeas: Habgood  
Arena  
LoGrippo  
Contract  
Mackey  
Mayor Brindle

Nays: Dardia  
Neylan  
Stokes

Absent:

#### Public Safety, Transportation and Parking Committee

Councilman Dardia provided an update of the following items discussed at a recent Public Safety, Transportation and Parking Committee meeting:

- Announced that improvements are planned for the intersection of Central Avenue and South Avenue. A traffic study was conducted and it was recommended to adjust the traffic signal timing in all directions. Explained that the next step is to obtain Union County approval since it involves Union County roads;
- Discussed the new “Boxcar” service, which is a direct bus line to New York City from certain stops in Westfield and Cranford and announced that this service is scheduled to begin on May 29, 2018;
- Announced that the Town has been approved for participation in a grant opportunity being sponsored by the New Jersey Department of Transportation;
- Announced that beacon signals would be installed and discussed the locations for installation.

#### Reports of Department Heads

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$97,646.50 representing monies collected during the month of April 2018.

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$8,705.00 during the month of April 2018 was received, read, and ordered filed.

Report of Carol Salvaggio, Certified Court Administrator, stating that she had turned over to the Chief Financial Officer check in the amount of \$52,138.63 representing fines and costs collected in the Municipal Court and Violations Bureau during the month of April 2018 was received, read and ordered filed.

Report of David J. Kelly, Chief of the Fire Department, showing Fees collected in April 2018 in the amount of \$7,487.00 was received, read and ordered filed.

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$86,966.00 for the month of April 2018 was received, read and ordered filed.

Report of David C. Wayman, Chief of the Police Department, showing fee collecting in the amount of \$2,826.75 during the month of April 2018.

**ADJOURNMENT**

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilman Stokes at 9:47 p.m., was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk