

## **MINUTES OF REGULAR MEETING HELD NOVEMBER 6, 2018**

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, November 6, 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:**

### **INVOCATION AND FLAG SALUTE**

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

### **PRESENTATIONS**

Mayor Brindle presented the following proclamation:

**Town of Westfield**  
**Westfield, New Jersey**  
**PROCLAMATION**  
***Children's Grief Awareness Day***  
  
***November 15, 2018***

WHEREAS, the seed for Children's Grief Awareness Day was planted in Pennsylvania by students with a desire to do more to bring attention to what their grieving classmates were coping with, for the most part, in silence; and

WHEREAS, the first Children's Grief Awareness Day took place in 2008 with a mission to raise awareness of the impact of death on children and their need for support, as well as to provide ways for caring adults and young people to show their support and solidarity for grieving children; and

WHEREAS, Children's Grief Awareness Day ([www.ChildrensGriefAwarenessDay.org](http://www.ChildrensGriefAwarenessDay.org)) is observed each year on the Thursday before Thanksgiving, immediately preceding the winter holidays which can be an especially difficult time for grieving children; and

WHEREAS, there are more grieving children than most people realize - an estimated 1 out of 20 children will experience the death of a parent before they graduate from high school, while 1 out of every 5 children will face the death of someone close to them; and

WHEREAS, many people are unaware that it takes most children much longer to deal with their grief than we may expect and that the amount of inner turmoil children experience is much more intense than what may be outwardly visible; and

WHEREAS, in addition to the resources available at [www.ChildrensGriefAwarenessDay.org](http://www.ChildrensGriefAwarenessDay.org), the residents of Westfield are fortunate to have access to *Imagine, A Center for Coping with Loss*, a support center for children, young adults and families dealing with the death or life-altering illness of a parent, sibling or child that provides no-cost peer grief support year-round for as long as is needed; and

WHEREAS, recognizing that providing support for grieving children is essential for the future health and well-being of our children, our families, and society;

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Michelle W. Brindle, on behalf of a caring Westfield community, do hereby proclaim November 15, 2018 as Children's Grief Awareness Day in Westfield and encourage all residents who want to help or need further information to go to the event's website, [www.ChildrensGriefAwarenessDay.org](http://www.ChildrensGriefAwarenessDay.org).

FURTHER, I hereby commend and thank *Imagine, A Center for Coping with Loss* for providing vital grief support to children, young adults, and families year-round for long as it is needed.

#### Revaluation Update-Realty Appraisal Company

Neil Rubenstein, Realty Appraisal Company, provided an update of the revaluation process and discussed the next steps in the process. Also discussed inspections completed to date and the number remaining, explaining that weather has caused some delays with the completion of inspections. Once all inspections are complete, each property owner would receive a notice of the new property assessment and would have the opportunity for a one-on-one informal hearing concerning his/her assessment. Tax bills reflecting the new assessment would then be issued in 2019. Provided clarification of some misconceptions concerning revaluations and explained that they are not intended to increase taxes, but to balance the tax burden. Also explained that inspectors are not preparing assessments but are collecting data necessary to calculate the assessment. Also explained that many towns are going through a revaluation process because of the number of years that have passed since their last revaluation.

Councilman LoGrippe discussed the delays caused by the weather and asked if the deadline to complete the process would be met.

Mr. Rubenstein stated that the deadline would be met and explained that it is typical for a revaluation process to be completed during the months of March and April.

Mayor Brindle requested clarification as to the chronology of the process from this point forward.

Mr. Rubenstein stated that after inspections are complete, the first step would be to mail each property owner a postcard of the new assessment amount and allow for informal hearings. Once the hearings are complete, Union County would be notified. Explained that once all appraisals are complete, an estimated tax rate would be calculated.

Mayor Brindle requested clarification as to the earliest notification to property owners.

Mr. Rubenstein stated that the earliest notifications would be issued in mid to late January 2019, with property owners then scheduling a hearing, either online or by telephone. After all hearings are complete, an estimated tax rate would be calculated with estimated tax bills being issued by the summer of 2019.

The Town Administrator discussed the tax billing process, including timelines for estimated billings and final billings.

Councilman LoGrippo asked if Union County has been made aware of the delays that were caused by the weather.

Mr. Rubenstein explained that Union County has been made aware of the delays through regular status reports that have been filed. An extension was also requested and he is awaiting Union County's approval.

Councilwoman Neylan expressed concern with the impact the revaluation would have to property taxes. Explained that many residents have also expressed concern that the revaluation would cause taxes to significantly increase.

Mr. Rubenstein explained that it is very uncommon for a revaluation to result in a drastic tax increase. Stated that some property owners would see an increase, while others would see a decrease. Also explained that because it has been over thirty (30) years since the Town's last revaluation, property assessments are low and the tax rate is high to balance the difference. Once appraisals are complete and assessments reflect the current market rate, the tax rate would be lower because property assessments would now reflect current market value.

Councilman Stokes requested clarification as to the informal hearing process and the hours that hearings would be held.

Mr. Rubenstein stated that daytime, evening and Saturday hours would be available to property owners for informal hearings, which can be scheduled online or by telephone. Provided the website address for residents interested in scheduling a hearing online.

Councilman Contract asked if there is a cutoff date for inspections.

Mr. Rubenstein explained that there is no specific cutoff date and that some inspections are done through the informal hearing process.

#### Town Administrator's Reports

- Provided an update of the road resurfacing program, stating that approximately seventy (70%) percent of roads included in the 2018 program have been paved. Also listed those roads remaining and those next on the schedule;
- Discussed the status of the Union County project being conducted on Elm Street, stating that completion is expected on November 12, 2018. Also discussed weekly updates concerning road projects provided by the Public Information Officer on the Town's website and through social media;
- Announced that improvements to Municipal Lot No. 7 are nearly complete and the lot is open for use. Discussed the remaining punch list items to be finalized;
- Discussed the installation of restrooms at Memorial Park and the timeline for utility work that is necessary in connection with the project. Explained that work would continue through the winter months with an opening scheduled for the spring of 2019;
- Provided an update of improvements to Mindowaskin Playground and explained that the weather has also caused delays with this project. Stated that despite the weather, progress is being made and he is hopeful the project would be completed shortly;
- Discussed a resolution included on this evening's agenda with respect to the development of a Parks and Recreation Strategic Plan. Explained that this plan would be a companion document to the Master Plan and would include a Town-wide review of all parks for potential enhancements. This consultant would also be working in conjunction with the consultant selected for the Master Plan Re-examination;
- Announced that leaf collection began on November 5, 2018 and informed residents that the Public Information Officer and the Department of Public Works would be updating the website weekly with status reports pertaining to leaf collection.

#### Mayor's Remarks

- Discussed the AddamsFest event and commended the Department of Public Works for their efforts in transforming the Armory into a "kids playground by day, and an adult playground by night". Stated that she saw firsthand the breadth of people this festival touched, from the kids at the Fun Zone, including those with special needs, to the standing room only lectures at the Library filled with senior citizens, to the families at the movie theatre, including one that flew in from Buffalo for the weekend, to dogs in the

costume contest, and to the middle-aged parents at the Beer Garden. Also commended the more than three hundred (300) volunteers who selflessly gave their time and stated that there are not enough words to express her gratitude to everyone. Also discussed the residents who participated in the event who are accomplished artists, musicians, actors, dancers, singers, filmmakers, marketing whizzes, web designers, and incredible organizers. Extended a special thanks to the Westfield Police and Fire Departments, Rescue Squad, and the Department of Public Works, as well as to participants who embraced the spirit of the weekend. Also extended a special thanks to AddamsFest Chairwoman Councilwoman Dawn Mackey who masterminded the inaugural event, and to Executive Director Adrian Pastore who “brought it to life”;

- Announced that the Westfield Rink at Gumbert Park opened for hockey practice on November 5, 2018. Public skating begins on November 8, and the opening ceremony is scheduled for November 11, beginning at 1:30 with live music, an official ribbon cutting, and a figure skating demonstration. Stated that the New Jersey Devils mascot would also be in attendance, along with former Devils captain Bruce Driver, for autographs and photos, and public skating would be held from 2:30 to 4:00 PM with discounts on admission and skate rentals. The Westfield Rink schedule would be posted on the Town’s website, and regular updates would be available by following the Recreation Department’s Facebook page. Stated that she hopes to see everyone on the ice and feels this is certain to become a fantastic new gathering spot for the community;
- Announced that the Mayor’s Senior Citizen Advisory Council would like to invite all senior citizens to a Senior Services Expo taking place in the Town Hall Community Room on Friday, November 16, 2018, from 9:00 to 11:00 AM. Explained that this expo is sponsored by “Lifelong Westfield,” a new initiative by the Senior Advisory Council, with the goal of improving the quality of life and retaining seniors in the community. The expo would provide information on senior services including transportation, health, finances, enrichment and more. Attendees would also be asked to participate in a survey to help identify additional services that might be desired;
- Announced that at its meeting last night, the Recreation Commission approved an award of contract to Brandstetter Carroll, Inc. for the creation of a Parks and Recreation Strategic Plan. Stated that Brandstetter Carroll, Inc. is a highly regarded parks consulting firm that has done similar work all over the country and in many towns in New Jersey. Feels this is an incredibly exciting project since the Town has never undergone a holistic, strategic review of all of its parks to ensure they’re being maximized to benefit the community. Explained that, similar to the Master Plan consultant, Brandstetter Carroll’s unique point of difference is their commitment and capability for soliciting public input. Also explained that after the Steering Committees for both plans have their first meetings, there would be announcements about how and when public input would be solicited. Stated that when this process concludes in the next ten (10) to twelve (12) months, the Town would have a roadmap for parks, Master Planning, and parking;
- Extended her thanks to everyone who applied to serve on the Youth and Family Mental Health Commission. Stated that nearly fifty (50) applications were received for four (4) seats, which she feels further demonstrates the need and desire for this commission in the community. Stated that she would be working with Superintendent of Schools Margaret Dolan and Public Health Director Megan Avallone to finalize the committee, and would be reaching out to all applicants to ensure their involvement on a future subcommittee, regardless of whether or not they have a seat on the Commission;
- Announced that the Board of Chosen Freeholders would be holding its meeting on November 8, 2018 in Westfield Council Chambers at 7:00 PM as part of its mobile meeting initiative. Stated that she would be attending and hopes residents plan to attend as well.

## **APPOINTMENTS**

## **ADVERTISED HEARINGS**

### **GENERAL ORDINANCE NO. 2113**

“AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

**GENERAL ORDINANCE NO. 2114**

“AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT REGARDING COMPLIANCE WITH THE TOWN’S AFFORDABLE HOUSING OBLIGATIONS”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

**GENERAL ORDINANCE NO. 2115**

“AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH COMMERCIAL USE OF ROOFTOPS AS A CONDITIONAL USE; TO ALLOW FOR USE OF GROUND LEVEL PATIOS AS PLACES FOR EATING AND DRINKING; AND TO REMOVE THE PROHIBITION ON THE SALE OF FOOD FOR BEVERAGES TO BE SERVED OR CONSUMED ON THE PREMISES BUT OUTSIDE THE CONFINES OF A BUILDING; ALL WITHIN THE CBD CENTRAL BUSINESS DISTRICT”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

**GENERAL ORDINANCE NO. 2116**

“AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH REGULATIONS FOR ACCESSORY STRUCTURES WITHIN NON-RESIDENTIAL ZONES AND LOCATED ON GROUND LEVEL PATIOS USED AS PLACES FOR EATING AND DRINKING”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

**GENERAL ORDINANCE NO. 2117**

“AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD FOR PARKING REQUIREMENTS WITHIN THE CENTRAL BUSINESS DISTRICT”

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

**PENDING BUSINESS**

An ordinance entitled, GENERAL ORDINANCE NO. 2113 - “AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD” by Councilwoman Mackey, seconded by Councilman LoGrippe, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood  
Arena

Nays:

Absent:

Dardia  
 Neylan  
 LoGrippto  
 Contract  
 Stokes  
 Mackey  
 Mayor Brindle

An ordinance entitled, GENERAL ORDINANCE NO. 2114 - "AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT REGARDING COMPLIANCE WITH THE TOWN'S AFFORDABLE HOUSING OBLIGATIONS" by Councilwoman Mackey, seconded by Councilman Stokes, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

Councilwoman Mackey made the following announcement in regards to General Ordinance No. 2115:

The Planning Board reviewed General Ordinance No. 2115 and has recommended the following non-substantive changes prior to adoption:

- Section 18.24, first paragraph, the words "that is open to the public be removed". The intent behind the language within the ordinance introduced is that an operator and their customers or clients be able to utilize the rooftop area, not for the general public to enter at any time. Removal of the language suggested clarifies the intent of the ordinance.
- Section 18.24B.4 that the following language be added so that the duration of installation of temporary rooftop structures can be identified during plan review: "The applicant shall indicate the duration of the temporary installation".

Councilwoman Mackey made a motion to amend GENERAL ORDINANCE NO. 2115 - "AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH COMMERCIAL USE OF ROOFTOPS AS A CONDITIONAL USE; TO ALLOW FOR USE OF GROUND LEVEL PATIOS AS PLACES FOR EATING AND DRINKING; AND TO REMOVE THE PROHIBITION ON THE SALE OF FOOD FOR BEVERAGES TO BE SERVED OR CONSUMED ON THE PREMISES BUT OUTSIDE THE CONFINES OF A BUILDING; ALL WITHIN THE CBD CENTRAL BUSINESS DISTRICT" seconded by Councilman LoGrippto, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, GENERAL ORDINANCE NO. 2115 - “AN ORDINANCE AMENDING CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH COMMERCIAL USE OF ROOFTOPS AS A CONDITIONAL USE; TO ALLOW FOR USE OF GROUND LEVEL PATIOS AS PLACES FOR EATING AND DRINKING; AND TO REMOVE THE PROHIBITION ON THE SALE OF FOOD FOR BEVERAGES TO BE SERVED OR CONSUMED ON THE PREMISES BUT OUTSIDE THE CONFINES OF A BUILDING; ALL WITHIN THE CBD CENTRAL BUSINESS DISTRICT” by Councilwoman Mackey, seconded by Councilman Contract, was taken up, read and passed as amended by the following vote of all present upon roll call as follows:

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

An ordinance entitled, GENERAL ORDINANCE NO. 2116 - “AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH REGULATIONS FOR ACCESSORY STRUCTURES WITHIN NON-RESIDENTIAL ZONES AND LOCATED ON GROUND LEVEL PATIOS USED AS PLACES FOR EATING AND DRINKING” by Councilwoman Mackey, seconded by Councilman Arena, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

An ordinance entitled, GENERAL ORDINANCE NO. 2117 - “AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD FOR PARKING REQUIREMENTS WITHIN THE CENTRAL BUSINESS DISTRICT” by Councilwoman Mackey, seconded by Councilwoman Habgood, was taken up, read and passed by the following vote of all present upon roll call as follows:

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

**TOWN OF WESTFIELD  
INVITATION TO BID  
OCTOBER 24, 2018  
CURBSIDE RECYCLING**

<b><u>BIDDER</u></b>	<b><u>AMOUNT</u></b>
<b>Giordano Co P.O Box 2129 142-156 Frelinghuysen Avenue Newark, NJ 07114</b>	<b>1 year @ \$607,000.00</b>
	<b>3 years @ \$1,834,000.00</b>
	<b>5 years @ \$3,080,500.00</b>

**MINUTES**

On a motion by Councilman LoGrippo and seconded by Councilman Stokes, Council approved the Minutes of the Town Council Conference Session and Regular Meeting held October 23, 2018 with Councilman Arena abstaining.

**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.

Lorraine DeRick, 1516 Pine Grove Avenue, stated that she is speaking tonight as a concerned parent, explaining that she has two (2) boys that play various sports and is concerned with the delays for improvements to Tamaques Park. Discussed the improvements planned for the park which were scheduled to be completed in spring of 2019, but the plan never came to fruition because it was “halted” in February of 2018. Stated that approximately \$80,000 had been spent on the project, along with over five (5) years of planning by qualified individuals who are also members of the community. Discussed the qualifications of the individuals involved with the plan and stated that they all had a legitimate interest in the outcome because it would affect both

their community and their children. Feels after five (5) years of planning, there would have been “no stone gone unturned”. Discussed the award of contract to be approved for the Parks and Recreation Strategic Plan and the cost involved, and asked what a new consultant could offer that had not already been considered. Also asked if the Parks and Recreation Strategic Plan were to result in very little or no change to the original plan, how would the Town Council justify the additional time and money spent.

Mayor Brindle stated that she would prefer not to speak in hypotheticals and feels Ms. DeRick has presented a number of “what ifs”. Feels the final results should speak for themselves. Also feels much consideration was given to this matter in the last ten (10) months and that there is no more to be said or debated. Also suggested that Ms. DeRick direct her questions to the Recreation Commission Chairman, Gary Fox.

Ms. DeRick stated that it was her understanding that Mayor Brindle was the one to make the decision to halt the Tamaques Park improvement project.

Mayor Brindle explained that the decision was made in consultation with the Recreation Commission’s Chairman, as well as with Recreation Commission member, Peter Echausse, who was involved with the original plan for Tamaques Park. Also explained that there had never been a vote on the first plan, so there was no project to stop, and there were many people who were not involved in the vetting process for the first plan that she feels should have been involved, including users of the park that do not play sports.

Ms. DeRick discussed focus groups to be established in connection with the Parks and Recreation Strategic Plan, and the expected timeline of ten (10) to twelve (12) months to complete the plan, and asked how existing and ongoing issues in the park would be addressed in the meantime, such as the lack of parking and recreational space for the wrestling program. Stated that these issues were addressed in the original plan. Also discussed the lack of fields for the soccer and lacrosse programs and stated that this issue was also addressed with the field improvements that were included in the previous plan.

Mayor Brindle stated that she is intimately familiar with the issues described by Ms. DeRick because her son also plays on the same football team with Ms. DeRick’s son and her husband is a coach. Stated that the issues Ms. DeRick described are not new issues and have been going on for a long time, and she would like to deal with them smartly and strategically. Suggested that Ms. DeRick contact Chairman Fox for information as to how these issues would be addressed until the Parks and Recreation Strategic Plan is complete.

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 LoGrippe, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$447,774.86 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

#### Town Council Remarks:

Councilman Arena stated that he would be voting in opposition to Resolution No. 270 and that he agrees with many of the concerns expressed by Ms. DeRick. Explained that a plan for Tamaques Park was ready to go, and while his children are older and are no longer involved in the Town’s sports programs, he feels there are thousands of children that could have potentially used new facilities if the Town had moved ahead with the original plan. Also discussed the cost for the original plan and the additional cost for the Parks and Recreation Strategic Plan. Feels while there might be marginal improvements that result from the Parks and Recreation Strategic Plan, he does not feel they would be worth the delay and additional cost.

Councilwoman Neylan stated that she would also be voting against the adoption of Resolution No. 270. Requested assurance that the plan would remain on the timeline originally presented by Mayor Brindle when this issue was discussed earlier this year. Also asked if the Recreation Commission is aware of the proposed timeline for completion of the plan.

Mayor Brindle explained that there is an estimated timeframe for completion and the Recreation Commission is aware of this, but feels the process needs to play out because the “tail should not wag the dog”.

Councilman Arena stated that he served on the Recreation Commission for several years and that Mr. Fox and Mr. Echausse were agreeable to moving forward with the original plan.

Mayor Brindle explained that she did not make this decision “in a vacuum” and that she spoke to both Mr. Fox and Mr. Echausse about the original plan. Stated that while many of the leagues provided input concerning the original plan, other users did not, specifically those who are not league related. Stated that many residents expressed their concerns with the new plan to her, specifically issues with parking, traffic, and the ability to use the park for other recreational uses. Explained that she was not comfortable supporting a \$7 million investment when all users were not vetted. Stated that she would accept responsibility for this decision and that she has children that are involved in sports too, but she would rather be smart, strategic and thoughtful and take another year, rather than move forward with a plan that she considered to be a limited proposition. Stated that she accepts the decision of those who are voting against the adoption of Resolution No. 270 but feels the Town Council must now allow the Recreation Commission and the consultant to be hired to drive the outcome. Mayor Brindle also referenced comments that were made with respect to parking issues that resulted during flag football season and explained that the original plan included lighted artificial turf fields with plans for all parking to occur inside the park, which would have ruined the park for those who use it for walking, jogging, and strollers. Explained that that had not been considered to the acknowledgement of those involved with the original plan.

Councilman Arena does not feel there is a solution that would be agreeable to everyone. Explained that he supported the temporary ice rink because he believed it was the right decision, even though it was not agreeable to all residents.

Mayor Brindle feels it is worth obtaining input from all users of the park and explained that the ice rink is a temporary facility that is being provided at no cost to taxpayers. Explained that if the ice rink would have required a \$7 million investment, she would not have supported it.

Councilwoman Neylan stated that she was involved in the original plan and takes exception to the characterization that this plan would have ruined the park for pedestrians and other users, and that this characterization is not true.

Mayor Brindle feels if it had been a good plan, it would have not taken five (5) years to develop without moving forward.

Councilman LoGrippe stated that he would support the adoption of Resolution No. 270 but expressed concern with the cancellation of some programs due to the lack of fields and suggested the Town Council work with the Recreation Commission on an alternative plan.

Mayor Brindle stated that Chairman Fox is working on a plan. Also stated that she contacted Union County to request assistance with field space, and Union County is attempting to open local fields for use by Westfield.

Councilman Dardia referred to Councilman LoGrippe’s statement that programs are being cancelled and asked if Councilman LoGrippe is confident that cancellations are definite.

Councilman LoGrippe discussed his understanding of the programs to be cancelled.

Councilman Dardia feels it is not appropriate to interject about program cancellations unless they are known to be a fact.

Councilman LoGrippo stated that he was provided with this information from someone involved with the lacrosse program.

Councilwoman Mackey stated that as a representative of the ward where Tamaques Park is located, she feels compelled to provide her input on the matter. Stated that she received a tremendous number of emails from residents who are neighbors of the park, and had the original plan moved forward, those residents would have opposed it. Also stated that the Tamaques Park project was not shovel ready and was an issue that needed to be further vetted.

Mayor Brindle reiterated her prior statement that the original plan had not been voted on and had not been approved.

Mayor Brindle closed the discussion and move forward with a vote on resolutions proposed by the Finance Policy Committee.

The following resolutions, introduced by Councilwoman Habgood, Chairman of the Finance Policy Committee, and seconded by Councilman Dardia, were unanimously adopted with Councilmembers Arena and Neylan opposing Resolution No. 270.

**Resolution No. 264**

WHEREAS, Joseph Spector, Almarc Associates, has placed the required cash bond of \$500.00 to cover Road Opening Permit #17-219 for 121 East Broad Street, and

WHEREAS, Joseph Spector has requested that this amount be returned, and

WHEREAS, the Town Engineer, has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of Joseph Spector, Almarc Associates, for \$500.00, and forward to P.O. Box 218, Westfield, NJ 07091-0218.

**Resolution No. 265**

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$13.80 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of October 2018.

**Resolution No. 266**

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

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
2911/17 NEVES, Jose 47 King St Edison, NJ 08820	575 Pierson Street	3 <sup>rd</sup> & 4 <sup>th</sup> /2018 \$665.18

**Resolution No. 267**

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 years 2014-2017 pursuant to the Tax Court of New Jersey:

Block/Lot Name	Address	Year	Amount
2606/2	1138 South Avenue West	2014	\$8,557.00
GANZ, Peter K		2015	\$8,849.00
<b>Check payable and mail to:</b>		2016	\$9,029.00
Michael A. Vespasiano, Attorney Trust Account		2017	<u>\$9,246.00</u>
331 Main Street			\$35,681.00
Chatham, NJ 07928			

**Resolution No. 268**

WHEREAS, the following persons, homeowners residing in Westfield, NJ, have filed for a 100% disabled rating due to service connected injuries, making them eligible for a Property Tax Exemption Qualification for the tax year 2018, and

WHEREAS the Mayor and Town Council elect to exercise their discretion to exempt homeowners from payment of real estate taxes for the prorated year 2018 and refund said homeowners retroactively to the effective date of disability stated in the Veteran Administration letter;

NOW, THEREFORE BE IT RESOLVED, that the Chief Financial Officer be and he hereby is authorized to draw warrants to the below mentioned, this being a refund for prorated 2018 taxes, based on the application as indicated below;

Block/Lot/Qualifier Address Name	Application Date	Refund	Exempt for Full Year Beginning
1304/54 LEGONES, Theodore 617 Girard Avenue	10/13/18	N/A	2019

**Resolution No. 269**

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:

App #	Name	Address	G/L	Refund Balance
BOA 17-47	Clark Qiang Zhu	931 Grandview Avenue	8-05-560-644	\$871.26
<b>Return to:</b>	<b>Clark Qiang Zhu</b>	<b>931 Grandview Avenue</b>	<b>Westfield</b>	<b>07090</b>
BOA 17-62	Partha Palit	118 Clifton Street	8-05-560-659	\$250.00
<b>Return to:</b>	<b>Partha Palit</b>	<b>118 Clifton Street</b>	<b>Westfield</b>	<b>07090</b>
BOA 18-11	Michael Cunningham	420 Jefferson Avenue	8-05-560-674	\$423.45
<b>Return to:</b>	<b>Michael Cunningham</b>	<b>420 Jefferson Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-14	Lucy & Dan Biegler	908 Cranford Avenue	8-05-560-677	\$921.71
<b>Return to:</b>	<b>Maria Vacca</b>	<b>912 Cranford Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-16	Giuliana Quiroz	1604 Pine Grove Avenue	8-05-560-679	\$197.81

<b>Return to:</b>	<b>Giuliana Quiroz</b>	<b>1604 Pine Grove Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-18	David & Sarann Wood	157 Brightwood	8-05-560-681	\$250.00
<b>Return to:</b>	<b>David &amp; Sarann Wood</b>	<b>157 Brightwood</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-20	Pawel Kierzkowski	171 Tudor Oval	8-05-560-683	\$198.97
<b>Return to:</b>	<b>Pawel Kierzkowski</b>	<b>171 Tudor Oval</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-22	Clarissa & Paul Dobek	712 Norman Place	8-05-560-685	\$173.45
<b>Return to:</b>	<b>Clarissa &amp; Paul Dobek</b>	<b>712 Norman Place</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-23	Carmel Ryan & Brent Livermore	1033 Grandview Avenue	8-05-560-686	\$197.81
<b>Return to:</b>	<b>Livermore</b>	<b>1033 Grandview Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-24	Dmitriy Lerman	840 North Avenue W	8-05-560-687	\$697.81
<b>Return to:</b>	<b>Dmitriy Lerman</b>	<b>840 North Avenue W</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-26	Gretchen Meyers	236 Hyslip Avenue	8-05-560-689	\$197.81
<b>Return to:</b>	<b>Gretchen Meyers</b>	<b>236 Hyslip Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-27	Don Kolterjahn	1050 Lawrence Avenue	8-05-560-690	\$197.81
<b>Return to:</b>	<b>Don Kolterjahn</b>	<b>1050 Lawrence Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-28	Regina & Andrew Calcagno	530 Parkview Avenue	8-05-560-691	\$197.81
<b>Return to:</b>	<b>Regina &amp; Andrew Calcagno</b>	<b>213 South Avenue</b>	<b>Cranford NJ</b>	<b>07016</b>
BOA 18-30	Vinay Bhatt	1009 Columbus Avenue	8-05-560-693	\$197.81
<b>Return to:</b>	<b>Vinay Bhatt</b>	<b>111 Braeburn Drive</b>	<b>Princeton NJ</b>	<b>08540</b>
BOA 18-31	James & Theresa McDermott	108 Summit Court	8-05-560-694	\$197.81
<b>Return to:</b>	<b>James &amp; Theresa McDermott</b>	<b>108 Summit Court</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-34	Richard & Barbara Bagger	249 Kimball Avenue	8-05-560-697	\$447.81
<b>Return to:</b>	<b>Richard &amp; Barbara Bagger</b>	<b>249 Kimball Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-37	Michelle Hildenbrand	1050 Wychwood Road	8-05-560-700	\$921.71
<b>Return to:</b>	<b>Michelle Hildenbrand</b>	<b>1050 Wychwood Road</b>	<b>Westfield NJ</b>	<b>07090</b>
BOA 18-39	Operating 5 Bluestone Capital Group, LLC.	529 Kimball Turn	8-05-560-702	\$250.00
<b>Return to:</b>	<b>Operating 8 Bluestone Capital Group, LLC.</b>	<b>424 13th Street</b>	<b>Lakewood NJ</b>	<b>08701</b>
BOA 18-41	Amanda & Bradford Como	572 Highland Avenue	8-05-560-704	\$197.81
<b>Return to:</b>	<b>Amanda &amp; Bradford Como</b>	<b>572 Highland Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 16-18	Giallusi Homes	221 Connecticut Street	8-05-550-271	\$378.19
<b>Return to:</b>	<b>Giallusi Homes</b>	<b>427 South Avenue W</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 16-25	D. Villane Construction, LLC.	454 Bryant Avenue	8-05-550-278	\$925.10
<b>Return to:</b>	<b>D. Villane Construction, LLC.</b>	<b>2376 South Avenue</b>	<b>Scotch Plains</b>	<b>07076</b>
PB 17-07	North 433, LLC	433 North Avenue E	8-05-550-288	\$998.41
<b>Return to:</b>	<b>Redcom Design &amp; Construction, LLC</b>	<b>433 North Avenue E</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 17-08	RRD Contractors	509 Central Avenue	8-05-550-289	\$38.90
<b>Return to:</b>	<b>RRD Contractors</b>	<b>525 Central Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 17-09	Colin Jenkins & Midori Nagai	142 Linden Avenue	8-05-550-290	\$992.20
<b>Return to:</b>	<b>Colin Jenkins &amp; Midori Nagai</b>	<b>142 Linden Avenue</b>	<b>Westfield NJ</b>	<b>07090</b>
PB 17-11	236 Elmer, LLC.	236 Elmer Street	8-05-550-292	\$288.38
<b>Return to:</b>	<b>James Foerst, Esq., LLC.</b>	<b>159 Millburn Avenue Suite 4</b>	<b>Millburn NJ</b>	<b>07041</b>
PB 17-12	Alfa Realty Management, LLC	414 Central Avenue	8-05-550-293	\$660.57
<b>Return to:</b>	<b>Alfa Realty Management, LLC</b>	<b>P.O. Box 2595</b>	<b>Westfield NJ</b>	<b>07091</b>
PB 17-14	D. Villane Construction, LLC.	621 Fairfield Circle	8-05-550-295	\$614.85
<b>Return to:</b>	<b>D. Villane Construction, LLC.</b>	<b>2376 South Avenue</b>	<b>Scotch Plains</b>	<b>07076</b>
PB 17-16	Michael Mahoney, LLC	300 Seneca Place	8-05-550-297	\$1,275

Return to: Michael Mahoney

P.O. Box 2698

Westfield NJ 07090

**Resolution No. 270**

WHEREAS, a need exists for the Town of Westfield to retain professional services for the development of a Parks and Recreation Strategic Plan; and

WHEREAS, the Town of Westfield issued a Request for Proposals (RFP) for professional services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, Brandstetter Carroll, Inc., 2360 Chauvin Drive, Lexington, Kentucky, 40517, has submitted a proposal dated September 12, 2018, indicating it would provide the aforementioned service for a fee not to exceed \$99,500; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP; 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 the Recreation Department (8-01-155-256 - \$40,000.00), Pool (8-03-195-257 - \$30,000.00) and Park Improvement Fund (T-05-600-076 - \$29,500.00), all under Purchase Order #18-034XX.

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

1. The Town of Westfield authorizes an award of contract to Brandstetter Carroll, Inc. for professional services for the development of a Parks and Recreation Strategic Plan for the Town of Westfield at a fee not to exceed \$99,500;
2. The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract; and
3. This contract is awarded pursuant to the "fair and open" process (N.J.S.A. 19:44A-20.5 et seq.).

**Resolution No. 271**

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing requirements for claimant certifications set forth in N.J.S.A. 40A:5.16(a); and

WHEREAS, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer of the Town of Westfield recommends a claimant signature be required for all purchase orders with the exception of the below list.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield that the below list will be exceptions to the claimant certification requirements:

Federal Express Service  
The Home Depot  
Pitney Bowes  
Staples  
WB Mason  
Autozone  
Municipal Capital Corporation  
Stewart Business Systems  
United Parcel Service (UPS)  
Office Depot  
Quill

Comcast  
 Ready Refresh  
 Elavon  
 Priority Payment Systems  
 Canon  
 Motorola  
 Thomson Reuters  
 NuCO2  
 National Fuel  
 GTT Americans, LLC  
 Integrated Tech Systems (ITS) LanguageLine  
 Premium installment payments to Town of Westfield Insurance providers  
 Payments to local newspapers for advertising  
 Payments to Government Agencies – Federal, State, County, Westfield Board of Education, Other NJ Municipalities, U.S. Postal Service  
 Payments to Utility Companies (AT&T, Sprint, NJ American Water Co., Public Service (PSE&G), UGI Energy, Elizabethtown Gas, Pacific Telemangement, Verizon)  
 Professional Education courses for not-for-profit agencies where continuing education credits are awarded  
 Professional Membership Association Dues  
 Hotel and registration fees for professional conferences or conventions  
 Website hosting, including registration and maintenance of a domain name  
 Web purchases, such as through Amazon and Apple, Inc. and purchases made using a Procurement Card

**Resolution No. 272**

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

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$5,076.10, which is now available from the Division of Highway Traffic Safety, Drunk Driving Enforcement Fund; and

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

General Appropriations  
 Public and Private Programs Offset by Revenues

Drunk Driving Enforcement Fund	\$5,076.10
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BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer.

**Resolution No. 273**

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

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$12,500.00, which is now available from the Union County Open Space, Recreation and Historic Preservation Trust Fund's 2018 Greening Union County grant; and

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

General Appropriations  
Public and Private Programs Offset by Revenues

2018 Greening Union County grant                      \$12,500.00

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

**Resolution No. 274**

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

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

NOW, THEREFORE, BE IT RESOLVED that the Town of Westfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$55,000.00, which is now available from the Union County Open Space, Recreation and Historic Preservation Trust Fund's 2018 Kids Recreation Trust grant; and

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

General Appropriations  
Public and Private Programs Offset by Revenues

2018 Union County Kids Recreation grant                      \$55,000.00

BE IT FURTHER RESOLVED that one copy of this resolution be forwarded electronically to the Division of Local Government Services by the Chief Financial Officer. Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

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

**Resolution No. 275**

BE IT RESOLVED that the Mayor and appropriate town officials are hereby authorized to sign the Interlocal Agreement for Leaf Collection Services between the Township of Scotch Plains and the Town of Westfield.

Public Works Committee

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

**Resolution No. 276**

WHEREAS, sealed bids were received by the Town Clerk on October 24, 2018 for the 2019 Curbside Collection of Recyclable Material in Westfield, New Jersey as authorized by Public Works Account 137-245, and

WHEREAS, the Town Engineer has determined that the lone bid submitted far exceeded the amount budgeted by the Town, and is therefore rejected.

NOW THEREFORE BE IT RESOLVED, that the Town Engineer is hereby authorized to re-bid for the 2019 Curbside Collection of Recyclable Material.

**Resolution No. 277**

WHEREAS, CCM Contracting Inc., has completed all of the work necessary for the 2017 Improvement of Boulevard in Westfield, New Jersey as authorized by S.O. 2208A, and

WHEREAS, the Town Engineer certifies that all of the work, totaling \$232,804.66 has been completed in a satisfactory manner, in accordance with the appropriate plans and specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to S.O. 2208A, and

WHEREAS, the Town has been furnished with a Lien Release, an Affidavit of Payment of Prevailing Wage, and a one year Maintenance Bond against defective workmanship and materials.

NOW THEREFORE BE IT RESOLVED, that the proper Town Officials be, and they are hereby, authorized to make final payment in the amount of \$16,043.98 and to effect whatever actions are appropriate by said final acceptance for the 2017 Improvement of Boulevard, with a final contract price of \$232,804.66.

**Resolution No. 278**

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 October 23, 2018, 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.

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 \$16,000.00.

#### Reports of Department Heads

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$12,900.00 during the month of October 2018 was received, read, and ordered filed.

#### ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilman Stokes at 9:05 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC  
Town Clerk