

MINUTES OF REGULAR MEETING HELD MAY 10, 2022

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, May 10, 2022 at 8:00 p.m.

Mayor Brindle made the following announcements:

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 8, 2021. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members, Habgood, Parmelee, Katz, Mackey, Dardia, Root

ABSENT: Councilmembers LoGrippo & Contract

Invocation was given by Councilwoman Habgood

Salute to the flag.

APPOINTMENTS

Good evening, everyone, and thanks to all who are joining us both here in the Council Chambers and online tonight.

We have a busy meeting tonight and, before we move to my opening remarks and the formal agenda, we are going to begin the evening with some very important appointments.

TOWN COUNCIL COMMITTEE APPOINTMENTS

As you know, at our last meeting, we swore in Councilwoman Emily Root to represent Ward 1, and, as a result, tonight we have changes to our Council Committee structures.

Councilwoman Root is being appointed to the Public Works Committee and will also serve as Vice Chair of the Public Safety, Transportation and Parking Committee.

Councilman Katz will move from the Public Works Committee to the Code Review & Town Property Committee.

Councilwoman Mackey will be appointed Vice Chair of the Public Works Committee.

In terms of Council Liaison roles, Councilwoman Root will serve as liaison to the DWC, replacing Councilman Katz, who will become the liaison to both the Tree Preservation Commission and Library Board in the roles previously held by former Councilman Boyes.

DWC BOARD APPOINTMENT

I'm pleased to announce the appointment of Kelly Richardson as the merchant member to replace Patricia Hanigan, who recently stepped down. Kelly is the new owner of The Farmhouse Store, and we're thrilled to have his input and perspective. I am extremely grateful to Patricia for her dedication and service to the DWC Board, particularly during a very challenging time for our businesses driven by COVID.

TOWN CLERK

Tonight is bittersweet as we bid a fond farewell to Tara Rowley, who is retiring from her position as Town Clerk, and we congratulate Maureen Lawshe, who will be promoted from Deputy Clerk and sworn in as the new Town Clerk. Tara has been a valued colleague here in Town Hall, having served in her current role since 2017, following 20 years of experience in municipal government in Springfield and Cranford. Her consummate professionalism has made her a key member of our staff in Town Hall, and she will be deeply missed by all of us who benefitted from her work ethic, calm demeanor, and dedication.

And while we wish Tara all the best in her retirement, we are also fortunate to have someone as capable as Maureen to step into Tara's big shoes. Maureen was hired in 2014 as a Town Clerk Apprentice where she worked primarily in the Town Clerk's office, but also spent time working

in the Westfield Police Department Records Bureau and Tax Assessor's office. Maureen obtained her Registered Municipal Clerks Certificate (RMC) in 2016 through the State of New Jersey while also obtaining her Bachelor's Degree in Public Administration at Kean University. She was promoted to Deputy Town Clerk in 2017, earned her Master's Degree in Public Administration in 2021, and was a graduate research assistant throughout her last semester for the Public Administration Department at Kean. In addition to her education, Maureen has been an integral part of the Town Clerk's office for many years and assisted in the creation and implementation of various new processes and technology related to record retention efforts and the use of online forms and payments to streamline processes for residents. I am confident that the Town will benefit from Maureen's knowledge, leadership and dedication for years to come.

I'm also happy to announce that, following a thorough search and interview process led by Town Administrator Jim Gildea, we have a resolution to appoint Natalie Berner as the new Deputy Town Clerk, replacing Maureen. Natalie resides in Rahway and has her Bachelor of Arts in Public Administration from Kean University, where she will be completing her Master's in Public Administration this month. She has been working for the City of Elizabeth in various capacities, including as a Research Grant Writer and Housing Specialist for the Housing Authority.

Along with Natalie, we recently welcomed Martha Piscitelli to the Clerk's office as a part-time Licensing Clerk, and we are excited about the great potential of this new team and the contributions they will make to our wonderful staff in Town Hall.

Following these appointments, Maureen's swearing in, and a proclamation honoring Tara, I'll also read a proclamation to recognize Building Safety Month.

Mayor Brindle proposed the following Council appointments. Motion made by Councilwoman Mackey and seconded by Councilman Katz was carried.

Council Committees:

Public Safety, Transportation & Parking Committee

Mike Dardia, Chairman

Emily Root, Vice Chairwoman

Linda Habgood

Mark LoGrippo

Code Review & Town Property Committee

Mark Parmelee, Chairman

Scott Katz, Vice Chairman

Dawn Mackey

Michael Dardia

Public Works Committee

David Contract, Chairman

Dawn Mackey, Vice Chairwoman

Emily Root

Mark LoGrippo

Downtown Westfield Corporation Liaison – Emily Root, Unexpired Term ending December. 31, 2022

Tree Preservation Commission Liaison – Scott Katz, Unexpired Term ending December. 31, 2022

Westfield Memorial Library Liaison – Scott Katz – Unexpired Term ending December 31, 2022

Special Improvement District Board

Kelly Richardson

December 31, 2022

Mayor Brindle proposed the following employee appointment. Motion made by Councilwoman Habgood and seconded by Councilwoman Mackey, said employee appointment was carried.

Resolution No. 123

WHEREAS, pursuant to N.J.S.A. 40A:9-133 a., every municipality shall appoint a municipal clerk for a three-year term; and

WHEREAS, commencing January 1 following the third anniversary of the effective date of P.L. 1197, c.279 (C40A:9-133.9 et al), no person shall be appointed or reappointed as a municipal

clerk unless that person holds a registered municipal clerk certificate issued pursuant to section 3 or section 4 of P.L. 1985, c174 (C.40A:9-133 or C.40A:9-133.4); and

WHEREAS, pursuant to Sec. 2-75(a) of the code of the Town of Westfield, the Town Clerk shall be appointed by the Town Administrator with the approval of the Mayor and Town Council to hold office for a term of three years and subject to the provisions of the Revised Statutes, section 40:46-7, with respect to tenure of office.

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby appoint Maureen Lawshe, RMC as the Westfield Municipal Clerk effective immediately for a three-year term expiring on May 10, 2025.

Oath of Office administered by Tara Rowley.

Town Clerk, Maureen Lawshe Remarks

First I'd like to thank the mayor & town council for this opportunity - I look forward to working with you all more in the future.

Often times when people start a new journey it's due to their hard work, determination, and perseverance and while that is true - I'd like add it's also because of everyone who walked a few steps on that journey as well.

I'd like to thank my huge support system, my family & friends many of which are here tonight. This group has always supported and encouraged my personal, education and career goals. I cannot thank you all enough for being by my side.

To those who don't know, I come from a long line of public service. My grandfather served in the United States Navy, my other grandfather served in the United States Air Force - he and my uncle once served as councilmen in their hometowns. My step father has held many administrative roles throughout the state, and my late father served in the United States marine corps and rose to the rank of police chief in the town he was born and raised.

I'd like to take a play from Chief Battiloro's acceptance speech years ago when he said his late father Fire Chief Battiloro would not hire him as a firefighter, so he became a cop... my mother and father told me at a young age I can do anything I put my mind to - just please do not become a cop.

Mom, you and dad welcomed me into this world 32 years ago today and as he always said "you never know where you are going till you get there" well here I am - carrying out my father's wish but also carrying on his legacy in the best way possible!

I'd also like to thank all of the employees whom I've worked with over the years. You all have been a great resource - our office looks forward to continuing to be a resource to you for years to come!

I'd like to thank my first Town Clerk Claire Gray & Town Administrator Jim Gildea who saw a vision many years ago that has led us to tonight. Jim, you have given me some challenging tasks over the years which has given me the opportunity to learn and grow, thank you.

and Tara Rowley - Congratulations! Tara has often been described as unflappable and working beside her these past five years I could not agree more. If I do 1/10th of the job that Tara has done I have gone above and beyond and exceeded all of the expectations.

I'd like to quote the great Leslie Knope from Parks and Rec and say that "Teddy Roosevelt said - the best prize life has to offer is a chance to work hard at work worth doing and I would add that what makes work worth doing is getting to do it with people you love"

I truly love what I do and love this town. It's a privilege and honor to be your next town clerk. I look forward to continuing to work with the residents and business owners of the town of Westfield and providing assistance wherever it is needed.

Thank you all for walking this journey with me!

Although I was not born and raised in Westfield I can assure you this, Westfield is my home.

Mayor Brindle proposed the following employee appointment. Motion made by Councilwoman Mackey and seconded by Councilwoman Root, said employee appointment was carried.

Resolution No. 123

WHEREAS, pursuant to 40A:9-135, the governing body of any municipality, by ordinance, may create the office of Deputy Municipal Clerk and provide for appointments thereto; and

WHEREAS, pursuant to Sec. 2-75(10) (b) of the Code of the Town of Westfield, the Deputy Town Clerk shall be appointed by the Town Administrator with the approval of the Mayor and Town Council.

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby appoint Nathalie Bernier as the Westfield Deputy Town Clerk effective May 10, 2022.

PRESENTATIONS

Mayor Brindle presented the following proclamation:

Town of Westfield
Westfield, New Jersey
PROCLAMATION
Tara Rowley

WHEREAS, on May 31, 1985, Governor Kean signed a bill establishing the designation of Registered Municipal Clerk (“RMC”); and

WHEREAS, so diverse is the role of Municipal Clerk that legislation was enacted in 1991 specifically defining the “Core” duties of this statutory office, that include, but are not limited to, serving as secretary of the municipal corporation, serving as secretary to the governing body, serving as chief administrative officer of all elections held in the municipality, and serving as chief registrar of voters in the municipality; and

WHEREAS, the role of the RMC is so vital to the governance and welfare of the community that every municipality in the State of New Jersey is required to appoint one; and

WHEREAS, Tara Rowley, RMC has served the Town of Westfield as the Town Clerk since 2017, fulfilling the Core duties of the position with dedication, decorum, and proficiency; and

WHEREAS, Mrs. Rowley began her career in municipal government in Springfield, New Jersey where she served as Deputy Clerk from 1997–2000 before moving on to Cranford where she served as Deputy Clerk from 2000-2007 then was appointed Town Clerk, serving from 2007-2017, during which time she served as Vice President of Union County Municipal Clerk’s Association from 2007-2008; and

WHEREAS, during her career in municipal government, Mrs. Rowley has earned the deepest respect and admiration of her coworkers and peers throughout Union County and the state of New Jersey; and

WHEREAS, Mrs. Rowley has announced her retirement, and this being her last meeting, the Town Council and I wish to recognize her years of honorable service to the Council and the community;

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Shelley Brindle, on behalf of the Town Council and the citizens of the Town of Westfield, hereby extend a heartfelt thank you to Tara Rowley for her many years of hard work and dedication to duty and extend our collective very best wishes for a long, healthy, and happy retirement.

Tara Rowley Remarks

Thank you so much.

As Mayor Brindle mentioned, I spent the majority of my career working for a neighboring town, and to be honest, I never thought I would leave there, until the chance to work in Westfield came along and I couldn't let it pass me by. So, I decided to make a very big change late in my career and it was absolutely the best decision I could have made for me and my family.

Mayor Brindle and all councilmembers, I can't thank you enough for your constant support and confidence in me.

To the department managers, professionals and employees, you really are an exceptional group of people, and it has been my privilege to work with all of you...

Jim Gildea, you are by far the hardest working, most dedicated town administrator there is, hands down! And in addition to that, you are just an amazing person, and I am so grateful that I had the opportunity to work with you.

To your new Town Clerk, Maureen, Happy Birthday! I am convinced that there is nothing she can't do! She steps up to every challenge, task, assignment and gets it done! And, makes it look easy in the process. I am not only fortunate to have Maureen as a colleague, but even more fortunate that she has become my good friend. I couldn't be more thrilled for her and wish her every success in the world.

Congratulations to Nathalie, your new Deputy Town Clerk, I wish you all the best and I am sure you will make a great addition to the Westfield team.

To my mom, brothers, sisters-in-law and extended family who are all here tonight, to my dad, who is with me in spirit, and especially to my son Patrick and my husband John, you have all been there every step of the way encouraging me and it means everything to have you here to celebrate this milestone.

And lastly, thank you to the residents of Westfield. It really has been an honor to serve as your Town Clerk.

Mayor Brindle presented the following proclamation:

Town of Westfield

Westfield, New Jersey

Proclamation

Building Safety Month

May 2022

WHEREAS, the Town of Westfield is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike, and;

WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these guardians are dedicated members of the International Code Council (ICC), a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work and play, and;

WHEREAS, every May, the ICC sponsors Building Safety Month to remind the public about the critical role of our local code officials — who assure us of safe, sustainable and affordable buildings that are essential to our prosperity, and;

WHEREAS, the theme for Building Safety Month 2022, “Safety for All: Building Codes in Action,” encourages us all to raise awareness about planning for safe and sustainable construction; career opportunities in building safety; understanding disaster mitigation, energy conservation; and creating a safe and abundant water supply to all of our benefit, and;

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Michelle W. Brindle, Mayor of the Town of Westfield, hereby recognizes the essential role of the Westfield building code and fire prevention professionals in protecting our community. **BE IT FURTHER PROCLAIMED** that the month of May, 2022, be designated as *Building Safety Month* in the Town of Westfield.

OPENING REMARKS

I'll now move on to my remarks with the usual reminder that public comment will be accepted in person only, and we are live streaming for viewing only via Facebook. As always, the replay will also be available afterwards on Facebook, YouTube, and TV 36.

ORDINANCES AND RESOLUTIONS

Regulation & Licensing for Vehicle Towing and Storage Services

From the Public Safety Committee, tonight we'll hear an ordinance on second reading amending the fees for various towing services, which had not been updated in over 20 years, enabling the town to offer more competitive rates so that we can have more towing companies at our disposal.

Amendment to the Downtown Westfield Scattered Site Redevelopment Plan

Also on second reading, from the Code Review & Town Property Committee, we'll adopt an ordinance as well as a resolution to amend the existing Downtown Westfield Scattered Site Redevelopment Plan to allow for the property at 76 Elm Street, the former Chico's space, to be utilized as a preview center for Streetworks Development. The ordinance was reviewed and approved by the Planning board at their last meeting.

You can expect to hear more details from Streetworks about the preview center ahead of its anticipated opening in July.

PROSPECT/FERRIS UPDATE

Once again, I'd like to thank the residents who are here to provide comments on the proposed redevelopment at Prospect/Ferris. At our last meeting, we heard the detailed results of the Traffic Impact Study by Stonefield and WSP in order to provide us with additional information to guide our decision-making prior to any vote on the final Redevelopment Agreement. We have posted a memo from WSP and Stonefield on our website that responds to some of the specific resident questions about the study, and I encourage you to read it at http://westfieldnj.gov/.../WSP-Prospect-Ferris-TIS_Response.

In addition, I joined Councilwoman Habgood at two neighborhood meetings she hosted in her home since we last met along with Councilwoman Root and Economic Development Advisor Liz Jeffery to answer residents' questions and address specific concerns. It was a great opportunity to get input while also providing information about the process and communicating the benefits that have been extracted from the developer for this proposed project.

Many resident concerns are related to existing traffic and circulation in the area where necessary and long overdue improvements are already underway. New striping and signage has already been put in place at the lower part of Prospect Street, including the prohibition of left turns onto East Broad. Conversations with Trader Joe's about parking lot circulation improvements are ongoing, and we are moving forward with our own plans to improve ingress and egress to the adjacent municipal lot. These are all improvements that are necessary, and unrelated to any proposed redevelopment.

That being said, this Council has been very clear in our intention to follow the guidance and outcome of the Master Plan, which was created with significant public input and unanimously supported by the Planning Board and this Town Council. A top priority of the Master Plan was to provide more living and working options that would drive regular daily foot traffic to our businesses to ensure they were sustained and supported for the long term. Diversifying our housing stock was another top priority so that downsizers would have options to stay in Westfield, something that is already occurring with the apartments that have been built to date. By appropriately utilizing the tools of redevelopment law through the groundwork we've laid to date, the Town is now able to exert significant control over many components of new development that were not historically available to us without Redevelopment Plans and Agreements in place. Our commitment to our priorities has not changed and, although there may not always be complete agreement on specific buildings and plans, we are grateful for the ongoing input we have received as we continue to utilize the vast expertise of our Town professionals to respond to these concerns.

In fact, we will be uploading a detailed FAQ about the project onto our website shortly, which addresses many of the questions we've received. I encourage everyone to take the time to read it in full. Tonight, in our conference session at 7:00, we also shared new building renderings with the Councilmembers that provide more detail and also reflect the changes made by the developer in response to residents' feedback, and to ensure the building is more reflective of the neighborhood. We've provided those images to the press tonight and will also post them on our website.

I'm going to ask our Town Planner, Don Sammet, to join us briefly to provide an update on how the redevelopment team has been proceeding, and then we'll get started with our formal agenda.

Town Planner, Don Sammet provided an explanation of an FAQ page the Town developed with regard to the proposed Prospect/Ferris site. He explained the FAQs would provide details on the project along with background information as to why this project is intended for the particular site, why the Town chose to adopt a redevelopment plan for this project and how it has evolved over time, including updated renderings of the site that are available on the website. He stated this will show what standards are being met that would along with the redevelopment plan making sure this project would best fit in the neighborhood along with background context of said neighborhood. He also provided an explanation on what the next steps would be for the process. He stated that as more questions come in from professionals and the public they will be added to the very comprehensive FAQ page.

Mayor Brindle thanked the Town Planner for his time and efforts.

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2022-13

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 19A, ESTABLISHMENT, REGULATION AND LICENSING FOR POLICE REQUESTED AND NON-PREFERENCE VEHICLE TOWING AND STORAGE SERVICES

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2022-14

AN ORDINANCE ADOPTING AN AMENDMENT TO THE DOWNTOWN WESTFIELD SCATTERED SITE REDEVELOPMENT PLAN

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, "GENERAL ORDINANCE NO. 2022-13 – AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, CHAPTER 19A,

ESTABLISHMENT, REGULATION AND LICENSING FOR POLICE REQUESTED AND NON-PREFERENCE VEHICLE TOWING AND STORAGE SERVICES” by Councilman Dardia seconded by Councilwoman Habgood was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood
 Parmelee
 Katz
 Mackey
 Dardia
 Root
 Mayor Brindle

Nays: None

Absent: LoGrippo
 Contract

An ordinance entitled, “GENERAL ORDINANCE NO. 2022-14 – AN ORDINANCE ADOPTING AN AMENDMENT TO THE DOWNTOWN WESTFIELD SCATTERED SITE REDEVELOPMENT PLAN” by Councilman Parmelee seconded by Councilwoman Mackey was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood
 Parmelee
 Katz
 Mackey
 Dardia
 Root
 Mayor Brindle

Nays: None

Absent: LoGrippo
 Contract

BIDS

**TOWN OF WESTFIELD
 INVITATION TO BID
 THURSDAY, APRIL 28, 2022
2022 ADA DOOR IMPROVEMENT AT TOWN HALL IN THE TOWN OF
 WESTFIELD, NEW JERSEY**

<u>Bidder</u>	<u>Amount of Bid</u>
Victor	\$22,800.00
A Plus Glass & Metal LLC	
Hasbrouck Heights NJ 07604	

MINUTES

On a motion by Councilwoman Mackey and seconded by Councilman Katz Council approved the Minutes of the Town Council Conference Session and Regular Meeting held April 26, 2022.

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.

Matthew Lipsky, 227 Prosect Street, stated he has spoken at many council meetings to express his feelings for the prospective Prospect/Ferris Redevelopment site. He explained it is important for not only him and his growing family but to many residents as well. Mr. Lipsky provided the Town Council with a petition signed by 820 individuals from Westfield across all four wards, various ages, and political backgrounds. The petition states the following;

“We, the undersigned, all residents of Westfield, NJ, ask the Mayor, Town Council and Planning Board to reconsider the proposed plans for a new apartment complex at the corner of Prospect Street and Ferris Place. The proposed plan calls for 64 apartments and 96 parking places on less than 1 acre of property. This is a 90% increase in building coverage for this property. The

redevelopment agreement with the owner/developer of the property should specify a substantially downsized building—a reduced scale structure with fewer stories, fewer residential units, fewer parking places, but more open space and a setback compatible with the surrounding neighborhood.

Downsizing of this redevelopment initiative is necessary to:

1. Maintain the transitional aesthetic of this neighborhood. Promote a reduction in building height and design that is more in line with the nature of the neighborhood. The redevelopment properties are currently bounded by 1 or 2 family homes on Prospect Street and Ferris Place. The proposed structure is higher (4+stories) and more massive than most downtown buildings.
2. Allow for a set back from the street in line with setbacks on adjoining properties. Proposed setback is 12 feet. Nearby setbacks are 20-25 feet, including the existing multi-unit Chelmsford, Westfield Terraces and Westfield Arms on Prospect Street.
3. Prevent additional traffic and congestion in an already very busy area, populated by a hectic supermarket parking lot, an office building with 9 businesses, the YMCA, the Methodist Church, the YMCA child-care program and the Wesley Hall pre-school as well as a number of nearby residential homes. The streets directly affected include Prospect Street, a main artery to downtown; Ferris Place and Clark Street-- all widely used by Westfielders from all over town.
4. Promote the safety of pedestrians and drivers who already find these streets difficult to navigate.
5. Reduce the number of cars that result from the redevelopment initiative. Street parking on Prospect Street and Ferris Place is near non-existent. All tenant and visitor parking should be provided for within the redevelopment plan.
6. Provide sufficient loading zone area for trucks and daily deliverers like Amazon, FedEx and UPS. Ferris Place is a narrow one-way street. Without ample loading zone space, such trucks will create significant additional congestion and safety concerns on both Ferris and Prospect.
7. Limit the amount of impervious land cover and therefore counteract potential flooding and storm water buildup.

We call for all actions that would:

1. Result in a reduced scale structure with fewer stories, fewer residential units, fewer parking places, but more open space and a setback compatible with the surrounding neighborhood.
2. Result in an environmental review of the development plans (will green roof be sufficient to compensate for the proposed drastic increase in impervious groundcover).
3. Result in a fully transparent and careful third-party review of the developer-commissioned traffic study. This review should consider and ensure that the study:
 - o Was not conducted during times of reduced traffic, e.g., COVID
 - o Includes traffic impact due to future development of the nearby 7-acre Lord & Taylor properties
 - o Was conducted after full occupancy of the commercial building at 133 Prospect Street (directly across from the proposed apartment complex)
 - o Reflects the history of traffic related accidents in the area “

Frank Fusaro, 422 Stanley Avenue, asked the Mayor & Council questions that pertain to a redevelopment agreement and asked if they can be addressed at the end of public comment. He

asked if a redevelopment agreement has been signed between the Town of Westfield and the developer of the Prospect/Ferris site and if so, when and is it possible to retrieve a copy of such. Additionally, he asked if an agreement has been signed can it be modified. Mr. Fusaro also asked if there were any plans for additional traffic counts which would revise the current study or is it finalized. He was pleased to hear the Town is putting together a document with respect to several of the Q and A's surrounding this project. Lastly, he thanked the Mayor and Council for their time, consideration, and service.

Marvin Gersten, 725 St. Marks Avenue, stated he retired in 2013 after 52 years in consulting engineering specializing in traffic and transportation. He is a member of the Institute of Transportation Engineers, American Society of Civil Engineers and was appointed by various Mayors to the Union County Transportation Advisory Board dating back to the 1970s. Expressed his love for the Town of Westfield and looks forward to downsizing himself into one of the developments in the future. He explained he reviewed the traffic study report and wrote his own reports with comments and concerns that was sent to the Town, WSP, and Stonefield. Mr. Gersten received a response to his comments, and he was concerned with regard to the recommended procedures for conducting traffic study analysis. He stated the traffic study did not have a gap acceptance study, average running speed on approaches to intersections, uncontrolled stop & yield sign. Mr. Gersten mentioned having a dialogue with WSP & Stonefield about his comments and concerns. Mr. Gersten does not feel the conclusions regarding the levels of service and operating conditions were reflected properly in the methodology used.

Doug Miller, 619 Carleton Road, stated he resides in Ward 3 but is interested in the proposed Prospect/Ferris redevelopment project. He mentioned the current project has higher units per acre than other projects being discussed while in a residential zoned space with single family houses. He expressed his concern to changing zoning laws. Mr. Miller stated he previously addressed the Town Council in December to discuss traffic issues and the potential development of the Lord & Taylor properties. He expressed his concern that the traffic study was done amidst recovering from COVID-19 and prior to any development on the Lord & Taylor properties. He mentioned the potential of having additional apartments placed on the corner of Ferris Place across from the YMCA as well as potential apartments on the Lord & Taylor site which would create more traffic. He asked why a four-story dense building is going into a residential zone, instead of townhomes that would have the same setback as the other properties in the neighborhood. He stated that this redevelopment sets a new paradigm that these buildings can be built anywhere, regardless of zoning and neighborhood concerns.

Tim Eaton, 752 Knollwood Terrace, stated him and his wife have lived on Knollwood Terrace for 35 years, and the surrounding neighborhood is a great place to live providing a quiet, peaceful, safe and beautiful environment. He stated the Edison Field project would change that. He expressed that he and his neighbors are very concerned about the proposed field project which would impact the safety and health of the students as well as the safety, health, environment, and quality of life of the residents. Expressed his concern for artificial turf and the materials involved which he stated are health hazards. Explained that non-contact injuries are more likely to happen on artificial turf. He suggested that natural grass fields are safer for students and preserve the green environment. He stated the increase in noise levels coupled with tower lights at night would compromise quality of life for residents, along with increased water levels, pollution, and parking issues. Asked that the Mayor and Council be an advocate for the students and neighborhoods by considering natural grass fields spread among town with no tower lights.

Phyllis Buchsbaum, 111 Prospect Street explained she has lived in her building since it was first constructed and knows the area very well and how it appeals to residents. She explained that she takes many walks and sees the amounts of cars traveling and is concerned about traffic especially

by Trader Joe's as she sees the cars lining up to get into the parking lot. She mentioned it would be helpful to know if Trader Joe's is going to have a solution to solve their traffic problem prior to the Prospect/Ferris purposed redevelopment. Lastly, she understands the Mayor & Council are working hard to have safe solutions.

Susan Kowale, 224 Charles Street, asked the Mayor & Council if there was an option to purchase Lord & Taylor and turn it into a state-of-the-art High School. She mentioned if there was going to be an increase in housing the Town would need to increase the schools. She understands the need to increase foot traffic but suggested increasing the school systems as well. Ms. Kowale also asked how affordable housing is monitored. Lastly, she made comments with regard to traffic build up on Ferris Place especially surrounding the YMCA and how it may create a bottleneck situation which can cause traffic issues beyond the four locations the study presented.

Allison Fraser, 217 Charles Street, wanted to reiterate the previous speakers thoughts with regard to the propsoed Prospect/Ferris redevelopment project. She expressed her concern for traffic building up on Clark Street. She discussed the congestion around the YMCA and how cars have come close to hitting children before. She stated that these issues need to be addressed. She mentioned that although you cannot make a left turn on Prospect there is going to be a build up from the entrance at Ferris Place. She also discussed the issues relating to Trader Joe's and peak times of day that are a big concern to her.

Elizabeth Wolf, 310 First Street, stated she has lived in Westfield for over 26 years and voiced her appreciation and respect for all of the work the Mayor and Council does. She opposes the proposed redevelopment of Prospect/Ferris due to the size of the project. She explained she lives in the "shadow" of the new 30 unit building by the South Avenue Traffic Circle. She further explained that the new apartment building runs directly behind her blocking her view. She expressed her feelings on the purposed redevelopment and if the project was cut in half she would find it acceptable to keeping with the neighborhood. She encouraged the Council to reduce the size while she believes there is a better plan for this property. She also felt Prospect Street & Ferris Place is not the location for this development and should be located elsewhere. She expressed her opinion on not whether these developments can be placed there, should they be. She asked the Mayor & Council to do their due diligence and to see how large unit buildings affect the quality of life for the surrounding residents.

Jim Boyes, 122 Ferris Place, addressed the Mayor and Council and stated he has heard the phrase continuously throughout the process "consistent with the Master Plan". He stated there is no detailed definition, yet these words carry tremendous weight. He has been asked by numerous residents how is the Prospect/Ferris redevelopment consistent with the Master Plan. He stated the Master Plan only calls for four-story buildings in the Central Business District. He referenced that the Master Plan references the density of dwelling units in the unified land use and circulation plan which states the maximum density is 37 units per acre. He posed the question how is have 67 units per acre in a residential area located near the CBD consistent with the Master Plan. He voiced his opinion that the Town Council does not consider this area to be a residential area. He cited the Master Plan where the town recommends that Ferris Place be rezoned as it appears one and two family uses are in the minority. Mr. Boyes stated that is incorrect and discussed there are eight traditional one family homes on Ferris Place and only two of them are being used for other purposes. He voiced his opinion that there are other misstatements in the Master Plan, such as properties being vacant and underutilized to declare this area as in need of rehabilitation. Feels as though residents' concerns are not being heard. He asked that the Town Council reconsider the statement "consistent with the Master Plan". Furthermore, he said the Plan does not mention the students that regularly walk this neighborhood. He implorres the Council to scale back the project and craft one that is less impactful on the surrounding neighborhood. Lastly, he explained how redevelopment process can be confusing and once an agreement is adopted it is difficult to alter the plan. He asked the Town Council to consider the any concerns raised by residents.

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

Mayor Brindle addressed comments concerning the proposed redevelopment project at Prospect Street/Ferris Place and stated many of the comments presented tonight will be mentioned in the FAQ page on the Town's website, including density, setbacks and the process. Mayor Brindle addressed Mr. Fusaro's question and stated there is currently no redevelopment agreement and once there is one it would reflect all of the obligations from the developer including traffic studies, protection of the historical house on the property, etc. A redevelopment agreement would be adopted via resolution prior to the signatures from both parties.

Mayor Brindle also addressed Mr. Gersten's comments and stated John Federico from WSP would discuss the reports further with him and any additional comments and questions would be added to the FAQ page on the town's website.

Mayor Brindle addressed Ms. Kowale's comments and explained that the Lord & Taylor property is private property and if the private owner would have to be interested in selling the property to the Board of Education in order to sell the \$27 million dollars for the property. The Mayor also mentioned that the Lord & Taylor property is the largest tax payer for the Town of Westfield which would benefit the Town and drive foot traffic into the downtown area to drive economic activity for the businesses. Mayor Brindle stated she and the Town Administrator meet regularly with the school board and update them on any developments. The school board provides projections for school enrollment and the exact number of school kids that are living in apartments to ensure the projects are in line with reality. Mayor Brindle stated that school board enrollment is decreasing and in reality there are only half the amount of kids in these apartments than what is projected. She explained the Town is very invested in making sure the schools maintain the reputation that draws people into Westfield and will continue to closely monitor enrollment and development by collaboratively working with the schools.

Mayor Brindle thanked Ms. Wolf and Mr. Boyes and encouraged everyone to read the FAQ page. If there are questions that are not addressed on the page the Town can add them. She explained how diligently the redevelopment planning team has worked to make this building seem as residential as possible.

Mayor Brindle also thanked Mr. Eaton for his comments surrounding the Edison School field project and mentioned a company CME is doing a third-party assessment of all of the data which has been compiled to date for the project.

BILLS AND CLAIMS

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

RESOLVED that the bills and claims in the amount of \$398,437.59 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, seconded by Councilman Dardia, were unanimously adopted.

Resolution No. 125

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$69.00 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of April 2022.

Resolution No. 126

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

Name	Account	Class	Fee
Jeff Filiberto 940 Highland Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Field Hockey Clinics / Spring 2022 Grace Filiberto / 6-8 grade	\$133.00
Greg Materdomini 824 Coolidge St Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Lindsay Materdomini / Resident Parent/Child	\$294.50
Kiran Chandra 308 North Scotch Plains Ave Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Kiran Chandra / Resident Family of 4 or less	\$418.00

BE IT FURTHER RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual via credit card:

Name	Account	Class	Fee
Funda Erparlak 717 South Ave W. #1 Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Playground Camp 2022 Isabel Fernandez / McKinley	\$346.75
Chetan Hemnani 321 Brightwood Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund CSI Workshop 5/7/22 Sonia Hemnani	\$90.00
Melissa Mohan 259 Hazel Ave Westfield, NJ 07090	Swim Lessons/Pool 03-55-920-203	Refund Swim Lessons / Session 2 Jacqueline Mohan / Swimmer 9:50 am	\$74.00
Scott Binder 404 W Dudley Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Playground Camp 2022 Kyle Binder / Franklin	\$346.75
Conal Berberich 802 Shackamaxon Dr Westfield, NJ 07090	Swim Lessons/Pool 03-55-920-203	Refund Swim Lessons / Session 2 Elloitt Berberich / Beginner 9:10 am	\$74.00
Mary Coffey 2235 Paff Pl Scotch Plains, NJ 07076	Tennis/Rec T-05-600-071	Refund CSI Workshop 5/7/22 Tess Coffey	\$90.00
Tracie Mandelbaum 858 Summit Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Track & Field / Spring 2022 Zachary Mandelbaum / 2-3 grade	\$111.15
Rich Werner 718 Scotch Plains Ave Westfield, NJ 07090	Tennis/Rec T-05-60-071	Refund Pickleball -Adult /Spring 2022 / "Almost" Rich Werner / Session 2 (\$85) Maryann Huhn-Werner / Session 2 (\$85)	\$170.00
Alejo Giachino 1 Wellington Downs Scotch Plains, NJ 07076 less	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Alejo Giachino/Non-Resident Family of 4 or less	\$685.90
Bob Kermanshahi 528 First St Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Jack Kermanshahi/Resident Family of 4 or less	\$440.00
Philippe Richards 711 Austin St Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Philippe Richards/Resident Family of 5 or more	\$545.00
Mark Coscarello 95 Glenwood Rd Fanwood, NJ 07023	Swim Lessons/Pool 903-55-920-203	Refund Diving Clinic / Session 5 Mia Coscarello / Intermediate 9:10 am (\$50)	\$100.00

Anthony Coscarello / Intermediate 9:10 (\$50)

Suzanne P Sherman 858 Summit Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Transfer from Tennis to Pickleball Class Suzanne Sherman / Adult Classes / Spring 2022	\$57.00
John Kim 417 Tuttle Pkwy Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 John Kim / Resident Family of 5 or more	\$545.00
Brian Wallen 634 4 th Ave Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Brian Wallen/Resident Family of 4 or less	\$440.00
Sean Blessington 622 Cumberland St Westfield, NJ 07090 more	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Isabella Blessington / Resident Family of 5 or more	\$545.00
Christopher Gatto 12 Marlin Ct. Westfield, NJ 07090	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Quinn Gatto / Resident Family of 4 or less	\$440.00

Resolution No. 127

RESOLVED that the Chief Financial Officer be, and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2021-2022:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
2105/1 TRYSTONE CAPITAL ASSETS LLC	323 Canterbury Road	Subs/2021 \$195.00
4007/8 TRYSTONE CAPITAL ASSETS LLC	220 Myrtle Avenue	Subs/2021 \$195.00
4503/55 CANO, Daniel \$637.70	868 Willow Grove Road	1 st /2021 2 nd /2021 <u>\$4,135.27</u> \$4,772.97
4503/55 PennyMac Loan Services Attn: Property Tax Refunds 6101 Condor Dr. Moorpark, CA 93021	868 Willow Grove Road	4 th /2021 \$4,154.43 1 st /2022 \$4,144.85 2 nd /2022 <u>\$4,144.85</u> \$12,444.13
5201/56 KRAMER, Leslie 869 Winyah Avenue Westfield, NJ 07090	82 Tamaques Way	4 th /2021 \$3,304.03

Resolution No. 128

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 year 2022 in the sum of \$3,646.00, which is now available from Union County Municipal Alliance Program Youth Leadership Grant; and

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

General Appropriations	
Municipal Alliance Program	
Youth Leadership Grant	\$3,646.00

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. 129

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 year 2022 in the sum of \$7,133.10, which is now available from the Fiscal Year 2020 Federal Bullet Proof Vest program; and

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

General Appropriations	
2020 Federal Bullet Proof Vest program (BPV)	\$7,133.10

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 Councilman Parmelee and seconded by Councilman Katz, were unanimously adopted.

Resolution No. 130

WHEREAS, one (1) sealed bid was received on April 28, 2022 by the Town Clerk for the 2022 ADA Door Improvement at Town Hall in the Town of Westfield; and

WHEREAS, it has been determined that the bid submitted exceeded the amount budgeted by the Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield that the bid received on April 28, 2022 for the ADA Door Improvement at Town Hall in the Town of Westfield be and hereby is rejected.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Recreation Department is hereby authorized to re-bid for the 2022 ADA Door Improvement at Town Hall

The following resolution, introduced by Councilman Parmelee seconded by Councilwoman Mackey was adopted by the following roll call vote:

Resolution No. 131

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas designated by the municipality as being in need of redevelopment and/or in need of rehabilitation; and

WHEREAS, the Town of Westfield (the “Town”) and SW Westfield LLC (“SW”) entered into that certain Conditional Designation & Interim Costs Agreement, dated as of December 8, 2020 (the “CDIC Agreement”), conditionally designating SW as the redeveloper of certain real property designated as areas in need of redevelopment (and defined in the CDIC Agreement as the Project Site), subject to the redevelopment plan, dated October 5, 2020, entitled “*Downtown Westfield Scattered Site Redevelopment Plan*” (the “Redevelopment Plan”); and

WHEREAS, on April 26, 2022, the Town Council (the “Governing Body”) introduced, and on May 10, 2022 adopted General Ordinance No. 2022-14, amending the Redevelopment Plan to provide as follows: (i) to include within the Redevelopment Plan the real property commonly known as 74-76 Elm Street, Westfield, and identified on the Official Tax Map of the Town as Block 3106, Lot 5 (the “Rehabilitation Property”), which has been deemed in need of rehabilitation; (ii) to limit the uses of the Rehabilitation Property; and (iii) require electric vehicle charging infrastructure be provided in any redevelopment project in accordance with the Municipal Land Use Law, *N.J.S.A. 40A:55D-1, et seq.*, as amended and supplemented, and the Town Land Use Ordinance (the “Amended Redevelopment Plan”); and

WHEREAS, SW proposes to rehabilitate the Rehabilitation Property in accordance with the standards contained in the Amended Redevelopment Plan (the “Rehabilitation Project”); and

WHEREAS, the use of the Rehabilitation Property as a preview center, as that term is defined within the Amended Redevelopment Plan, shall be temporary in nature and shall cease upon either the date (a) SW is no longer conditionally or unconditionally designated redeveloper of the Project Site (as defined in the CDIC Agreement) or (b) SW’s lease agreement with Downtown Realty LLC for use of the Rehabilitation Property is terminated; and

WHEREAS, the Town has determined that SW possesses the proper qualifications and experience to rehabilitate the Rehabilitation Property in accordance with the Amended Redevelopment Plan, and all other applicable laws, ordinances and regulations; and

WHEREAS, to effectuate the Amended Redevelopment Plan, the Town has determined to enter into a Redevelopment Agreement for the purpose of designating SW as the “redeveloper”, as that term is defined in the Redevelopment Law, of the Rehabilitation Property and memorialize the respective rights and responsibilities of the Town and SW with respect to the Rehabilitation Property.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Westfield, County of Union, and State of New Jersey, that the Mayor is hereby authorized to execute a Redevelopment Agreement with SW Westfield LLC in substantially the form annexed hereto as Exhibit A.

BE IT FURTHER RESOLVED THAT all Town officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution. This Resolution shall take effect immediately.

Yeas: Habgood
Parmelee
Katz
Mackey
Dardia
Root
Mayor Brindle

Nays: None

Absent: LoGrippo
Contract

PUBLIC WORKS COMMITTEE

COMMITTEE REPORTS

ADJOURNMENT

A motion to adjourn, made by Councilwoman Mackey and seconded by Councilwoman Habgood at 9:18 p.m. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC
Town Clerk