

MINUTES OF REGULAR MEETING HELD MAY 24, 2022

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, May 24, 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, LoGrippe, Katz, Mackey, Contract, Dardia, Root

ABSENT: None

Invocation was given by Councilman Dardia

Salute to the flag.

APPOINTMENTS

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

Westfield Memorial Library Board

Colleen Cusick to fill unexpired term ending December 31, 2025

PRESENTATIONS

Mayor Brindle presented the following proclamation:

**Town of Westfield
Westfield, New Jersey**

PROCLAMATION

Mental Health Awareness Month 2022

WHEREAS, mental health is essential to everyone’s overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives and should feel comfortable seeking help and support to manage these times; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with early and effective treatment, those individual with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization and citizen share the burden of mental health problems and have a responsibility to promote mental wellness and support prevention efforts.

NOW, THEREFORE, I, Michelle W. Brindle, do hereby proclaim May of 2022 as Mental Health Awareness Month in the Town of Westfield, and I, as Mayor, also call upon the citizens, government agencies, public and private institutions, businesses and schools in the Town of Westfield to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health and the need for appropriate and accessible services for all people with mental health conditions.

Mayor Brindle presented the following proclamation:

Town of Westfield
Westfield , New Jersey
~ PROCLAMATION ~
The Guillotine Salon + Spa
50th Anniversary Celebration

WHEREAS, the year 2022 marks the 50th anniversary of The Guillotine Salon + Spa in Downtown Westfield; and

WHEREAS, the salon was established in 1972 at 108 Central Avenue at the corner of Central and Broad Street and has remained there ever since; and

WHEREAS, current owner Lynne Fitzpatrick has been a part of The Guillotine Salon + Spa for forty years, first as an expert designer and now the proud owner for the last twenty-five years; and

WHEREAS, the team at The Guillotine pride themselves on being talented and educated professionals who prioritize making their guests feel like family and who are committed to the salon’s core values of integrity, professionalism, fairness and honesty; and

WHEREAS, the culture at The Guillotine is centered around giving back to those in need and the team does this in several ways including providing free haircuts at the Elizabeth Coalition and for Operation Warm Heart and through the salon’s annual event, “More Than a Cut-a-Thon”, where they have raised upwards of \$50,000 for several organizations that include Children’s AIDS Hospital, WYAC for domestic violence, RESTORE Ministries, Elizabeth Coalition to House the Homeless and Bernice’s Place; and

WHEREAS, Lynne and her team’s charitable efforts extended beyond the local community when she made a mission trip to Nicaragua, distributing donated hairdressing equipment and supplies to students in an effort to give them a head start in their career with supplies not readily available to them.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Michelle W. Brindle, on behalf of the Town Council, hereby congratulates owner Lynne Fitzpatrick, the team, and guests of The Guillotine Salon + Spa on the occasion of the 50th anniversary and thank them for their dedication and loyalty to the Town of Westfield and surrounding community and wish them much continued success.

OPENING REMARKS

Good evening, everyone, and thanks to all who are joining us both here in the Council Chambers and online tonight. Before we get started, I want to acknowledge the horrific school shooting that occurred in Texas today. Tragically, we’ve been here before, and there simply are no words. Please join me in a moment of silence for those who were lost today.

As you can see, we have many wearing green t-shirts tonight in honor of Mental Health Awareness Month. We have members of our Mental Health Council here with us tonight, and I

want to publicly thank them for the tremendous work they've done since their inception in 2018 to promote lifelong mental wellness, educate the public, ensure access to available resources, and promote the value of making Westfield a stigma-free community. The May 15 Mental Health Fair was a great success, thanks to their hard work and dedication. I'd like to invite them up to the dais to read a proclamation recognizing Mental Health Awareness Month, which will be followed by a proclamation recognizing the 50th anniversary of Guillotine – a staple of our downtown business community that has operated in the same location at Central and East Broad since 1972.

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.

I know that many of you are here regarding tonight's resolution on the Redevelopment Agreement for the proposed redevelopment at Prospect Street and Ferris Place, and I want to thank you once again for your continued engagement. I'll address this topic in more detail later in the meeting when the Council has its discussion just before the vote.

MEMORIAL DAY PARADE

For those who will be in Town over the holiday weekend, I hope to see you for the return of the Memorial Day Parade on Monday! Once again, The Martin Wallberg American Legion Post 3 will host this beloved tradition to honor America's heroes who made the ultimate sacrifice. If your community organization would like to march, there's still time to register through the end of the day tomorrow (Wednesday, May 25) on our website.

This year, the parade organizers unveiled a new route designed to maximize participation by the marchers and the spectators. The traditional solemn ceremony to honor our fallen heroes will begin at 9:00 AM in Monument Circle. The parade will immediately follow, beginning on East Broad Street and turning left on North Euclid, ending in Mindowaskin Park. The Westfield Police Department will then escort all participating veterans to Fairview Cemetery for the annual solemn service held there. All residents are invited to join the American Legion at 1003 North Avenue between 12:00 and 4:00 for a barbecue, family games, music, and entertainment.

Many thanks to Joe Mindak and Jim McDonald for organizing the day's events, and to Fairview Cemetery & Arboretum for their generous funding to help honor the lives lost in service of our country.

For full event details, visit westfieldnj.gov/memorial-day-parade.

PIZZA WITH THE POLICE

Don't miss Pizza with the Police on Thursday, May 26, from 4:00 - 6:00 at Outta Hand Pizza. Stop by for a slice and a soda compliments of the Westfield Police Department!

This informal setting is a great opportunity to meet the Community Policing Bureau, ask questions, and discuss any concerns you may have. Music will be provided by BBD R&B Band, and kids can check out police equipment on display. A portion of the day's sales will be donated to Irreverent Warriors. Thanks to Outta Hand for hosting – I look forward to seeing you there!

DWC LEADERSHIP

At last week's DWC Board meeting, Executive Director Bob Zuckerman announced his resignation, effective June 3, to accept a position as Executive Director of the Red Bank River Center as his family plans for an eventual relocation to Asbury Park. I would like to thank Bob for his professional insight and many valuable contributions during his tenure at the DWC. Bob began his job at the DWC in March of 2020 – the worst time imaginable, as the pandemic forced the closure of many downtown businesses for an extended period of time. He immediately got to work, serving as an important liaison between our businesses and the state and federal government to explore and communicate all funding options and available resources to keep our local businesses afloat. As we slowly came out of the pandemic and saw businesses re-open, he played an integral role in the execution of Open Quimby – providing additional outdoor dining and retail space, as well as community programming, to drive increased foot traffic at a critical time for our business community.

Now, two years later, we are in the midst of what is clearly a positive trajectory in our downtown, with more than 30 new openings and expanded businesses this year— representing a broader diversity in dining, retail, and professional services. Bob and the entire DWC Board are to be commended for laying the groundwork over the last two years for this revitalization, which is only just beginning.

DWC Chair Lew Kimble will be forming a committee to conduct a formal search for a new Executive Director, with additional details coming shortly. In the meantime, I am proud of what the DWC has accomplished under Bob’s leadership in partnership with the Town, and am grateful to Bob for his ongoing dedication – I wish him all the best in his new endeavor!

SUSTAINABLE JERSEY GRANT

Yesterday, Sustainable Jersey announced the thirty-five New Jersey municipalities, schools and school districts selected to receive a Sustainable Jersey grant funded by the PSEG Foundation. I’d like Councilman Contract to provide the details about Westfield’s grant award.

Remarks by Councilman Contract:

I’m pleased to report that Westfield received one of the seven \$20,000 grants – the highest amount awarded – for the Green Team’s application to install “bike oases” within the downtown area that can be used to house bikes while residents go shopping. Each oasis is expected to include places for residents to rest, charge phones, and make bike repairs – further advancing our efforts to make Westfield more bicycle-friendly as part of our sustainability platform. Thanks to Karrie Hanson and Jay Goldring for their work on the successful grant application.

TONIGHT'S AGENDA

Tonight, we will be voting on a number of resolutions covering a range of issues, a few of which I’ll briefly highlight.

- **Public Safety, Transportation, and Parking Committee**

I’d like to thank Councilman Dardia, as Chair of the Public Safety Committee, for bringing forward a resolution authorizing an award of contract for solar-powered speed displays. This was part of the 2022 capital budget and provides for nine additional speed box radar signs, adding to the ten we purchased last year.

- **Finance Policy Committee**

And, finally, Councilwoman Habgood will provide an overview on several of the Finance Policy Committee resolutions.

Remarks by Councilwoman Habgood:

On the Finance Policy front, we’ll vote on resolutions authorizing the following actions:
Entering a lease agreement with Enterprise for police vehicles – the continuation of a program that has proven to be very beneficial.

Requesting permission from the State to establish a Dedication by Rider for donations to fund sustainability Initiatives, which will allow us to deposit donations and other funds to be dedicated for sustainable purposes.

Entering a Cooperative Pricing Agreement, which provides us the opportunity to achieve better pricing on many types of services.

Awarding contracts for the next stages of work on the upgrades to the Council Chambers that are part of the approved 2022 municipal budget.

With that, let’s get to work. Thank you.

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

MINUTES

On a motion by Councilman LoGrippo and seconded by Councilwoman Habgood Council approved the Minutes of the Town Council Conference Session and Regular Meeting held May 10, 2022, with Councilman Contract 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.

Alan DeRose, 3 Bradson Court, thanked the Mayor and Council for their service to the Town of Westfield. Mr. DeRose stated he and his family have lived in the area for nearly 30 years and is happy that Westfield is such a wonderful community. He explained during this time he has watched downtown reach its peak at the turn of the century and slowly atrophy. He explained that the nature of the downtown has evolved over time and there is an increase in people wanting to close and work close to the downtown area. He suggested that he and his wife will most likely downsize at some point and live closer to the downtown area. He stated that at the current moment there is a limited supply of quality apartments. He referenced the Master Plan which had a tremendous amount of public input that determined there was a need for more development of both office space and apartments in the core of Westfield needs to be encouraged in order to attract visitors, support businesses, and create the environment a downtown need to thrive. He stated that The Sophia is the type of development the town needs, bringing in new residents. Mr. DeRose brought up recent redevelopment projects in neighboring communities such as Summit and Cranford. He is confident that once The Sophia is built many people who are opposed to it will recognize it is positive for the Town. Mr. DeRose firmly supports The Sophia project.

Frank Fusaro, 422 Stanley Avenue expressed his concern for The Sophia project. He believes the project is drastically oversized for the block and lot it is being proposed on. He explained that the same architect firm used to design 333 Central Avenue is designing the project with approximately the same number of units, however 333 Central is located on a larger parcel of land not in a single-family residential area. Mr. Fusaro stated his opinion that the density of this development is too high and does not think it should be compared to existing developments such as the Westfield Arms and the Carleton. He stated this is a case of apples and oranges. He explained the preexisting buildings in the area were constructed approximately 100 years ago prior to current zoning requirements in place and neither provide any parking. He asked the Council if this should be used as a comparable standard. He said the proposed development is an example of spot zoning which is not allowed. He went into detail on the process of zoning and variance applications which cannot be based upon previously approved projects in the past. He stated that at the start of the project ten affordable housing units were being incorporated and now there are only six, asking the council if the developer is cutting corners. He asked the Council various questions pertaining to the retail cafe space proposed, and the LEED certification. Inclosing, he implores the Council to not promote this development as he believes it should be scaled down prior to entering into a redevelopment agreement since it is difficult to make changes. He thanked the Council for their time, consideration, and service to the town.

Doug Miller, 619 Carleton Road addressed the Mayor and Council and stated that there is a scheduled vote on The Sophia project tonight and he and many other Westfield neighbors have extensively commented and communicated to the council by verbal or written communication that the project is too large, inconsistent with the size and setback of the surrounding houses in the neighborhood and synergizes exponentially the current traffic problems on Prospect & Ferris Place. He feels the developers traffic study is woefully inadequate because it studies traffic at a time characterized by already reduced traffic in the area due to commercial retraction exacerbated by COVID in the vacant Lord & Taylor properties. He stated any upcoming development of the Lord & Taylor properties will overwhelm the limited capacity of Ferris Place and the adjoining intersections. He voiced that the Council has repeatedly emphasized to the public that The Sophia development is consistent with the Master Plan. He feels the density of

this project is far too large and feels this process did not give notification to residents and homeowners that would be affected by rezoning and development. He expressed his concern that the houses adjoining the property will now be left in a residential pocket. He feels that approving this plan without modification that enables it to be consistent with the neighborhood and failing to support residents of the Town of Westfield is an action comparable to a quote Mitt Romney recently stated. Mr. Miller stated his disposition for The Sophia project adamantly and feels the Council is not listening to the residents. He stated the Master Plan was written to benefit a few developers. He mentioned a former development plan many years ago near the Southside Train Station that had gained enough interest by citizens which resulted in the Council to vote against the project. He asks that the Council do the same by listening to the residents and vote against the project.

Robert Tarte, 224 Prospect, stated he is not entirely opposed to the project, however there are some concerns with regard to the size and the traffic problems. He feels the traffic issues are only going to increase especially when the project is being built. He is concerned that trucks and vehicles are going to be parked all along Prospect Street and blocking driveways. He mentioned that if he had to leave his home for an appointment and his driveway was blocked by the time, he called the police he would already be late. Additionally, he asked the Council if people would be parking in a lot or garage to visit the retail cafe space rather than park on the street. Mr. Tarte feels individuals are going to park along the street causing more congestion. He appreciates the changes that have been made on Prospect Street regarding the loading zone; however, people are continuing to make left turns despite the signage, but it is not being enforced. He reiterated how this can cause additional traffic during construction for The Sophia and believes the developer of the project does not care for the surrounding neighbors. Lastly, he thanked the Council for listening but does not feel there is going to be a solution.

Ted Ritter, 710 North Avenue West, stated when his daughters were younger, they watched a television show called "Sophia The Great" in which the theme song was titled "I'm Finding Out What Being Loyal Is All About", and now in Westfield is own version of Sophia. He said it seems as though the Mayor & Council are more loyal to the developers than the residents of the neighborhood. He explained he voted for the Council and supports strategic context sensitive redevelopment for places that have the capacity to support it. He feels this neighborhood does not come close to that. He explained he has a degree in political science and spent many years covering many municipal meetings. He feels representative government is about seeking common ground and compromise by listening to the people being represented. He told the Council he saw zero signs for the intention of scaling the proposed project back. He stated his thoughts on how this project is labeled consistent with the Master Plan and feels the Master Plan is a super prepared document that is subject to interpretation. He told the Council they were elected to make rational and enlightened decisions on behalf of the residents of the Town. He feels the project was a done deal from the beginning and feels as though it is a huge mistake. He said many disappointed neighbors feel they are wasting their time, but a lot of good faith capital is lost. He does not agree with deciding on this agenda item tonight and feels it should be tabled to a later date to have more discussions with the developer and neighbors.

Carla Bonacci, 603 Lawrence Avenue, stated she is a professional licensed architect in the State of New Jersey and New York and works as a professional planner, and former Board of Adjustment member, and a mother who has raised her children in Westfield. She told the Council she is one of the many neighbors who signed a petition opposing the height and density of The Sophia project. She is dismayed that there has not been a full analysis of development options or any accounting of public benefits with a massive up zoning of the Prospect-Ferris site. She is not opposed to development of this particular site; however, she feels the project needs to be scaled back. She feels both the building design and the Towns development process are objectionable. She referenced the rendering of the proposed development by the developer and wanted to show the Mayor and Council a new rendering that would reduce the building height and number of units and not require the relocation of the historic house on the property. Ms. Bonacci provided another rendering of the proposed development that would be three stories and

include gables and architectural designs that could match with the neighborhood. She advised the Council she did some analysis of the zoning requirements and ordinances of the Town. She sees The Sophia as an economic windfall to the developer and has viewed the redevelopment agreement and has found no evidence of any financial considerations to the town with additional development rights. She stated neither the town nor developer has demonstrated that a smaller building would not be profitable. She mentioned that by reducing the height by one floor the building would fit more comfortably in the neighborhood. She thinks that redevelopment law should not be used to bypass regular order of town planning. She did not think she would have to worry about a skyline in Westfield that can be visible to commuters from the Train Station. She stated the character and charm of the Westfield single-family housing stock should not be diminished by a redeveloper and feels the proposed project is too large and wishes the Council would postpone the vote and explain the rationale behind this project.

Joseph Spector, 1120 Prospect Street, stated he also owns a six-family residence across the street from the Savannah at 112 Prospect, apartments and retail property along East Broad Street. He told the Council he moved to his house in 1985 when there were approximately five houses on his side of the street and since then the area has changed. His property value has gone up, and he explained the tax revenues to the Town have increased due to growth and change. He feels that change is inevitable and thanked the Mayor and Council for thinking of ways for redevelopment that takes many years. He stated that when people come into town to look for a place to live they show them the house, the schools and a functional downtown. He feels as though residents and employees of the businesses help support a functional downtown and by having the proposed Sophia project will help increase the functionality of downtown. He thinks the plan perfectly fits the neighborhood and thinks many young people that want a close commute to the city will take advantage of this proposed project. He thanked the Mayor & Council for moving forward with these projects and looking towards the future of Westfield.

Anthony Pacchia, 314 Prospect has lived in Westfield for four years, lives close to the proposed site and is in favor of this project. He said that since moving to Westfield he has had some real concerns over the vacancy of the downtown area and this project is one of the few powerful ways the town can address this issue. He said that anytime properties are vacant or underutilized for a long period of time it raises concerns about the vibrancy and sustainability of a downtown area. Vacancy tends to lead to blight and if that is not fixed many undesirable consequences materialize. He mentioned a recession is probably near while two to three years of a pandemic businesses have struggled downtown. He feels that one way to cushion the blow for businesses or a way to attract new businesses to this area is to aid in the foot traffic and add a sense of vibrancy to the downtown and surrounding areas that are unique. He stated the town has been thoughtful and deliberative to how it approaches revitalizing downtown. He does not relish the idea of living in a construction site area but feels that is the cost of living in the modern area and feels as though the temporary inconvenience will benefit the town. He feels this project makes sense and if people feel traffic is an issue, then Trader Joe's needs to have a discussion about their parking lot. He does not think the proposed apartment complex is an issue more so, the Trader Joe's parking lot. He thanked the Mayor & Council for their time and efforts.

Courtney Schael, 511 Summit Avenue, said that less than six months ago Westfield residents were made aware of the plan to build a 64-unit mixed use building in a residentially zoned neighborhood area. Ms. Schael stated that Mayor Brindle was quoted by The Westfield Leader as saying, "I've heard from many people that this project came out of the blue and is being fast tracked when in actuality it has been in the works for many years." This article further stated that Mayor Brindle knew about the project in 2018 when Mr. Ward was advised to wait until the 2018 Master Plan Reexamination was to complete to make sure the project was in line with that plan. She said that in 2019 when the Master Plan Reexamination was completed this property was listed as one of the nine areas recommended for rezoning for mixed use, Mr. Ward's being the only property listed in a residential neighborhood. She further stated that over the course of 2020 and 2021 there were multiple meetings with Mr. Ward, town representatives and the Historic Preservation Commission about the projects that have been disclosed on the Town's

Q&A website after November 2021. Ms. Schael continued to say that after 2021 as part of the Master Plan, Land Use and Circulation element it was recommended that local redevelopment law be used to encourage appropriate redevelopment for this Block & Lot number. She explained that the introduced ordinance adopting the Prospect & Ferris redevelopment was shortly after the reelection of the Mayor and Council. The plan was quite extensive and clearly something that was not prepared in that short amount of time. She agrees that this plan was not fast tracked and took years of planning to get to where it is today. She said she did not hear of this plan prior to that or saw it mentioned anywhere. She questioned why the Mayor and Council didn't publicly discuss the benefits of the project prior to the campaign. She also wanted to note that through public records Mr. Ward donated to the local Democrats in last year's election for the first time she can see when she stated he historically has made contributions to local Republican campaigns. She did hear a lot of talk during the campaign about transparency and listening to stakeholders. Ms. Schael said that quite understandably residents that have had less than six months' notice that this project had been in the works are questioning the Council's candor and transparency. She further stated that it is not too late to listen to the residents in the room and those who signed the petition against this project. She urges the Council to listen to the residents and consider downscaling the project to something more appropriate for the area and look at different proposals for something that is more in line with the community.

Marvin Gersten, 725 Saint Marks Avenue, stated he is a retired transportation traffic engineer and reviewed the traffic impact study and wrote to the town about his concerns. He is concerned that it was a typical past procedure focusing on vehicular traffic only. The current procedures that are being updated by the Institute of Transportation Engineers that is studied and researched by the National Cooperative Highway Research Program recommend what is called a multi-modal traffic impact study. He explained that what multi-model means is not just vehicular levels of service, not just vehicular quality of flow on streets but looks at the impacts on pedestrians, and bicyclists, and safety as well. He states those issues were not covered in the traffic impact study. He said it did not mention approach speeds, not just intersections. Mr. Gersten reiterated his concerns that the traffic study impact is incomplete.

Matthew Lipsky, 227 Prospect Street, wanted to thank the Mayor and Council who have taken the time over the past couple of weeks to respond to emails and speak with concerned citizens as he knows it had been inundated. He feels as though the council has heard from many residents shows the growing concerns about the project but recognizes the time and energy put forth into this and is very appreciative of that. He wanted to make it clear that he is in favor of redevelopment and developing this property, but in a way that both meets the town's needs and is consistent with the neighborhood. He said he cannot speak for everyone, but the community consensus is a three-story building with an appropriate setback would be welcomed. He stated that the town has granted itself extraordinary powers to offer new developments where they meet the town's needs and the intended character of the community. In exercising these powers, the first question Mr. Lipsky asks the Council is whether the proposal actually achieves those goals. He feels this proposal does not and maintains the character. As he has previously stated, having a true transitional neighborhood close to downtown is both very rare and valuable. Most comparable downtown's do not have communities like this where it is walkable to downtown and provides a true community feeling with backyards and neighbors. This is what drew Mr. Lipsky to Westfield and made him want to start a family. Mr. Lipsky mentioned that it has been suggested to him that there are almost no real single-family homes being impacted by this project. He wanted to make it clear that is patently false. He said there is a clear trend of houses on the 200-300 blocks of Prospect Street that are being converted back to single-family homes and beautifully restored, his home being one of them. He mentions there is only one home on Prospect Street that is a nonresidential home which is used as a counseling center. He feels this is not an area in need of rehabilitation and is a thriving neighborhood. He asks if the council had time to review the entire redevelopment agreement document. He further stated the council was elected to represent the needs of the constituents and do what is best. He feels that constituents would like to see this project scaled back. He feels that if the project is not scaled back there

should be an overwhelming and clear business case to how the project benefits the community. He thinks the vote should be tabled or against to gather more information.

Evan McNamara, 603 Lawrence Avenue, stated he has lived in Westfield for over 18 years and feels as though Westfield is a nice small, charming town. He stated Westfield is not Hoboken or Jersey City and Westfield should stay a small town. He asked the Council why they are voting on a project many residents are against.

Lorre Korecky, 207 Charles Street, has been a resident of Westfield for the last 44 years many of those years have been within walking distance to downtown. She understands the charm of being able to walk downtown and is not opposed to redevelopment of the proposed area. She is opposed to the size and scale of the plan. She feels as though the Master Plan which was adopted in a time where residents were focused on the pandemic, and it has been the driving force behind this development. She stated that this plan has been cited to be consistent with the Master Plan and the Master Plan is consistent with the town's community survey that was conducted prior to the plan. Mrs. Korecky feels as a resident who responded to the survey, she never would have imagined designating the entire Town of Westfield as an area of rehabilitation, thus permitting rezoning at will. She quoted one of the goals and objectives of the Master Plan as "to preserve and protect the suburban character of existing residential neighborhoods" and "discouraging through traffic in residential areas wherever possible." She expressed that more than 1,100 residents have expressed their opposition to the size of this project and the residents want to preserve the character of their community. She feels as though this project cannot be compared to neighboring multi-story buildings in Cranford, Garwood's multi-story buildings replacing factories. She stated she has heard this architecture is like Hoboken, but told the Council, this is Westfield not Hoboken.

James Boyes, 122 Ferris Place, stated tonight is a historic evening, for the first time in this town's history of this town council a redevelopment agreement is being voted on for an area in need of rehabilitation. He feels many residents are wondering how this redevelopment tool will be applied. He said the Prospect & Ferris redevelopment is a collaborative effort between the Mayor, the redevelopment team and the developer. He touched on details of the project about number of units, size of the property, affordable housing requirements, and underground parking. He also stated the council has designated subject properties as an area in need of rehabilitation based on the properties being vacant and underutilized, and because one- or two-family usage on Ferris Place is in the minority. He feels both assertions have been debunked and the entire project is questionable. He feels that these properties are not vacant and underutilized, they are grossly neglected by the property owner. He further mentions that Ferris Place is residential despite what the Town has said. He said eight of the nine properties on Ferris Place are residential. He feels that disregard for the facts does not bode well for future application of redevelopment law. Mr. Boyes is concerned that the Town did not conduct due diligence as to the proper qualifications and experience about the redeveloper. He asked if the Town has inquired with the Savannah Condominium Board as to their experience working with the developer. He asks before the Council votes on the agreement the public has a right to know the value of a five-year tax abatement the redeveloper would receive. He believes the Town has an obligation to inform residents of this. He hopes the Council listens and considers scaling back this project.

Marci Bandelli, 209 Tuttle Parkway stated she lives in the middle of two potential projects and is in support of it. She stated the residents elected this council to advance the town, to revitalize a tired, dated, neglected town that was losing retail stores to Amazon and other online huge merchants. She further states the administration was elected to offer transparency and energy that was lacking in the past to promote optimism and work tirelessly to increase foot traffic in the downtown area. She stated that whether people are in favor of the project or not, it can be recognized that if a goal is set, it will get done. She understands that the foot traffic contributes to the viability of the Town regardless of the size of the building. This will provide more people frequenting the downtown stores and restaurants. She voiced her trust in the Council and

expressed her gratitude for the time, energy and efforts the Council has put forth into making these decisions on a voluntary basis. She also wanted to thank this administration for joining Mayors Against Illegal Guns and wishes more administrations would follow suit.

Vadim Rud, 111 Cowperthwaite Place, has lived in town for nearly 20 years and resides close to the proposed project. He recalled a development project called Prospect Gardens that never materialized due to the neighborhood push back. Mr. Rud explained now there are three beautiful homes in those locations. He feels as though when new developments are built, they build new desired models for the future. He respects Mr. Ward and understands that the building may not be desired by everyone. He thinks it is going to bring more people into town, but he also feels that as time continues these big model buildings will be the model going forward. He feels that by adding this building in a single-family area it will continue to push into the neighborhood. Mr. Rud reiterated he is not against development however feels the scope and size of the project is too large. He hopes the Council considers everyone's thoughts prior to taking the vote.

Ina Giardina, 212 Prospect Street, stated she is mortified that the developer might get rewarded for letting his two properties go untended for years. She asked the Council why he should be rewarded for that. She is also concerned that being the developer of The Savannah which has had leaking problems how we would handle issues for the proposed development. She mentioned other properties the developer owns and stated there are property maintenance issues regarding landscaping, trees, and overgrowth. She thanked the Mayor & Council.

Jerome Feder, 789 Knollwood Terrace spoke about the Edison School Field project. He does not agree with the proposal of artificial turf and lights at the location as he feels it is dangerous, does not significantly increase field capacity and wastes money that can be used to save teaching jobs. He lives behind the Edison School rear fence and has noted the field is reserved for educational use until 6 P.M. and beyond. He feels this proposal is just for a few hours outside the educational use time for non-educational purposes. He details a typical Edison School day when the fields are being used for recess, recreational activities, and sporting events. He does not see much more room for additional use. Mr. Feder does not feel the money to create this project is worth the field changes and feels artificial turf will make the field hotter for the users. Mr. Feder provided the Council with a handout with a view of the Edison School Fields. He does not believe there is going to be much added field capacity. He disapproves of the lights and feels it can be harmful to children. Mr. Feder gives a breakdown of the cost estimates over an extended amount of years which he feels can save jobs for teachers or help other critical town needs. He stated this is a field project not connected to education to help for a few hours in the evening. He feels artificial turf causes additional costs down the road and will cost the town money for the upkeep. He also stated Edison is in a flood area and has had issues in the past particularly with Hurricane Ida. Mr. Feder thinks the project is cutting corners on flood design and is endangering residents. Inclosing, he does not think the project is going to create more time for additional field use but instead make Edison more dangerous.

Patricia Pfaffenbach, 111 Prospect Street has lived in Westfield for the past 44 years, 13 of which have been on Prospect Street. She is concerned about the deliveries, trucks, parking, and traffic issues with the proposed building. She feels the setbacks need to be changed so drivers can see beyond the building. She stated the streets are going to be packed with cars especially if there is only one way into the building and one way out. She understands the delivery trucks need to make frequent stops for the businesses to thrive, but she feels the building needs to be appropriate for the neighborhood and does not feel it belongs in Westfield. She thinks if the building was made to look more like Westfield and had additional parking spots underneath the residents would be happy.

Jean Lehmborg, 528 Grove Street, stated if anyone has attended an event at Kehler Stadium it may be noticeable that the natural grass looks nearly identical to the artificial turf. She explained that while they may look identical, artificial turf consists of many layers most of which are hidden beneath the surface. She went into detail about the components of artificial grass makeup

including a plastic petrochemical product formed from crude oil or natural gas that is put through a polymerization process which forms pellets or nurdles. Mrs. Lemberg explained the process that manufacturers go through to dye, melt, and form the artificial turf. She mentioned it is important to note that any color can be added to the plastic however green is used to masquerade as grass. She stated that unlike artificial turf that was first used less than 60 years ago, natural grass has been in existence for millions of years. She mentioned that on warm hot days the artificial turf will become very hot and cause athletes' dehydration, heat exhaustion, burns and blisters. She further stated that the higher temperatures can cause the chemicals in the turf to volatilize creating a very unpleasant odor and potential health risks for field users who inhale the fumes. She explained the many health risks related to the materials involved in the artificial turf. She also feels artificial turf would create a stormwater issue for the town and overburden the storm drainage system. Lastly, Mrs. Lemberg discussed the upkeep with artificial turf and how it would potentially need to be replaced every eight to ten years while natural grass can have an unlimited lifespan.

Tim Eaton, 762 Knollwood Terrace, asked the Council to vote down the Edison School Field project which includes artificial turf and tower lights. Mr. Eaton stated artificial turf fields contain carcinogens, neurotoxins, respiratory irritants, and disruptors. He explained that children and younger adults are vulnerable to these chemicals which are linked to cancer, nervous system disorders, cardiovascular issues, thyroid disease, and other health issues. Mr. Eaton also mentioned artificial turf can also be 50 to 60 degrees higher than natural grass roots which causes dehydration and heat exhaustion and can pollute the environment. He feels organic natural grass is safe, cool, healthy, and regenerative that is designed to withstand sports activities over time. He feels there should be a certified athletic field manager to improve the fields through maintenance programs emphasizing overseeding aeration, irrigation and drainage. Furthermore, he feels tower lights do not belong in residential neighborhoods, and increased activity at night will ruin the surrounding neighborhoods by increasing the noise, traffic, and street parking in front of private residents causing pedestrian safety issues. He concluded by asking the Council to vote for organic natural grass fields and no tower lights.

Richard Skolnick, attorney for the Prospect Ferris Development which is Mr. Ward's entity. He requests that the governing body approves the redevelopment agreement this evening and would like to offer some history for context. He stated this concept has been in the works for several years and believes Mr. Ward has worked tenaciously and cooperatively with the Town to develop a unified vision for the project. Mr. Ward met with the Council, Planning Board and the Historic Preservation Commission. The Town's redevelopment consultants have conducted numerous calls and meetings with concerned neighbors and residents. Mr. Skolnick said Mr. Ward has made numerous plan revisions and has indeed rethought significant aspects of the entire project to make it fit with the town and the neighborhood. He explained the revisions include removing the fifth floor of the original building plan, the unit count was reduced from 71 to 64 and now to 60. A second level of parking was removed from the plans. The retail space which was discussed earlier was added at the suggestion of the town's consultants, and the garage access was removed from Prospect Street to avoid conflicts with auto and pedestrian. A step back was added on the top floor to significantly reduce overall massing, facade elements were changed from a traditional brick appearance to a lighter softer tone. All parking was placed below grade to make it invisible to passersby. Three-bedroom market rate units were removed from the plan. Stoops live and work units were added to a long Prospect to create a more residential feel, a green roof and other green amenities were added to the plan. A bump out was added to the crosswalk on Ferris Place to enhance pedestrian safety as well as a crosswalk on Prospect Street. He further stated there is still a site plan review process that must take place. He mentioned his client and his development team have attended many meetings with town agencies including specifically the Historic Preservation Commission. Mr. Ward worked with Chairwoman Boyes and members of the Historic Preservation Commission in good faith for over a year on the project. He stated there was give and take and negotiations. He stated Chairwoman Boyes and the Historic Preservation Commission recommended and ultimately convinced Mr. Ward to save the historic house and reuse it as an educational and cultural center that costs the

project seven units. He also said it is expensive to preserve the house and there are direct costs to move the historic structure and rehabilitate it so it is usable as a public amenity to benefit the community for years to come. He stated Mr. Ward accepted most if not all of the Historic Preservation Commission's other recommendations, including facade changes, siding stoops, and adding live work units mentioned previously. Mr. Ward gave his consent to a formal historic designation based upon the good faith negotiations with the Historic Preservation Commission that had been conducted over a year-long period. Mr. Skolnick stated he and Mr. Ward's development team is very concerned about the opposition from the Historic Preservation Commission chair that's occurred after these extensive discussions. He voiced time after time other recommendations from the Chair of Historic Preservation Commission were brought back to Mr. Ward's architect with considerations and many if not all the recommendations were accepted into the plan, making it stronger because of the Historic Preservation contributions. He stated Mr. Ward is confident that taken the proposal represents a well thought out balanced approach to redevelopment that will make a significant contribution to the revitalization of downtown Westfield. Mr. Skolnick thanked the Council for their extensive time on the project and asked for approval of the resolution to authorize the agreement.

Phyllis Karp, 2 Cowperthwaite Square, has written and voiced her opposition to the Prospect Ferris Redevelopment project in its present form. She is not against the project itself, however, would like the Council to reconsider the size and scope. She mentioned she heard a rumor that Trader Joe's will not sign a long-term lease with the Town due to the negotiations with Mr. Ward and the parking congestion problem. She wishes this issue would be addressed. She advised the Council if Trader Joe's was to leave Westfield the Council would have the wrath of residents upon them. She echoed not to cancel the project, but to do something about the size, scale, and density of the project.

Barbara Berko, 258 Sinclair Place, has owned a home in Westfield for over 44 years. She wanted to address the issues with the historic home on the Prospect Ferris property. She said the plan calls for relocating the historic home which could result in damage to this property. She said if the developer were to downscale the project, relocation would not be necessary, and it would not be a risk to this home that can benefit the community.

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

Mayor Brindle thanked and acknowledged Alan DeRose for his presence as a former member of the DWC Board and service in the town. She then clarified the point of Mr. Fusaro, that there will not be 64 units but there will be 60 units built as they must have 15% of the units (9) set aside for affordable units as anything otherwise would be considered a violation of the COAH agreement.

The Mayor addressed Mr. Tarte's construction concerns and assured him that one of the benefits of the redevelopment agreement is that the process laid out and that Councilwoman Habgood and Councilwoman Root will be involved in those construction conversations to make sure that it mitigates any inconvenience to the neighborhood as possible.

Mayor Brindle briefly discussed the new no left turn from Prospect to East Broad and enforcement, she said that Chief Battiloro has been enforcing the new change and they have been issuing tickets. She pointed out that because it is a new traffic pattern, it will take time for those that are on that street to get used to it and change their behaviors. The Mayor notes the Police Department will be issuing tickets as a deterrent.

She thanked Ms. Bonnaci for the renderings and acknowledged her concerns for the financial considerations that the project would bring to the town. She said that the redevelopment attorney would be speaking later about the financial contributions to the town, for example, the historic home and more.

The Mayor thanked Mr. Spector for his time as a DWC Board member, former DWC chair, and his service at the Leader store. Mayor Brindle thanked Mr. Gersten for looking at the traffic impact study and his service on the Union County transportation board. Mr. Gersten has spoken to WSP and Mayor Brindle reiterates that the Town will stand by the traffic professionals and their opinions with respect to his contributions. Mayor Brindle stated that this project does not generate enough traffic for that to be the reason it doesn't move forward.

The Mayor believes there must be a misunderstanding about the area of rehabilitation since Mr. Boyes and Mrs. Korecky mentioned that. She states that the area of rehabilitation done for the town was ironically related to the historic preservation ordinance and in the Town's attempt to provide incentives for people that designated their homes, a mechanism for the town to be able to provide future tax relief for any improvements that they made to increase the value of the home. Mayor Brindle stated that this was something former Councilman Boyes supported.

Mayor Brindle explains that Westfield is not trying to be like the City of Hoboken as it was mentioned by a few individuals. The Mayor explains that there is a desire to make the buildings feel more residential from the street and so it was recommended by the Historic Preservation Commission that the brownstone effect would be more beneficial so it wasn't simply a glass window apartment effect instead. Mayor Brindle reiterates to Mr. Boyes that there is no tax abatement on this property and the Town has been very clear about this.

Mayor Brindle thanks Mr. Skolnick on his involvement. Mayor Brindle mentions that the Historic Preservation Commission has been involved on this project for a year and they weighed in on many of the aesthetics and had the historic house designated so it is a bit confounding that they have objections to the project as they were very involved in how the project appears today.

Mayor Brindle voiced the Town has been working with Trader Joe's to improve their employee parking situation. She states that a couple of years ago Trader Joe's made the decision that they would rather put their employees in their own lot. We are working to see if we can come up with a solution to relocate some of the employee parking.

The Town Administrator stated that he has spoken with the property owners and the corporate office recently of Trader Joe's and they have made it clear that they value parking just as much as the Town does and that the Town has no intention to harm Trader Joe's operation. Trader Joe's have indicated that they are not in favor of changing their lot currently since parking is so important to them and losing any spaces would be difficult. The Town will continue to have discussions with the Public Safety Committee and look at different ways to improve the parking beyond their parking lot to see what else can be done to mitigate that circulation that happens in the street.

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 \$352,378.08 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 Councilwoman Mackey, were unanimously adopted.

Resolution No. 132

WHEREAS Robert A. Panza, Owner of real property located at 570 Westfield Ave, Westfield, NJ, posted an escrow in the amount of \$2,500 with the Town to guarantee the installation of landscaping as required by the Tree Preservation Committee's approval of Tree Permit #18-023, and as a condition of CO approval, and

WHEREAS the Owner has completed the necessary landscaping installation and has requested that this amount be returned, and

WHEREAS the Director of the Department of Public Works has inspected the property and has found the work to be in compliance with the provisions of the requirements.

NOW, THEREFORE BE IT RESOLVED that the Chief Financial Officer be and is hereby authorized to issue a warrant in the name of Robert A. Panza for the release of previously held escrow monies, in the total amount of \$2,500.00 and forward same to:

Robert A. Panza
100 Winchester Way
Westfield, NJ 07090.

Resolution No. 133

WHEREAS, the following applicant has 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

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:

<i>App #</i>	<i>Name</i>	<i>Address</i>	<i>G/L</i>	<i>Refund Balance</i>
<i>PB 18-10</i>	Stuart Schnitzer	885 New England Drive	2-05-550-307	\$226.50
<i>Return to:</i>	Stuart Schnitzer	885 New England Drive	Westfield NJ	07090

Resolution No. 134

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Jessica Weitzman 639 Salter Place Westfield, NJ 07090 less	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Peter Weitzman / Resident Family of 4 or less	\$418.00
Tom Hendrickson 348 Willow Ave Apt #1 Garwood, NJ 07027	Tennis/Rec T-05-600-071	Refund Adult Tennis / Spring Session 2 Tom Hendrickson / Lo Int/Int - Thu 6:45 pm	\$147.00
Lori Melnitsky 15 Swan Mill Lane Scotch Plains, NJ 07076	Tennis/Rec T-05-600-071	Refund Adult Pickleball / Spring 2022 Lori Melnitsky / Intermediate Session 2	\$85.00
Diane Camera 34 Chetwood Terr Fanwood, NJ 07023 (\$85.00)	Tennis/Rec T-05-600-071	Refund Adult Pickleball / Spring 2022 Diane Camera / "Almost" Session 2	\$170.00
		Diane Camera / Intermediate Session 2 (\$85.00)	

Violetta Watson 511 Edgar Road Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Mannerations / Dinning Etiquette Martin Watson / Social Dining (\$50) Ryan Watson / Social Dining (\$50)	\$100.00
Melissa Mahon 259 Hazel Ave Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Playground Camp / Summer 2022 Theo Mohan / McKinley	\$346.75
Nina Raoji 728 Tamaques Way Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Adult Tennis / Spring Session 2 Nina Raoji / Beg/Adv Beg – Thu 9:30 am	\$139.65
Susan Frigand 17 Sandra Circle Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Adult Pickleball / Spring / Session 2 Allen Dubinsky / PM Intermediate Class	\$10.00

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

<u>Name</u>	<u>Account</u>	<u>Class</u>	<u>Fee</u>
Tom Hendrickson 348 Willow Ave #1 Garwood, NJ 07027	Tennis/Rec T-05-600-071	Refund Adult Pickleball / Spring Session 2 Tom Hendrickson / “Almost” Intermediate	\$90.00
Achilles Alon 335 Wychwood Rd Westfield, NJ 07090	Tennis/Red T-05-600-071	Refund Volleyball / Summer Clinics 2022 Dhanya Alon / Session #1 6-8 grade (\$199) Dhanya Alon / Session #2 6-8 grade (\$199)	\$398.00
Amy Casiere 550 Sherwood Pkwy Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Youth Tennis / Spring 2022 / Session 2 Joseph Casiere / Level 2 / Tue 4:15 pm	\$121.00
Vikram Venkataraman 123 Wells St Westfield, NJ 07090	Swim Lessons/Pool 03-55-920-203	Refund Swim Lessons / Session 1 Zakai Venkataraman / Fearful Beg 10:30 am	\$74.00
John Kim 417 Tuttle Parkway Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Ultimate Frisbee /Summer 2022 Judah Kim / Session 1 (7/11-14)	\$142.50
Richard Heller 1 Far Hill Rd Springfield, NJ 07081	Pool Membership 03-55-920-202	Refund Pool Membership / Summer 2022 Non-Resident Individual Membership	\$365.75
William Doll 21 Azalea Trail Session 2 Westfield, NJ 07090	Tennis/Rec T-05-600-071	Refund Youth Tennis / Spring 2022 / Jack Doll / Level 1 – Tue 5:30 pm	\$96.80

Resolution No. 135

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

<u>Block/Lot/Qualifier</u>	<u>Quarter/Year</u>
<u>Name</u>	<u>Property Address</u>
<u>Name</u>	<u>Amount</u>
405/11	331 Orenda Circle
LEVIN, Michael	1 st /2022
	\$2,464.33
	2 nd /2022

\$4,166.88

\$6,631.21

Resolution No. 136

LET IT HEREBY BE RESOLVED that the Chief Financial Officer be and hereby is authorized to draw a warrant for refund of dumpster security payment(s) as follows following final inspection and approval for return of deposit:

Jeff Kirshenbaum
533 Birch Avenue
Westfield, NJ 07090

Amount of refund: \$975.00

Resolution No. 137

WHEREAS, the Town of Westfield has entered into a multi-year lease agreement with Enterprise FM Trust, 1550 Route 23 North, Wayne, NJ 07470 for the lease of vehicles for use by the Police Department, and

WHEREAS, this is the second year of the five-year 2021 lease program and the third year of the 2020 lease program, and it is necessary to provide for the 2022 funding of the lease payments

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield authorizes the second year of a five-year lease agreement and that the Chief Financial Officer is hereby authorized to prepare warrants for payment in an amount not expected to exceed \$87,600.00, to be charged to the Police Vehicles account 2-01-130-251, under Purchase Order No. 22-00057.

Resolution No. 138

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

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

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

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

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

Resolution No. 139

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on May 24, 2022 the governing body of the Town of Westfield, County of Union, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Town of Westfield, and

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Town Administrator and Chief Financial Officer are hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey. This resolution shall take effect immediately upon passage.

Resolution No. 140

WHEREAS, a need exists for improvements to the Town Council Chambers and other meeting rooms within the Westfield Municipal Building, and

WHEREAS, at a meeting held October 13, 2020, the Town Council of the Town of Westfield authorized an award of contract to Fraytak Veisz Hopkins Duthie P.C. (FVHD), Architects and Planners, for various design and architectural services for the Town's AV Broadcast Video System in Town Council Chambers; and

WHEREAS, through the design and architectural services provided, FVHD has recommended that the Town of Westfield authorize a contract to Northeastern Interior Services, LLC for the installation of and costs associated with a new closet needed for Town Council Chambers; and

WHEREAS, the contract for these improvements was awarded through a Cooperative Purchasing Agreement with the Hunterdon County Educational Services Commission (HCESC), and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment of the above referenced alternate items, prepared in accordance with N.J.A.C. 5:30 1.10, which will be in the amount of \$18,407.00, under New Jersey State Approved Co-Op Contract # HCESC-SER-20F, charged to Special Ordinance 2221, C-07-21-222-1F1, under Purchase Order No 22-01721.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield be and hereby authorize an amendment to the contract awarded for services described above to Northeastern Interior Services LLC, 5 Fairfield Avenue, Little Falls, NJ 07424 in an amount not expected to exceed \$18,407, under New Jersey State Approved Co-Op Contract No. HCESC-SER-20-F.

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

Resolution No. 141

WHEREAS, a need exists for improvements to the Town Council Chambers and other meeting rooms within the Westfield Municipal Building, and

WHEREAS, at a meeting held October 13, 2020, the Town Council of the Town of Westfield authorized an award of contract to Fraytak Veisz Hopkins Duthie P.C. (FVHD), Architects and Planners, for various design and architectural services for the Town's AV Broadcast Video System in Town Council Chambers; and

WHEREAS, through the design and architectural services provided, FVHD has recommended that the Town of Westfield authorize a contract to The Gillespie Group, Inc. for the furnishing and installation of flooring needed for Town Council Chambers; and

WHEREAS, the contract for these improvements was awarded through a Cooperative Purchasing Agreement with the Educational Services Commission of NJ (ESCNJ), and

WHEREAS, the Town Treasurer certified to the availability of adequate funds for payment of the above referenced alternate items, prepared in accordance with N.J.A.C. 5:30 1.10, which will be in the amount of \$19,853.28, under New Jersey State Approved Co-Op Contract ESCNJ #19/20-05, charged to Special Ordinance 2221, C-07-21-222-1F1, under Purchase Order No 22-01722.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Town Council of the Town of Westfield be and hereby authorize an amendment to the contract awarded for services described above to The Gillespie Group in an amount not expected to exceed \$19,853.28, under New Jersey State Approved Co-Op Contract ESCNJ #19/20-05.

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilman Dardia and seconded by Councilman Contract, was unanimously adopted.

Resolution No. 142

WHEREAS, the Town of Westfield Police Department has determined that a need exists for the purchase of solar-powered speed displays; and

WHEREAS, All Traffic Solutions, 14201 Sullyfield Circle, Suite 300, Chantilly, VA 20151 currently has NJ State Contract 17-FLEET-00776 and would provide the above referenced products at a fee not to exceed \$41,468.40; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with NJAC 5:30-1.10, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to Special Ordinance 2022-1, account #C-07-22-001-1C3 under Purchase Order #22-01648.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Westfield be and hereby authorizes an award a contract to All Traffic Solutions of solar-powered speed displays at a fee not to exceed \$41,468.40; and

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

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Parmelee and seconded by Councilman Katz, were unanimously adopted.

Resolution No. 143

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

Amazing Amusements	Wilson School Carnival	Lindsay Hall
238 Boundary Road	June 3, 2022	301 Linden Avenue
Marlboro, NJ 07746	301 Linden Avenue	Westfield, NJ 07090
	Westfield, NJ 07090	

Resolution No. 144

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

Danny Vasiliadis	Mohammed Awawda
Danny's Soft Serve	Good Humor
1081 E. Grant Street	700 Probst Avenue
Elizabeth, NJ 07201	Fairview, NJ 07022
Albert Ogunmoye	Jason Black
Good Humor	Scream Truck
17 Orchard Place	30 Hillside Avenue
Irvington, NJ 07111	Springfield, NJ 07081

BE IT FURTHER RESOLVED that the licenses shall not be issued by the Town Clerk unless the departmental inspections of the premises have been completed and the premises approved for the licensed use.

Councilwoman Mackey recused herself due to a potential conflict and was not present for this portion of the meeting.

REDEVELOPMENT ATTORNEY COMMENTS

Steve Mlenak, redevelopment attorney came before the Council and introduced the redevelopment agreement to revitalize the properties located at Block 2504 Lots 12, 13 and 1214. He stated the agreement before the Council complies completely with the redevelopment plan in terms of its scope; the plan allows for up to 64 units and a parking ratio of 1.5 spaces. He explains the proposed plan has 60 units and a parking ratio of 1.6 spaces. He said there will be retail space with 96 off-street parking. The 96 parking spaces comes from a ratio of 1.6 due to the reduction. He states that although there has been some legislation passed that requires the installation of electric vehicle charging stations and to appeal to developers, they get a bonus for parking minimums. Mr. Mlenak explained that because it is a redevelopment property, they have restricted them from taking advantage of that bonus.

Mr. Mlenak stated that loading zones are proposed to take place on Ferris Place at the subsequent ordinance by the council. He mentioned that with the redevelopment agreement, the Town can control some of the items that were mentioned earlier. He reiterated that the Town has specific ordinances that control how construction is to be handled, managed, and any code enforcement that He explained that with the redevelopment agreement, the Town is allowed to build greater protections and there is a contractual obligation so that if there is a violation of the provisions set forth (Section 4.4), then the Town has the contractual rights in addition to legislative rights available for the Town's benefit.

Mr. Mlenak explained the project schedule which outlines and provides information for if approval is given within twelve months, the developer would then commence construction within six months and then complete the project within two years.

Over the last several years, there has been a lot of effort in the planning process to seek out the preservation and reuse of the historic home on the property. He states one of the major benefits of doing this project through redevelopment is that it allows for the preservation of that home to be conducted in a manner through a preservation plan that is attached to the outline which will ultimately lead to a home that can be reused for the cultural and historic uses set forth in the redevelopment plan that was adopted in December 2021.

Mr. Mlenak explained another financial benefit is that this process has allowed for the developer to have undertaken the process of the traffic signal warrant study which was done at the cost of the developer.

Mr. Mlenak reiterates there will be nine affordable housing units and that there will be provisions included in the deed restrictions against the property so that if they ever convert to condominiums, an additional three units of affordable housing will have to be provided. He stated that all of the green features that are being installed on the property are more than what would be required under a traditional ordinance and the redeveloper will be required to prove that he would qualify for LEED certification.

Mr. Mlenak explained community benefits that would include the developer to undertake a program to provide first source employment, meaning businesses and locals from Westfield and the area to be employed in the project as well as programs of affirmative action to provide for at

least 20% of services to be performed by minority business enterprises, women's business enterprises, and small business enterprises.

He discussed that the agreement is filled with protections in terms of the developers commitments to the town to fulfill their obligations. He states that they are limited on their ability to transfer, modify the project in a substantial way without the Council's support or going back to the Council if it requires a plan change. He stated this is the first step and the developer would have to go before the Planning Board for site plan review next.

Councilman LoGrippo asked if there was a need for a traffic light would the Town, County or developer be responsible for the cost?

Mr. Mlenak stated that although he was not at the Traffic Study Impact meeting it is his understanding there is not a need for a traffic light.

Mayor Brindle elaborated and explained that the Traffic Study Impact concluded that the area does qualify for a traffic light but that does not mean one is needed and further studies would be needed to see if a traffic light makes sense at that location.

Mr. Mlenak stated it is not a requirement of the agreement to implement a traffic light.

Councilwoman Habgood thanked Mr. Mlenak for answering her questions after reviewing the agreement and explaining the added protections.

Mr. Mlenak voiced there was a lot of review, discussion, and comment with the Council about the agreement.

Councilman Contract thanked Mr. Mlenak for his time and efforts.

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

Resolution No. 145

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

WHEREAS, pursuant to the Redevelopment Law, on October 13, 2020, the Mayor and Council (the "Governing Body") of the Town of Westfield (the "Town") adopted Resolution Number 225-2020, declaring that the entirety of the Town met the statutory criteria for designation as an area in need of rehabilitation and designating all parcels within the Town as an area in need of rehabilitation (the "Rehabilitation Area"); and

WHEREAS, included within the Rehabilitation Area are Block 2504, Lots 12, 13, and 14, as shown on the official tax maps of the Town, known commonly as 201 Prospect Street (Lots 12 and 13) and 112 Ferris Place (Lot 14) (collectively, the "Project Area"); and

WHEREAS, an 18th century historic home known as the "Mills-Ferris-Pearsall House" is currently situated upon 112 Ferris Place (Block 2504, Lot 14) (the "Historic Home"); and

WHEREAS, following recommendation from the Town's Historic Preservation Commission, the Governing Body adopted General Ordinance No. 2208-08 on February 22, 2022, designating the Historic Home as an historic landmark; and

WHEREAS, the Town retained the professional planning services of Topology which has prepared a redevelopment plan for the Project Area dated November 17, 2021, entitled the "Prospect + Ferris Redevelopment Plan," a copy of which is on file with the Town Clerk (the "Redevelopment Plan"); and

WHEREAS, on December 7, 2021, following a review of consistency by the Town's Planning Board (the "Planning Board"), the Governing Body adopted General Ordinance No. 2231 approving and adopting the Redevelopment Plan for the Project Area; and

WHEREAS, Ferris Prospect Development LLC ("FPD") is the owner of the properties comprising the Project Area; and

WHEREAS, FPD proposes to remediate, develop, finance, construct, implement, and cohesively redevelop the Project Area into a mixed-use residential development consisting of a maximum 60 rental residential dwelling units (of which no less than 15% must be deed restricted as affordable housing units), 500 square feet of retail or cafe space, with 96 off-street parking spaces and associated improvements and preservation of the Historic Home for future use as an educational and cultural amenity (the "Project"); and

WHEREAS, FPD proposes to complete the Project in accordance with the conceptual architectural floor plans, elevations and renderings entitled "The Sophia – Westfield" prepared by Marchetto Higgins Stieve, dated March 1, 2022, revised through May 13, 2022, the "Specific Parameters for Streetscape Improvements" (as referenced in the Redevelopment Plan) entitled "Streetscape Rendering Exhibit" prepared by Stonefield Engineering & Design, dated May 13, 2022, and survey prepared by EKA Associates, P.A., dated September 15, 2021 (collectively, the "Concept Plans"); and

WHEREAS, the Town has determined that FPD possesses the proper qualifications and experience to implement and complete the Project in accordance with the Redevelopment Plan, and all other applicable laws, ordinances and regulations; and

WHEREAS, in order to effectuate the Redevelopment Plan, the Project, and the redevelopment of the Project Area, the Town has determined to enter into this Redevelopment Agreement with FPD, which Redevelopment Agreement designates FPD as the "redeveloper" of the Project Area as the term "redeveloper" is defined in the Redevelopment Law and specifies the respective rights and responsibilities of the Town and the FPD with respect to the Project.

NOW, THEREFORE, it is on this 24th day of May, 2022, hereby resolved by the Town of Westfield as follows:

1. The recitals are hereby incorporated as if fully set forth herein.
2. The Town hereby designates FPD as the redeveloper (as that term is defined in the Redevelopment Law) of the Project Area.
3. The Town hereby approves and consents to the execution of the Redevelopment Agreement, substantially in the form annexed to this Resolution as Exhibit A, subject to minor revisions as deemed necessary by the Town's counsel.
4. The Town Clerk and other Town staff and consultants are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution and the terms of the Redevelopment Agreement, and the Mayor shall be authorized and directed to execute the Redevelopment Agreement.
5. The Mayor is hereby authorized and directed to determine all matters and terms in connection with the Redevelopment Agreement, all in consultation with the counsel to the Town, and the manual or facsimile signature of the Mayor upon any documents shall be conclusive as to all such determinations. The Mayor, the Town Clerk and any other Town official, officer or professional, including but not limited to, Town legal counsel, redevelopment counsel, bond counsel, the financial advisor and the auditor to the Town, are each hereby authorized and directed to execute and deliver such documents as are necessary to facilitate the transactions contemplated hereby, and to take such actions or refrain from such actions as are necessary to facilitate the transactions contemplated hereby, in consultation with, as applicable, Town legal counsel, redevelopment counsel, bond counsel, the financial advisor and the auditor to the Town, and any and all actions taken heretofore with respect to the transactions contemplated hereby are hereby ratified and confirmed.
6. This Resolution shall be effective immediately.

TOWN COUNCIL COMMENTS

Councilman Contract began by expressing his gratitude for all of the residents that were present that evening, their concerns for the project and for reaching out to the Council. Although he represents Ward 3 and this doesn't necessarily affect his ward, he wants to make sure this is the right project for the community. He feels that it is impossible to move Westfield forward without impacting someone or an area. Similar to the ice rink, the historic preservation ordinance, or any other topic that has been presented before the council, any decision that has ever been made has been made with a lot of thought and consideration. Councilman Contract explained whenever there is a decision being made that does not directly affect Ward 3 he looks to see if the decision would move the Town forward and is it mitigating the impact of the neighborhood. He commented that he first looked to see if this project supports the Town goals and believes it does evidenced by the Master Plan. He stated when there are more people living and working near downtown there will be a higher vibrancy and success for downtown which he feels is in the communities' best interest and supports property values and is likely one of the reasons why people move to Westfield in addition to the schools and community. He feels this project supports those goals. He stated he is a proponent of redevelopment, but it has to fit in. He explained his thoughts are going to be different from some members of the Council and the public, but he has also looked to see how this project has evolved to make the impact less severe, less significant, and if it can work. He feels this project does work and the developer has had a lot of input from members of the Council to have this project better fit the community with changes made to reduce the number of units, putting the parking underground, tapering the roof, adding the bump out, and live work units. The most recent renderings display how this project would look as people are walking up Prospect or down Ferris Place and feel it does fit into the community. He mentioned he would have preferred three stories, but it is not economically feasible. Councilman Contract elaborated on the costs the developer is taking on including the underground parking, preserving and moving the historic home, and the green amenities. He sees this as a balance of what's best for the community. Based on everything Councilman Contract has seen and heard of the project he thinks the project offers better than bad and will be voting in favor of the agreement.

Councilwoman Root stated she was recently appointed a member of the Town Council and was not involved in the process that has led to the vote tonight. She likes to think she brings a fresh perspective, fresh set of eyes to the process and has done a lot of homework and research over the past few weeks by reading the documents thoroughly including the Prospect Ferris Redevelopment Plan, the area in need of rehabilitation study, the developer's agreement as well as recommendations from the Historic Preservation Commission to designate 112 Ferris Place. She reviewed the petition, the advertisement that was in last week's edition of The Leader, and she has listened with pleasure to many residents who have called and emailed her with questions and concerns. Councilwoman Root wants to thank all of the residents for reaching out and expressing their views as part of her job and priority is to listen to residents' concerns. She also mentioned she is intimately familiar with the corner of Prospect Street and Ferris Place. She rented the top floor of a house next to this project when she first moved to Westfield in 2000. She was happy to see redevelopment for this area because the structures on the properties have been long neglected by the owner. She commends and recognizes how much work her colleagues have put into this proposal and how the proposal started out much differently than what has come to a vote tonight. However, Councilwoman Root cannot support the current proposal. She explained she wants to see more compromise given the properties location in what she views as a transitional area between downtown and the residential neighborhood. She has no doubt that a project of this size and scale would be smart for a corner in downtown Westfield, but not at the current location. She believes this project should be scaled down so it would be a welcoming addition to the neighborhood. For those reasons, Councilwoman Root will be voting no.

Councilman Dardia thanked the residents for their input and sharing their thoughts throughout this process. He stated this was not an easy decision, and a decision such as this should be

challenging. He wanted to touch on the due diligence he has done to make a well-informed decision. First, he spoke on the safety aspect including traffic flow. He explained that after the initial conversations of the traffic impact study it was requested by the Council to include additional intersections since traffic that would radiate out would be impacted as well, not just the immediate location of the project. He indicated he is satisfied with the results of the traffic impact study, more so he is confident in the rigor WSP brought to the analysis of the study. He explained that safety will also be a focus during the construction portion of the project as the redevelopment agreement outlines. Next, Councilman Dardia explained his process at assuring the project was fiscally responsible. He reviewed the possible tax revenues for the property and the estimates are on par with comparable buildings in town. He also wanted to note that the benefits to the Town are far more than tax revenue, explaining this brings new housing opportunities close to downtown, has below grade parking, and superior quality design and building materials. As a member of the Planning Board site plan subcommittee, he ensures that will occur. He stated that the principal benefit was the preservation and restoration of the historic home at 112 Ferris Place which represents a \$1.4 million dollar contribution and was a result of a strong and continuous advocating and support by Chairwoman Boyes of the Historic Preservation Commission. He expressed that residents of Ward 2 re-elected him based on his intention to improve the downtown, and since he feels this project will do that. He stated the residents of The Sophia are walking wallets and will contribute to the revitalizing of the businesses and community. Lastly, Councilman Dardia expressed that he and the Council did not go into this vote without spending significant amounts of time to understand the facts to arrive at a balanced decision. Like his colleagues, he was involved in listening and speaking with many residents, reviewing objective data, and hearing from experts to arrive at his decision. He reiterated it was a challenging decision made with transparency, integrity, and concern for the entire community. He thanked the residents for being engaged in this process.

Councilman Katz appreciates all of the changes that have been implemented and upon completion thinks it will be a very attractive building. He stated Westfield needs this type of housing stock to keep both Westfield empty nesters and those people from surrounding towns that would like to live closer to a downtown and train station without the hassle of dealing with the maintenance of a larger home. He does not see how the additional traffic is going to be an undue burden on the neighborhood. He wanted to thank Ms. Bonacci for the overhead renderings she displayed tonight. He thinks it shows the perspective and that the building looks in place with the neighborhood, across the street from a very popular supermarket, municipal lot, office building, church, and being so close to downtown. Councilman Katz thinks it is a perfect location for this property and feels the pros outweigh the cons for this project and will be voting in favor of the agreement.

Councilman LoGrippo opened his comments by stating this July he will be on the Town Council for 11 years and this project has received the most outreach he has ever received in office. As a Ward 3 representative along with Councilman Contract he has spoken to many residents and is appreciative of the residents who have reached out to him. He stated that out of the residents he spoke with, no one was against developing this property, they just would like the project to be scaled back. Councilman LoGrippo heard the frustrations of residents that feel their voices have not been heard and aside from political parties many people across the parties have reached out to him. He stated elections have consequences and this project has been in motion since 2020. He mentioned that residents were busy during the pandemic, but this is where the Town is today. He told the residents to pay attention locally, to not worry about what is going on nationally but to focus on what is happening locally. He also wanted to mention that Councilman Contract spoke about development in Westfield and Councilman LoGrippo has been involved in many agreements over the years and feels that everyone goes for the highest density and scales back. He spoke about 333 Central originally wanting over 100 units and now has 70 units and is a larger piece of property and held the developer accountable for implementing a turning lane, upgrading the intersection at their cost. He feels this leads to further developing in a residential area. He stated that when former Councilman Boyes purchased his home, he didn't imagine there being a 64-unit multi dwelling building within 200 feet of his property and it is frustrating that

this can happen. Councilman LoGrippo expressed he is not against redevelopment, he feels progress is good, but he would like a balance between development, smart development, and over development so he will be voting no on the agreement.

Councilman Parmelee echoed that he shares many of the opinions that have been expressed so far. He stated that he has been a resident for over 24 years and one of the things that amazes him about Westfield is the number of experts in the Town. For example, Mr. Gersten has over 50 years of traffic experience, and the Lehmberg's with their experience and fluency with words like perfluorocarbon amazes him with the input and comments that residents have. He also mentions it is fortunate to live in a town that inspires investment like this, which is something everyone should be thankful for. He wanted to thank everyone who has reached out to him with comments through this process. He stated that besides being a politician he is a lawyer and he likes to point out common ground when he is in front of a judge. He points out that one of the first common ground issues here is no one is opposed to any development on these properties and feels everyone agrees something must be built, it is just the matter of the scope. This is consistent with Councilman Parmelee's belief that the only way to inject more life into downtown is to increase office and residential pedestrian traffic. He further believes that the condition of residential Westfield is very strong. The downside to the strength of the residential areas is that it creates barriers to both entry and creates incentive to exit. Councilman Parmelee stated for example, he has spoken to many young colleagues and clients who live in Hoboken and the city who are looking to move into the suburbs but cannot afford Westfield which is a shame because these people are the ones who end up developing roots and relationships elsewhere outside of Westfield and the Town is missing out on attracting bright vibrant new couples and families that can be an important part of Westfield's future. The Town is also losing a part of Westfield's past who cannot afford to stay here and downsize but do not want to purchase another home. Councilman Parmelee mentioned no one has said Sophia is going to fail, the concern is quite the opposite and indeed that is where most of the concerns about traffic are based upon the assumption that the buildings are going to be fully occupied. He said this is a strong assumption since the newest buildings in town; The Parker and The Bentley are almost fully occupied. Councilman Parmelee said these properties are going to be leased and working with Mr. Ward and the developers this project has been scaled back by eliminating units, eliminating floor parking, bumping out the crosswalks etc. He said although this development might not be consistent with the immediate adjacent homes, it is consistent if you look at the linear coverage regarding the Westfield Arms, Westfield Terrace and the YMCA down the street. He is not persuaded by the traffic concerns because empirically this area has already absorbed virtually the same number of cars pre-pandemic when commuter parking used to be allowed in the Lord and Taylor parking lot. This neighborhood has already proven that it has the capacity to absorb the number of cars that this project will involve. Councilman Parmelee explains that the Master Plan does serve a purpose and is a blueprint for the future. He says people may differ on how to achieve a community's vision, but without that blueprint Westfield will not succeed. Understandably, people do not like change, but its corollary to the other than taxes is that change is inevitable. Technology, the economy, demographics, population growth, market trends, and consumer attitudes are always changing. He states changes will affect a community whether people like it or not, and there are only two kinds of change; one that is planned and one that is not. Councilman Parmelee quoted President Lincoln and said "the best way to predict the future is to create it yourself." Further he states that communities like Westfield with a vision will always be more successful, than communities that just accept what comes along or those communities that do nothing at all. He mentioned that when he was running for election, he was told by a person from a different political party he had to make decisions that he thinks are right. And he has heard from friends and neighbors on this project and although he is going to have to agree to disagree with some, Councilman Parmelee is basing his decision on the experts and is in support of this project.

Councilwoman Habgood begins by sharing her gratitude for all the residents that have reached out to the Council and who have cared to voice their concerns and have in turn made this job both rewarding and challenging. She explains that the details of the proposed project are decided

after tonight's meeting. If the redevelopment agreement is approved, the developer will then turn the rendering into a formal agreement. That application will then go to the Planning Board where she believes that the project will be fully vetted by planners, engineers, developers, and architects that sit on that board. She stated that she sat on that board for four years and she trusts that they will ensure that the final product, once they get a chance to look at the true architectural drawings, as a beautiful and cohesively designed building, will adequately mitigate stormwater risks, will be environmentally sensitive, qualify for LEED eligibility, impeccably streetscape, and will not feel too large at the streets as individuals walk past it. She assures that she will stay committed and fiercely involved in all the things that the citizens care about. She will be engaged with the building department to make sure that the construction protocols are adhered to, that the penalties are met when lines are crossed, and that the rules for pick-up and drop-off all around the building are sensible to ensure that the quality of life during construction and afterward are preserved because it is important that development and redevelopment in the town are positive and successful. She states that she trusts the professionals on the team but will always read and analyze what they are saying, listen to the feedback of the citizens, analyze the traffic studies and read the new development agreements, and submit comments to enhance the control that the town will have. She has spoken to the planners and has had multiple meetings with the economic development consultant and has sat through five or six extensive discussions on the traffic and parking in the neighborhood.

Councilwoman Habgood feels that after the hard work from our town employees and outside consultants, the historic preservation commission, and the town council after a year and a half, this project can be both smart and thoughtful in its currently scaled-back form. She then goes into detail about the elements that have successfully been accomplished in discussions with the developer such as the sufficient parking spots that are not underground, the density of the building being consistent with recently built projects, and still being less dense than the Parker and the Savannah. She explained that that setback is sensible as it is twelve feet at its minimum and going along a stretch of Prospect, with a sidewalk that stretches back to as much as seventeen feet and it allows for transition from downtown into the neighborhood, north on Prospect. Councilwoman Habgood stated that there will be trees, flowers, stoops, doorways, and plenty of elbow room. She reminds them that a twenty-five-foot setback at this location would be a threat to the closest neighborhood of single-family homes on Nelson and Ludlow which are currently buffered by the project's planned generous setback. The diversification of our houses has been accomplished by the current plan, including but not limited to, affordable housing units so that the people who work in this town can afford to live in this town. The safety and traffic have also been extensively analyzed there and they will continue to look and fix them. As the finance Chair, she is happy with the new and diversified vehicles that will bring results from this development. To conclude, Councilwoman Habgood reminds them that she is their neighbor and a volunteer, and she will continue to represent the town with diligence, integrity, and grit. She says that the hardest part of this process has been the underlying suggestion that she has some kind of ulterior motive or that she was a part of a process to force Jim Boyes to recuse himself from a vote when the opposite of that statement is true. She states that recusal from any vote is always a choice. Although she was clear with Jim that if he chose to recuse himself from the vote on this project, but otherwise stay involved with this council and fight for more ward one other topics, she and all his colleagues here would seriously consider his concerns on The Sophia and Lord and Taylor development. She states that it was his choice to resign. She states that she will vote against the project because she knows that many of the residents still have concerns, and she wants to be clear to them that she is listening. By the end of the process, she hopes that they would have preferred her to vote in favor of the project. She explains that she would have liked to vote yes because she believes in the process that the council has gone through, she trusts that it has been vetted by the town's professionals, and she has heard many times that there is a need for investments and redevelopment in the town. Councilwoman Habgood assures that she will continue to work for smart development in the town and ensure that this project also ends up being smart development once the details are completed. Councilwoman Habgood promises to continue working on this project and keep reminding everyone there tonight that the town of Westfield cannot go forward while standing still.

Mayor Brindle began her comments by expressing to everyone that she is the friend and neighbor of those in the town and they all ran for elected positions because they were interested in seeing progress in the town. Although the council and the citizens of Westfield may not always agree on what positive improvement for the town looks like, they truly only want to see what is best for the town. She reiterated that she and the Council are volunteers that spend forty or more hours a week at this job, with no pay, but with plenty of fulfillment. She explained that she is disturbed by the way that the depiction of the process is being told by the citizens and in particular, Councilman LoGrippo. Mayor Brindle reminds everyone that the master plan that was originally created was adopted unanimously by every council member except for Councilwoman Root as she was not yet elected and former Councilman Jim Boyes as he was not in attendance. She reminds the residents that the redevelopment plan for this project that set the zoning was adopted unanimously by the Council and now that there are headwinds and conditions that are impeding the progress of this doesn't give them the ability to separate themselves from the project and the support of what got them there today. Mayor Brindle reiterated that the Master Plan was adopted in December 2019 prior to the pandemic. She stated she knows that these decisions are hard to make and that it would be easier to recuse yourself because they aren't easy, but she hopes that she has demonstrated that it is important to make the hard but right decisions even in the face of what she believes are false accusations of the direction that they are taking.

Mayor Brindle discusses the process of the rezoning that came out in the Master Plan which began in December 2018. The process included a written public survey, four community workshops, two focus group meetings, and one vision meeting of those who live and work in Westfield. She repeats that she has been transparent about this process from the beginning and has said on numerous occasions that if anyone would like to know where the council is going with this plan, the Master Plan would give all the necessary information to understand. After the Master Plan Reexamination, there was subsequent unified land use and circulation element that recommended in this area was an area in redevelopment that was adopted unanimously by the Planning Board and every member of the governing body, including those that have rejected it today. She says that the Master Plan reflects the town's vision of keeping Westfield as a model of carefully managed development that provided a range of housing options for young families and empty nesters within walking distance to the downtown, maintaining high-quality stable single-family neighborhoods, and abundant recreational cultural opportunities. The rezoning for these properties occurred in December when this Council adopted a redevelopment plan by ordinance. It was again supported by all seven voting members after the Planning Board unanimously agreed in a public meeting that this result was consistent with the Master Plan. This thorough public process and masterplan consistency is the exact opposite of spot zoning, which the town is accused of doing in spite of what many people have said.

Mayor Brindle explains how the Council has worked diligently and vociferously to modify their plans to get to a good place for the town's sake. They have been able to extract meaningful benefits from this development project including affordable housing units. Mayor Brindle states that she was disappointed that the project was scaled down from sixty-four units to sixty because in doing so, they lost some affordable housing units as it is important to her that the town is affordable for individuals to live in. The Mayor discusses that they have historic preservation onsite, parking locations, and an opportunity for this building to be a LEED-certified building, the greenest building Westfield will possess. Many of the changes that occurred on the building occurred because of very specific input that was given from the neighbors in the area and the representatives of the historic preservation commission.

Mayor Brindle was disappointed that some of those believe that something nefarious transpired between herself, the other elected officials, and the developer because the project wasn't as scaled back as much as they had hoped. She states that there is no developers in their pocket, no favors being given out, and assures that the decision was only based on what they believe will be in the long-term interests of the community. The Town has relied on the objective criteria of our community during the Master Plan, professional staff, top-flight development experts, and the state redevelopment law that permits the Town to hold developers accountable to deliver well-

constructed, beautiful-designed projects through binding redevelopment agreements. She wishes that the Town had put more redevelopment agreements in place with projects, especially 333 Central. Mayor Brindle says that when she ran for office both times, she said that she was not the Mayor of the status quo and that she is committed to moving the town forward, although it is not always easy. She hopes that the citizens of Westfield know that their intentions are good and they are focused on making the community better for all of us and a place where the children of today will want to come back and live one day.

Mayor Brindle assures the residents that the decision the Council makes tonight was guided by the input of the citizens and shaped by the expertise of professionals, and always focused on maintaining the character of the town of Westfield. She expresses her gratitude for the passionate engagement and shares that is the best indication of a community that loves where they live.

Councilwoman Mackey recused herself due to a potential conflict and was not present for the vote on Resolution No. 145.

Yeas: Parmelee

Katz

Contract

Dardia

Mayor Brindle

Nays: Habgood

LoGrippe

Root

Absent: Mackey

PUBLIC WORKS COMMITTEE

COMMITTEE REPORTS

ADJOURNMENT

A motion to adjourn, made by Councilman Parmelee and seconded by Councilman Katz at 10:47 p.m. was unanimously carried.

Respectfully submitted,

Maureen Lawshe, RMC
Town Clerk