



A STAR GUARDING ANOTHER STAR...A member of the Brazilian National team, right, tries to take the ball from Central Jersey Star Jill Koscielcecki, left, of Scotch Plains. The Central Jersey Stars, headed by Keith Hertell of Westfield, recently returned from an 18-day competitive tour of Brazil.

Recent Home Sales

WESTFIELD Michael T. and Carole Anne Davis to Robert J. and Elizabeth Bancatella, 935 Minisink Way, \$875,000. Laurence T. and Barbara Susman to Frank and Samantha Altieri, 376 Orenda Circle, \$415,000. Richard C. and Pamela E. Vanecek to Darius and Carlene Palla, 645 Chestnut Street, North, \$434,500. Raymond C. and Victoria S. Samori to Kevin M. and Kimberly B. Ellis, 647 Maple Street, \$435,900. Richard A. and Eileen J. Schrader to Timothy and Dana Amman, 718 Woodland Avenue, \$585,000. James Caldora to April Baranyay, 651 Maye Street, \$350,000. Steven C. and Margaret I. Teitelbaum to Deborah Wathen Finn, 640 Lenox Avenue, \$480,000. Dale and Ethel Stewart to Charles A. Rubin and Lenore Silver, 901 North Avenue, West, \$295,000. Timothy S. O'Leary and Lois Voth to Julie Ishit and Joseph Marinelli, 521 Downer Street, \$318,000. John A. Courtney L. Shipman to Christopher J. Kimberly A. Heuser, 117 Florence Avenue, South, \$295,000. Stephen and Susan Agresta to Eileen and Michael Titone, 406 First Street, \$399,900. Lucy Disibio to Edward Hannon and Noel Hannon, 515 Trinity Place, \$225,000. Graphic Arts Mutual Inc. Co. to Messercola Building Co., Inc., 407 Everson Place, \$215,000. Joel and Joyce Seligman and Richard and Patricia Raphael, 748 Scotch Plains Avenue, \$609,000. Henry P. and Bonnie J. Watson to Albert Pagialunga and Darlene G. Gibbon, 937 Carleton Road, \$495,000. John A. and Sharon Matteo to Lawrence F. and Linda A. Tambini, 822 Grandview Avenue, \$377,000. Eliane Della Badia to Susan Davis, 5 Genesee Trail, \$455,000. Alfred and Frances M. Vardalis to Joe Waikau Yip and Yuk Mui Yip, 23 Summit Court, \$295,000. Robert J. Marando and Marlele L. Held to Donald M. and Jane C. Holkestad, 2 Moss Avenue, \$329,900. Steven M. and Patricia C. Nielsen to Jeffrey M. and Karen L. Berger, 19 Bell Drive, \$340,000. Chong and Elaine Kwak to Elizabeth Jellinek, 1731 Central Avenue, \$220,000. Marie C. Bouillier to Michael and Michele Varano, 920 Minisink Way, \$810,000. Joseph L. and Robin S. Quick to Jill Thomas, 250 Seneca Place, \$346,000. Michael J. and Luz M. Oates to Mikhail and Natalia Piatnitskaia, 920 Brown Avenue, \$374,000. Philip H. and Patricia D. Brown to Richard Allen Schrader and Eileen Schrader, 1041 Wychwood Road, \$875,000.

Salvatore Bracchita to Edward Treich, 316 Linden Avenue, \$400,000. Russell E. and Paulette L. Cicero to Edward and Pamela Kevelson, 9 Stanley Oval, \$725,000. Benjamin Davidson and Manuel Schuh-Davidson to Jonathan E. and Julia B. Walker, 169 Harrison Avenue, \$560,000. Jon R. Zogg and Kate West-Zogg to Ellen M. Neil Heinze, 652 Westfield Avenue, \$369,000. Leigh A. Harris to Shaotang Tsui and Ssu-Yu Lin, 1070 Rahway Avenue, \$399,000. Christopher K. and Dorothy M. Dyer to William A. Jimenez and Theresa Fico Jimenez, 306 Roger Avenue, \$357,000. FANWOOD Janet Winey to Seth Weingarten and Kary Weingarten, 55 Shady Lane, \$260,000. SCOTCH PLAINS Richard Marczak to Neil Armstrong, 1616 Front Street, \$135,100. Richard Adams to Lawrence Linthwaite and Jennifer Linthwaite, 1021 Celler Avenue, \$139,000. Mary Schwager to Susan Showers, 1788 Mountain Avenue, \$193,000. Wayne Krause to Ronald Schiaffo and Shirley Kuelker, 222 Byrd Avenue, \$281,500. Patricia Ross to Richard Cirillo and Wendy Cirillo, 1975 Grenville Road, \$290,000. Cathy Splinter Earns Top Listing Award At Burgdorff ERA WESTFIELD - Cathy Splinter, a consistent top achiever in the Burgdorff ERA Westfield Office, has been honored for the second time this year with Listing Agent of the Month for June. Ms. Splinter has received many distinguished awards; she has earned the New Jersey Association of Realtors (NJAR) Million Dollar Sales Club Silver Achievement Award in 2000, the Bronze Award from 1997 to 1999 and has also been honored with the NJAR Distinguished Sales Award for 2000. She has been a real estate professional for nine years, specializing in the Westfield and surrounding areas, and has recently obtained her certification in the marketing of luxury and historic homes. Ms. Splinter also ranks in the top 10 percent in dollar volume for closed business and in closed units year to date of over 650 Burgdorff ERA sales associates and is a member of the company's elite President's Club for the year 2000 and the Leader Circle for 2001. Judy Sagan, Vice President, Manager of the Westfield Office, "It is obvious that hard work and dedication to her clients' needs have resulted in high production in yet another fabulous month for June. She is a great asset to our office and a role model for all agents. We are very proud of Cathy and congratulate her in her many outstanding accomplishments."

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TOWN OF WESTFIELD Public Notice is hereby given that an ordinance of which the following is a copy was introduced, read and passed on first reading by the Council of the Town of Westfield at a meeting held August 7, 2001, and that the said Council will further consider the same for final passage on the 11th day of September 2001, at 8:00 p.m., in the Council Chamber, Municipal Building, 425 East Broadway Street, Westfield, New Jersey, at which time and place any person who may be interested therein will be given an opportunity to be heard concerning said ordinance. Bernard A. Heeney Town Clerk

GENERAL ORDINANCE AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WESTFIELD, WESTFIELD, CHAPTER 11

BE IT ORDAINED by the Town Council of the Town of Westfield in the County of Union as follows:

SECTION I. That section 11-38 through 11-49 of the Town Code shall read as follows:

Article III. Fire Prevention Code.

Sec. 11-38. Local enforcement.

Pursuant to Section 11 of the Uniform Fire Safety Act of the State of New Jersey (P.L. 1983, c. 383), which was enacted for the purpose of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey, the New Jersey Uniform Fire Code shall be locally enforced in the Town of Westfield. (G.O. No. 1405, § I.)

Sec. 11-39. Agency designation.

The local enforcing agency shall be the Fire Department of the Town of Westfield through its Fire Prevention Bureau, under the supervision of the Chief of the Fire Department. (G.O. No. 1405, § II.)

Sec. 11-40. Duties.

The Fire Prevention Bureau of the Westfield Fire Department shall enforce the Uniform Fire Safety Act and the codes and regulations adopted under it in all buildings, structures, and premises within the established boundaries of the Town of Westfield, other than owner-occupied one and two family dwellings, and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the Uniform Fire Code. (G.O. No. 1405, § III.)

Sec. 11-41. Life hazard uses.

The Fire Prevention Bureau of the Westfield Fire Department shall carry out the periodic inspections of life hazard uses required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs of the State of New Jersey. The Bureau of Fire Safety, Department of Community Affairs, of the State of New Jersey is designated to collect and account for the annual registration fees established by the Code. (GO. No. 1405, § IV.)

Sec. 11-42. Organization.

The local enforcing agency established by section 11-39 of this Code shall be the Fire Prevention Bureau under the direct supervision of the Fire Official, who shall report to the Chief of the Westfield Fire Department. (G.O. No. 1405, § IV.)

Sec. 11-43. Appointments; terms of office, removal.

(a) The local enforcing agency shall be headed by the Fire Official in charge of the Fire Prevention Bureau for the Westfield Fire Department.

(b) The Fire Official shall serve for a term of one year, and shall be appointed by the Fire Chief with the approval of the Town Administrator and concurrence of the Mayor. The Bureau of Fire Safety, Department of Community Affairs, shall certify the individual filling this position as a Fire Official by the Bureau of Fire Safety, Department of Community Affairs, State of New Jersey. The Fire Official may be assigned such other duties as may from time to time be designated by the Fire Chief.

(c) The Chief of the Fire Department may appoint such other members of the Fire Department as inspectors in the Bureau, as shall from time to time be necessary. Inspectors shall be paid members of the Westfield Fire Department and certified as fire inspectors by the Bureau of Fire Safety, Department of Community Affairs, State of New Jersey. Such inspectors may be assigned other duties as may from time to time be designated by the Fire Chief.

(d) The Fire Official, inspector and other employees of the enforcing agency shall be subject to removal by the Chief of the Westfield Fire Department and/or the Town Administrator for inefficiency or misconduct. Each Fire Official, inspector or employee to be so removed shall be afforded an opportunity to be heard by the Town Council or a designated hearing officer.

(e) A report of the Bureau of Fire Prevention shall be made annually and transmitted to the Mayor, it shall contain a report of all proceedings under this article, with such statistics, as the Chief of the Fire Department shall also recommend to include therein. (G.O. No. 1405, § VI.)

Sec. 11-44. Board of Appeals.

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any order of the local enforcement agency shall have the right to appeal to the Construction Board of Appeals of Union County. (G.O. No. 1405, § VII.)

Sec. 11-45. Additional required inspections and fees.

In addition to the inspection and fees required pursuant to the Uniform Fire Safety Act and regulations of the Department of Community Affairs, the following additional Non-Life Hazard inspections and fees shall be required and the owner of any premises or use group described hereafter shall be required to register the building, structure or uses with the Fire Official and after such registration notify the Fire Official of any change of use. There shall be no annual registration fee for such uses but there shall be inspection fees as shown.

Table with columns: Building or Use, Frequency of Inspection, Fee per Inspection. Rows include food preparation establishments, factory uses, educational uses, hazardous materials, hotels, and under-ground flammable storage tanks.

§11-45.1 In addition to the requirements for registration and inspection of life hazard uses required

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by the Uniform Fire Safety Act and regulations of the department of Community Affairs of the State of New Jersey and the additional registration and inspection required by this Code, the owner of any premises in which any storage, mercantile, business, educational, commercial, residential, amusement, recreational, social, political, religious, utility, industrial or manufacturing use is conducted, except for single and two family residential dwellings, shall be required to register the building, structure, or use with the fire official and notify the fire official of any change of use. The fire official and/or his designated representative shall have the right to inspect such premises, whether same are registered or not, to verify the nature of the use conducted there and to determine the presence, if any, of any fire hazards. There shall be no fee charged for such inspections. (G.O. No. 1405, § VIII.)

Sec. 11-45.1. Smoke alarms in buildings with one or two dwelling units only - Fee for inspections.

The fee for performing an initial inspection for smoke sensitive alarm devices in buildings containing one or two dwelling units, only, as is required by the state law known as the "Uniform Fire Safety Act" (N.J.S.A. 52:27D-192 et seq.), including any subsequent reinspection to ascertain compliance, shall be twenty-five dollars for each such building. When compliance has been established, a certificate evidencing such compliance shall be issued by the Fire Department. (G.O. No. 1561, § I; G.O. No. 1584, § I.)

Sec. 11-45.2. Penalties for failure to obtain the required inspection and certificate for smoke alarms as required by N.J.S.A. 52:27D-192 et. seq.

Failure to obtain the inspection, install the required smoke alarms or obtain the required certificate evidencing compliance by the owner prior to a change of occupancy occasioned by a lease or sale or otherwise or by the owner, including a new owner following a lease or sale which results in a change in occupancy shall be a violation of these sections 11-45.1 and 11-45.2. Violation of these sections 11-45.1 and 11-45.2 shall be punishable by a fine, which shall not exceed two hundred dollars after conviction in municipal court. (G.O. No. 1584, § II.)

Sec. 11-45.3. Compliance with Exterior Property Maintenance Code.

The official of the Town of Westfield responsible for issuing the certificate evidencing compliance with the requirements of the Uniform Fire Safety Act (N.J.S.A. 52:27D-192 et seq.) shall note on such certificate when issued any violations of the Exterior Property Maintenance Code for which a notice of violation has been issued and which has not been finally resolved as provided in that Code (G.O. No. 1695 & I.)

Sec. 11-46. Testing of underground tanks.

(a) The owner or occupant of any land within the Town of Westfield upon which any underground tank or tanks used for the storage of any liquid with a flash point of one hundred degrees Fahrenheit or less are located shall cause the said tank or tanks and connective piping to be tested for leakage at least once in every five years.

(b) A permit shall be obtained from the Fire Official prior to any test being conducted. The application for a permit shall be on a form provided by the Fire Official.

(c) Each such test shall be performed by a gas station pump and tank installer approved as to qualifications for this purpose by the Fire Official and the standard to be used as a guide for the testing of underground leakage of flammable and combustible liquids shall be the National Fire Protection Association standards designated as NFPA No. 329.

(d) A written report of the results of each such test, certified to be correct by the person present at and in charge of the actual performance of each such test, shall be submitted to the Fire Official, or his authorized representative, to be filed by him with the enforcing agency within twenty-four hours of the completion of the test.

(e) If the results of any such test shall indicate any leakage or seepage of flammable liquids, the owner or occupant of the lands upon which the defective tank or tanks are located shall cause the same to be repaired within seventy-two hours of the completion of the test, or within such further extension of time as may be granted by the Fire Official and shall promptly thereafter submit proof to the Fire Official, satisfactory to him, that the condition of leakage or seepage has been corrected.

(f) After the effective date of this Code all such tanks existing at the effective date of this Code shall be inspected within a two-year period. Thereafter such inspection shall be done every five years on each tank. (G.O. No. 1405, § IX.)

(g) The permit fee for testing of underground tanks pursuant to section 11-46, shall be \$35.00 per test.

Sec. 11-47. Permits.

The fees for permits established by the Uniform Fire Code shall be as follows:

Table with columns: Permit Type, Fee. Rows include Type 1 permit (\$35.00), Type 2 permit (\$38.00), Type 3 permit (\$276.00), Type 4 permit (\$414.00), and Type 5 permit (Reserved).

(a) Permits shall be required and obtained from the local enforcing agency for the activities specified in this section, except where they are an integral part of a process or activity by reason of which a use is required to be registered and regulated as a life hazard use. Permits shall at all times be kept in the premises designated therein and shall at all times be subject to inspection by the Fire Official.

1. Type 1 Permit:

- (i) Bonfires—this fee may be waived by the Town Council upon application therefore by a bona fide non-profit organization;
(ii) The use of a torch or flame-producing device to remove paint from, or seal membrane roofs on, any building or structure;
(iii) Tents and temporary tensioned membrane structures without appurtenances, such as platforms and special electrical equipment, which exceed 900 square feet or 30 feet in any dimension (excluding canopies) whether single or made up of multiple smaller units when used for purposes which would constitute a life hazard use if found in a building;
(iv) Individual portable kiosks or displays when erected in a covered mall for a period of less than 90 days, and when not covered by a Type 2 permit;
(v) The use of any open flame or flame-producing device, in connection with any public gathering, for purposes of entertainment, amusement, or recreation;
(vi) Welding or cutting operations except where the welding or cutting is performed in areas approved for welding by the Fire Official and registered as a type B life hazard use;
(vii) The possession or use of explosives or blasting agents, other than model rocketry engines regulated under N.J.A.C. 12-194;
(viii) The use of any open flame or flame-producing device in connection with training of fire service personnel in fire suppression or extinguishment procedures;
(ix) The occasional use in any building of a multipurpose room, with a maximum permitted occupancy of 100 or more for amusement, entertainment or mercantile type purposes;
(x) The storage or handling of class I flammable liquids in closed containers of aggregate amounts of more than 10 gallons, but not more than 660 gallons inside a building, or more than 60 gallons, but not more than 660 gallons outside a building;
(xi) The storage or handling of class II or IIIA combustible liquids in closed containers of aggregate amounts of more than 25 gallons, but not more than 660 gallons inside a building, or more than 60 gallons, but not more than 660 gallons outside a building;
(xii) Any permanent cooking operation that requires a suppression system in accordance with N.J.A.C. 5-70-4.7(g) and is not defined as a life hazard use in accordance with N.J.A.C.5-70-2.4
(xiii) The use as a place of public assembly, for a total of not more than 15 days in a calendar year, of a building classified as a commercial farm building under the Uniform Construction Code.

2. Type 2 permit:

- (i) Bowling lane resurfacing and bowling pin refinishing involving the use and application of flammable liquids or materials;
(ii) Fumigation or thermal insecticide fogging;
(iii) Carnivals and circuses employing mobile enclosed structures used for human occupancy;
(iv) The use of a covered mall in any of the following manners:
(1) Placing or constructing temporary kiosks, display booths, concession equipment or the like in more than 25 percent of the common area of the mall;
(2) Temporarily using the mall as a place of assembly;
(3) Using open flame or flame devices;
(4) Displaying liquid or gas fuel powered equipment;
(5) Using liquefied petroleum gas, liquefied natural gas or compressed flammable gas in containers exceeding five pounds capacity.

3. Type 3 permit:

- (i) Industrial processing ovens or furnaces operating at approximately atmospheric pressures and temperatures not exceeding 1,400 degrees Fahrenheit which are heated with oil or gas fuel or which contain flammable vapors from the product

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being processed;

(ii) Wrecking yards, junk yards, outdoor used tire storage, waste material handling plants, and outside storage of forest products not otherwise classified; or

(iii) The storage or discharging of fireworks.

4. Type 4 permit:

(i) Storage or use at normal temperature and pressure of more than 2,000 cubic feet of flammable compressed gas or 6,000 cubic feet of nonflammable compressed gas;

(ii) The production or sale of cryogenic liquids; the storage or use of more than 10 gallons of liquid oxygen, flammable cryogenic liquids or cryogenic oxidizers; or the storage of more than 500 gallons of nonflammable, non-toxic cryogenic liquids;

(iii) The storage, handling, and processing of flammable, combustible, and unstable liquids in closed containers and portable tanks in aggregate amounts of more than 660 gallons;

(iv) To store or handle (except medicines, beverages, foodstuffs, cosmetics, and other common consumer items, when packaged according to commonly accepted practices):

- (1) More than 55 gallons of corrosive liquids;
(2) More than 500 pounds of oxidizing materials;
(3) More than 10 pounds of organic peroxides;
(4) More than 500 pounds of nitro methane;
(5) More than 1,000 pounds of ammonium nitrate;
(6) More than one micro curie of radium not contained in a sealed source;
(7) More than one micro curie of radium or other radiation material in a sealed source or sources;
(8) Any amount of radioactive material for which a specific license from the Nuclear Regulatory Commission is required; or
(9) More than 10 pounds of flammable solids.

(v) The melting, casting, heat treating, machining or grinding of more than 10 pounds of magnesium per working day.

5. Type 5 permit:

(i) Reserved

(f) Application for a permit required by this ordinance or the Uniform Fire Safety Act of the State of New Jersey (P.L. 1983, c.383), shall be made to the Fire Official in such form and detail as the Fire Official shall prescribe. Applications for permits shall be accompanied by plans or drawings as required by the Fire Official for evaluation of the application.

(g) Before a permit is issued, the Fire Official or the Fire Official's designated representative shall make or cause to be made such inspections or tests as necessary to assure that the use and activity for which application is made complies with the provisions of this ordinance and the Uniform Fire Safety Act of the State of New Jersey.

(h) A permit shall constitute permission to maintain, store or handle materials, or to conduct processes, which produce conditions hazardous to life or property, or to install equipment used in connection with such activities in accordance with this ordinance and the Uniform Fire Safety Act of the State of New Jersey.

(i) Plans approved by the Fire Official are approved with the intent they comply in all respects to this ordinance and the Uniform Fire Safety Act of the State of New Jersey. Any omission or error on the plans does not relieve the applicant of complying with all applicable requirements of this ordinance or the Uniform Fire Safety Act of the State of New Jersey.

(j) The Fire Official may revoke a permit or approval issued under the provisions of this ordinance or the Uniform Fire Safety Act, if upon inspection any violation of the ordinance or Fire Safety Act exists, or if conditions of a permit have been violated, or if there has been any false statement or misrepresentation as to material fact in the application data or plans on which the permit or approval was based.

(k) A permit shall remain in effect until revoked, or for one year unless a shorter period of time is otherwise specified. Permits shall not be transferable and any change in use, operation or tenancy shall require a new permit.

(l) Any permit issued shall become invalid if the authorized work or activity is not commenced within six months after issuance of the permit, or if the authorized work or activity is suspended or abandoned for a period of six months after the time of commencement.

(m) A permit shall not be issued until the designated fees have been paid.

Sec. 11-48. Technical amendments.

The BOCA Basic/National Fire Prevention Code 1984 edition adopted as the State of New Jersey Fire Prevention Code by P.L. 1983 c. 383, is hereby amended to add the following new section:

"Section F-308.2.2 'Space Heaters': Every space heater except as provided herein shall be properly vented to a chimney or duct leading outdoors and be permanently attached to the building or structure in which it is located. Such ducts and chimneys shall be constructed in accordance with the Building Code. The use of unvented portable space heaters burning kerosene fuel is permitted in detached single family residential dwellings outside the business zones and prohibited in all other premises provided such heaters meet at least the following requirements as a minimum:

- (1) The entire unit is approved by Underwriters Laboratories or equipment approved testing laboratory;
(2) Fuel is pressurized and unit is wick fed, not gravity fed;
(3) Unit has an automatic shut off device, which stops the flow of fuel and extinguishes the flame if unit is tipped or struck;
(4) Unit has push button start with electrical or flint ignition;
(5) Radiant units have double wall construction;
(6) Unit has a metal base and drip plate;
(7) All joints or fittings in contact with fuel have oil resistant seals to prevent leaks in case of a tip over.

Detached single-family dwellings for purposes of this section do not include condominium units or attached single-family homes where more than one unit is attached to another or located in a larger structure.

The use of such unvented portable kerosene space heaters is prohibited in all structures including detached single family dwellings in the B-1 and B-2 business zones as set forth on the zone map of the Town of Westfield, except that stores selling such equipment are permitted to store units on the premises and demonstrate their operation to potential customers.

The use of all other unvented portable space heaters having solids, liquid or gaseous fuel is prohibited in all zones.

The use of electrical portable space heaters approved by Underwriters Laboratories, or an equivalent approved testing laboratory is permitted in all zones. (G.O. No. 1405, § XI.)

Sec. 11-49. Identifying emblems for structures with truss construction.

(a) Identifying emblems for structures with truss construction shall be permanently affixed to the front of structures with truss construction.

(1) The emblem shall be made of a white reflective background material with one-fourth inch red border. The shape of the emblem shall be an isosceles triangle and the size shall be twelve inches horizontally by six inches vertically. The following letter designations shall have red letters at least two and one-half inches high and a minimum width of one-half inch for each stroke, which shall be printed on the emblem.

- a. "F" to signify a floor with truss construction;
b. "R" to signify a roof with truss construction; or
c. "F/R" to signify both floor and roof with truss construction.

(2) The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above ground or in an otherwise approved location, and shall be installed and maintained by the owner of the building.

(b) Detached one and two family residential structures with truss construction that are not part of a planned real estate development shall be exempt from the requirements of (a) above, unless otherwise provided by municipal ordinance.

(c) Individual structures and dwelling units with truss construction that are part of a planned real estate development shall not be required to have an identifying emblem if there is an emblem affixed at each entrance to the development.

(d) It shall be unlawful to obstruct, damage, deface, or reduce the visibility of an approved sign. Signs shall be maintained in a legible condition at all times. (G.O. No. 1603, § I.)

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