

# Borough of Garwood

## Meeting of the Mayor and Council

### MINUTES

April 12, 2016

Start Time: 7:55 p.m.

Moment of Silence, followed by a Salute to the Flag.

Adequate notice of this meeting was provided to the Westfield Leader and Union County Local Source, advertised on January 7, 2016, notification was sent to the Star Ledger and prominently posted on the municipal public bulletin board and filed in the office of the municipal clerk informing the Public of the time and place according to the Provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

#### ROLL CALL:

Mayor Lombardo	<u>P</u>		
Councilwoman Cuccaro	<u>P</u>	Councilman Sarno	<u>P</u>
Councilman Martin	<u>P</u>	Councilwoman Todisco	<u>P</u>
Councilman Mathieu	<u>P</u>	Council President Petruzzelli	<u>P</u>

#### MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on March 22, 2016.

A motion to accept meeting minutes was made by Councilman Petruzzelli, seconded by Councilwoman Todisco.

#### COMMUNICATIONS:

- 1) NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –
  - a. Mayor's Advisory –
    - i. 03/21/16, RE: Weekly Update
    - ii. 03/21/16, RE: Daily Update
    - iii. 03/29/16, RE: Weekly Update
    - iv. 03/29/16, RE: Daily Update
    - v. 04/01/16, RE: Weekly Update
- 2) NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS, LOCAL FINANCE BOARD –  
03/22/16, RE: Proposed Amendments to N.J.A.C. 5:30-17.1 through 17.6
- 3) UNION COUNTY BOARD OF CHOSEN FREEHOLDERS – 04/05/16, RE: Resolution 2016-25, Hazard Mitigation Plan and 04/07/16, RE: Ordinance 773-2016, Fixing Salaries
- 4) RAHWAY VALLEY SEWERAGE AUTHORITY, JAMES MEEHAN, EXC DIRECTOR –  
03/07/16, RE: Written report from Garwood Workshop Meeting from 01/26/16
- 5) RAHWAY VALLEY SEWERAGE AUTHORITY – 03/29/16, RE: Approved minutes of the meetings held on February 11, 2016 and February 18, 2016
- 6) RAHWAY VALLEY SEWERAGE AUTHORITY – 04/05/16, RE: RVSA Meeting Notice
- 7) STEPHEN F. HEHL, ESQ. – 03/22/16, RE: Lordan Estate - 484 4th Avenue, Garwood
- 8) BRUCE PATERSON – 04/08/16, RE: Email communication to Mayor and Council regarding RVSA.
- 9) GARWOOD HISTORICAL COMMITTEE – 04/05/16, RE: Re-Dedication Ceremony, 06/12/16
- 10) GARWOOD PLANNING BOARD – 03/29/16, RE: Minutes of the meeting held on 03/09/16 and agenda for 04/18/16 and 04/27/16 meetings

All received and filed.

#### ORDINANCES:

Public Hearing on Ordinance 16-03 and 16-04 as advertised on March 24, 2016.

#### ADOPTION:

Municipal Clerk to read Ordinance 16-03 by title only:

##### ORDINANCE NO. 16-03

**AN ORDINANCE TO PROVIDE FOR A REVISED RATE SCHEDULE FOR 2016 PURSUANT TO §134-16 (RATE SCHEDULE) IN ARTICLE V (INDUSTRIAL WASTE & FEES) IN CHAPTER 134 (SEWERS) OF THE CODE OF THE BOROUGH OF GARWOOD, FOR THE INDUSTRIAL USER CHARGE PROVIDED FOR IN §134-15.**

**WHEREAS,** §134-15 of the Code of the Borough of Garwood provides for an industrial user charge; and

**WHEREAS,** §134-16 of the Code of the Borough of Garwood, provides for the adoption by ordinance of the Mayor and Council of the rate schedule for said industrial user charge;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Garwood as follows:

**SECTION 1.** The rate schedule for the industrial user charge established under §134-16 of the Code of the Borough of



**AN ORDINANCE TO ESTABLISH A RESTRICTED PARKING ZONE PURSUANT TO N.J.S.A. 39:4-197.6  
IN FRONT OF 505 CENTER STREET, IN THE BOROUGH OF GARWOOD**

Motion Councilwoman Todisco, Second Councilman Sarno, to introduce Ordinance 16-05

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Martin</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman Mathieu</b>	<b>AYE</b>	<b>Council President Petruzzelli</b>	<b>AYE</b>

Ordinance No. 16-05 was introduced.

Municipal Clerk to read Ordinance 16-06 by title only:

**ORDINANCE NO. 16-06**

**AN ORDINANCE TO ESTABLISH A RESTRICTED PARKING ZONE PURSUANT TO N.J.S.A. 39:4-197.6  
IN FRONT OF 207 SPRUCE AVENUE, IN THE BOROUGH OF GARWOOD**

Motion Councilwoman Todisco, Second Councilman Petruzzelli, to introduce Ordinance 16-06

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Martin</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman Mathieu</b>	<b>AYE</b>	<b>Council President Petruzzelli</b>	<b>AYE</b>

Ordinance No. 16-06 was introduced.

Municipal Clerk to read Ordinance 16-07 by title only:

**ORDINANCE NO. 16-07**

**AN ORDINANCE TO ESTABLISH A RESTRICTED PARKING ZONE PURSUANT TO N.J.S.A. 39:4-197.6  
IN FRONT OF 547 THIRD AVENUE, IN THE BOROUGH OF GARWOOD**

Motion Councilwoman Todisco, Second Councilman Martin, to introduce Ordinance 16-07

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Martin</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman Mathieu</b>	<b>AYE</b>	<b>Council President Petruzzelli</b>	<b>AYE</b>

Ordinance No. 16-07 was introduced.

**COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:**

**POLICE: Councilman Sarno, Chr.**

1. In recent years, the Police Department has seen an increase in the various types of Fraud reports, which have occur in a wide variety of formats. Many scams have become elaborate and spread to the internet where millions become unknowing victims. Indeed, popular web sites such as Amazon, EBAY and Craig's List have become breeding grounds for deception. While the Police Department takes a pro-active approach in keeping the public advised of these scams, many still fall prey to these creative individuals.

Seeing a need to better assist the public, Captain Stoffer began to look into how to combat the robberies, thefts and scams that all too often occur with online purchases. One answer is to encourage people who buy and sell over the internet to conduct these transactions in a safer area than their homes. Captain Stoffer has developed such "safe zone," right here at Police Headquarters where individuals can "meet up" and feel comfortable making these exchanges. Transactions can be done 24/7 in view of Police personnel and while being captured by surveillance video both after hours in the parking lot or during business hours in the front hallway.

According to Captain Stoffer's research approximately 100 Police Agencies across the United States have started programs such as this and the feedback has been tremendous. We believe this "Exchange Zone", will be a great way to protect our community and residents from those who might wish to take advantage of others. For further details, residents can go to the Garwood Police website at [www.Garoodpd.org](http://www.Garoodpd.org). Chief Underhill would like to thank Captain Stoffer for his efforts in getting this program off the ground.

**PUBLIC HEALTH: Councilwoman Cuccaro NO REPORT**

**STREETS AND ROADS/ECOLOGY: Councilman Petruzzelli, Chr.**

**Reoccurring Activities**

- Perform residential household waste pickup twice weekly on the North and South side(s) of the Borough on Monday, Tuesday, Thursday and Friday. Dispose of all materials at the Covanta Incinerator in Rahway.
- Perform weekly residential brush and grass pickup every Wednesday (begin on April 6<sup>th</sup>)
- Fuel all vehicles and equipment at the Union County Public Works complex in Scotch Plains as needed throughout the week.
- Provide residential white good/appliance pickup at various times weekly throughout the Borough.
- Setup and take down the tables/chairs for the seniors events at the firehouse on the first (1<sup>st</sup>) and third (3<sup>rd</sup>) Thursday of the month.
- Check and treat reoccurring problem sewer lines for roots on a weekly basis.

- Perform maintenance on miscellaneous public works vehicle and equipment as needed.
- Remove miscellaneous road side debris along North and South Avenue(s).
- Clean up the litter and debris throughout the grounds at the Sports and Recreation Complex.

**Miscellaneous Activities**

- Continue clearing the debris from the tops of all stormwater drainage inlets on the North and South side of the Borough.
- Pick up the debris and litter from both sides of the underpass sidewalks on Center Street and Kennedy Plaza.
- Cut up and remove broken branches in various locations of the Borough.
- Begin to prune shade trees in miscellaneous locations of the Borough.
- Complete major pothole repairs along the following areas:
  - 400 block of Willow Avenue
  - 300 block of Beech Avenue
  - Corner of Rankin and Beech Avenue
    - A total of two (2) tons of hot mix asphalt was used for the repairs
- Clean up the entire Sports and Recreation Complex (including the wooded areas) and cut the little league field grass in preparation of opening day. Remove the piles of grass and dirt from the parking lot.
- Perform street sweeping operations in the following areas:
  - Sports complex parking lot
  - Center street from North to South Avenues and within the business district up to Willow Avenue.
  - Sections of North Avenue.
- Continue to install the residential permit parking signs in various areas of the Borough. Replace all existing sign poles prior to installing signs to conform to the 7' minimum height requirement.
- Flood Hartman Park courts for the annual fishing derby.
- Perform spring landscape cleanup and install the basketball nets at Hartman Park.
- Perform spring landscape cleanup at the Georgianna Memorial and at the Borough lot at the dead end of Center Street.
- Remove leaves and debris from the dead end of 4<sup>th</sup> Avenue and the cul-de-sac of 4<sup>th</sup> Avenue.
- Begin to perform preventative maintenance on all department landscaping equipment.

COMMENT: Councilwoman Cuccaro asked when the residential signage will be complete. Councilman Petruzzelli said he would provide that information. Brief conversation on parking took place.

**FIRE: Councilwoman Cuccaro, Chr.**

Read Fire Chief Spina's reports for February and March 2016.

**FINANCE: Councilwoman Todisco, Chr. *NO REPORT***

**BUILDINGS AND GROUNDS: Councilman Mathieu, Chr. *NO REPORT***

**LAWS AND LICENSES: Councilman Martin, Chr. *NO REPORT***

**RECREATION: Councilman Martin Chr. *NO REPORT***

**GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Cuccaro**

Just a few items from the meeting

1/ There was supposed to be a presenter speaking about diabetes, he did not show up, so that was disconcerting for everyone.

2/ Reminders about the Senior Picnic on June 23 from 11-3:00. You can RSVP Paulette by June 15 if you would like to attend.

3/ Tuesday May 17, 9:00- 11:45 Westwood.

Senior Citizens Council of Union County. **Remaining Independent**

April 21, 2016 9:00-12:00 Borough Hall. Stoke risk screening.

Registration is required call 1-800-247-9580

We had Italian style sloppy Joes and a delicious Cinnamon bun.

**LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Petruzzelli**

On April 7<sup>th</sup> at 7:00pm more than 30 people came out to enjoy **Destination Las Vegas: a Musical Journey** starring Francine Evans and Joel Zelnick. The husband and wife team will paid homage to legendary headliners of Las Vegas including: Bobby Darin, Judy Garland, Elvis Presley, Barry Manilow, Frank Sinatra and more. Everybody had fun.

This week is **Amnesty Week** at the library. During this week, there will be no fines collected for any overdue items returned during this week, no matter how long the items are overdue. As of Monday April 11<sup>th</sup> at 2:00pm the Library already waived over \$80 in fines.

On April 16<sup>th</sup> at 11:00am, the Library will host a reception in honor of National Library Month with light refreshments. All borough residents are invited to stop in and see what the library has to offer.

On April 21<sup>st</sup> at 7:00pm **Leona Seufert**, a local resident, published poet and former Poet Laureate of Roselle Park, will kick off the evening reading some of her poetry and discussing how poetry can uplift your life. Attendees will have an opportunity to read a poem. (Their own or one of their favorites)

As always, the library has many other ongoing programs including:

1. The Knitting Club – Monday / Thursday @10:30AM
2. Book Clubs
3. Adult Ed - Tuesday/Thursdays @ NOON
4. ESL - Tuesdays @2:00PM

5. Parent Child Knitting - Wednesday @ 6:00PM
6. Toddler Story Time - Wednesdays @10:30AM
7. Friday Morning Movies – Fridays @ 10:00AM
8. Lego Club – 2 Thursdays a month @ 3:00PM

The Garwood Library is open Monday through Thursday from 9:00 AM to 8:00 PM, Fridays from 9:00 AM to 4:30 PM, and Saturdays from 9:00 AM to 1:00 PM.

**SCHOOL BOARD LIAISON:** Councilman Sarno **NO REPORT**

**CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:** **NO REPORT**  
Councilwoman Todisco

**UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:**  
Councilman Mathieu **NO REPORT**

**ADMINISTRATIVE REVIEW COMMITTEE:** Councilwoman Todisco **NO REPORT**

**HISTORICAL COMMITTEE:** Councilwoman Todisco

Thank you, Mayor. The Historical Committee is busy preparing for the Re-dedication of the Recreation Complex on June 12<sup>th</sup>, which will be in the afternoon, from 2 to 5pm. In fact, the Committee was down at the Complex a few weeks ago mapping out where the past as well as new plaques will go. Also, the Committee is continuing to work with the Hartman family on getting a new sign for the park, which the family has so generously offered to donate. That's all for my report, Mayor.

**OFFICER'S REPORTS:**

Len Di Stefano, Zoning Code Enforcement Officer monthly report and addendum for March 2016  
Len Spina, Fire Chief monthly report for February and March 2016  
Sandy Bruns, CFO/Tax Collector monthly report for March 2016

Motion Councilwoman Todisco, Second Councilman Petruzzelli, to accept Officer's reports

**PUBLIC COMMENT:**

Is there anyone in the audience who wishes to address the mayor and council please step to the microphone, sign in and state your full name and address. Please limit your comments to three minutes.

Rich McCormack, 101 Fourth Avenue asked what the cap bank is. Councilwoman Todisco explained the bank process and what cap bank is. Councilman Mathieu explained that this is a spending cap of 3.5% over last year's spending. He provided detail on how the process works. Councilwoman Cuccaro explained how she views the ordinance. Mr. McCormack mentioned that its Little League season and there are many soccer games going. He asked how these costs are being covered.

Ann Tarantino, 520 Beech Avenue explained how she understands the cap bank ordinance however she was incorrect and accepted that.

Bruce Paterson, 325 Willow Avenue mentioned no one understands the cap bank ordinance but vote for it anyway. He asked for donations from council for the dedication ceremony.

Councilwoman Todisco explained Resolution 16-186 and Mr. Renaud explained 16-183.

**UNFINISHED BUSINESS:**

**CONSENT AGENDA**

(Adoption upon Roll Call)

"Consent agenda items are considered to be routine and will be enacted with a single motion; any items requiring expenditure are supported by a Certification of Availability of funds; any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in the full minutes."

**RESOLUTION NO. 16-183**

**WHEREAS**, the Borough of Garwood has filed a Declaratory Judgment Action in the Superior Court of New Jersey in furtherance of the Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"); and

**WHEREAS**, Fair Share Housing Center ("FSHC"), through the services of David Kinsey, has prepared what it considers to be the statewide fair share numbers (the "FSHC Numbers") for use by the 15 vicinages Mt. Laurel Judges to calculate a municipality's affordable housing obligation pursuant to the Supreme Court Decision; and

**WHEREAS**, the Borough of Garwood has previously authorized the execution of a Municipal Shared Service Defense Agreement and a contribution of \$2000 to be combined with the contributions of other municipalities for the purpose, among

others, of participating in the preparation of a statewide fair share analysis in order to establish a rational and reasonable methodology for determination of a municipality's obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region's affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Decision") and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

**WHEREAS**, the Borough of Garwood and the other participating municipalities in the Municipal Shared Service Defense Agreement have been informed that the fund has been depleted and needs to be replenished in order for the municipalities to continue to act in concert in marshalling the resources necessary to counter the FSHC numbers;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Garwood, as follows:

1. The additional amount of \$2000 is hereby authorized to be expended by the Borough of Garwood in connection with the Municipal Shared Service Defense Agreement
2. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the Borough of Garwood and is appended hereto.
3. The Mayor and Municipal Clerk be and are hereby authorized to execute any documents necessary to memorialize and confirm the continued participation of the Borough of Garwood in the preparation of a Fair Share Analysis and any other analyses and actions deemed appropriate to assist in the joint efforts of the municipalities participating in the Municipal Shared Service Defense Agreement and to take any and all actions reasonably required to effectuate said Agreement.
4. This Resolution shall take effect immediately.

**RESOLUTION NO. 16-184**

BE IT RESOLVED, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct an On-Premise 50/50 Raffle and an On-Premise Merchandise Raffle on May 5, 2016, to be held at the Crossroads, 78 North Avenue, Garwood, NJ from 7:00 – 11:00 p.m., is hereby granted to PTA School One Scotch Plains, pursuant to Application Number RA #1078 and RA #1079.

**RESOLUTION NO. 16-185**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
 BY RIDER FOR CELEBRATION COMMITTEE DONATIONS REQUIRED BY N.J.S.A. 40A:5-29

**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 Celebration Committee Donations 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 the Celebration Committee Donations 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 Governing Body of the Borough of Garwood, County of Union, as follows

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Celebration Committee (N.J.S.A. 40A:5-29)
2. The Clerk of the Borough of Garwood, 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. 16-186**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION  
 BY RIDER FOR HISTORICAL COMMITTEE DONATIONS REQUIRED BY N.J.S.A. 40A:5-29

**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 Historical Committee Donations 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 the Historical Committee Donations 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 Governing Body of the Borough of Garwood, County of Union, as follows

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Historical Committee (N.J.S.A. 40A:5-29)
2. The Clerk of the Borough of Garwood, 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. 16-187**

**WHEREAS**, the Superintendent of Public Works solicited quotes from vendors for the disposal of Type 23 Vegetative Yard Waste which is Brush, Grass and Mixed Yard Waste combined. Quotes were received as follows:

Vendor	Description	Price
Natures Choice Corp.	Per cubic yard	\$15.00
Rotundi & Sons	Per cubic yard	\$22.50
Plainfield Municipal Utilities Authority	Failed to submit a quote	---

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby awards the quote to the lowest vendor as follows:

CONTRACTOR: NATURES CHOICE CORPORATION  
 398 LINCOLN BOULEVARD  
 MIDDLESEX, NJ

PRICE & DESCRIPTION: **Type 23 Vegetative Waste**  
 \$15.00 per cy mixed delivered to transfer station  
 TERM: April 1, 2016 to April 1, 2017

**RESOLUTION NO. 16-188**

**BE IT RESOLVED**, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct an On-Premise 50/50 Raffle and an On-Premise Merchandise Raffle on April 21, 2016, to be held at the Westwood. 438

North Avenue, Garwood, NJ from 6:00 – 9:00 p.m., is hereby granted to Education Foundation of Garwood, pursuant to Application Number RA #1080 and RA #1081.

Motion Councilman Martin, Second Councilwoman Todisco to adopt Consent Agenda.

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Martin</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman Mathieu</b>	<b>AYE</b>	<b>Council President Petruzzelli</b>	<b>AYE</b>

Consent Agenda was adopted.

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

None

**NEW BUSINESS:**

**PROCLAMATIONS:**

Earth Day – April 22, 2016

Arbor Day – April 29, 2016

Preeclampsia Month – May 2016

**PAYMENT OF CLAIMS:**

**BE IT RESOLVED** that the following claims as approved be and the same are hereby ordered paid when properly signed and verified; and the payment of payrolls as listed is hereby confirmed and ratified.

Motion Councilwoman Todisco Second Councilman Petruzzelli, to adopt Payment of Claims Resolution

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Martin</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman Mathieu</b>	<b>AYE</b>	<b>Council President Petruzzelli</b>	<b>AYE</b>

Municipal Clerk read Resolution 16-189

**RESOLUTION NO. 16-189**

**CLOSED SESSION RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING LITIGATION ON TAX APPEALS RELATING TO ACP PARTNERSHIP v. GARWOOD BOROUGH AND THE MOUNT LAUREL DOCTRINE SET FORTH IN THE MATTER OF THE ADOPTION OF NJAC 5:96-97 BY THE NJ COUNCIL ON AFFORDABLE HOUSING AND MATTERS OF ATTORNEY-CLIENT PRIVILEGE RELATING TO THE ABOVE AND IN ACCORDANCE WITH N.J.S.A., 10:4-12, Closed session, Meetings open to public; exclusion of public; subject of matter.**

**WHEREAS**, it is necessary for the Mayor and Council of the Borough of Garwood to conduct an executive session closed to the public in order to discuss the above listed matters.

**NOW THEREFORE BE IT RESOLVED** that the Council of the Borough of Garwood hereby move to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., for the purpose of discussing the subjects stated above; and

**BE IT FURTHER RESOLVED** that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

Motion Councilwoman Todisco, Second Councilman Petruzzelli to adoption 16-189 to enter executive session.

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Martin</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman Mathieu</b>	<b>AYE</b>	<b>Council President Petruzzelli</b>	<b>AYE</b>

**ADJOURNMENT:**

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, APRIL 26, 2016**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

**THERE WILL BE A PUBLIC HEARING IN COUNCIL CHAMBERS, ON THE 2016 MUNICIPAL BUDGET AND ORDINANCE NO. 16-05, 16-06, 16-07, ON TUESDAY April 26, 2016, AT 7:15 P.M. OR SOON THERE AFTER.**

At 9:19 p.m. a motion was made by Councilman Sarno, second by Councilwoman Cuccaro to adjourn.

Respectfully submitted:



**CHRISTINA M. ARIEMMA, Municipal Clerk**  
Borough of Garwood