

**Borough of Garwood**  
**Meeting of the Mayor and Council**  
**MINUTES**

September 13, 2016

START: 7:15 p.m.  
Moment of Silence.....  
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).

Adequate notice of this meeting was provided to the Westfield Leader of location change, advertised on August 25, 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	P		
Councilwoman Cuccaro	P	Councilman Sarno	P
Councilman Martin	P	Councilwoman Todisco	P
Councilman Mathieu	P	Council President Petruzzelli	P

Also, present Borough Administrator/Clerk Christina M Ariemma and Borough Attorney Robert F. Renaud, Esq.

**MINUTES:**

Regular, Workshop and Executive Minutes of the Mayor and Council held on August 23, 2016.

Motion by Councilwoman Todisco, Second by Councilman Sarno to accept minutes as presented.

**COMMUNICATIONS:**

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
  - a. Mayor's Advisory –
    - i. 08/26/16, RE: Weekly Update
    - ii. 08/30/16, RE: Register for this webinar today!
    - iii. 08/30/16, RE: Daily Update
    - iv. 08/31/16, RE: Daily Update
    - v. 09/06/16, RE: Weekly Update
- 2) **TOWNSHIP OF CRANFORD** – 08/25/16, RE: Resolution 2016-287, Encouraging Governor Christie and the State of NJ to fund the Transportation Trust Fund
- 3) **TOM ENGLESE** – 08/23/16, RE: Concerns regarding 522 Locust Ave
- 4) **490 SOUTH AVENUE, LLC** – 08/25/16, RE: Block 403, Lots 4, 21 and 22
- 5) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 08/22/16, RE: Minutes of the meeting held on July 21, 2016
- 6) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 08/22/16, RE: RVSA Flow Metering Information

**ALL RECEIVED AND FILED**

**ORDINANCES:**

Public Hearing on Ordinance 16-15, as advertised on August 18, 2016

**ADOPTION:**

Municipal Clerk to read Ordinance 16-15 by title only:

**ORDINANCE NO. 16-15**

**AN ORDINANCE TO ADOPT A REDEVELOPMENT PLAN FOR PREMISES KNOWN AND DESIGNATED AS BLOCK 401, LOTS 1, 2, 3, 4 & 5, LOCATED ON SOUTH AVENUE IN THE BOROUGH OF GARWOOD,**

**COUNTY OF UNION, STATE OF NEW JERSEY, PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, ET SEQ).**

**WHEREAS**, by Resolution No. 14-220, adopted June 10, 2014, the Borough Council of the Borough of Garwood authorized the Planning Board of the Borough of Garwood to undertake a preliminary investigation to determine whether the area in the Borough of Garwood, known and designated as Block 401, Lots 1, 2, 3, 4 and 5 and Block 403, Lots 1, 2, 3, 4, 5, 6, 19, 20, 21 and 22, on the Tax Map of the Borough of Garwood, fronting on South Avenue, is an area in need of redevelopment and a condemnation redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, by Resolution dated September 24, 2014, the Planning Board authorized Planners H2M Associates, Inc. to review the designated criteria and prepare a report to the Planning Board as to whether the area commonly known as South Avenue, in the Borough of Garwood, County of Union and State of New Jersey, known and designated as Block 401, Lots 1, 2, 3, 4 and 5 and Block 403, Lots 1, 2, 3, 4, 5, 6, 19, 20, 21 and 22 as shown on the official Tax Map of the Borough of Garwood, is an area in need of redevelopment as a condemnation redevelopment area, in accordance with N.J.S.A. 40A:12A-1, et seq. ; and

**WHEREAS**, the said Planners prepared a report entitled "South Ave. Blk 401 & 403/Area in Need of Redevelopment Investigation Report" prepared by H2M Associates, Inc., dated May 27, 2015; and

**WHEREAS**, the Planning Board received and reviewed the said report and conducted a public hearing on May 27, 2015, in accordance with N.J.S.A. 40A:12A-6; and

**WHEREAS**, the Planning Board found, and adopted the conclusions of the Planner, that the delineated area is an area of need of redevelopment because it meets the statutory criteria for redevelopment, including the following criteria as set forth in N.J.S.A. 40A:12A-5, and that:

(a). The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

(b). The discontinuance of the use of buildings previously used for commercial, manufacturing or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable;

(c). Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

(d). Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout or any combination of these or other factors, or detrimental to the safety, health, morals or wealth fare of the community;

(h). The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation; and

**WHEREAS**, N.J.S.A. 40A:12-3 permits the inclusion in a redevelopment area of lands, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found to be necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part; and

**WHEREAS**, the Planning Board found that various parcels within the delineated area meet different criteria as set forth in the Local Housing and Redevelopment Law for inclusion in a redevelopment area, as more fully set forth on page 2 of the aforementioned "Area in Need of Redevelopment Investigation Report"; and

**WHEREAS**, after completing its hearing on this matter, the Planning Board recommended, by resolution adopted June 24, 2015, that the aforementioned area be determined by the Borough Council to be a redevelopment area, in accordance with said report; and

**WHEREAS**, the Borough Council of the Borough of Garwood, by Resolution 15-274 found that the delineated area meets the criteria set forth in N.J.S.A. 40A:12A-5, as more fully set forth in the Planning Board Resolution dated June 24, 2015, and in the report entitled "South Ave. Blk 401 & 403/Area in Need of Redevelopment Investigation Report" dated May 27, 2015 and further determined, based on the foregoing, that the delineated area is an area in need of redevelopment as a condemnation redevelopment area; and

**WHEREAS**, by Resolution 15-274, the Borough Council authorized the Planning Board of the Borough of Garwood to prepare a proposed redevelopment plan for the aforementioned delineated condemnation redevelopment area; and

**WHEREAS**, the Planning Board retained Harbor Consultants, Inc. (HCI) to prepare a redevelopment plan; and

**WHEREAS**, after consultation with the Planning Board, HCI prepared a redevelopment plan entitled "South Avenue Redevelopment Plan" dated November 2015, and subsequently revised said redevelopment plan as of March 9, 2016 and again revised said redevelopment plan on March 23, 2016, and re-titled said redevelopment plan "South Avenue—Transit Oriented Redevelopment Plan;" and

**WHEREAS**, after considering the redevelopment plan at a meeting held on March 23, 2016 and after giving notice to the public, and conducting two public hearings on April 18, 2016 and on April 25, 2016, the Planning Board, by resolution dated May 25, 2016 resolved to transmit the said redevelopment plan, with certain changes, to the Mayor and Council with a recommendation that the plan be adopted; and

**WHEREAS**, said redevelopment plan entitled "South Avenue—Transit Oriented Redevelopment Plan;" was revised and redated May 27, 2016, incorporating the changes requested by the Planning Board; and

**WHEREAS**, at a meeting held on July 11, 2016, the Planning Board reviewed the revised redevelopment plan entitled "South Avenue—Transit Oriented Development Plan," dated May 27, 2016, transmitted same to the Mayor and Council and recommended its adoption as the redevelopment plan for Block 401, Lots 1, 2, 3, 4 & 5; and

**WHEREAS**, the Mayor and Council of the Borough of Garwood has reviewed the revised redevelopment plan and acts by this ordinance to adopt said revised redevelopment plan as the redevelopment plan for the area delineated herein, in accordance with N.J.S.A. 40A:12A-7;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Garwood in the County of Union, State of New Jersey, as follows:

**SECTION 1.** The redevelopment plan for Block 401, Lots 1, 2, 3, 4 & 5, entitled "South Avenue—Transit Oriented Development Plan," dated May 27, 2016, prepared by Harbor Consultants, Inc., a copy of which is on file with the Borough Clerk, is hereby approved and adopted as the redevelopment plan for Block 401, Lots 1, 2, 3, 4 & 5, as known and designated on the tax maps of the Borough of Garwood, in accordance with N.J.S.A. 40A:12A-7.

**SECTION 2.** The Master Plan and Zoning Ordinance are hereby specifically revised and supplemented to the extent of any inconsistency with the aforementioned redevelopment plan.

**SECTION 3.** The zoning district map included in the Land Use Chapter is hereby amended to include the redevelopment area established herein for Block 401, Lots 1, 2, 3, 4 & 5. The Borough Engineer is hereby authorized and directed to revise such map to conform with this ordinance and the Redevelopment Plan herein adopted.

**SECTION 4.** The Mayor and Council of the Borough of Garwood shall act as the "Redevelopment Entity" for said redevelopment area and shall exercise the powers contained in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.

**SECTION 5.** The Borough Clerk is hereby authorized and directed to file a copy of this ordinance and the redevelopment plan with the Union County Planning Board.

**SECTION 6.** If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of this ordinance.

**SECTION 7.** This ordinance shall take effect upon final passage and publication in accordance with law.

Upon conclusion of Ms. Ariemma reading the title of Ordinance 16-15, Mayor Lombardo read the following statement:

Before we get into the heart of the meeting, I have a few brief remarks, by way of explanation of this process.

Redevelopment Planning is complex. The State of New Jersey adopted a uniform process called the Local Redevelopment and Housing Law that details a uniform process for redevelopment throughout the entire state, and by doing so; the process is NOT left to individual municipalities, like Garwood, to develop its own redevelopment laws and not to reinvent the wheel.

The process requires actions by two bodies – a governing body and a planning board. Each group has responsibilities over which the other does not have jurisdiction. The Governing Body requests the Planning Board to prepare a redevelopment study; the Council adopts it. The Governing Body requests the Planning Board to write the redevelopment plan; the Council adopts it. The Planning Board hears the site plan application, including traffic, parking, and utility issues, while the Borough Council designates a redeveloper, reviews any payments in lieu of taxes, and adopts a redevelopment agreement. It all gets very confusing and both groups rely heavily on their professionals to help them through the process. The Planning Board has a licensed planner/engineer on contract and a member, who is also a licensed planner, to assist during its deliberations. The Planning Board will also hire a traffic expert when the site plan application is submitted. The Borough Council will – as you see on tonight's agenda – hire a redevelopment attorney and soon, the Governing Body will hire a fiscal impact expert.

All of this is 'the process' because redevelopments are typically large, and can impact municipalities in many ways. I believe that all members of both entities are aware of the potential impacts and take their jobs very seriously.

While some residents say that this governing body constantly fights, I believe that all of the hearings to date have come to one agreement - all members sitting in front of you have concluded that it is not in the best interest of the Borough of Garwood to allow the Petro/Casale properties to remain as they are– contaminated and vacant. In a word: blighted. In two words: eye sores. Something must be done. Responsible elected officials must take some action to turn these properties into more attractive ratables than they are today. The key word is ratable.

Someone asked, 'Why can't they become a park'? This is really a non-question. If that were done, the taxpayers – you and I – would pay to purchase the properties, clean them up environmentally to the tune of millions of dollars, build, and then maintain the park. A park use is not reality, nor is it fiscally responsible.

Someone else pushed a redevelopment of one or two family houses at Garwood's existing densities. For the same reasons stated above, there would be no profit in such a project for a private developer; thus no one is going to build 10 or 20 houses on these sites, with the amount of clean-up involved, and especially next to a rail line.

Others said that some commercial or industrial uses might be interested. For some time one of the properties has been mostly vacant and no one has purchased it for industrial use. Again, the costs would be great. And this site – far removed from local highways, interstates or rail facilities, would not be in high demand.

Which brings us to where we are looking at today – a mixed-use development. A Transit Village, as supported by Garwood citizens at several public meetings since 2008 when the Planning Board was discussing the Updated Master Plan. Use the existence of the train station to our benefit; improve our downtown, and obtain additional parking. Provide some of the affordable housing that we are required to provide. I believe that there is even some agreement that this type of project is the way to go.

The issue comes down to this - How big? How many? Tonight is NOT- in any way - providing the ultimate answer. Tonight the Council is considering an ordinance. An ordinance – from which, just like every other zoning ordinance, a person can request a variance for any number of units. That decision is one that the Planning Board must deal with. The Planning Board will hold future hearings - after an actual site plan gets submitted, and review all of the parts of the plan as it normally does. I encourage everyone to attend those hearings. Ask questions. Review the traffic, storm-water, parking, building elevation, landscaping, and lighting plans I encourage you to participate in the hearings. Read the submitted documents, and listen to the testimony. The Planning Board will ultimately determine the number of rental units that will be developed.

While the Council has not officially designated a redeveloper, Russo Development is the owner of the Petro Properties and has a contract for sale on the Casale Properties. They have done the Borough a great service by submitting a fiscal impact report. This report outlines the ability of their company to undertake and complete the project, and also their anticipated expenses and profit.

Now a very important feature of redevelopment law comes in to play. After being designated the redeveloper, the developer assumes the costs of the reviews of these traffic, environmental, and fiscal impact, not the borough. A local paper recently asked why Garwood doesn't prepare a fiscal impact study. The answer is simple. After redeveloper designation, the redeveloper pays for those reviews, not borough taxpayers.

Everyone has concerns – and rightly so: how will it impact the school system, traffic, RVSA (sewer). All of these concerns will be addressed. As I stated before, come to the meetings of the Planning Board, ask your questions of the developer's witnesses. It is your right to do so.

Many members of the public have stated that certain members of this Council – past and present – do not listen to resident concerns. That is not true. We listen to all resident concerns – both of those who are here, and those who are not, those who are loud and those who are quiet. But whenever elected officials vote on a contentious matter, there will always be those who disagree with our vote. Those who do not agree say that we do not listen, those who agree generally stay quiet. The Planning Board and Council reviews can proceed concurrent with each other, with recommendation flowing between both groups.

I do not know what the final number of rental units will be, but I am in favor of the debate continuing on facts discussed at public hearings, not flyers. The biggest concern that I have, as your mayor, is the future of this borough. I do not believe that any resident wants to look at the Casale/Petro properties, as they currently exist. They are NOT the tax ratables they once were. If we don't continue to transform our obsolete industrial properties into more vibrant properties such as Shop Rite, Home Depot, the North Avenue Mall, the Pointe and the Mews, we residential taxpayers will be forced to assume more and more of the tax burden. I

believe that it is important for each member of this governing body, and I as your mayor, to take actions to ensure the financial well being of our borough.

Finally, I would like to thank all the residents who have taken time from their busy schedules to come here to make statements and express their concerns. I believe there are people in the audience who have already made up their minds and are totally for or against this redevelopment project. In my opinion, the majority of the people sitting here believe this is the way of the future for Garwood, but they have concerns, and all will be addressed as we proceed. We need to take this opportunity to move forward.

List correspondence concerning Ordinance 16-15.

08/19/2016, Bruce Paterson, 325 Willow Avenue concerning the Redevelopment Plan

09/05/2016, John Bartolick RE: Letter in support of the South Avenue Redevelopment Plan.

09/09/2016, Bruce Paterson, RE: Regarding Casale Property and council vote

Does anyone present wish to be heard concerning Ordinance 16-15?

1) James Foerst, represents certain members of the community known as concerned citizens. He talked about the plan, passed out a document on how the project would change the statics of the borough. He provided examples and explained his opinion as to why the plan is not compatible to the master plan.

2) Tina Smitiz, 345 Hemlock Avenue read a prepared statement:

“Good evening, Mayor Lombardo and Council Members. My name is Tina Simitz, 345 Hemlock Avenue. Like most of you in this room tonight, I believe in progress in Garwood. The dilapidated buildings on the Petro and Casale properties are an eyesore, as you drive from Cranford, through Garwood and into Westfield. I will also admit that the renderings the developer has provided do look very pretty.

That being said, I, like many others, do not believe in **overdevelopment**, and I am opposed to the sheer size of the proposal – **315 rental units** – being set forth PLUS the fact that this will be entirely rentals.

In addition, this project has, in my opinion, misleadingly been compared to the Pointe and to the Lofts/Mews. As you know, the Pointe, which is a beautiful property, includes for-sale townhomes for 55+ adults with approximately **44 townhomes** and about **40 rental units** at the Lofts. Between these two developments, this is **LESS THAN A THIRD of the proposed 315 rental units**. In addition, there are about **15 retail stores there**. The last redevelopment was the Villages at Garwood, and there are just **72 units there**. Garwood has never undertaken a redevelopment project this large.

A project of this size and magnitude, which the builder himself admitted will increase the Borough's population by 13% - or likely more; and increase Garwood rentals from about 36 percent to near 50 percent – will certainly have its pros, as well as its cons. And there are several questions in my mind, and in the minds of many concerned citizens, who are both for and against the redevelopment project, that have gone unanswered.

I'd like to thank Council in advance for always keeping the needs of the current residents of Garwood in mind first, as Garwood **is already a “destination” for the over 4,200 residents who call Garwood home**. Thank you.”

3) George Menakis, 409 Third Avenue expressed support for the project. He commented on the size of the project. He explained he feels this is an opportunity for Garwood.

4) Joe Carney, 450 Second Avenue expressed support for the project. He said it would create jobs for Garwood and businesses. He mentioned the area being designated a transit village and asked if there will be a PILOT.

5) John Ament, 450 Myrtle Avenue expressed that the proposed building is too large. He further commented that people wouldn't move into the complex because there is too much competition with these types of housing units.

6) Bruce Paterson, 325 Willow Avenue mentioned that he supports redevelopment but not a complex of the size proposed. He talked about open space vs. the volume proposed. He asked council to consider the matter further and to debate it further.

7) Rich McCormack, 101 Fourth Avenue commented on the Mayor's statement claiming the matter has been being discussed for some time. He stated that he found out about this project one year ago. He suggested council give the matter more time.

8) John Casoni, 212 Walnut Street expressed support for the development however mentioned the impact it will have on municipal services, traffic and taxes.

9) Marc Larzarow, 511 Myrtle Avenue read a prepared statement:

“Change is always difficult at every stage in life. What we know, we hold on to, and sometimes what we don't know creates fear. We all have experienced that in the process of going from one school to another, dating for the first time, moving to a new area, changing jobs. These are difficult challenges that often times after we are in the midst of going through these changes, we look back and wonder why we were so worried or we realize the initial sacrifices were worth it.

Garwood is on the precipice of change that has the potential to fundamentally change the center of our town for the better if we do it right! I have attended meetings, talked with my neighbors and listened to residents across the borough about this project. What all of these voices have in common is that we must remove the decaying and dilapidated Petro and Casale buildings.

This redevelopment plan is not perfect and there are concerns that I want to see addressed – such as the traffic and the size of the proposal. At the same time fear mongering is not what we should do by claiming that this proposal will lead to the demise of Garwood. There is very little in life that is an absolute no...just standing up and saying no is not helpful....you need to be part of the discussion, not just part of obstruction.

I think Garwood values leadership that offers solutions and compromise. Democracy is messy and requires give and take from opposing viewpoints. The council owes it to the people to help bring back a level of discourse that elevates the interests of all residents, not just the ones that represent your political ideology.

I also urge the council to demand that the developer hold regular town hall meetings for residents to weigh in with their concerns throughout the building process to make sure all Garwood's residents' issues are addressed.

I am also equally excited about Garwood's potential.

\*New restaurants and retail that bring more diversity of goods and services to our downtown that is within walking distance for most residents.

\*Added business opportunities for currently existing businesses with increased pedestrian traffic.

\*Outdoor public area for residents to gather to help bring Garwood together for family events and other town functions.

\*Increasing the small ratables we currently receive to a more sustainable tax base that will stabilize our property taxes.

\*Private investment of what many estimate to be 80-90 million dollars into our local economy.

\*A more vibrant center of Garwood with many amenities that leads to increased property values for all of us.

If we do this right, Garwood will still be that town with a big heart and with a center that will be the envy of Union county."

10) Bill Nierstedt, 320 Hickory Avenue commented that everyone agrees that work must go forward. He commented that plans have to be reviewed and its part of the process. He commented on the attorney representing concerned citizen's statement and requested council to inquire exactly whom he represents.

11) Rich McCormack, 101 Fourth Avenue commented on Mr. Nierstedt's statement.

12) Jenn Blumenstock, 315 Spruce Avenue commented that most agree that the plan should go forward however; she mentioned that there is concern over the size of the project. She commented on Mr. Lazarow's statement and the need for town meetings and discussion.

13) Loretta Spina, 213 Locust Avenue suggested something must be done with that property but expressed concerns regarding overdevelopment.

Motion by Council President Petruzzelli, Second Councilwoman Todisco to close Public Hearing on Ordinance 16-15.

Motion by Councilwoman Todisco, Second by Councilwoman Cuccaro to TABLE Ordinance 16-15.

Mr. Renaud commented that a motion to TABLE requires a majority vote and should be followed by roll call vote.

Ms. Ariemma administered 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 16-15 was TABLED.**

Mr. Renaud stated that a tabled ordinance could be moved off the table at any time with or without notice by any member of council at any meeting of the council for the remainder of 2016. If not moved by the end of 2016 the ordinance dies and the process would have to start over in 2017.

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

#### **POLICE: Councilman Sarno, Chr.**

1. Chief Underhill would like to remind residents that School is back in session and kids can be expected to be seen going to and from school as well as after school activities. This combined with several construction projects taking place in the Borough means that motorists should use extra caution when traveling around town.

The intersection of South & Center is undergoing some improvements to its infrastructure. The Police Department will try to provide timely notifications on the Nixle and ucfirstalert systems if the roadway or underpass is going to be temporarily closed.

Chief Underhill also reminds all residents to register with the Nixle and ucfirstalert systems online, for emergency updates and alerts. Residents can also go to the "Alerts and Updates page" of Departments web site at [Garwoodpd.org](http://Garwoodpd.org) for emergency and general information.

#### **PUBLIC HEALTH: Councilwoman Cuccaro NO REPORT**

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

The Department of Public Works completed the following from August 9<sup>th</sup> to September 13<sup>th</sup>.

#### **Reoccurring Activities**

- Complete regular public works services including residential pickup(s) of household waste, brush/grass and white goods.

- 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. **Cleared a sewer block at 501 Willow Avenue.**
- Perform maintenance on miscellaneous public works vehicle and equipment as needed.
- Clean up the litter and debris throughout the grounds at the Sports and Recreation Complex on a daily basis.
- Pick up the debris/litter from both sides of the underpass sidewalks on Center Street and Kennedy Plaza.
- Mow, trim and maintain all municipal owned properties and parks on a weekly basis.
- Repair broken street and traffic signs in various locations of the Borough.

#### **Miscellaneous Activities**

- **Complete** street sweeping operations on the north and south side(s) of the Borough. Post areas to be swept the day before for no parking.
  - Perform major pothole repairs at the following locations:
    - 600 block of Willow Avenue
    - 300 Block of 3<sup>rd</sup> Avenue
- 2 tons of hot mix asphalt were used for the repairs
- Remove litter and debris from the NJ Transit bus stops along North and South Avenue(s).
  - Remove the debris from the tops of all stormwater drainage inlets on the North and South side of the Borough numerous times throughout the period due to heavy rains.
  - Begin to address residential Shade Tree pruning and removal requests that are accessible with the Borough owned bucket truck.
  - Begin to elevate shade trees throughout the Borough along miscellaneous Borough streets to allow for larger vehicle travel such as public works vehicles.
  - Continue to weed the sidewalk area along the municipal building fronting Center Street/South Avenue and along Center Street between North and South Avenue(s) on a regular basis.
  - Continue to weed the landscaping mulch beds and surrounding areas at the Sports and Recreation Complex on a regular basis.
  - Install new street signs in various locations to replace the old illegible signs.
  - Provide Public Works assistance for the annual Movie Under the Stars event including but not limited to trash receptacle pickup, preparation of the grounds at the sports and recreation complex and cleanup on the Monday after the event.

#### **FIRE: Councilwoman Cuccaro, Chr.**

Read prepared fire report concerning fire activities for August 2016.

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

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

#### **LAWS AND LICENSES: Councilman Martin, Chr.**

Tonight there are 6 applications for Raffle Licenses.

The Laws & License Committee recommends the adoption of Resolution No. 16-261, for the application of one **on-premise merchandise raffle**, one **on-premise 50/50 raffle** and one **off-premise merchandise raffle** to be drawn on October 23, 2016 at the Westwood, 438 North Avenue, Garwood, NJ, by BEST FRIEND DOG & ANIMAL ADOPTION, INC.

The Laws & License Committee also recommends the adoption of Resolution No. 16-265, for the application of one **off-premise 50/50 raffle** to be drawn on October 14, 2016 at the Westwood, 438 North Avenue, Garwood, NJ, by UNION COUNTY COLLEGE FOUNDATION

The Laws & License Committee also recommends the adoption of Resolution No. 16-269, for the application of one **on-premise 50/50 raffle** and one **on-premise merchandise** to be drawn on November 13, 2016 at the Westwood, 438 North Avenue, Garwood, NJ, by CHILDREN'S SPECIALIZED HOSPITAL FOUNDATION INC.

That is all for my report Mayor.

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

#### **GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Cuccaro**

1/ I had a concern from a senior group member that the tree at the little league field is dangerously close to falling on their property that has a 70,000 dollar classic car parked right in the proximity of the tree. They would love for someone to take a look.

2/ Tina came and addressed the group about the difference between the senior club and the Garwood seniors, that there are differences in what can and cannot be done as some of the funds are for the entire town for seniors and some for the group which is basically privately funded with some grant money that is all inclusive.

3/ Paulette the senior director notified everyone that she has free PNC concert tickets for Tony Orlando on September 22 at 1:30 rain or shine; if anyone is interested I will provide her contact info

4/ On October 4 from 10-4:00 at the senior center in Kenilworth there is going to be a memory-screening checkup. It takes about a half hour. It is being sponsored by Overlook medical center. For further info please call Nilda Ortiz at 522-2842

5/ Lunch was turkey sloppy Joes and a huge apple turnover.

6/ I was contacted by the leader of the Girl Scout troop in Garwood that they would like to come and spend time with the group whenever it is convenient. I will bring this up to see what works for them at the next meeting on Thursday.

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

September is National Library Card Sign-Up Month, and the staff at the Library suggests that if you don't currently have a library card, or if yours has expired – visit the Library during the month of September and get up to date. Your Garwood Library card can be used at our Library, of course, but also at other local libraries since we participate in reciprocal borrowing privileges within the county.

In September, the library will present the following programs:

**Knitting Club** – Every Monday and Thursday at 10:30am

**Bilingual Knitting Class** – Every Tuesday at 10:00am

**Story Time** - Every Wednesday at 10:30am,

**Movie Time** - Every Friday at 10:00 am

**Adult Craft** – Tuesday September 13<sup>th</sup> @ 6:00pm

**Lego Club** - Thursday, September 22<sup>nd</sup> at 3:00pm

**Kids Craft** – Thursday, September 29<sup>th</sup> at 3:00pm

SchoolHouse Chess, a seven week program funded by the Union County Grant will also begin, Tuesday, September 20<sup>th</sup> at 3:00pm. SchoolHouse Chess will teach chess with fun characters and stories that are woven into a logical, step-by-step curriculum. The class will begin with the basic rules and extend through advanced strategies and tactics. Through chess kids can build logic, memory and pattern recognition. It also improves problem solving and critical thinking skills; and has been shown to increase IQ and test scores. In addition, each student will receive their own magnetic chess set to practice at home

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

**CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:**

**Councilwoman Todisco**

Thank you, Mayor. The annual movie night was last weekend and I am pleased to report that about 100 people came out to see The Minions from the new turf field. Although originally scheduled for that Friday, due to the weather forecast, it took place on Saturday night at the Garwood Sports and Recreation Complex. It's very likely the turnout would have been even greater had it not needed to be moved to the rain date since usually 250 to 300 people attend. Celebrations Committee members heard much positive feedback about movie night with people approaching them to say what a great time they had. Thank you to co-chairs of the Celebrations Committee, Kathy Villaggio and Carolyn Puerari, and their members for putting this wonderful, family-friendly event together. Also, thank you to Spencer Savings Bank, the Greater Westfield Area Chamber of Commerce, and the Borough of Garwood for sponsoring the event. We look forward to next year. That's all for my report, Mayor.

**UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:**

**Councilman Mathieu NO REPORT**

**ADMINISTRATIVE REVIEW COMMITTEE: Councilwoman Todisco NO REPORT Meeting 9/15/16**

**HISTORICAL COMMITTEE: Councilwoman Todisco NO REPORT**

**OFFICER'S REPORTS:**

Len DiStefano, Zoning Code Enforcement Officer monthly report for August 2016

Motion by Council President Petruzzelli, Second by Councilwoman Todisco 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.

Bruce Paterson, 325 Willow Avenue commented on the redevelopment matter. Mr. Renaud reviewed the redevelopment procedure.

James Hart, 511 Myrtle Avenue expressed support for the redevelopment plan.

Rich McCormack, 101 Fourth Avenue mentioned trees being cut down. Ms. Ariemma explained the process and that trees are only removed when necessary. She said that trees removed during the sidewalk project were many but also necessary as many continued to lift sidewalks. She commented further that she plants proper trees in the right of way which is a small area to work with.

Mike Collings, 238 Second Avenue thanked Council President Petruzzelli for mentioning the blood drive and asked all to participate, as the need for blood is great.

**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. 16-261**

**BE IT RESOLVED**, by the Mayor and 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, an Off Premise Merchandise Raffle and On Premise Merchandise Raffle to be held on October 23, 2016, to be held at the Westwood, 438 North Avenue, Garwood, NJ from 1:00 p.m. to 5:00 p.m., is hereby granted to Best Friend Dog and Animal Adoption., of Cranford NJ, pursuant to Application Number RA #1095, RA #1096 and RA#1097.

**RESOLUTION NO. 16-262**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby approves the adjustment of 2015 sewer charges on the following property and refund where required.

**ADJUSTMENTS:**

**BLOCK/LOT**

**NAME & ADDRESS**

0106 / 09.01

The Lofts at Garwood, LLC.  
512 North Avenue  
Garwood, NJ 07027

Original Billing Amount:

**\$3,476.91**

Corrected Billing Amount:

**\$413.90**

**Amount to be refunded:**

**\$3,063.01**

EXPLANATION:

BOROUGH ENGINEER REQUESTED THAT THE TAX DEPARTMENT ADJUST THE 2015 SEWER BILLS FOR THE ABOVE REFERENCED BLOCK & LOT.

**RESOLUTION NO. 16-263**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby approves the adjustment of 2015 sewer charges on the following property and refund where required.

**ADJUSTMENTS:**

**BLOCK/LOT**

**NAME & ADDRESS**

0404 / 0002

Michelangelo Sciortino  
347 South Avenue  
Garwood, NJ 07027

Original Billing Amount:

**\$3,674.26**

Corrected Billing Amount:

**\$918.48**

**Amount to be refunded:**

**\$2,998.69**

EXPLANATION:

BOROUGH ENGINEER REQUESTED THAT THE TAX DEPARTMENT ADJUST THE 2015 SEWER BILLS FOR THE ABOVE REFERENCED BLOCK & LOT.

**RESOLUTION NO. 16-264**

**BE IT RESOLVED** by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby approves to expunge 2015 sewer charges on the following properties and refund where required.

**EXPUNGE:**

**BLOCK LOT**

**NAME & ADDRESS**

**AMOUNT**

0404	0002	The Mackenzie Group Inc. 618 South Avenue Garwood, NJ 07027	\$498.24
<b><u>BLOCK LOT</u></b>		<b><u>NAME &amp; ADDRESS</u></b>	<b><u>AMOUNT</u></b>
0504	0001	M-R Auto 63 South Avenue Garwood, NJ 07027	\$1,178.20
<b><u>BLOCK LOT</u></b>		<b><u>NAME &amp; ADDRESS</u></b>	<b><u>AMOUNT</u></b>
0113	0002	Edward Schwartz 401 North Avenue Garwood, NJ 07027	\$1,322.25
		<b>EXPUNGE TOTAL:</b>	<b><u>\$2,998.69</u></b>

EXPLANATION: BOROUGH ENGINEER REQUESTED THAT THE TAX DEPARTMENT WITHDRAW THE 2015 SEWER BILLS FOR THE ABOVE REFERENCED BLOCK & LOTS.

**RESOLUTION NO. 16-265**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct an Off-Premise 50/50 Raffle to be held on October 14, 2016, to be held at the Westwood, 438 North Avenue, Garwood, NJ from 6:00 p.m. to 11:00 p.m., is hereby granted to Union County College., of Cranford NJ, pursuant to Application Number RA #1098.

**RESOLUTION NO. 16-266**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood County of Union, State of New Jersey, hereby authorize the Mayor and Municipal Clerk to sign the Indemnification Agreement with the County of Union for use of the Conservation Center for leaf disposal.

**RESOLUTION NO. 16-267**

WHEREAS, the Council of the Borough of Garwood directed the Borough Administrator/Clerk to pursue proposals in accordance with law for Special Legal Counsel to the Governing Body for the Redevelopment of South Avenue in the Borough of Garwood; and

WHEREAS, the Borough Administrator/Clerk posted in accordance with law on July 13, 2016, and received proposals on July 27, 2016, under a fair and open process in accordance with P.L. 2004, c.19, as amended by P.L. 2005, c.51; and

WHEREAS, the said Governing Body has determined that such services are professional services as defined in the Local Public Contracts Law of the State of New Jersey; and

WHEREAS, the Local Public Contracts Law requires that a notice stating the nature, duration, services and amount of each contract awarded as a professional services contract be printed once in the official newspaper of the municipality;

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

That the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Second Floor, Roseland, NJ 07068, for the provision of professional special legal counsel concerning the Redevelopment of South Avenue in the Borough of Garwood; and

That said Contractor shall receive fees in accordance with the proposal dated July 27, 2016; and

That the Borough Clerk be and is hereby authorized and directed to maintain this resolution and the professional services contract on file and available for public inspection in the Office of the Borough Clerk; and

That the Borough Clerk is hereby authorized and directed to publish a copy of this notice as required by law.

**RESOLUTION NO. 16-268**

Whereas, it has pleased Almighty God in His infinite wisdom to take unto Himself on August 27, 2016, our esteemed fellow citizen, Emmit R. Garner Jr., a Vietnam veteran and a Lieutenant on the Garwood Fire Department; and

Whereas, Emmit enlisted in the United States Marine Corps, serving two tours of duty in Vietnam, receiving two Purple Heart Medals and a Bronze Star Medal

Whereas, Emmit's service to the fire department had been performed in a devoted and conscientious manner to a degree far above and beyond the call of duty for over 25 years; and

Whereas, the Governing Body of the Borough of Garwood and the entire staff is deeply bereaved over his passing; and

Whereas, the Mayor and Council of the Borough of Garwood cannot adequately express by any written word its deep appreciation for the sacrifices and selflessness, which has characterized his entire life.

Now, Therefore Be It Resolved, that we, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, do hereby extend to his bereaved family our sincere sympathy and condolences for the great loss sustained; and

Be It Further Resolved, that the Mayor, Council and Municipal Clerk be and they are hereby authorized to affix their signatures to this resolution, embossed with the seal of the Borough of Garwood, which shall be presented to the Garner Family.

**RESOLUTION NO. 16-269**

**BE IT RESOLVED**, by the Mayor and 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 On Premise Merchandise Raffle to be held on November 13, 2016, to be held at the Westwood, 438 North Avenue, Garwood, NJ at 3:00 p.m., is hereby granted to Children's Specialized Hospital Foundation, Inc., of Mountainside NJ, pursuant to Application Number RA #1099 and RA#1100.

**RESOLUTION NO. 16-270**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

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

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Garwood herby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$3,250.00, which item is now available as a revenue from the Department of Highway Traffic Safety, in the amount of \$3,250.00.

**BE IT FURTHER RESOLVED**, that the like sum of \$3,250.00 is hereby appropriated under the caption of "Drive Sober or Get Pulled Over"; and

**BE IT FURTHER RESOLVED**, that the above is a result of a "State Grant of \$3,250.00 from the Department of Highway Traffic Safety".

Motion by Councilwoman Todisco, Second Councilman Martin 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>

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

**NEW BUSINESS:**

Councilwoman Todisco commented on the questions presented this evening. Councilman Mathieu asked who is going to answer those questions. Mayor Lombardo said he would answer the questions. Councilman Mathieu said he supports the idea presented by Mr. Larzarow for more town meetings.

Council President Petruzzelli asked about a payment to a mold company for remediation. Ms. Ariemma provided information on the matter.

**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 by Councilman Martin, Second Councilwoman Todisco 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>

**ADJOURNMENT:**

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, SEPTEMBER 27, 2016**, in the Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

Motion by Councilman Sarno, Second Councilwoman Cuccaro to adjourn.

Time: 8:44 p.m.

Respectfully submitted:



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