

**Borough of Garwood**  
**MEETING OF THE MAYOR AND COUNCIL**  
**AGENDA**  
**January 13, 2022**

Time:

Moment of Silence.....

Salute to the Flag.....

Adequate notice of this meeting was provided to the Union County Hawk advertised on December 2, 2021. Notification was sent to the Star Ledger, and is posted on the Municipal website, 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 Todisco** \_\_\_\_\_

**Councilman Graham** \_\_\_\_\_

**Councilman Kearney** \_\_\_\_\_

**Councilman Lazarow** \_\_\_\_\_

**Councilwoman Loffredo** \_\_\_\_\_

**Councilwoman Salmon** \_\_\_\_\_

**Council President Blumenstock** \_\_\_\_\_

**Roll call staff and professionals:**

Kyle Harris, Borough Administrator

Adam Abramson, Borough Attorney

Report of Borough Attorney

Report of Borough Administrator

**Report of Mayor Sara Todisco**

**Comments from the Council:**

Councilman Graham

Councilman Kearney

Councilman Lazarow

Councilwoman Loffredo

Councilwoman Salmon

Council President Blumenstock

**MINUTES:**

Minutes of the Regular Meeting of the Mayor and Council held on December 22, 2021.

Executive Session of the Mayor and Council held on December 22, 2021.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_ to accept minutes as presented.

All in favor, opposed?

**COMMUNICATIONS:**

**1) NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**

a) 12/23/2021, Trenton/Lame Duck Update

<https://www.njlm.org/CivicSend/ViewMessage/Message/160524>

b) 12/28/2021, Show Off Your City, Send in Your News

<https://www.njlm.org/CivicSend/ViewMessage/Message/160669>

c) 1/07/2022, Deadline Extended for Local Government in National Opioid Settlement

<https://www.njlm.org/CivicSend/ViewMessage/Message/161378>

2) **RAHWAY VALLEY SEWERAGE AUTHORITY**

a) 11/10/2021 RE: Minutes

[https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/RVSA\\_Approved\\_Minutes\(1\).pdf](https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/RVSA_Approved_Minutes(1).pdf)

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

**FINANCE AND PERSONNEL: Councilman Lazarow, Chair**

**FIRE AND OEM: Councilman Kearney, Chair**

**FACILITIES, GROUNDS AND SHADE TREES: Councilwoman Loffredo, Chair**

**STREETS, ECOLOGY AND SUSTAINABILITY: Council President Blumenstock, Chair**

**POLICE AND PUBLIC SAFETY: Councilman Graham, Chair**

**COMMUNITY ENGAGEMENT: RECREATION, HISTORICAL AND CELEBRATIONS COMMITTEES:  
Councilwoman Salmon, Chair**

**COMMUNICATIONS COMMITTEE: Councilman Kearney**

**BOARD OF HEALTH LIAISON: Councilman Graham**

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

**SCHOOL BOARD LIAISON: Councilman Kearney**

**GARWOOD SENIOR CITIZEN LIAISON: Council President Blumenstock**

**SMALL BUSINESS ADVISORY LIAISON: Councilman Kearney**

**OFFICER'S REPORTS:**

Zoning Officer Report for December, 2021.

[https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Addendum\\_December\\_2021.pdf](https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Addendum_December_2021.pdf)

Property Maintenance Officer Report for December, 2021.

[https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Property\\_Maintenance\\_12-2021.pdf](https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Property_Maintenance_12-2021.pdf)

Chief of Police Monthly Report for December, 2021.

**PUBLIC COMMENT:**

Is there anyone in the audience who wishes to address the Mayor and Council please step to the microphone, and state your full name and address. Please limit your comments to five minutes.

Mayor Todisco requests a motion followed by a second to close public comment.  
A motion was made by \_\_\_\_\_, second by \_\_\_\_\_ to close public comment.  
All in favor, opposed?

**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. 22-038**

**WHEREAS** there exists in the Rahway River Basin, conditions of serious and repeated flood damage with resulting threat to life and property in areas within each municipality which is party to this Agreement; and

**WHEREAS** the Parties intend to act in a cooperative manner to engage in planning, engineering, legal and environmental assessment activities that continue a process to determine the most feasible and effective program for the alleviation of these flooding events; and

**WHEREAS** the Parties, simultaneous with the US Army Corps of Engineers and the New Jersey Environmental Protection Agency (DEP), have been working to finalize the US Army Corps Rahway River Flood Mitigation Study which included a 2012 interlocal cost sharing agreement that has been annually updated and is now replaced by the new agreement; and

**WHEREAS** Millburn Township is willing to continue to act as lead agency for the phase of work set forth in this agreement as herein, the Parties agree as follows.

**THEREFORE, BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorize the Mayor and Borough Clerk to sign the Mayors Council for Rahway River Watershed Flood Control Municipal Cost Sharing Agreement FY 2022.

**RESOLUTION NO. 22-039**

**AUTHORIZING THE BOROUGH OF GARWOOD TO PARTICIPATE IN THE NATIONWIDE SETTLEMENT AGREEMENTS WITH JOHNSON & JOHNSON, MCKESSON, CARDINAL HEALTH, AND AMERISOURCEBERGEN TO RESOLVE CLAIMS INVOLVING THEIR ROLES IN THE COUNTRY'S OPIOID CRISIS.**

**WHEREAS**, the ongoing opioid crisis in America has had a devastating effect on individuals and communities, including many here in the Borough of Garwood; and

**WHEREAS**, the Borough of Garwood is a party to a class action lawsuit filed by state, local, and tribal governments, hospitals, individuals, and insurers, seeking damages against opioid manufacturers, distributors, and retailers in *In re National Prescription Opiate Litigation*, Case No. 17-md-02804, MDL No. 2804, in the District Court for the Northern District of Ohio; and

**WHEREAS**, on August 20, 2021, Acting Attorney General Andrew J. Bruck announced that New Jersey intends to join nationwide settlement agreements with New Jersey based pharmaceutical company Johnson & Johnson and the United States' three largest pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen, to resolve claims involving their roles in fomenting the country's opioid crisis; and

**WHEREAS**, participation in the nationwide settlements will not only hold the companies financially accountable by requiring payments of as much as \$26 billion, the settlements will provide funding to support programs that address the opioid epidemic in New Jersey and across the country, and will require significant changes in the pharmaceutical industry aimed at preventing similar crises in the future; and

**WHEREAS**, the proposed settlements provide:

“the Distributors to pay up to \$21 billion over 18 years and Janssen to pay up to \$5 billion over no more than 9 years, for a total of \$26 billion (the “Settlement Amount”). Of the Settlement Amount, approximately \$22.7 billion is earmarked for use by participating states and subdivisions to remediate and abate the impacts of the opioid crisis. The Settlements also contain injunctive relief provisions governing the opioid marketing, sale and distribution practices at the heart of the states' and subdivisions' lawsuits and further require the Distributors to implement additional safeguards to prevent diversion of prescription opioids;” and

**WHEREAS**, participation by a significant number of states, county, and municipal governments nationwide must agree to the proposed terms in order for the settlements to take effect; and

**WHEREAS**, provided enough states opt to participate in the settlements, their subdivisions will have through January 26, 2022 to join; and

**WHEREAS**, the Borough of Garwood's share in the settlement funds will ultimately depend on the number of counties and municipalities that opt-in, population of each participating county and municipality, and effects of the opioid epidemic on each participating community; and

**WHEREAS**, it is in the best interests of the Borough of Garwood and its residents to participate and join in the settlement agreements in order to hold these companies financially accountable for the ongoing opioid crisis and to implement the necessary changes to prevent such a crisis from happening again in the near future.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorize the Administrator of the Borough of Garwood to sign any documents necessary in order to join the settlement agreements with Johnson & Johnson, McKesson, Cardinal Health and AmerisourceBergen to resolve claims involving their participation in the opioid crisis.

**BE IT FURTHER RESOLVED** that upon effectuation of the settlement agreement the Borough of Garwood agrees to dismiss its claims against the settling parties.

**BE IT FURTHER RESOLVED** that the Municipal Clerk of the Borough of Garwood shall forward a copy of this Resolution to the Office of the Attorney General of New Jersey.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_ to adopt Consent Agenda.

Roll Call:

<b>Councilman Graham</b>	_____	<b>Councilwoman Loffredo</b>	_____
<b>Councilman Kearney</b>	_____	<b>Councilwoman Salmon</b>	_____
<b>Councilman Lazarow</b>	_____	<b>Council President Blumenstock</b>	_____

### **RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

### **NEW BUSINESS**

#### **Mayor's Appointment:**

Rich McCormack	Celebrations Committee	1/13/22 -12/31/22
----------------	------------------------	-------------------

### **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.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_ to adopt Payment of Claims Resolution.

Roll Call:

<b>Councilman Graham</b>	_____	<b>Councilwoman Loffredo</b>	_____
<b>Councilman Kearney</b>	_____	<b>Councilwoman Salmon</b>	_____
<b>Councilman Lazarow</b>	_____	<b>Council President Blumenstock</b>	_____

### **ADJOURNMENT:**

The Regular Meeting of the Mayor and Council will be held on, **THURSDAY, JANUARY 27, 2022**, at 7:00 P.M. in Council Chambers.

Information for meetings is posted on the Borough website: [https://garwood.org/gb\\_notices](https://garwood.org/gb_notices)

A motion was made by \_\_\_\_\_ second by \_\_\_\_\_ to adjourn. Time: \_\_\_\_\_