

**Borough of Garwood**  
**MEETING OF THE MAYOR AND COUNCIL**  
**AGENDA**  
**February 10, 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

James Wright, Borough Chief of Police

Report of Borough Attorney

Report of Borough Administrator

**PRESENTATION:**

Mayor Todisco announces the first order of business will be a department overview presentation from the Borough Chief of Police.

**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 January 27, 2022.

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) 01/28/2022, RE: ETR Restoration Progress, Daniel's Law, DEP Grant  
<https://www.njlm.org/CivicSend/ViewMessage/Message/162938>
- b) 02/01/2022, RE: Bipartisan Infrastructure Law Guidebook Released  
<https://www.njlm.org/CivicSend/ViewMessage/Message/163222>
- c) 02/04/2022, RE: Transitional Aid, Opioid Settlement, DOT Grants Available  
<https://www.njlm.org/CivicSend/ViewMessage/Message/163482>

**2) CHARLES LOMBARDO, CITIZEN**

- a) 01/21/2022, RE: Thank You Card

**3) RAHWAY VALLEY SEWERAGE AUTHORITY**

- a) 12/16/2021, RE: Minutes  
[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/RVSA\\_12-16-21\\_MEETING\\_MINUTES.pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/RVSA_12-16-21_MEETING_MINUTES.pdf)

**4) TOWNSHIP OF CRANFORD**

- a) 01/26/2022, RE: Ordinances  
[https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Township\\_of\\_Cranford\\_-\\_Introduced\\_Ordinances\\_No.\\_2022-02\\_and\\_2022-03.pdf](https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Township_of_Cranford_-_Introduced_Ordinances_No._2022-02_and_2022-03.pdf)

**5) TOWN OF WESTFIELD**

- a) 01/31/2022, RE: Ordinance  
[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Town\\_of\\_Westfield\\_Ordinance\(1\).pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Town_of_Westfield_Ordinance(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**

**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 Enforcement Officer Report for January, 2022

[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Addendum\\_January\\_2022.pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Addendum_January_2022.pdf)

Property Maintenance Officer Report for January, 2022.

[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Property\\_maintenance\\_Report\\_01-2022.pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Property_maintenance_Report_01-2022.pdf)

Chief of Police Year End Reports for 2021.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_ to accept Officer's reports.  
All in favor, opposed?

**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. 22-041**

**WHEREAS**, the Council of the Borough of Garwood has determined that there exists a need to provide Professional Architectural Services associated with the evaluation of the Public Works Building, as more fully described in the Scope of Services of the Request for Proposal; 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 Council of the Borough of Garwood posted a request for proposals in accordance with law on October 26, 2021 and received proposals on November 23, 2021 under a fair and open process in accordance with P.L. 2004, c.19, as amended by P.L. 2005, c.51; and

**WHEREAS**, DMR Architects Inc. has submitted a proposal pursuant to the fair and open process; and

**WHEREAS**, the proposals were evaluated in accordance with the criteria set forth in the Request for Proposals by the Borough Administrator and the Borough Architectural Services Review Committee, and

**WHEREAS**, the Borough Administrator and the Borough Architectural Services Review Committee are recommending DMR Architects to perform the evaluation of the Public Works Building; and

**WHEREAS**, the Governing has found DMR Architects' proposal to be in conformance with the request for proposals and has further determined to utilize the services of DMR Architects.; 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; and

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

1. That the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with DMR Architects., 777 Terrace Avenue, 6<sup>th</sup> Floor, Suite 607, Hasbrouck Heights, NJ 07604, for the provision of professional architectural services for the preparation of an evaluation of the Public Works Building,., and

2. That said Contractor shall receive fees in accordance with the proposal dated November 23, 2021, not to exceed \$41,000.00 as follows:  
    \$37,400: Lump Sum Fee Phase I (NTE)  
    \$ 3,600: Alternate Fee Phase I; and
3. That this contract is awarded without competitive bidding as professional services pursuant to the Local Public Contracts Law; and
4. 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
5. That the Borough Clerk is hereby authorized and directed to publish a copy of this notice as required by law.

**RESOLUTION NO. 22-042**

**Resolution of Support from the Borough of Garwood Authorizing the Sustainable Jersey Grant Application**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Borough of Garwood strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

**WHEREAS**, the Borough of Garwood is participating in the Sustainable Jersey Program; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

**THEREFORE**, the Council of the Borough of Garwood has determined that the Borough of Garwood should apply for the aforementioned grant.

**THEREFORE, BE IT RESOLVED**, that Council of the Borough of Garwood, County of Union, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

**RESOLUTION NO. 22-043**

**WHEREAS**, on January 6, 2022, the Council of the Borough of Garwood awarded the Municipal Public Defender contract to Jill Anne LaZare Esq., of the Law Offices of Jill Anne LaZare LLC, 55 Union Place, Suite 330, Summit, NJ 07901 via Resolution No. 22-006; and

**WHEREAS**, an error was found in the proposal for services for the position of Municipal Public Defender; and

**WHEREAS**, the Council of the Borough of Garwood seeks to rescind the resolution awarding the contract for Jill Anne LaZare in accordance with the proposal dated November 15, 2021; and

**WHEREAS**, in accordance with N.J.S.A. 40A:11-5, the Council of the Borough of Garwood may contract for a professional service without public advertising for bids and bidding; and

**WHEREAS**, the Council of the Borough of Garwood is required to contract for a Professional Legal Service to provide a Municipal Public Defender to the Borough; and

**WHEREAS**, Jill Ann LaZare of the Law Offices of Jill Anne LaZare LLC, has resubmitted a corrected proposal to the Borough Clerk on January 21, 2022 indicating she will provide the Municipal Public Defender services for the not to exceed price of \$4,000 for the calendar year of 2022 for full representation for defendants deemed indigent and entitled to representation including interviewing them and defending them in Municipal Court and in the event there are further requirements such as a filing of an appeal, the service will be provided at the rate of \$150.00 per hour or the prevailing rate of the municipality; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the resolution authorizing the award of a contract for "Professional Services" without competitive bids and the contract for said services must be made available for public inspection; and

**WHEREAS**, this is an award of a non-fair and open contract and as required thereby: (1) Jill Anne LaZare of Jill Anne LaZare LLC has submitted a contributions statement certification which certifies that the Law Offices of Jill Anne LaZare LLC has not made any reportable contributions to a political or candidate committee of any candidate for elective municipal office in the Borough of Garwood; or any Borough of Garwood or County of Union political committee of political party committee; or any PAC between the time of first communication between that business entity and the municipality regarding a specific agreement for professional services; and (2) the Contract will prohibit the Law Offices of Jill Anne LaZare LLC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the term of this contract is one year from January 1, 2022 through December 31, 2022; and

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

1. Resolution No. 22-006 is hereby rescinded.
2. That the Mayor is hereby authorized and directed to execute the contract with the Law Offices of Jill Anne LaZare as the form of Professional Services Contract ("Contract") not to exceed \$4,000.00 for Municipal Public Defender for the calendar year of 2022 for full representation for defendants deemed indigent and entitled to representation including interviewing them and defending them in Municipal Court and in the event there are further requirements such as a filing of an appeal, the service will be provided at the rate of \$150.00 per hour or the prevailing rate of the municipality; and

- 3. A copy of this Resolution and the Contract engaging Jill Anne LaZare of the Law Officers of Jill Anne LaZare LLC shall be kept on file and available for public inspection at the office of the Borough Clerk, 403 South Avenue, Garwood, New Jersey 07027.
- 4. This contract is made without competitive bidding as a "professional service" in accordance with N.J.S.A. 40A:11-5 of the Local Public Contracts Law, because it involves the services of a recognized professional.
- 5. That the Borough Clerk is hereby authorized and directed to publish a copy of this notice as required by law.

**RESOLUTION NO. 22-044**

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, that the Stephanie Willix is hereby appointed as Special Police Officer, Class "B" Alternate School Crossing Guard effective February 11, 2022.

**RESOLUTION NO. 22-045**

**Resolution Supporting Legislation Restoring Energy Tax Receipts Advancing**

**WHEREAS**, on January 27, 2022 the Senate Community and Urban Affairs Committee unanimously approved Senate Bill 330 (S-330), which increases distribution to municipalities from the Energy Tax Receipts Property Tax Relief Fund over five years to restore municipal aid reductions and requires the additional aid to be subtracted from the municipal property tax levy; and

**WHEREAS**, the bill is now 2<sup>nd</sup> referenced to the Senate and Budget Committee for its consideration. The Assembly companion, A-1012, awaits consideration by the Assembly Community Development and Affairs Committee; and

**WHEREAS** Energy Tax Receipts is a tax for public utilities for the use of the public right of way in lieu of property taxes; and

**WHEREAS**, originally, these taxes were assessed and collected by municipalities;

**WHEREAS**, the law changed to have the State collect the revenue for the convenience of the public utilities and transmit the funds to the municipalities; and

**WHEREAS**, since 2008, approximately \$14 billion has been diverted from municipalities to the State's general fund, resulting in elimination or reduction in municipal services, increased fees or property taxes, or a combination of same.

**WHEREAS**, A-1012/S-330 would restore revenue that has been diverted from municipalities to the State's general fund.

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

- 1. That is does hereby support the advancement of the legislation of A-1012/S-330.
- 2. That a copy of this resolution be sent to the Representatives of the 21<sup>st</sup> Legislative District.

**RESOLUTION NO. 22-046**

**WHEREAS**, on February 6, 2022, Ms. Dorothy "Doris" Dohn celebrated her 101<sup>st</sup> birthday; and

**WHEREAS**, Ms. Dohn has lived in Garwood for seventy one years, following her upbringing in Jersey City with her mother, father, sister and brother; and

**WHEREAS**, upon retirement from Western Electric in Kearney, NJ, Ms. Dohn has enjoyed pursuing many interests, which have included finance and stock trading; and

**WHEREAS**, Ms. Dohn's home has been known as "Little Eden" due to her passion for gardening and landscaping; and

**WHEREAS**, Ms. Dohn has several devoted nieces and nephews who enjoy spending time together and have fondly proclaimed, "Everyone should have an Aunt Doris".

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Garwood, do hereby extend sincere congratulations and best wishes to Ms. Dorothy "Doris" Dohn's on her 101<sup>st</sup> birthday.

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**

**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, FEBRUARY 24, 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: \_\_\_\_\_