

Borough of Garwood Meeting of the Mayor and Council

AGENDA

February 13, 2018

Moment of Silence.....

Salute to the Flag.....

Adequate notice of this meeting was provided to the Westfield Leader, advertised on January 4, 2018, 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	_____		
Councilwoman Cuccaro	_____	Councilman Sarno	_____
Councilman Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____

MINUTES:

Regular, Workshop and Executive Minutes of the Mayor and Council held on January 23, 2018.

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

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES** –
 - a. Mayor's Advisory –
 - i. 01/26/18, RE: Weekly Update
 - ii. 01/30/18, RE: Daily Update
 - iii. 02/02/18, RE: Weekly Update
- 2) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS** – 01/29/18, RE: Introduction Ordinance 792-2018
- 3) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 01/23/18, RE: Minutes from the meeting held on December 14, 2017.
- 4) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS** – 02-09-18, RE: Adoption Ordinance 792-2018

ORDINANCES:

Public Hearing on Ordinance 18-01 and 18-02, as advertised in the Westfield Leader.

ADOPTION:

Municipal Clerk to read Ordinance 18-01 by title only:

ORDINANCE NO. 18-01

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF REGULAR POLICE OFFICERS OF THE BOROUGH OF GARWOOD.

List correspondence concerning Ordinance 18-01.

Does anyone present wish to be heard concerning Ordinance 18-01.

A motion was made by _____, second by _____, to close Public Hearing on Ordinance 18-01.

A motion was made by _____, second by _____, to adopt Ordinance 18-01.

Discussion:

Roll Call:

Councilwoman Cuccaro	_____	Councilman Sarno	_____
Councilman Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

Municipal Clerk to read Ordinance 18-02 by title only:

ORDINANCE NO. 18-02

AN ORDINANCE FIXING THE SALARIES AND WAGES FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY.

List correspondence concerning Ordinance 18-02.

Does anyone present wish to be heard concerning Ordinance 18-02.

A motion was made by _____, second by _____, to close Public Hearing on Ordinance 18-02.

A motion was made by _____, second by _____, to adopt Ordinance 18-02.

Discussion:

Roll Call:

Councilwoman Cuccaro	_____	Councilman Sarno	_____
Councilman Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilwoman Todisco, Chr.

PUBLIC HEALTH: Councilman McCormack

STREETS AND ROADS/ECOLOGY: Council President Blumenstock, Chr.

FIRE: Councilman McCormack, Chr.

FINANCE: Councilman Sarno, Chr.

BUILDINGS AND GROUNDS: Councilman Lazarow

LAWS AND LICENSES: Councilwoman Cuccaro

RECREATION: Councilman Lazarow

GARWOOD SENIOR CITIZEN LIAISON: Council President Blumenstock

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Lazarow

SCHOOL BOARD LIAISON: Councilman McCormack

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:

Councilwoman Cuccaro

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:

Councilman McCormack

SPECIAL REVIEW COMMITTEE: Councilwoman Todisco

HISTORICAL COMMITTEE: Councilwoman Todisco

PARKING COMMITTEE: Councilman Sarno

OFFICER'S REPORTS:

Municipal Court Administrator Lashonn Durant: monthly report for December 2017

Zoning Code Enforcement Officer Len DiStefano: monthly report for January 2018

A motion was made by _____, second by _____, 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, and state your full name and address. Please limit your comments to three minutes.

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. 18-059

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 Merchandise Raffle and an On-Premise 50/50 on March 15, 2018, to be held at the Westwood, 438 North Avenue, Garwood, NJ at 6:00 p.m., is hereby granted to Project Home of Cranford, pursuant to Application Number RA #1137 and RA #1138.

RESOLUTION NO. 18-060

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 Casino Night on March 10, 2018, to be held at Knights of Columbus, 37 South Ave., Garwood, NJ at 7:30 p.m., is hereby granted to Girls Softball Aux. of Clark Township, pursuant to Application Number RA #1139.

RESOLUTION NO. 18-061

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 Merchandise raffle on March 7, 2018, to be held at the Westwood, 438 North Avenue, Garwood, NJ at 6:00 p.m., is hereby granted to Union High School PTA, pursuant to Application Number RA #1140.

RESOLUTION NO. 18-062

WHEREAS, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby directs the transfers of 2017 budget appropriations be and they are hereby made:

2017 Budget Transfer #5

Resolution #18-062

FROM:	Department	Account Name	Account Number	Amount
	Streets & Roads	S&W	7-01-26-290-100-0100	3,500.00
				<u>3,500.00</u>
TO:				
	Legal	Legal Fees-Labor Attorney	7-01-20-155-200-0951	3,500.00
			Total	<u>3,500.00</u>

RESOLUTION NO. 18-063

WHEREAS, the Borough of Garwood has a need to acquire professional engineering and architectural services-recreation building repair drawings and specifications for remediation of construction defects for additional consequential damages as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-2 20.5; and,

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition may exceed \$17,500 on an annual basis; and,

WHEREAS, the anticipated term of this contract is not to exceed one year; and

WHEREAS, the Falcon Group has submitted a proposal dated January 24, 2018 indicating it will provide the professional engineering and architectural services-recreation building repair drawings and specifications for remediation of construction defects for additional consequential damages for the sum of \$5,000.00; and

WHEREAS, the Falcon Group has completed and submitted a Business Entity Disclosure Certification which certifies that the Falcon Group has not made any reportable contributions to a political or candidate committee in the Borough of Garwood in the previous one year, and that the contract will prohibit the Falcon Group from making any reportable contributions through the term of the contract, and

WHEREAS, the CFO has certified to the availability of funds.

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Garwood authorizes the Mayor and Borough Clerk to enter into a contract with the Falcon Group as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; *and*,

BE IT FURTHER RESOLVED that notice of this award be published in accordance with law.

RESOLUTION NO. 18-064

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S**

**"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title
VII of the Civil Rights Act of 1964"**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Garwood, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

RESOLUTION NO. 18-065

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union State of New Jersey hereby approve the proposal from:

MOTT MACDONALD
3 Paragon Way
Freehold, NJ 07728

FOR: The preparation and filing of the NJDEP Soil Remedial Action Permit #RAP150001 Remedial Action Protectiveness/Biennial Certification Report for submission by April 20, 2018 for a cost not to exceed \$3,500.00.

RESOLUTION NO. 18-066

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby approves the list of members eligible for 2017 LOSAP Benefits from the Garwood Fire Department.

BE IT FURTHER RESOLVED, that the list attached be and is hereby made part of this resolution.

RESOLUTION NO. 18-067

WHEREAS, on November 29, 2017 in accordance with procedure LOSAP Administrator Christina Ariemma provided a memo to the qualifying agencies of the adopted rules and procedure for submission of members names that reached the acceptable points in accordance with Chapter 19, Section 5 of the Code of the Borough of Garwood for receipt of LOSAP benefits for year 2017; and

WHEREAS, lists are to be submitted to the LOSAP Administrator for review no later than January 31, 2018 as indicated in the instructions provided; and

WHEREAS, the Garwood First Aid Squad (GFAS) is a qualifying agency for LOSAP for its members who reach the point schedule in accordance with code; and

WHEREAS, I, Christina M. Ariemma, Borough Administrator/Clerk, LOSAP Administrator hereby certify that **no list was received** from the GFAS for 2017.

THEREFORE, BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby certify that no list was received and no members qualified for LOSAP benefits from the GFAS for 2017.

BE IT FURTHER RESOLVED, that Ms. Ariemma is hereby directed to forward a copy of this Resolution to the GFAS.

RESOLUTION NO. 18-068

WHEREAS, the Greater Westfield Area Chamber of Commerce is hereby requesting authorization to close Center Street from South Avenue to Unami Park and subsequent cross streets between the hours of 7:00 a.m. to 7:00 p.m., for the purpose of conducting Garwood Rocks!! Music, Cars, Shopping & Family Fun on Sunday, June 3, 2018 (with a rain date of September 9, 2018) between 10:00 a.m. to 5:00 p.m.; and

WHEREAS, the Greater Westfield Area Chamber of Commerce is also requesting that Municipal parking lots #1 and #2 be barricaded for use during the event; and

WHEREAS, the Greater Westfield Area Chamber of Commerce has also requested that police officers be present during this event.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize the closing of said streets and Municipal parking lots for the purpose of conducting the Garwood Rocks!! Music, Cars, Shopping & Family Fun on Sunday, June 3, 2018 (with a rain date of September 9, 2018) between 10:00 a.m. to 5:00 p.m.

BE IT FURTHER RESOLVED that the Governing Body authorizes that Police Officers be present during this event in accordance with the recommendations of Chief of Police James H. Wright.

RESOLUTION NO. 18-069

WHEREAS, the Borough Engineer has determined that the handicap ramping needs to be replaced at the corner of Locust Avenue and East Street and the corner of Beech Avenue and East Street and solicited quotes from vendors for said repairs. Quotes were received as follows:

Vendor	Lump Sum Cost
JB Ragonese Construction, Co., Inc.	\$4,150.00
Denbar Construction Inc.	\$4,480.00

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: JB Ragonese Construction, Co., Inc.
PO Box 304
Garwood, NJ 07027

PRICE & DESCRIPTION: \$4,150

RESOLUTION NO. 18-070

WHEREAS, on February 7, 2018, the Borough Administrator/Clerk received correspondence from Glenn Lewis dated February 5, 2018, advising that he will be retiring from the Borough of Garwood; and

WHEREAS, Mr. Lewis has advised that his retirement shall be effective July 1, 2018; and

WHEREAS, the State of New Jersey, Division of Pensions and Benefits requires the Finance Department to certify the employment for Mr. Lewis in order to process the July 1, 2018 retirement; and

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

- 1) The Borough of Garwood hereby accepts and relies upon the February 5, 2018 notice of retirement from Glenn Lewis, seeking to retire from the Borough of Garwood.
- 2) Effective July 1, 2018, Glenn Lewis shall be retired from his position as Laborer Department of Public Works in the Borough of Garwood.
- 3) This resolution puts the Administrator/Clerk and CFO on notice to immediately process any and all requests from the State of New Jersey, Division of Pensions and Benefits regarding the retirement of Mr. Lewis.
- 4) This resolution shall take effect immediately.

RESOLUTION NO. 18-071

WHEREAS, on February 7, 2018, the Borough Administrator/Clerk received correspondence from Allison Maguire advising that she is resigning from her employment with the Borough of Garwood; and

WHEREAS, Ms. Maguire has advised that her resignation shall be effective immediately on February 23, 2018; and

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

- 1) The Borough of Garwood hereby accepts and relies upon the February 7, 2018 notice of resignation from Allison Maguire.
- 2) Effective February 23, 2018, Allison Maguire shall have resigned from her position as Accounts Payable Clerk with the Borough of Garwood.
- 3) This resolution puts the Borough Administrator on notice to immediately process this resignation and to commence a search for a candidate to fill the position of Accounts Payable Clerk.
- 4) This resolution shall take effect immediately.

RESOLUTION NO. 18-072

BE IT RESOLVED, by the Council of the Borough of Garwood that Christina M. Ariemma, Administrator/Clerk, be and she is hereby authorized and directed to sign agreement with A.D.P. for payroll services for 1/1/2018 to 12/31/2018 including the addendum to the agreement with A.D.P. payroll services in accordance with N.J.A.C. 5:30-17; and

BE IT RESOLVED, by the Council of the Borough of Garwood that Sandra Bruns, Chief Financial Officer/Treasurer, be and she is hereby appointed the approval officer and person responsible for authorizing and supervising the activities of the payroll

service and shall further be charged with the reconciliation and analysis of all general ledger accounts affected by the activities of the disbursing organization; and

BE IT FURTHER RESOLVED that fees for this service for 2018 are \$10,307.38 of which \$10,000 is paid by Investor's Bank on behalf of the Borough of Garwood.

RESOLUTION NO. 18-073

WHEREAS, a proposal has been received from Marturano Recreation Company, Inc., PO Box 106, Spring Lake, NJ 07762, for the purchase of Playground Equipment, Site Furnishings, including installation and related services in accordance with quote #138159 attached hereto and made part hereof and for public use at Hartman Park, 412 Second Avenue, in the Borough of Garwood; and

WHEREAS, said supplier represents to the Borough of Garwood that it is in accordance with the Education Services Commission of New Jersey Cooperative Administration (ESC NJ), 1660 Stelton Road, Piscataway, NJ 08854, Co-OP #65MCECCPS, Contract #ESCNJ 17/18-20 for the supplying of said equipment at the price offered to the Borough of Garwood, to wit; \$131,127.52 total; and

WHEREAS, the clerk of the Borough of Garwood has researched whether said supplier is a NJ State approved Co-OP under contract for such equipment with ESC NJ Cooperative Administration Co-OP #65MCECCPS for said equipment as presented and her inquiry has resulted in verification; and

WHEREAS, said equipment is purchased under Bond Ordinance No. 17-27 for the amount of \$131,127.52.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood hereby authorize the purchase of the aforementioned, Playground Equipment, Site Furnishings, including installation and related services in accordance with quote #138159 from Marturano Recreation Company, Inc., PO Box 106, Spring Lake, NJ 07762, for \$131,127.52, attached hereto and that the Clerk be and is hereby authorized to enter such order on behalf of this Borough and to sign such documents as may be required to consummate this transaction.

BE IT FURTHER RESOLVED that the award of this quote be subject to the Borough Treasurer executing the appropriate Certification of Funds.

RESOLUTION NO. 18-074

WHEREAS, the Council of the Borough of Garwood has heretofore adopted Ordinance 16-17.

ORDINANCE NO. 18-02

AN ORDINANCE FIXING THE SALARIES AND WAGES FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY.

WHEREAS, said ordinance reflects changes of salaries and/or hourly rates to be paid to said employee of the Borough of Garwood for the year 2018.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Garwood that the officer or officers of the Borough be and they are hereby authorized and directed to execute checks on Borough Funds for the purpose of paying the annual salaries and/or hourly rates to the employees of the Borough of Garwood as set forth opposite each job classification. Said salaries to be paid bi-weekly less such deductions as in such cases made. The schedule of salaries hereafter set forth shall be effective as of January 1, 2018.

NAME	TITLE	SALARY PER HOUR
Navarro, Linwood	Laborer/Foreman	\$38.77

RESOLUTION NO. 18-075

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD, COUNTY OF UNION, NEW JERSEY REFERRING TO THE PLANNING BOARD FOR REVIEW AND COMMENT CERTAIN AMENDMENTS TO THE SOUTH AVENUE AREA II REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, the Borough of Garwood, in the County of Union, New Jersey (the "**Borough**"), a public body corporate and politic of the State of New Jersey, is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "**Redevelopment Law**"), to determine whether certain parcels of land within the Borough constitute an area in need of rehabilitation and/or an area in need of redevelopment; and

WHEREAS, on June 10, 2014, the Borough Council (the "**Borough Council**") adopted Resolution No. 14-220 authorizing the Planning Board of the Borough (the "**Planning Board**") to investigate whether the area commonly known on the Borough tax maps as Block 401, Lots 1-5 and Block 403, Lots 1-6 and 19-22 (the "**Property**") met certain criteria under the Redevelopment Law as an "area in need of redevelopment"; and

WHEREAS on May 27, 2015, the Planning Board recommended to the Borough Council that the Property met certain criteria under the Redevelopment Law as an "area in need of redevelopment"; and

WHEREAS, following public hearing and review by the Planning Board in accordance with the Redevelopment Law, on December 26, 2017 by Ordinance 17-30, the Borough Council adopted the South Avenue Area II Redevelopment Plan, as it pertains to Block 403, Lots 1, 2, 3, 4, 5, 6, 19, 20, 21 and 22 on the tax maps of the Borough; and

WHEREAS, the Borough Council desires to refer certain additional revisions to the South Avenue Area II Redevelopment Plan to the Planning Board, in furtherance of the settlement agreement dated March 28, 2017, negotiated by the Borough in that certain litigation captioned In the Matter of the Application of the Borough of Garwood, UNN-L-2406-15, as described on *Exhibit A* attached hereto, for its review and comment, pursuant to *N.J.S.A. 40A:12A-7* of the Redevelopment Law.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Garwood, County of Union, New Jersey that:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to *N.J.S.A. 40A:12A-7(e)*, the Borough Council hereby refers the proposed revisions to the South Avenue Area II Redevelopment Plan, as described on *Exhibit A* attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned amendments to the South Avenue Area II Redevelopment Plan and submit same to the Borough Council within 45 days after referral, as required by the Redevelopment Law.
3. The Borough Clerk shall forward a copy of this Resolution, and the proposed revisions to the South Avenue Area II Redevelopment Plan attached hereto as *Exhibit A*, to the Planning Board for review.
4. This Resolution shall take effect immediately.

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

Roll Call:

Councilwoman Cuccaro	_____	Councilman Sarno	_____
Councilman Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

A motion was made by _____, second by _____.

Discussion:

Roll Call:

Councilwoman Cuccaro	_____	Councilman Sarno	_____
Councilman Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

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:

Councilwoman Cuccaro	_____	Councilman Sarno	_____
Councilman Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, FEBRUARY 27, 2018**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

A motion was made by _____ Second by _____, to adjourn. Time: _____