

# Borough of Garwood

## Meeting of the Mayor and Council

### MINUTES

February 14, 2019

Start Time: 8:45 p.m.

Moment of Silence dedicated to the Parkland Florida students killed one year ago in a school shooting.

Salute to the Flag.....

Adequate notice of this meeting was provided to the Westfield Leader, advertised on January 3, 2019, 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 Todisco	P	Councilman Ince	P
Councilman Benoit	P	Councilman McCormack	P
Councilwoman Blumenstock	P	Council President Lazarow	P

Also present Borough Administrator/Municipal Clerk Christina M. Ariemma and Borough Attorney Thomas C. Jardim, Esq.

#### MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on January 24, 2019.

A motion was made by Councilwoman Blumenstock, second by Councilman Benoit, to accept minutes as presented. All Ayes

#### COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES** –
  - a. Mayor's Advisory –
    - i. 01/23/19, RE: Daily Update
    - ii. 01/24/19, RE: Daily Update
    - iii. 01/25/19, RE: Weekly Round-Up
    - iv. 01/31/19, RE: Daily Update
    - v. 02/01/19, RE: Daily Update
    - vi. 02/01/19, RE: Weekly Round-Up
    - vii. 02/04/19, RE: Daily Update
    - viii. 02/08/19, RE: Weekly Round-Up
- 2) **RAHWAY VALLEY SEWERAGE AUTHORITY** - 01/23/19, Minutes of the meetings held on December 6, 2018 and December 13, 2018
- 3) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS** – 01/28/19, Ordinances 804-2019 and 805-2019.
- 4) **GARWOOD BOARD OF HEALTH** – 01/23/18, Minutes of the meeting held on January 16, 2019

**ALL RECEIVED AND FILED**

#### ORDINANCES:

Public Hearing on Ordinance 19-01 and 19-02, as advertised in the Westfield Leader:

#### ADOPTION:

Municipal Clerk to read Ordinance 19-01 by title only:

##### **ORDINANCE NO. 19-01**

**BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW STREET SWEEPER IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$280,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

BE IT ORDAINED by the Borough Council of the Borough of Garwood, in the County of Union, New Jersey, as follows:

Section 1. The Borough of Garwood, in the County of Union, New Jersey (the "Borough"), is hereby authorized to acquire new additional or replacement equipment and machinery consisting of a street sweeper for the use of the Department of Public Works in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$280,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof. Said sum so appropriated shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) the making of such improvement (hereinafter referred to as "purpose") is not a current expense of the Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$280,000, and (4) \$13,400 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$266,600, and (6) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$5,000, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$13,400, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Borough, are now available to finance said purpose. The sum of \$13,400 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$266,600 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the Borough of an aggregate principal amount not exceeding \$266,600 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the Borough and attested by the Municipal Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Municipal Clerk of the Borough, and that such statement so filed shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$266,600 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Union, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Municipal Clerk and is available for public inspection.

Section 12. The Borough intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this ordinance. If the Borough incurs such costs prior to the issuance of such bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

List correspondence concerning Ordinance 19-01: NONE

Does anyone present wish to be heard concerning Ordinance 19-01?

Bruce Paterson, 325 Willow Avenue asked what debt is for the ordinance.

A motion was made by Councilman Benoit, second by Councilman Ince, to close Public Hearing on Ordinance 19-01.

A motion was made by Councilwoman Blumenstock, second by Council President Lazarow, to adopt Ordinance 19-01.

Discussion: NONE

Roll Call:

<b>Councilman Benoit</b>	<b>AYE</b>	<b>Councilman Ince</b>	<b>AYE</b>
<b>Councilwoman Blumenstock</b>	<b>AYE</b>	<b>Councilman McCormack</b>	<b>AYE</b>
<b>Councilman Graham</b>	<b>AYE</b>	<b>Council President Lazarow</b>	<b>AYE</b>

6-AYE, 0-NAY, Ordinance 19-01 was adopted

Municipal Clerk to read Ordinance 19-02 by title only:

**ORDINANCE NO. 19-02**

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD, COUNTY OF UNION, NEW JERSEY ADOPTING AN AMENDMENT TO CERTAIN PROVISIONS OF THE LAND USE ORDINANCE TO REVISE ZONING REGULATIONS PERTAINING TO EATING AND DRINKING ESTABLISHMENTS.**

**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 New Jersey Municipal Land Use Law, *N.J.S.A. 40:55D-1, et seq.*, (the "**Land Use Law**"), to periodically update non-residential zone districts to promote economic development and sustainability in the Borough; and

**WHEREAS**, Section 106-100 of Article VIII in Chapter 106 of the Borough's Code relates to and regulates the zoning regulations of eating and drinking establishments within the Borough; and

**WHEREAS**, it is in the interest of the citizens of the Borough to permit certain eating and drinking establishments to maintain outdoor or patio seating; and

**WHEREAS**, the Borough also has a critical interest in both maintaining public cleanliness as well as requiring eating and drinking establishments to provide options for recycling; and

**WHEREAS**, on September 26, 2018, the Planning Board of the Borough (the "**Planning Board**") recommended to the Borough Council (the "**Borough Council**") that revisions to Section 106-100 of Article VIII in Chapter 106 of the Borough's Code should be revised to include specific refuse preventative methods, in order to increase recycling by eating and drinking establishments; and

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

Section 1. Section 106-100 (Eating and Drinking Establishments) in Article VIII (Zone Regulations) in Chapter 106 (Land Use), **subsection A**, is hereby amended to read as follows:

A. Eating and drinking establishments, including taverns, shall be permitted uses in the Central Business (CB) Zone.

(1) All such establishments shall be standard table/counter or self-service restaurants. No establishments which have as a means of sales the ordering of food at a window through which the food is passed from inside to outside, or which have curb service, or which provide a drive-through service are permitted in the CB Zone. Takeout service accessory to a standard table/counter or self-service restaurant is permitted.

(2) Repealed.

(3) (Reserved)

(4) Accessory outdoor or patio seating is permitted, provided it is in accordance with the following:

(a) No more than 25% of the total on-site seating may be provided outdoors.

(b) The outdoor eating area must be directly accessible to the interior eating area. Areas that must be accessed via public sidewalks or property not controlled by the applicant or property owner are not considered directly accessible.

(c) No such areas shall be permitted within the public right-of-way, except as permitted by § 146-53 of this Code.

(d) All such areas must receive approval from the approving authority. All such plans shall indicate the maximum size of the area, the maximum number of seats and tables, and the general layout of seating areas and aisles.

(e) A minimum of one trash receptacle for each four tables or 12 seats must be provided. At least one is to be located at the exit area into the public right-of-way or the interior restaurant.

(f) A six-foot closed fence and an evergreen screen shall be provided if the outdoor eating area is adjacent to a residential zone.

(5) The maximum amount of seating, at tables or counters, is to be in accordance with the IBC code.

(6) All such establishments which serve food in disposable containers shall be subject to the following refuse preventive measures:

(a) All yards other than front yards shall be fenced with six-foot closed fencing.

(b) A maintenance program must be submitted to the approving authority for waste cleanup on site and within a radius of 70 feet of the subject property.

(c) Waste and recycling receptacles must be provided at all public exits and parking areas.

(d) A program and plan must be submitted to the approving authority for recycling of all disposable containers that can be recycled.

Section 2. Section 106-100 (Eating and Drinking Establishments) in Article VIII (Zone Regulations) in Chapter 106 (Land Use), **subsection B**, is hereby amended to read as follows:

B. Eating and drinking establishments, including taverns, shall be permitted uses in the General Business (GB) Zone, provided that the following conditions are maintained:

(1) All such establishments shall be standard table/counter or self-service restaurants or taverns. No establishments which have as their principal means of sales the ordering of food at a window through which the food is passed from inside to outside, or which have curb service as their principal means of sales, or which provide a drive-through service are permitted in the GB Zone. Takeout service accessory to a standard table/counter or self-service restaurant is permitted.

(2) Repealed.

(3) Repealed.

(4) Accessory outdoor, or patio seating is permitted, provided it is in accordance with the following:

(a) No more than 25% of the total on-site seating may be provided outdoors.

- (b) The outdoor eating area must be directly accessible to the interior eating area. Areas that must be accessed via public sidewalks or property not controlled by the applicant or property owner are not considered directly accessible.
  - (c) No such areas shall be permitted within the public right-of-way except as permitted by § 146-53 of this Code.
  - (d) All such areas must receive approval from the appropriate approving authority. All such plans shall indicate the maximum size of the area, the maximum number of seats and tables, and the general layout of seating areas and aisles.
  - (e) A minimum of one trash receptacle for each four tables or 12 seats must be provided. At least one is to be located at the exit area into the public right-of-way or the interior restaurant.
  - (f) A six-foot closed fence and an evergreen screen shall be provided if the outdoor eating area is adjacent to a residential zone.
- (5) The maximum amount of seating, at tables or counters, is to be in accordance with the IBC Code.
- (6) All such establishments which serve food in disposable containers shall be subject to the following refuse preventive measures:
- (a) All yards other than front yards shall be fenced with six-foot closed fencing.
  - (b) A maintenance program must be submitted to the approving authority for waste cleanup on site and within a radius of 70 feet of the subject property.
  - (c) Waste and recycling receptacles must be provided at all public exits and parking areas.
  - (d) A program and plan must be submitted to the approving authority for recycling of all disposable containers that can be recycled.
- (7) (Reserved)
- (8) Vehicular access to such establishments shall be limited to two one-way, twenty-foot maximum width driveways with maximum twenty-six-foot curb cuts for every 150 feet of lot frontage. No driveway shall be located closer than 25 feet to the intersection of any two public rights-of-way. All egress driveways shall be limited to, and designed for, right-hand turns only.
- Section 3. Section 106-100 (Eating and Drinking Establishments) in Article VIII (Zone Regulations) in Chapter 106 (Land Use), **subsection C**, is hereby amended to read as follows:
- C. Eating and drinking establishments, including taverns, shall be permitted uses in the Community Commercial (CC) Zone, provided that the following conditions are maintained:
- (1) Standard table/counter restaurants, self-service restaurants, "takeout" (taking of food prepared on premises for consumption off premises) restaurants, taverns, and mixed use eating and drinking establishments are permitted. Establishments which have as a means of sales the ordering of food at a window through which the food is passed from inside to outside, curbside service, or drive-through services are not permitted.
  - (2) Repealed.
  - (3) Outdoor seating areas are permitted and regulated as per § 106-100B(4).
  - (4) Such uses which serve food in disposable containers are regulated as per § 106-100B(6), except that fences shall not be required if the use is part of a mixed-use development in accordance with the purposes of the zone.
  - (5) Such establishments may be permitted as stand-alone structures, not structurally connected to the other uses in the development, provided they share accessory facilities as stated in the purposes of the Community Commercial Zone (§ 106-95A of this chapter).
  - (6) All such establishments which serve food in disposable containers shall be subject to the following refuse preventive measures:
    - (a) All yards other than front yards shall be fenced with six-foot closed fencing.
    - (b) A maintenance program must be submitted to the approving authority for waste cleanup on site and within a radius of 70 feet of the subject property.
    - (c) Waste and recycling receptacles must be provided at all public exits and parking areas.
    - (d) A program and plan must be submitted to the approving authority for recycling of all disposable containers that can be recycled.
- Section 4. Section 106-100 (Eating and Drinking Establishments) in Article VIII (Zone Regulations) in Chapter 106 (Land Use), **subsection D**, is hereby amended to read as follows:
- D. No such establishments are permitted in any other zone unless specifically permitted.
- Section 5. A copy of this Ordinance shall be available for public inspection at the office of the Borough Clerk during regular business hours for the required statutory period.
- Section 6. This Ordinance shall take effect in accordance with all applicable laws.

List correspondence concerning Ordinance 19-02: NONE

Does anyone present wish to be heard concerning Ordinance 19-02? NONE

A motion was made by Council President Lazarow, second by Councilwoman Blumenstock, to close Public Hearing on Ordinance 19-02.

A motion was made by Council President Lazarow, second by Councilman Benoit, to adopt Ordinance 19-02.

Discussion: NONE

Roll Call:

<b>Councilman Benoit</b>	<b>AYE</b>	<b>Councilman Ince</b>	<b>AYE</b>
<b>Councilwoman Blumenstock</b>	<b>AYE</b>	<b>Councilman McCormack</b>	<b>AYE</b>
<b>Councilman Graham</b>	<b>AYE</b>	<b>Council President Lazarow</b>	<b>AYE</b>

6-AYE, 0-NAY, Ordinance 19-02 was adopted

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

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

The 1<sup>st</sup> quarterly meeting was held on 02/02/2019 with Chief Wright, Councilmen Benoit, McCormack, and myself.

Some of the concerns discussed are as follows:

- Parking problems near the Recreation Center have been raised by nearby residents – this will be looked into further especially as we near the Spring / Summer sports season and parking will become more of an issue.
- The Chief reported that the department currently meets its prescribed manpower levels according to its table of organization.
- One PO is slated to go for advanced federally sponsored tech training in Kansas City as long as another federal government shutdown does not occur.
- We discussed narcotics enforcement: as users who are arrested (or request assistance) are now given an opportunity to receive counseling and rehabilitation versus incarceration. If receptive the individual will be transported to a treatment facility. All PO's are trained to administer Narcan if they encounter an overdose situation.
- Mobile speed control devices can be downloaded to provide a record of speed patterns and volume of traffic – they do not record or issue violations – they are not red light cameras.
- Striping of certain roadways is being examined which in effect would narrow a road and slow speeds.
- The Borough is in need of crossing guards.
- The PD is looking ahead new computer equipment as the current Windows 7 software has become outdated.
- Officers are expected to participate in active shooter training in conjunction with other nearby departments as it becomes available.
- The Police Youth Academy is expected to be held again during the coming year after its successful preview in 2018.
- Residents are encouraged to sign up on the Garwood homepage for Nixle in order to receive emergency - as well as other routine information related for example to street closures and the like.
- A street of the week program is being looked into by the police department.
- & Grain will be hosting our next "Coffee With a Cop" event scheduled for Saturday April 20<sup>th</sup> between 10A – 12N, all are welcome.

The next quarterly meeting of the Police Committee will take place in early May – or sooner if necessary.

### **PUBLIC HEALTH: Councilman Ince**

I attended the Board of Health meeting held on 1/16/19. Items discussed:

- \$1032. Increase for health services for Garwood, this represents a 2% cost increase.
- Board of Health is requesting a 5 year contract versus a 3 year contract to save on paperwork and promote greater efficiency.
- Further meeting details are available upon request.
- The next meeting is scheduled for: 3/20/19.

### **STREETS AND ROADS/ECOLOGY: Councilwoman Blumenstock Chr.**

In addition to regular garbage pickup, the DPW performed pothole repairs in the following locations of the Borough:

- Intersection of Gallows Hill and 2<sup>nd</sup>
- 200 block of 2<sup>nd</sup> Avenue
- 200 block of Beech Avenue
- 500 block of Spruce Avenue
- 100 block of Locust Avenue
- 100 block of Willow Avenue
- 200 block of Myrtle Avenue

A total of 4 tons of hot mix asphalt was used to perform the pothole repairs. The annual residential Christmas tree pickup program was completed. The trees were disposed of at the Fanwood Recycling Center.

Public Works employees worked a total of 27 man hours of time and one half on January 30<sup>th</sup> for sidewalk and street deicing operations. And they worked a total of 51 man hours of time and a half for snow removal on February 12<sup>th</sup>/13<sup>th</sup>. This time included the following activities:

- Plowing all Borough streets, parking lots and Borough owned sidewalks.
- Deicing of all Borough streets and parking lots before the storm.

- Deicing of all Borough sidewalk and school crossings.
- Travel to the Union County Public Works Facility and loading of each truck with deicing materials (salt).

That's all for my report, Mayor

**FIRE: Councilman McCormack, Chr.**

Thank you Mayor. The Fire Committee hereby approves the membership application for Jamie Freiman of Westfield. He has passed his physical and background requirements. That's all for my report Mayor

**FINANCE: Council President Lazarow, Chr.**

In trying to be proactive, the Finance Committee has been looking at opportunities to improve efficiencies while continuing to provide top quality services. With this in mind, the Finance Committee is looking into opportunities where the Borough can share other services that would be advantageous for our budget, but not inconvenience our residents. We have discussed the possibility of seeking out a better deal in sharing our Building Permit and Construction department, currently shared in Cranford. We also have discussed the idea of sharing our municipal court with a neighboring town. Right now these are all discussions, but we are considering investigating these options and reporting back to the council when we get some ideas of the savings from such a move.

Also, the Finance Committee has been well on their way in getting input from the various departments to formulate our 2019 budget. Over the course of nearly 6 hours over two days, we have asked questions of each department to justify each line item and find places where we can save money for our town. From DPW, police, fire department to even our smaller but no less ambitious departments that service all of our community, it is clear we have leaders in these departments who take great pride in the jobs they do and are thinking carefully of how they spend every penny. The finance committee will continue to meet multiple times over the next month to iron out the details of the budget. I also want to announce a few dates for everyone to put in their calendar. The first of two special budget meetings will take place on Tuesday, March 12th @ 7pm with the entire council and mayor and the second special budget meeting will be held two weeks later on Tuesday March 26th. Both meetings will be an opportunity for the public and for the rest of the council to go through and ask questions and discuss the budget. A more informal breaking down the budget meeting will be held with just the most of the Finance Committee and Mayor Todisco who is a budget expert herself. I hope to encourage all members of the public to attend any of these special budget or breaking down the budget meetings to provide their feedback, concerns, and questions.

**BUILDINGS AND GROUNDS: Councilman Graham No Report**

**LAWS AND LICENSES: Councilman Benoit**

No new report, but we will be meeting at the end of February and we will be discussing putting together a written agreement between the Borough and the Garwood Little League in regards to their continued use of the little league baseball field.

**RECREATION: Councilman Benoit**

The Recreation Commission met on Monday February 11<sup>th</sup>. At the meeting, the commission discussed their upcoming 2019 budget, as well as the programs that they will be running this year. They will be having a summer program again this year for 6 weeks. I will get back to you with more information on a sign up date as it becomes available. This spring, they will again be having a soccer program. The spots are limited, and so it will be a first come, first served, so once I know the sign up date, I will get that information out there. Given how popular it was last year, there was a discussion as to whether it could be opened up to more Garwood kids, and so that is being looked in to. The game room at the rec complex is being outfitted with several televisions and video game systems, and the rec commission will be putting together a schedule for hosting game nights for the kids here in the borough. Stay tuned for more information on that. And lastly, the rec commission is looking to update and revamp their facebook page so that folks can find out more about the programs that they will be hosting.

**GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Blumenstock**

At our last meeting on February 7<sup>th</sup>, after a meeting and lunch we were joined by a team from Care Station to talk to the club about the kind of medical care they provide. Care Station is a network of clinic locations that provides comprehensive primary care with a focus on preventative care. The doctor from the group spoke about getting thorough physicals and screenings on a regular basis to catch any issues before they become debilitating. They have a satellite office here in Garwood and the closest main facility with full walk-in care is in Linden.

I want to just thank the Works of Heart club at Lincoln School and the club's leader, Mrs. Carol DelConte, for making Valentine's cards and gifts for the members which I know they will love to get at our next meeting which is next Thursday, the 21<sup>st</sup>. It's Valentine's all month for our members. That's all for my report, Mayor.

**LIBRARY, MAYOR'S REPRESENTATIVE: Council President Lazarow**

**February ACTIVITIES:**

In February the Library will continue its ongoing programs including.

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

**Book Clubs** – Monday afternoon and Thursday evening

**Kid's Chess** – Every Monday at 3:00pm

**Explore It** – (STEM program) Tuesdays at 3:00pm

**Adult Craft** – Tuesday, February 12<sup>th</sup> at 6:00pm

**Story Time** - Wednesdays at 10:30am,

**Kids Craft** – Wednesday February 20<sup>th</sup> at 3:00 pm

**Lego Club** - Thursday, February 14<sup>th</sup> and 28<sup>th</sup> at 3:00pm

Yesterday the Library was visited by a live hissing cockroach, a giant millipede, an Emperor scorpion and a tarantula! Insectopolis presented "**Bugs on the Go**" at 3:30 to a large crowd of future entomologists.

On February 21, the folks from **the Union County Division of Aging Staff** will be on hand from 10 am till noon to assist seniors (age 60+) or their caregivers with information on services, such as meal delivery, respite care, adult day care and support services for caregivers.

Throughout the month of February, the library will be holding an "**I Love Garwood Photo Contest**". Patrons in 6-12 grade and adults 18 and older will be encouraged to send the Library a great photo that captures the spirit of Garwood. Only one entry per person is permitted. Winners in each age group will receive a canvas print of their photo and \$50. A canvas print of the winning pictures will also hang in the Library. Contestants can submit their picture to a Dropbox link on our website or by attaching it to an email. The contest started February 1<sup>st</sup> and concludes February 28<sup>th</sup>.

**LIBRARY CLOSINGS:** The Library will be closed February 18<sup>th</sup> for President's Day

**SCHOOL BOARD LIAISON: Councilwoman Blumenstock No Report**

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

The next meeting for the celebrations committee is next Wednesday, February 21<sup>st</sup>. But just a reminder that the first celebrations event of the year will be the Easter Egg Hunt. It will be at the Recreation Complex on Saturday April 6<sup>th</sup> at 12 noon. The rain date is Sunday April 7<sup>th</sup>. The Easter Bunny will be available for pictures. And there will be three egg hunts for the following age groups: Toddlers through Pre-K; Kindergarten through First Grade; and Second through Third Grade. When you arrive, make sure to pick up a free raffle ticket for a chance to win a prize once the egg hunts have ended. And I will certainly be reminding folks about this wonderful event as it continues to draw nearer.

**HISTORICAL COMMITTEE: Councilman Graham**

The Historical Committee met on January 28. Items discussed were:

The committee will be working toward producing a Web page and newsletter.

Mayor Casabona's rock with dedication plaque, which was installed at the little league field beyond the center field fence, was moved by a crew from Union County DPW to the entrance of the field for greater visibility. The committee formally requested that the Green Team decorate the area around the rock prior to opening of the Little League Baseball season on April 13. The Green Team has agreed to do so the weekend prior. The Historical Committee will pursue having a booth at this year's Garwood Rocks festival.

Planning is under way to produce the third in a series of Christmas decorations celebrating Garwood's past. Up for consideration are photos of factories that are no longer present, or streetscapes. The committee is considering a fund raising project: perhaps a calendar or small cookbook. Feedback will be solicited from the community to gauge interest in either choice before committing to one or the other. The committee will look to have their line item maintained in this year's municipal budget during a hearing on February 13. The committee will next meet on February 25. That concludes my report.

**OFFICER'S REPORTS:**

Sandy Bruns, Tax Collector/Treasurer/CFO: 4th Qtr. Tax Collection Reports for 2018

Len DiStefano, Zoning Code Enforcement Officer: monthly report for January 2019

Judy Mack, Property Maintenance Officer: report for the month January 2019

A motion was made by Councilwoman Blumenstock, second by Council President Lazarow, to accept Officer's reports. All Ayes

**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.

Bruce Paterson, 325 Willow Avenue commented on Senate Bill S848 and how it relates to RVSA on Resolution 19-161. He commented and expressed his displeasure in the resolution.

Motion by Councilwoman Blumenstock, second by Council President Lazarow to close public comment  
All Ayes

Mayor Todisco referred Senate Bill S848 to Laws & License for review. She commented on Local Government's week and the Spending Plan matter.

**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. 19-157**

**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 2018 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. 19-158**

**WHEREAS**, on December 6, 2018 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 2018; and

**WHEREAS**, lists are to be submitted to the LOSAP Administrator for review no later than January 31, 2019 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 2018.

**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 2018.

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

**RESOLUTION NO. 19-159**

**Resolution of Support from Local Governing Body 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 Mayor and Council of the Borough of Garwood have determined that the Borough of Garwood should apply for the aforementioned Grant.

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

**RESOLUTION NO. 19-160**

**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 2, 2019 (with a rain date of September 8, 2019) between 10:00 a.m. to 6:00 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 2, 2019 (with a rain date of September 8, 2019) between 10:00 a.m. to 6:00 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. 19-161**

**NJ Local Government Week**



**A RESOLUTION OF THE BOROUGH OF GARWOOD, RECOGNIZING NJ LOCAL GOVERNMENT WEEK, APRIL 7-13, 2019, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.**

**WHEREAS**, local government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

**WHEREAS**, local government provides services and programs that enhance the quality of life for residents, making their municipality their home; and

**WHEREAS**, local government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

**WHEREAS**, local government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

**WHEREAS**, NJ Local Government Week offers an important opportunity for elected officials and local government staff to spread the word to all citizens of New Jersey that they can shape and influence this branch of government; and

**WHEREAS**, the NJ State League of Municipalities and its member municipalities have joined together to teach citizens about municipal government through a variety of activities.

**NOW, THEREFORE, BE IT RESOLVED BY GOVERNING BODY AS FOLLOWS:**

**Section 1.** That the Mayor and Council encourage all citizens, local government officials, and employees to participate in events that recognize and celebrate NJ Local Government Week.

**Section 2.** That Garwood encourages educational partnerships between local government and schools, as well as civic groups and other organizations.

**Section 3.** That Garwood supports and encourages all New Jersey local governments to actively promote and sponsor NJ Local Government Week.

**RESOLUTION NO. 19-162**

**BE IT RESOLVED**, by the Council of the Borough of Garwood that Sandra Bruns, CFO/Treasurer, be and she is hereby authorized and directed to sign agreement with A.D.P. for payroll services for 1/1/2019 to 12/31/2019 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 2019 are \$10,307.38 of which \$10,000 is paid by Investor's Bank on behalf of the Borough of Garwood.

**RESOLUTION NO. 19-163**

**WHEREAS**, the Council of the Borough of Garwood wish to approve and adopt the Borough of Garwood's policy on "Use of Social Media"; and

**WHEREAS**, the Borough of Garwood's policy on use of Social Media was reviewed and approved by the Borough Attorney.

**THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Garwood that it formally adopts as Policy the Borough of Garwood Policy on Social Media usage by all borough related pages and sites.

**BE IT FURTHER RESOLVED**, that a copy of said policy shall be distributed to all borough departments, committees, boards and commissions.

**RESOLUTION NO. 19-164**

**WHEREAS**, on March 10, 2015, the New Jersey Supreme Court issued its decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"); and

**WHEREAS**, in that decision, the Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing ("COAH") to the New Jersey Superior Court and established a transitional process for municipalities like the Borough of Garwood to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans ("HEFSPs") to be constitutionally compliant and seeking similar protections to what they would have received if they had continued to proceed before COAH; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-313 and Mount Laurel IV, the New Jersey Superior Court has the authority to enter an Order granting protection and repose against exclusionary zoning litigation to a municipality that is in compliance with its affordable housing obligations under the Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

**WHEREAS**, on July 2, 2015, the Borough of Garwood ("Borough") filed a declaratory judgment action under docket number UNN-L-2406-15 with the New Jersey Superior Court, Union County ("the DJ action") seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period; and

**WHEREAS**, the Superior Court of New Jersey has ordered that municipalities that have filed declaratory judgment actions must submit updated HEFSPs that address their affordable housing obligations as calculated by their respective municipal experts; and

**WHEREAS**, the Superior Court, after reviewing the Borough's HEFSP and other applicable documents, and after due notice was given to all interested parties and intervenors, and to the public, on October 10, 2018 entered a Declaratory Judgment of Compliance and Repose declaring the land use regulations and affirmative devices in place in the Borough to comply with the Borough's constitutional obligations with respect to affordable housing under the Mount Laurel Doctrine; and

**WHEREAS**, the Borough received approval of its Development Fee Ordinance by virtue of the Court's October 10, 2018 Declaratory Judgment of Compliance and Repose; and

**WHEREAS**, the Development Fee Ordinance establishes an Affordable Housing Trust Fund that may include development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or any other funds collected in connection with the Borough's affordable housing program; and

**WHEREAS**, the October 10, 2018 Declaratory Judgment of Compliance and Repose included a condition that the Borough prepare and adopt a Spending Plan, subject to the approval of the Special Master, prior to the expenditure of any funds collected in connection with the Borough's affordable housing program; and

**WHEREAS**, the Spending Plan attached hereto has been prepared by the Borough's affordable housing planner and approved of by the Special Master;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the Borough of Garwood, County of Union, State of New Jersey that the Borough requests that the Superior Court review and approve the Borough of Garwood's spending plan.

A motion was made by Council President Lazarow, second by Councilman Benoit, to adopt Consent Agenda.

Roll Call:

<b>Councilman Benoit</b>	<b>AYE</b>	<b>Councilman Ince</b>	<b>AYE</b>
<b>Councilwoman Blumenstock</b>	<b>AYE</b>	<b>Councilman McCormack</b>	<b>AYE</b>
<b>Councilman Graham</b>	<b>AYE</b>	<b>Council President Lazarow</b>	<b>AYE</b>

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

**RESOLUTION NO. 19-165**

**BE IT RESOLVED**, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the Municipal Clerk be and is hereby authorized to submit the 2019 Infrastructure and Municipal Aid Grant Agreement with the County of Union for a grant amount of \$235,000 for the following projects:

- 2019 Improvement project for masonry wall/roof/door repairs in the Municipal Building and the Firehouse Building
- Paving and drainage improvements on New Street

A motion was made by Councilman Benoit, second by Council President Lazarow, to adopt Resolution 19-165

Discussion: NONE

Roll Call:

<b>Councilman Benoit</b>	<b>AYE</b>	<b>Councilman Ince</b>	<b>AYE</b>
<b>Councilwoman Blumenstock</b>	<b>AYE</b>	<b>Councilman McCormack</b>	<b>AYE</b>
<b>Councilman Graham</b>	<b>AYE</b>	<b>Council President Lazarow</b>	<b>AYE</b>

6-AYE, 0-NAY, Resolution 19-165 was adopted

**RESOLUTION NO. 19-166**

**WHEREAS**, on February 12, 2019, the Borough Administrator/Clerk and Superintendent of Public Works provided the Mayor, Council and employee WP with a Notice of Disciplinary Action recommending termination of employment effective immediately; and

**WHEREAS**, the Council held a hearing in executive session on February 14, 2019 at which time they reviewed the matter and the recommendation and have concluded that the employment of WP be terminated in accordance with the recommendations contained in the Notice of Disciplinary Action.

**BE IT RESOLVED** by the Council of the Borough of Garwood that the employment of WP is hereby terminated effective immediately.

**BE IT FURTHER RESOLVED** this resolution puts the Borough Administrator/Clerk on notice to immediately process this termination.

A motion was made by Councilman McCormack, second by Councilwoman Blumenstock, to adopt Resolution 19-166

Discussion: NONE

Roll Call:

<b>Councilman Benoit</b>	<b>AYE</b>	<b>Councilman Ince</b>	<b>AYE</b>
<b>Councilwoman Blumenstock</b>	<b>AYE</b>	<b>Councilman McCormack</b>	<b>AYE</b>
<b>Councilman Graham</b>	<b>AYE</b>	<b>Council President Lazarow</b>	<b>AYE</b>

6-AYE, 0-NAY, Resolution 19-166 was adopted

**NEW BUSINESS:**

Green Team: Robert Schilare  
Diane Moxley

**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 Councilman Graham, second by Councilwoman Blumenstock, to adopt Payment of Claims Resolution.

Roll Call:

<b>Councilman Benoit</b>	<b>AYE</b>	<b>Councilman Ince</b>	<b>AYE</b>
<b>Councilwoman Blumenstock</b>	<b>AYE</b>	<b>Councilman McCormack</b>	<b>AYE</b>
<b>Councilman Graham</b>	<b>AYE</b>	<b>Council President Lazarow</b>	<b>AYE</b>

**ADJOURNMENT:**

The Regular Meeting of the Mayor and Council will be held on, **THURSDAY, FEBRUARY 28, 2019**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

A motion was made by Council President Lazarow, second by Councilman Benoit, to adjourn  
Time: 9:30p.m.

Respectfully submitted:



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