

# Borough of Garwood

## Meeting of the Mayor and Council

### MINUTES

March 13, 2018

Start Time: 8:11 p.m.

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	P		
Councilwoman Blumenstock	P	Councilman McCormack	P
Councilwoman Cuccaro	P	Councilman Sarno	P
Councilman Lazarow	P	Council President Todisco	P

#### MINUTES:

Regular, Workshop and Executive Minutes of the Mayor and Council held on February 27, 2018.

A motion was made by Council President Blumenstock, second by Councilwoman Todisco, to accept minutes as presented.

#### COMMUNICATIONS:

- 1) NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –
  - a. Mayor's Advisory –
    - i. 02/27/18, RE: S-5, Bill to Transfer PFRS to a Labor-Management Board Held
    - ii. 02/28/18, RE: Daily Update
    - iii. 03/02/18, RE: Weekly Update
- 2) WESTFIELD TOWNSHIP – 02/26/18, RE: Public Hearing on March 5, 2018 considering proposed Housing Plan Element and Fair Share Plan.
- 3) WESTFIELD TOWNSHIP – 03/01/18, RE: General Ordinance No. 2100, Amending The Land Use Ordinance
- 4) WESTFIELD TOWNSHIP – 03/08/18, RE: Various Ordinances amending Land Use.
- 5) CITY OF LINDEN – 03/01/18, RE: Resolution 2018-141, Urging the Legislature to Support Legislation Decriminalizing the Possession of Marijuana.
- 6) RAHWAY VALLEY SEWERAGE AUTHORITY – 03/05/18, RE: Advising that the Rahway Valley Sewerage Authority has **cancelled** its March 8<sup>th</sup> and April 12<sup>th</sup>, 2018 Engineering Committee Meetings

**ALL RECEIVED AND FILED**

#### ORDINANCES:

Public Hearing on Bond Ordinance 18-03 as advertised in the Westfield Leader.

#### ADOPTION:

Municipal Clerk to read Ordinance 18-03 by title only:

##### **BOND ORDINANCE NO. 18-03**

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE STRUCTURAL STABILIZATION PROJECT AT THE MICHAEL R. CRINCOLI RECREATION BUILDING IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$50,000 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 undertake the Structural Stabilization Project at the Michael R. Crincoli Recreation Building in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$50,000 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 \$50,000, and (4) \$2,400 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 \$47,600, and (6) the cost of said purpose, as hereinbefore stated, does not include any amount 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 \$2,400, 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 \$2,400 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 \$47,600 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 \$47,600 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 \$47,600 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 18-03. NONE

Does anyone present wish to be heard concerning Ordinance 18-03. NONE

A motion was made by Councilman Sarno, second by Councilwoman Todisco, to close Public Hearing on Ordinance 18-03.

A motion was made by Councilman Lazarow, second by Councilwoman Todisco, to adopt Ordinance 18-03.

Discussion:

Councilman Sarno mentioned this is to repair the Michael R. Crincoli Building.

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman McCormack</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

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

**POLICE:** Councilman Sarno, Chr.

Last Wednesday's nor'easter had a significant impact on the east coast including in Garwood. The Police Department Dispatch center answered over 240 calls including 74 from the 911 line between noon and 8

p.m. The Garwood Police Department along with the Fire Department and Department of Public Works responded to 64 downed wires including 4 live powers lines on the ground and 20 reports of fallen tree limbs. At one point the storm caused the closing of five roadways including the 200 block of North Ave due to a utility pole leaning into the roadway and a loss of power to an estimated 200 homes on the north side of the Borough. I'm happy to inform you that there were no reported injuries or fatalities as a result of this incident.

This storm proved a good reminder that the best way to stay informed during an emergency is by following the PD on Nixle or twitter.

This Saturday is St Patrick's Day. The Garwood Police Department would like to remind everyone that it is much harder to celebrate the holiday from a jail cell. Please don't drink and drive.

**PUBLIC HEALTH: Councilman McCormack *NO REPORT***

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

It's obviously been a busy time for the DPW. Public Works employees worked a total of 124 man hours of time and a half for snow removal during and after the Nor'easter on March 7<sup>th</sup> to the 8<sup>th</sup>. They deiced all Borough streets and parking lots before the storm as well as all Borough sidewalks and school crossings. They also plowed all Borough streets, parking lots and Borough owned sidewalks and plowed roads that were closed due to fallen power lines once lines were removed by PSE&G. The department also began to cut and remove downed branches/shade trees from the Nor'easter along all Borough streets within the right-of-way. They've begun to prune damaged shade trees and to chip brush placed curbside along all south side Borough streets. This will obviously continue in the coming days. That's all for my report, Mayor.

**FIRE: Councilman McCormack, Chr.**

Read Fire Chief's report: He thanked the Fire Department and mentioned that a man was injured today.

**FINANCE: Councilwoman Todisco, Chr.**

Thank you, Mayor. The 2018 municipal budget was presented at our special budget last week. As I mentioned at that meeting on March 6th, the Council has a \$0, flat budget, which is the first municipal budget without any tax increase in the last 17 years. It will continue to provide the residents with top-notch services and even includes funds for the newly hired Parking Enforcement Officer and the position of Property Maintenance Enforcement Officer, which is under review by the Council, as an updated property maintenance ordinance will be presented to the Council in the near future. A discussion about capital item requests at the special budget meeting indicates that the Council is supportive of a mason dump for the DPW, a supervisor vehicle for the PD, a much-needed new roof above the Firehouse, HVAC work in Borough Hall, and records management. The Finance Committee and the Council as a whole took the matter of needs vs. wants very seriously when making this decision. Again, I want to thank the rest of the Finance Committee and our professional staff for all their time and hard work on this year's budget. The proposed March 20th special budget meeting was canceled by a unanimous decision of the Council as the operating and capital budgets were both discussed on March 6th. However, the Finance Committee will still be holding an informal "Breaking Down the Budget" session at Borough Hall this Thursday, March 15th, where we will provide light refreshments. We hope to see many residents this Thursday night to get your thoughts about what should be prioritized. We will provide information and try to answer any questions you may have. That's all for my report, Mayor.

**BUILDINGS AND GROUNDS: Councilman Lazarow *NO REPORT***

**LAWS AND LICENSES: Councilwoman Cuccaro**

There is one application for a Raffle License. The Laws & License Committee recommends the following: The adoption of Resolution No. 18-084, for the application of one **on premise 50/50** raffle license, event to be held March 29, 2018, at Lincoln School, 400 Second Avenue, Garwood, NJ, by P.T.A Garwood.

**RECREATION: Councilman Lazarow**

Along with the mayor, I met with Recreation Commission member Jack Sullivan and Recreation Director Scott Kessler. We discussed a variety of issues such as recruitment of new members, commission responsibilities, and some of the concerns moving forward. It was made clear that the main responsibilities of the Commission include upkeep of the turf field, purchase of equipment, facility rentals, and running of various programs such as the basketball program, recreational soccer, Summer Recreation, and the annual Senior Breakfast. The Summer Recreation program is set to start on June 25<sup>th</sup>, and they are hopeful to be using the Rec Complex as their base this year. I have told them that if what we have been told by our architect and inspectors at Falcon holds true in terms of the timeline for the Rec Complex reopening,

Summer Recreation will have no problems being held in this space. In the meeting, we also discussed netting for the outfield area to alleviate resident concerns. Jack Sullivan plans on providing a few quotes to figure out how much netting would cost. The recreation commission also has purchased and received new steel soccer nets that just need to be put together. Finally, the commission brought up again the idea of purchasing vending machines that they would be responsible for maintaining to help increase revenue and provide food and drink options when concessions stands are closed. We will be meeting again with the full rec commission next Monday to further dive into these issues.

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

No real report, Mayor. We just had a nice lunch and some fun games of bingo at our last club meeting. Our next meeting is this Thursday, the 15<sup>th</sup>.

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

The Garwood Library's programs for March include:

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

**Kids Chess** – Mondays in March at 3:00 pm

**Book Clubs** – Monday, March 26<sup>th</sup> @ 1:00pm

**Design It -STEM** – Every Tuesday at 3:00 through March

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

**Kid's Craft** – Wednesday, March 21<sup>st</sup> @ 3:00pm

**Lego** – March 15<sup>th</sup> & 22<sup>nd</sup> @ 3:00 pm

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

In addition, "Paws to Read" will return with therapy dogs on Saturday, March 17<sup>th</sup> at 10am and author, Laura Sassi, will visit Storytime on the 21<sup>st</sup> with her new book, *Diva Delores and the Opera House Mouse.*

The Garwood Library is open Monday through Thursday from 9:00 AM to 8:00 PM, Fridays from 9:00 AM to 4:30 PM, and Saturdays from 9:00 AM to 1:00 PM. The Library will be **closed**, Friday and Saturday, March 30<sup>th</sup> and 31<sup>st</sup>.

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

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

Councilwoman Cuccaro

Reported the Annual Easter Egg Hunt is this Saturday at the Garwood Recreation Complex starting at noon.

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

Councilman McCormack

Reported on a letter he received.

**SPECIAL REVIEW COMMITTEE:** Councilwoman Todisco **NO REPORT**

**HISTORICAL COMMITTEE:** Councilwoman Todisco

Thank you, Mayor. The Historical Committee distributed the first edition of its newsletter to more than half of the town this past weekend thanks to the efforts of its volunteers and a Garwood Girl Scout troop. The rest of the newsletters will be passed out door to door by the end of this upcoming weekend. Some copies are here this evening for anyone who wishes to take a copy. It has informative articles and pictures of the past and future activities of the Committee as well as an article about the history of Garwood's founding. Garwood will be celebrating its 115th anniversary on Monday, March 19th. We're very proud of our local history and our independence as a borough dating back to 1903. That's all for my report, Mayor.

**PARKING COMMITTEE:** Councilman Sarno

Thanked Mayor for joining the committee.

**OFFICER'S REPORTS:**

Zoning Code Enforcement Officer Len DiStefano: Monthly report for February 2018

A motion was made by Councilwoman Todisco, second by Council President Blumenstock, 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.

Ed Olenick, 217 Hemlock Avenue commented on the condition of a newly paved road. He commented on the conditions of Unami Park.

Councilwoman Todisco commented regarding Unami Park.

Bruce Paterson, 325 Willow Avenue commented on a statement made by people this evening. He commented on the Freeholder meetings and the County.

**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. 18-084**

**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 an On-Premise 50/50 Raffle on March 29, 2018, to be held at the Lincoln School, 400 Second Avenue, Garwood, NJ from 6:00 – 9:00 p.m., is hereby granted to PTA Garwood, pursuant to Application Number RA #1141.

**RESOLUTION NO. 18-085**

**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 2018 Infrastructure and Municipal Aid Grant Agreement with the County of Union for a grant amount of \$50,000, for the Records Management Project in the Office of the Municipal Clerk in the Borough of Garwood.

**RESOLUTION NO. 18-086**

**WHEREAS** the Council of the Borough of Garwood adopted Resolution No. 17-235 on December 12, 2017, authorizing the Mayor and Borough Administrator/Clerk to sign the Memorandum of Agreement (MOA) between the Garwood PBA Local #117 and the Borough of Garwood; and

**WHEREAS** the (MOA) captured and adopted the contract amendments between the Garwood PBA Local #117 and the Borough of Garwood; and

**WHEREAS** the Council adopted Ordinance No. 18-01 on January 13, 2018, setting the salaries for members of the Garwood PBA Local #117 for a five year term.

**NOW 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 Administrator/Clerk to sign the Contract document between the Garwood PBA Local #117 and the Borough of Garwood.

**BE IT FURTHER RESOLVED** that the Contract and MOA is attached hereto and made a part of this resolution.

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

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman McCormack</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

NONE

**NEW BUSINESS:**

**PROCLAMATIONS:**

National Poison Prevention Week – March 18-24, 2018

National Nutrition Month – March 2018

**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 Councilwoman Cuccaro, second by Councilwoman Todisco, to adopt Payment of Claims Resolution.

Roll Call:

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman McCormack</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

At 8:34 p.m. Ms. Ariemma read Resolution No 18-087

**RESOLUTION NO. 18-087**

**CLOSED SESSION RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING POTENTIAL LITIGATION CONCERNING THE GARWOOD SPORTS AND RECREATION COMPLEX, CONTRACT NEGOTIATIONS CONCERNING RVSA, AND MATTERS OF ATTORNEY-CLIENT PRIVILEGE RELATING TO THE ABOVE AND IN ACCORDANCE WITH N.J.S.A., 10:4-12, Closed session, Meetings open to public; exclusion of public; subject of matter.**

**WHEREAS**, it is necessary for the Mayor and Council of the Borough of Garwood to conduct an executive session closed to the public in order to discuss the above listed matters.

**NOW THEREFORE BE IT RESOLVED** that the Council of the Borough of Garwood hereby move to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., for the purpose of discussing the subjects stated above; and

**BE IT FURTHER RESOLVED** that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

A motion was made by Councilwoman Cuccaro, second by Council President Blumenstock, to enter into Executive Session.

<b>Councilwoman Cuccaro</b>	<b>AYE</b>	<b>Councilman Sarno</b>	<b>AYE</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Councilwoman Todisco</b>	<b>AYE</b>
<b>Councilman McCormack</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

The Regular meeting resumed at 9:17 p.m.

**ADJOURNMENT:**

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

A motion was made by Councilwoman Cuccaro, Second by Council President Blumenstock, to adjourn.

Time: 9:23 p.m.

Respectfully submitted:



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