

# Borough of Garwood Meeting of the Mayor and Council

## AGENDA

March 28, 2019

Moment of Silence.....

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 \_\_\_\_\_

Councilman Benoit \_\_\_\_\_

Councilwoman Blumenstock \_\_\_\_\_

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

Councilman Ince \_\_\_\_\_

Councilman McCormack \_\_\_\_\_

Council President Lazarow \_\_\_\_\_

### MINUTES:

Special Budget Meeting Minutes of the Mayor and Council held on March 12, 2019.

Regular and Workshop Minutes of the Mayor and Council held on March 14, 2019.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to accept minutes as presented.  
All in favor, opposed?

### COMMUNICATIONS:

1) NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –

- a. Mayor's Advisory –
  - i. 03/12/19, RE: Daily Update
  - ii. 03/13/19, RE: URGENT ALERT
  - iii. 03/18/19, RE: Weekly Round-Up
  - iv. 03/20/19, RE: Daily Update
  - v. 03/21/19, RE: Daily Update
  - vi. 03/25/19, RE: URGENT ALERT
  - vii. 03/25/19, RE: Weekly Round-Up
  - viii. 03/26/19, RE: URGENT ALERT
  - ix. 03/26/19, RE: Daily Update

2) RAHWAY VALLEY SEWERAGE AUTHORITY – 03/25/19, RE: Minutes of the meetings held February 14, 2019 and February 21, 2019

**ORDINANCES:**

**INTRODUCTION:**

Municipal Clerk to read Ordinance 19-05 by title only:

**ORDINANCE NO. 19-05**  
**CALENDAR YEAR 2019**  
**ORDINANCE TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A:4-45.14)**

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to introduce Ordinance 19-05.

Roll Call:

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

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

**POLICE: Councilman Ince, Chr.**

**PUBLIC HEALTH: Councilman Ince**

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

**FIRE: Councilman McCormack, Chr.**

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

**BUILDINGS AND GROUNDS: Councilman Graham**

**LAWS AND LICENSES: Councilman Benoit**

**RECREATION: Councilman Benoit**

**GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Blumenstock**

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

**SCHOOL BOARD LIAISON: Councilwoman Blumenstock**

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

**HISTORICAL COMMITTEE: Councilman Graham**

**OFFICER'S REPORTS:**

NONE

**PUBLIC COMMENT:**

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

Mayor Todisco requests a motion followed by a second to close public comment.  
All in favor, opposed?

**UNFINISHED BUSINESS:**

**CONSENT AGENDA**

(Adoption upon Roll Call)

“Consent agenda items are considered to be routine and will be enacted with a single motion; any items requiring expenditure are supported by a Certification of Availability of funds; any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in the full minutes.”

**RESOLUTION NO. 19-181**

**WHEREAS**, it has pleased Almighty God in His infinite wisdom to take unto Himself on Tuesday, March 12, 2019, our esteemed fellow citizen, Anna M. Leonard (Annie); and

**WHEREAS**, Anne Leonard was born in Cranford, N.J., she was a long-time resident of Garwood; and

**WHEREAS**, Annie was an honorary lifetime member of the Garwood Volunteer Fire Department Ladies Auxiliary, The Cranford V.F.W Auxiliary Post 335, as well as the NJ Congress of Parents and Teachers. She won a Woman of Excellence Award for Union County in 2007. She was very active in volunteer work, especially with Girl Scouts, Garwood Recycling Program and the Garwood First Aid Squad.; and

**WHEREAS**, Over the years Annie also volunteered her time on the Celebrations Committee and Historical Committee, she also had the honor of being the Grand Marshall of our Centennial Parade of 2003; and

**WHEREAS**, Annie will be missed terribly by her children, grandchildren, great grandchildren and people that knew her as a neighbor and friend.

**NOW, THEREFORE, BE IT RESOLVED**, that we, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, do hereby extend to her bereaved family our sincere sympathy and condolences for the great loss sustained; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk be and they are hereby authorized to affix their signatures to this resolution, embossed with the seal of the Borough of Garwood, which shall be presented to the family of Anna M. Leonard.

**RESOLUTION NO. 19-182**

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby awards the following in accordance with proposal attached hereto:

VENDOR: GovOffice Web Solutions  
2112 Broadway Street NE, Suite 250  
Minneapolis, Minnesota 55413

PRICE & DESCRIPTION includes design, training, tech support, mobile site, 1<sup>st</sup> year maintenance for a cost not to exceed \$8,200, paid as follows:

Year 1	\$4,620.00
Year 2	\$1,790.00
Year 3	\$1,790.00

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

**RESOLUTION NO. 19-183**

**WHEREAS**, the Raritan Valley Line (RVL) trains currently terminate in Newark Penn Station and riders destined for midtown Manhattan and Penn Station must transfer platforms and trains; and,

**WHEREAS**, RVL is one of the busiest and fastest growing lines of NJ Transit with more than 23,000 weekday passengers and no midtown direct, one-seat ride in and out of NY; and,

**WHEREAS**, RVL did get some off-peak hour one-seat service in 2014 and 2015 that provided relief and on average a 30 minute reduction in commuting time each way; and,

**WHEREAS**, the off-peak one-seat service on RVL, Atlantic City and Princeton Lines were suspended in 2018 because of Positive Train Control installation; and,

**WHEREAS**, Atlantic City and Princeton trains will be restored on May 24, 2019, there is no confirmation that service will be restored on the RVL; and,

**WHEREAS**, the Borough of Garwood and the Raritan Valley Line Mayors Alliance of 32 Mayors in Union, Somerset, Hunterdon and Middlesex Counties, organized in 2018 by Fanwood Mayor Colleen Mahr, Westfield Mayor Shelley Brindle and Bound Brook Mayor Robert Fazen, are committed advocates for equitable service for RVL; and,

**WHEREAS**, 23,000 commuters and approximately 400,000 residents in towns served by the RVL deserve to know when the suspended off-peak morning and evening direct trains into New York will be back on schedule; and,

**WHEREAS**, midtown direct train service, known as "one-seat ride" has a positive impact on Garwood, quality of life for our residents, home values and business growth;

**NOW, THEREFORE, BE IT RESOLVED** the Borough Council of the Borough of Garwood urge Governor Phil Murphy, DOT Commissioner Gutierrez and our State Legislators to support the immediate restoration of the off-peak hour "one seat ride" to NY Penn Station.

**BE IT FURTHER RESOLVED** that a copy of this resolution be transmitted to Governor Murphy, Garwood's Legislative Delegation and NJ Transit.

**RESOLUTION NO. 19-184**

**WHEREAS**, a proposal has been received from TRIUS, Inc., 5049 Industrial Road, Farmingdale, NJ, 07727, for the purchase Tymco Model 600 with International 4300-ISB Chassis Street Sweeper for use by the Department of Public Works in the Borough of Garwood and in accordance with Quotation #KS012119LA, dated 1/24/2019, attached hereto and made part hereof; and

**WHEREAS**, said contractor 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, ESCNJ Bid #ESCNJ 17/18-30 for the supplying of said equipment at the price offered to the Borough of Garwood, to wit; \$252,911.10 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. 19-01 for the amount of \$252,911.10.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Garwood hereby award the aforementioned purchase of one (1) Tymco Model 600 with International 4300-ISB Chassis Street Sweeper for use by the Department of Public Works in the Borough of Garwood and in accordance with Quotation #KS012119LA, dated 1/24/2019, from TRIUS, Inc., 5049 Industrial Road, Farmingdale, NJ, 07727, 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. 19-185**

**WHEREAS**, on or by January 31<sup>st</sup>, participating volunteer fire company and first aid squad submitted certified lists to the Local Plan Administrator of those emergency service workers who have met the requirements of the plan as outlined in Code of the Borough of Garwood; and

**WHEREAS**, Resolutions No. 19-157 and 19-158, adopted on February 14, 2019 accepted the list of eligible members for the Garwood Fire Department and acknowledged no list was received from the Garwood First Aid Squad and the Administrator directed the list be posted for a period of 30 days; and

**WHEREAS**, the Local Plan Administrator received no appeals from members of the Garwood Fire Department or Garwood First Aid Squad as presented.

**THEREFORE BE IT RESOLVED**, by the Council of the Borough of Garwood hereby authorizes the treasurer to draw a check for \$21,762.00 for the 2018 LOSAP Benefits contribution.

**RESOLUTION NO. 19-186**

**WHEREAS**, proposals have been received from Marturano Recreation Company, Inc., PO Box 106, Spring Lake, NJ 07762, for the purchase (1) one GT-Shade 12x12, and (2) two GT-Shade 16x16x10 including installation and related services in accordance with quote #148365 and 148367 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; \$28,524.88 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 for the amount of \$28,524.88 which is being provided from the award of the 2018 UC Kids Recreation Trust Fund Grant for \$20,000, and the matching amount is being provided from remaining balance of \$18,303.23 from the previously adopted Hartman Park Bond Ordinance No. 17-27.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Garwood hereby authorize the purchase of the aforementioned purchase (1) one GT-Shade 12x12, and (2) two GT-Shade 16x16x10, including installation and related services in accordance with quote #148365 and 148367 from Marturano Recreation Company, Inc., PO Box 106, Spring Lake, NJ 07762, for \$28,524.88, 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. 19-187**

**WHEREAS**, the Superintendent of Public Works solicited a quote from a vendor for the supply of (1) one Water Drinking Fountain, 34"x14.5"x36", chrome drinking bowl, side faucet, tamper resistant and freeze proof for the Hartman Park Playground Project. Quote was received as follows:

Vendor	Price
PlayPower LT Farmington, Inc.	\$4,006.00

**WHEREAS**, said equipment is purchased for the amount of \$4,006.00 which is being provided from the award of the 2018 UC Kids Recreation Trust Fund Grant for \$20,000, and the matching amount is being provided from remaining balance of \$18,303.23 from the previously adopted Hartman Park Bond Ordinance No. 17-27.

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby awards the quote to the vendor:

VENDOR: PlayPower LT Farmington, Inc.  
PO Box 204713  
Dallas, TX 75320-4713

**RESOLUTION NO. 19-188**

**BE IT RESOLVED**, by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorize the Borough Administrator/Clerk, Christina M. Ariemma to sign the memorandum of understanding between the County of Union and the Borough of Garwood.

**BE IT FURTHER RESOLVED**, This memorandum of understanding (MOU) is an expression of intent among the participants to cooperate with each other on the usage and sharing of the Union County First Alert System that has been paid for by a Homeland Security Grant for domestic Preparedness. The participants recognize that such cooperation and shared use of the First Alert System is critical in response to emergencies.

**RESOLUTION NO. 19-189**

**RESOLUTION AUTHORIZING THE TAX ASSESSOR AND TAX APPEAL ATTORNEY TO FILE A COUNTERCLAIM IN THE MATTER OF ACP PARTNERSHIP v. GARWOOD BOROUGH, DOCKET NO: 003516-2019, BLOCK 301, LOT 1, COMMONLY KNOWN AS 550 SOUTH AVENUE.**

**WHEREAS**, ACP Partnership has filed a tax appeal against the Borough of Garwood disputing their assessed valuation of 550 South Avenue, Block 301, Lot 1, for the year 2019; and

**WHEREAS**, the Tax Assessor is of the opinion that said property, is undervalued and that the assessed value of said property should be increased and not decreased as the taxpayer seeks; and

**WHEREAS**, a method exists in the Tax Law for the Municipality to counterclaim against the property owner to seek an increase in the assessed value; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Garwood that the Tax Assessor, Ann Marie Switzer and the Tax Appeal Attorney of the Borough of Garwood, Robert F. Renaud, are authorized and directed to take whatever steps necessary and appropriate to file a counterclaim against the taxpayer in question seeking to raise the assessed value of said property to the value which the Tax Assessor deems to more properly reflect the value of said property for the year 2019.

**RESOLUTION NO. 19-190**

**BE IT RESOLVED**, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize that the project known as "Curbing Improvements on Spruce Avenue in the Borough of Garwood" be included in Bond Ordinance No. 16-09, as previously adopted on May 24, 2016.

**RESOLUTION NO. 19-191**

**WHEREAS** by the Council of the Borough of Garwood, County of Union, State of New Jersey the Municipal Clerk was authorized to advertise for a bid entitled "CURBING IMPROVEMENTS ON SPRUCE AVENUE IN THE BOROUGH OF GARWOOD, UNION COUNTY, N.J."; and

**WHEREAS** on March 21, 2019, at the advertised time of 11:00 a.m., A&J Contractors Group, 105 Federal Road, Monroe Township, NJ, 08831, submitted a base bid amount of \$99,566.80, which is determined the lowest responsible bidder.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Garwood that the contract be hereby awarded to A&J Contractors Group for \$99,566.80; and

**BE IT FURTHER RESOLVED** that Mayor and Municipal Clerk be and are hereby authorized to execute an agreement in the form prepared by the Borough Engineer.

**RESOLUTION NO. 19-192**

**BE IT FURTHER RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Mayor and Municipal Clerk to sign the Agreement between the Borough of Garwood and the Township of Springfield, County of Union, State of New Jersey for the sale of authorized flow rights with the Rahway Valley Sewerage Authority in the amount of 100,000 gallons, at the rates and terms set forth in the attached agreement attached hereto and made part hereof this agreement as signed by both parties on the date set forth therein.

**RESOLUTION NO. 19-193**

**The 2019 Municipal Budget Resolution is attached hereto and made part hereof.**

**RESOLUTION NO. 19-194**

**WHEREAS**, the Borough Engineer solicited a quote from a vendor for the installation of (1) one Water Drinking Fountain, including plumbing, labor and materials as follows:

Pump out pit, remove and dispose of existing concrete water fountain, install new customer supplied concrete water fountain, replace drain piping and valves as needed in pit to fountain, bolt water fountain to existing platform.

Vendor	Price
Mountainside Plumbing & Heating LLC	\$2,500

**WHEREAS**, said equipment is purchased for the amount of \$2,500.00 which is being provided from the award of the 2018 UC Kids Recreation Trust Fund Grant for \$20,000, and the matching amount is being provided from remaining balance of \$18,303.23 from the previously adopted Hartman Park Bond Ordinance No. 17-27.

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby awards the quote to the vendor:

VENDOR: Mountainside Plumbing & Heating LLC  
Bruce Trano & Sons Plumbing & Heating  
368 Dogwood Way  
Mountainside, NJ 07092

**RESOLUTION NO. 19-195**

**BE IT RESOLVED**, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize Borough Engineer Michael Disko to proceed with the preparation of mandated NJDEP Storm water outfall mapping which includes the determination of every outfall within Garwood for a cost not to exceed \$8,000 funded in the 2019 Municipal Budget.

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

Roll Call:

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

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

**NEW BUSINESS:**

**PAYMENT OF CLAIMS:**

**BE IT RESOLVED** that the following claims as approved be and the same are hereby ordered paid when properly signed and verified; and the payment of payrolls as listed is hereby confirmed and ratified.

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

Roll Call:

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

**ADJOURNMENT:**

The Regular Meeting of the Mayor and Council will be held on, **THURSDAY, APRIL 11, 2019**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

**THERE WILL BE A PUBLIC HEARING IN COUNCIL CHAMBERS, ON ORDINANCE NO., 19-03 AND 19-04, ON THURSDAY, APRIL 11, 2019, AT 7:15 P.M. OR SOON THERE AFTER**

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