

Borough of Garwood
MEETING OF THE MAYOR AND COUNCIL
REVISED AGENDA
APRIL 11, 2024

Time:

Moment of Silence

Salute to the Flag

Adequate notice of this meeting was provided to the Union County Hawk advertised on January 4, 2024. Notification was sent to the Star Ledger, and is posted on the Municipal website, the Municipal public bulletin board, and filed in the office of the Municipal Clerk informing the public of the time and place according to the Provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

ROLL CALL:

Mayor Blumenstock _____

Councilwoman Boto _____

Councilman Foley _____

Councilman Lazarow _____

Councilwoman Nolde _____

Councilwoman Salmon _____

Council President Kearney _____

Roll call staff and professionals:

John Arthur, Borough Administrator

Adam Abramson, Borough Attorney

Sandy Bruns, CFO

Doug Stoffer, Chief of Police

Mayor Blumenstock announces the first order of business is to administer the Oath of Allegiance to Captain Rocco, Sergeant Suggs and Sergeant Pridy.

Report of Borough Attorney

Report of Borough Administrator

Report of Mayor Blumenstock

Comments from the Council:

Councilwoman Boto

Councilman Foley

Councilman Lazarow

Councilwoman Nolde

Councilwoman Salmon

Council President Kearney

MINUTES:

Minutes of the Meeting of the Mayor and Council held on March 21, 2024.

A motion was made by _____, second by _____ to accept the Regular Meeting minutes as presented. All in favor, opposed?

COMMUNICATIONS:

1) NEW JERSEY STATE LEAGUE OF MUNICIPALITIES

a) 03/21/2024, RE: Governor Signs Affordable Housing Bill Package

<https://www.njlm.org/CivicSend/ViewMessage/Message/226220>

b) 03/28/2024, RE: Health Benefit 2025 Costs, DCA Budget Cuts, Gov. Murphy Signs TTF

<https://www.njlm.org/CivicSend/ViewMessage/Message/226850>

2) RAHWAY VALLEY SEWERAGE AUTHORITY

a) 03/22/2024, RE: Minutes

https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/RVSA_0215_MINUTES.pdf

3) GARWOOD PLANNING BOARD

a) 03/28/2024, RE: Minutes

[https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/2_28_2024_PB_MINUTES\(1\).pdf](https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/2_28_2024_PB_MINUTES(1).pdf)

ORDINANCES:

ADOPTION:

Municipal Clerk to read Ordinance No. 24-10 by title only:

ORDINANCE NO. 24-10

AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GARWOOD BY AMENDING CHAPTER 134, ENTITLED “SEWERS”, ARTICLE V, “INDUSTRIAL WASTE AND FEES”, SUBSECTION 134-16, “RATE SCHEDULE”.

[https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Ord._24-10-Sewer_Rate_Amenment\(1\).pdf](https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Ord._24-10-Sewer_Rate_Amenment(1).pdf)

List correspondence concerning Ordinance No. 24-10.

Does anyone present wish to be heard concerning Ordinance No. 24-10.

A motion was made by _____, second by _____ to close Public Hearing on Ordinance No. 24-10.

Discussion:

A motion was made by _____ second by _____ to adopt Ordinance No. 24-10.

Roll Call:

Councilwoman Boto _____
Councilman Foley _____
Councilman Lazarow _____

Councilwoman Nolde _____
Councilwoman Salmon _____
Council President Kearney _____

INTRODUCTION:

Municipal Clerk to read Ordinance No. 24-11 by title only:

ORDINANCE NO. 24-11

AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GARWOOD BY AMENDING CHAPTER 27, ENTITLED “FIRE DEPARTMENT”, ARTICLE I “GENERAL PROVISIONS”, SUBSECTION 27-2 “ORGANIZATION AND ELECTION OF OFFICERS” AND SUBSECTION 27-6 “CHIEF TO BE FIRE MARSHALL, FIRE INSPECTOR, FIRE PREVENTION OFFICER”.

https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Ord._24-11-Amend_Chapter_27.pdf

A motion was made by _____ second by _____ to introduce Ordinance No. 24-11.

Roll Call:

Councilwoman Boto _____
Councilman Foley _____
Councilman Lazarow _____

Councilwoman Nolde _____
Councilwoman Salmon _____
Council President Kearney _____

INTRODUCTION:

Municipal Clerk to read Ordinance No. 24-12 by title only:

ORDINANCE NO. 24-12

CALENDAR YEAR 2024 ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

<https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Ord. 24-12- CAP BANK.pdf>

A motion was made by _____ second by _____ to introduce Ordinance No. 24-12.

Roll Call:

Councilwoman Boto	_____	Councilwoman Nolde	_____
Councilman Foley	_____	Councilwoman Salmon	_____
Councilman Lazarow	_____	Council President Kearney	_____

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

FINANCE AND PERSONNEL: Councilman Foley, Chair

FIRE AND OEM: Councilman Lazarow, Chair

COMMUNITY DEVELOPMENT: Councilwoman Salmon, Chair

PUBLIC WORKS: Councilwoman Boto, Chair

POLICE AND PUBLIC SAFETY: Council President Kearney, Chair

COMMUNITY ENGAGEMENT: Councilwoman Nolde, Chair

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Lazarow

SCHOOL BOARD LIAISON: Council President Kearney

GARWOOD SENIOR CITIZEN LIAISON: Mayor Blumenstock

SMALL BUSINESS ADVISORY LIAISON: Council President Kearney

BOARD OF HEALTH LIAISON: Councilman Foley

PLANNING BOARD LIAISON: Councilwoman Salmon

OFFICER'S REPORTS:

Zoning Enforcement Officer's Report for March, 2024

https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Code_Enforcement_March.pdf

Property Maintenance Officer's Report for March, 2024

https://garwood.org/vertical/sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Property_Maint_Rpt_March.pdf

A motion was made by _____ second by _____ to accept Officer's reports.

All in favor, opposed?

PUBLIC COMMENT:

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

A motion was made by _____, second by _____ to close public comment.

All in favor, opposed?

UNFINISHED BUSINESS:

CONSENT AGENDA

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

RESOLUTION NO. 24-075

RESOLUTION AUTHORIZING THE EXECUTION OF THE CERTIFICATE OF COMPLETION FOR GARWOOD STATION PHASE I (490 SOUTH AVE.)

WHEREAS, the Borough of Garwood entered into a Redevelopment Agreement with South Avenue Urban Renewal, LLC ("Redeveloper") dated August 25, 2017 for the development of Block 401 Lots 1, 2, 4, and 5; and

WHEREAS, the Developer has represented that the Construction of the multifamily residential and retail development has been completed as of December 22, 2022; and

WHEREAS, pursuant to the Redevelopment Agreement the Redeveloper has requested that the Borough execute a Certificate of Completion as evidence that the terms and conditions of the Redevelopment Agreement have been fully satisfied; and

WHEREAS, the Redeveloper acknowledges that the execution and recording of the Certificate of Completion does not relieve the Redeveloper of the conditions of the site plan approval related to signage for the parking garage and the need for valet parking for any future restaurant use within the project.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Garwood the Mayor is authorized to execute a Certificate of Completion in accordance with the Redevelopment Agreement entered into with South Avenue Urban Renewal, LLC for the development of Block 401 Lots 1, 2, 4, and 5.

RESOLUTION NO. 24-076

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby appoint Jen Battiloro as Municipal Alliance Coordinator, effective April 11, 2024 in accordance with the Municipal Alliance Grant Fiscal year July 1, 2024 through June 30, 2025..

RESOLUTION NO. 24-077

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 2023 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. 24-078

WHEREAS, a proposal has been received from Motorola Solutions Inc., Box 161, Wharton, NJ 07885, for the purchase of new communication and signal systems equipment consisting of radio equipment for the use of the Police and Fire Departments, in accordance with the specifications and quote dated 02/16/2024 attached hereto and made part hereof; and

WHEREAS, said supplier represents to the Borough of Garwood that it is in accordance with State of New Jersey Contract 83909 for the purchase and implementation of new communication and signal systems equipment consisting of radio equipment for the use by the Police and Fire Departments at the price offered to the Borough of Garwood, to wit; \$390,000; and

WHEREAS, the Police Chief of the Borough of Garwood has researched whether said supplier is approved under contract for such communication and signal systems equipment from Motorola Solutions Inc., Box 161, Wharton, NJ 07885, as presented and his inquiry has resulted in verification; and

WHEREAS, said communication and signal systems equipment is purchased under Bond Ordinance No. 24-08 for the amount of \$390,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood hereby award the aforementioned purchase of new communication and signal systems equipment consisting of radio equipment for the use of the Police and Fire Departments in accordance with the specifications and quote attached hereto and made part hereof, from Motorola Solutions Inc., Box 161, Wharton, NJ 07885, in accordance with the quote for \$390,000, attached hereto, and that the Borough Police Chief 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. 24-079

Municipal Budget Resolution of the Borough of Garwood, County of Union, for the Fiscal Year 2024.

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the Municipal Budget for the Year 2024.

BE IT RESOLVED, the Governing Body of the Borough of Garwood does hereby approve the Municipal Budget for the year 2024.

BE IT FURTHER RESOLVED that said budget will be published in the in the April 18, 2024 edition of the Union County Hawk.

A public hearing on the 2024 Municipal Budget will be held on May 9, 2024 at 7:00 PM in Council Chambers, at which time and place public comments to said Budget for the year 2024 may be presented by taxpayers and other interested persons.

RESOLUTION NO. 24-080

RESOLUTION FOR CONDUCTING ANNUAL BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Garwood has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2024 budget year.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

RESOLUTION NO. 24-081

RESOLUTION ADOPTING TECHNOLOGY RISK MANAGEMENT STANDARDS IN COMPLIANCE WITH STATEWIDE INSURANCE FUND'S CYBER RISK MANAGEMENT PLAN'S TIER ONE REQUIREMENTS

Whereas, the Borough of Garwood is a member of Statewide Insurance Fund which secures insurance protection through the New Jersey Municipal Excess Liability Joint Insurance Fund (NJ MEL); and

Whereas, through its membership in Statewide Insurance Fund the Borough of Garwood requires cyber liability insurance coverage to protect the Borough of Garwood from the potential devastating costs associated with a cyber related claim; and

Whereas, in an attempt to prevent as many cyber related claims as possible, the Statewide Insurance Fund and Cowbell, the Fund's cyber liability carrier developed and released to its members the Cyber Liability Subjectivities; and
Whereas, the Statewide Insurance Fund the Cyber Liability Subjectivities outlines a set of best practices and standards that if adopted and followed will reduce many of the risks associated with the use of technology by the Borough of Garwood; and
Whereas, in addition to the reduction of potential claims, implementing the following best practices and standards will enable the Borough of Garwood to claim a reimbursement of a paid insurance deductible in the event the member files a claim against Borough of Garwood's cyber insurance policy, administered through the Statewide Insurance Fund and the NJ MEL.
Now Therefore Be It Resolved that the Borough of Garwood does hereby adopt the following best practices and standards, a copy of which is attached hereto and incorporated herein by reference, in accordance with Cyber Liability Subjectivities of the Statewide Insurance Fund and NJ MEL Cyber Liability Subjectivities.
Information Backup Password Management Security Patches and Updates Email Warning Defensive Software Incident Response Plan Security Awareness Training Technology Practice Policy Government Cyber Membership
Be It Further Resolved, that a copy of this resolution along with all required checklists and correspondence be provided to the Statewide Insurance Fund for their consideration and approval.

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

Roll Call:

Councilwoman Boto	_____	Councilwoman Nolde	_____
Councilman Foley	_____	Councilwoman Salmon	_____
Councilman Lazarow	_____	Council President Kearney	_____

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

A motion was made by _____, second by _____, to adopt Resolution # 24-_____.

Roll Call:

Councilwoman Boto	_____	Councilwoman Nolde	_____
Councilman Foley	_____	Councilwoman Salmon	_____
Councilman Lazarow	_____	Council President Kearney	_____

NEW BUSINESS

Debra Broski Board of Health 4/11/2024 -12/31/2024

PAYMENT OF CLAIMS AND REFUNDS AS LISTED ON FILE:

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

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

Roll Call:

Councilwoman Boto	_____	Councilwoman Nolde	_____
Councilman Foley	_____	Councilwoman Salmon	_____
Councilman Lazarow	_____	Council President Kearney	_____

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on **Tuesday, April 23, 2024** at 7:00 P.M. in Council Chambers.

Information for meetings is posted on the Borough website: https://garwood.org/gb_notices

A motion was made by _____ second by _____ to adjourn. Time: _____