

Borough of Garwood

Meeting of the Mayor and Council

AGENDA

MAY 8, 2018

Moment of Silence.....

Salute to the Flag.....

Adequate notice of this meeting was provided to the Westfield Leader, advertised on January 4, 2018, notification was sent to the Star Ledger and prominently posted on the municipal public bulletin board and filed in the office of the municipal clerk informing the Public of the time and place according to the Provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

ROLL CALL:

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

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on April 24, 2018.

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

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES** –
 - a. Mayor's Advisory –
 - i. 04/24/18, RE: Weekly Round-Up
 - ii. 04/27/18, RE: Weekly Round-Up
 - iii. 05/01/18, RE: Daily Update
- 2) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS** – 04/27/2018, RE: Notice concerning canceling and rescheduling of Board meetings.
- 3) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 04/24/2018, RE: RVSA Approved Minutes
- 4) **GARWOOD PLANNING BOARD** – 04/26/2018, RE: Minutes of the meeting held on March 14, 2018
- 5) **GARWOOD BOARD OF HEALTH** – 04/26/2018, RE: Minutes of the meeting held on April 18, 2018

ORDINANCES:

Public Hearing on Ordinance 18-10, 18-11, 18-12 and 18-13 as advertised in the Westfield Leader.

ADOPTION:

Municipal Clerk to read Ordinance 18-10 by title only:

ORDINANCE NO. 18-10

AN ORDINANCE TO AMEND § 5-11 (DUTIES OF THE BOROUGH CLERK) IN ARTICLE 2 (OFFICE OF THE BOROUGH CLERK) IN CHAPTER 5 (ADMINISTRATION) OF THE CODE OF THE BOROUGH OF GARWOOD TO AMEND THE DUTIES OF THE BOROUGH CLERK TO ADD SERVING AS THE ISSUING AUTHORITY FOR RAFFLE AND BINGO LICENSES.

List correspondence concerning Ordinance 18-10.

Does anyone present wish to be heard concerning Ordinance 18-10.

A motion was made by _____, second by _____, to close Public Hearing on Ordinance 18-10.

A motion was made by _____, second by _____, to adopt Ordinance 18-10.

Discussion:

Roll Call:

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

Municipal Clerk to read Ordinance 18-11 by title only:

ORDINANCE NO. 18-11

AN ORDINANCE OF THE BOROUGH OF GARWOOD REPEALING ARTICLE 5 (PROPERTY MAINTENANCE) IN CHAPTER 67 (BUILDINGS AND STRUCTURES) OF THE CODE OF THE BOROUGH OF GARWOOD, AND ENACTING A NEW ARTICLE 5 (PROPERTY MAINTENANCE) IN CHAPTER 67 (BUILDINGS AND STRUCTURES) BY ADOPTING, WITH CERTAIN REVISIONS, THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES

List correspondence concerning Ordinance 18-11.

Does anyone present wish to be heard concerning Ordinance 18-11.

A motion was made by _____, second by _____, to close Public Hearing on Ordinance 18-11.

A motion was made by _____, second by _____, to adopt Ordinance 18-11.

Discussion:

Roll Call:

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

Municipal Clerk to read Ordinance 18-12 by title only:

ORDINANCE NO. 18-12

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD, COUNTY OF UNION, NEW JERSEY ADOPTING AN AMENDMENT TO THE SOUTH AVENUE AREA II REDEVELOPMENT PLAN CONCERNING CERTAIN AFFORDABLE HOUSING LANGUAGE, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq

List correspondence concerning Ordinance 18-12.

Does anyone present wish to be heard concerning Ordinance 18-12.

A motion was made by _____, second by _____, to close Public Hearing on Ordinance 18-12.

A motion was made by _____, second by _____, to adopt Ordinance 18-12.

Discussion:

Roll Call:

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

Municipal Clerk to read Ordinance 18-13 by title only:

ORDINANCE NO. 18-13

ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD, COUNTY OF UNION, NEW JERSEY ADOPTING AN AMENDMENT TO THE SOUTH AVENUE – TRANSIT ORIENTED REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

List correspondence concerning Ordinance 18-13.

Does anyone present wish to be heard concerning Ordinance 18-13.

A motion was made by _____, second by _____, to close Public Hearing on Ordinance 18-13.

A motion was made by _____, second by _____, to adopt Ordinance 18-13.

Discussion:

Roll Call:

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

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilman Sarno, Chr.

PUBLIC HEALTH: Councilman McCormack

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

FIRE: Councilman McCormack, Chr.

FINANCE: Councilwoman Todisco, Chr.

BUILDINGS AND GROUNDS: Councilman Lazarow

LAWS AND LICENSES: Councilwoman Cuccaro

RECREATION: Councilman Lazarow

GARWOOD SENIOR CITIZEN LIAISON: Council President Blumenstock

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Lazarow

SCHOOL BOARD LIAISON: Councilman McCormack

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:
Councilwoman Cuccaro

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:
Councilman McCormack

SPECIAL REVIEW COMMITTEE: Councilwoman Todisco

HISTORICAL COMMITTEE: Councilwoman Todisco

PARKING COMMITTEE: Councilman Sarno

OFFICER'S REPORTS:

Zoning Code Enforcement Officer Len DiStefano: monthly report for March 2018.

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

PUBLIC COMMENT:

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

UNFINISHED BUSINESS:

CONSENT AGENDA

(Adoption upon Roll Call)

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

RESOLUTION NO. 18-110

RESOLUTION TO ESTABLISHING A GREEN TEAM ADVISORY COMMITTEE IN THE BOROUGH OF GARWOOD

WHEREAS, the Council of the Borough of Garwood strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Council of the Borough of Garwood wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

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

Section 1: Establishment.

A group of citizens dedicated to the sustainability of the community and known as the Green Team, appointed by the Mayor is hereby established.

Section 2: Purpose

- a. To facilitate the successful completion of the requirements for certification of Sustainable Jersey;
- b. To educate and encourage all Borough employees, residents, and businesses to participate in green initiatives;
- c. To collaborate with public and private green committees to ensure the replication of best practices and to ensure a coordinated effort within the Borough of Garwood and with neighboring communities.

Section 3: Membership

- a. The Green Team will consist of no less than 10 members.
- b. The Green Team shall be persons who reside in or are employed by the Borough of Garwood and shall be appointed for a 3-year term commencing March 1, 2018 to March 1, 2021.

RESOLUTION NO. 18-111

RECOGNIZING that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets, and

UNDERSTANDING that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners.

WHEREAS legislators and municipal officials report that the number of calls from citizens about animal related issues rival any other issue(s);

WHEREAS there are approximately 2.2 million owned dogs and 2.5 million owned cats in New Jersey;

WHEREAS New Jersey was the first state in the nation to develop an innovative state-wide spay/neuter program and all proceeds from the sale of Animal Friendly License Plates are used to reimburse participating veterinarians for spaying and neutering surgeries;

WHEREAS State responsibility for promoting responsible pet care and ensuring that pets do not suffer due to abuse, neglect, or lack of proper care in kennels, pet shops, shelters, and pounds (animal facilities) is vested in the Office of Animal Welfare within the New Jersey Department of Health and Senior Services;

WHEREAS the county prosecutor and our municipality's police department are responsible for investigating and acting as officers for the detection, apprehension, and arrest of offenders against the animal cruelty laws;

WHEREAS New Jersey mandates training requirements for animal control officers and humane law enforcement officers

WHEREAS New Jersey impounds over 100,000 animals per year in animal shelters and impoundment facilities;

WHEREAS approximately 37% of the animals that enter New Jersey's impoundment facilities are euthanized, at a rate of around 3000 every month;

WHEREAS free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such zoonotic diseases as rabies, leptospirosis, toxoplasmosis, roundworms, animal bites, and environmental contamination from animal feces;

WHEREAS stray and unwanted pets place an enormous financial burden on municipalities and non-profit humane agencies organized to care for these animals; (To calculate an average per animal cost for your municipality, divide the total shelter expenditures - municipal animal control and shelter expenses -by the total number of animals served per year);;

WHEREAS it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats;

WHEREAS all dogs are required to be licensed in the municipality where they are housed and the majority of municipalities also require licensure of cats. (Current vaccination against rabies is a pre-requisite to licensure);

WHEREAS all municipalities are required to canvass their residents to locate unlicensed dogs;

NOW THEREFORE, we the municipality of Garwood, resolve to take the following steps with regard to our municipal responsibilities with the intent of making Garwood a truly sustainable community.

It is our intent to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

Authority of municipalities:

Pursuant to New Jersey Statutes, all municipalities must appoint a certified animal control officer who shall be responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours;

The municipality in which an animal facility is located is responsible for issuing the license for that facility to operate;

The NJ Vicious Dog Law establishes a state-wide standard for municipalities to effectively address situations of vicious or potentially dangerous dogs, regardless of breed;

The Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelters, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

The Municipality pledges to:

- Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats, excepting stray and feral cats in managed TNR programs.
- Work to improve the enforcement of animal cruelty statutes.
- Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.
- Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.
- Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.
- Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control services.

RESOLUTION NO. 18-112

PLEDGE of Municipal Support for New Jersey's Wildlife Action Plan

This Plan is in support of New Jersey Department of Environmental Protection, Division of Fish and Wildlife, State-level Priority Conservation Goals and Strategies

Recognizing that animals are an integral and valuable part of all communities and believing concern for the wellbeing of wild animals and wild species is a hallmark of a sustainable natural community the Municipality of Garwood pledges its support for the New Jersey Wildlife Action Plan as outlined:

WHEREAS, New Jersey is home to a rich diversity of wildlife and ecologically significant natural communities,

WHEREAS, New Jersey's wildlife and wild places are under threat from development, fragmentation, invasive species and the impacts of people,

WHEREAS, the populations of mammals, birds, invertebrates, fish, reptiles and amphibians that live in and migrate through New Jersey find themselves clinging to smaller and smaller pieces of wild clean lands and aquatic habitats,

WHEREAS, it is more cost-effective to prevent species from becoming imperiled than it is to recover them once their populations have declined,

WHEREAS, a naturally functioning and healthy ecosystem represents a healthy environment for NJ wildlife and our citizens,

WHEREAS, the NJ Division of Fish and Wildlife, other state and federal agencies, and many partners in conservation have worked together to develop a state Wildlife Action Plan for the benefit of biologists, wildlife experts, municipal leaders, land stewards, non-profit organizations, educators, planners, researchers, outdoor recreation enthusiasts, landowners and all the people who know the wild places of New Jersey State,

WHEREAS, the New Jersey Wildlife Action plan is a comprehensive action agenda for the conservation of native wildlife, the restoration of important lands and water, and public education targeting the needs of rare wildlife in New Jersey,

WHEREAS, the residents of, and visitors to, New Jersey also enjoy and benefit from New Jersey's wildlife and wild spaces.

NOW THEREFORE, we the Borough of Garwood, resolve to take the following steps with regard to our municipal land-use decisions with the intent of making Garwood an ecologically sustainable community. It is our intent to include these principles in our public lands management, our environmental resources inventory and to inform the next master plan revision and update our zoning accordingly.

Acknowledging that it is more cost-effective to protect species than recover species, we will protect populations of rare and imperiled species that live and breed in, and migrate through, the municipality and the habitats they depend upon.

Because habitat integrity is critical to healthy biodiversity we will manage publicly owned lands in accordance with wildlife management actions laid out in the New Jersey Wildlife Action Plan and will promote the management of all protected lands to promote biodiversity.

We will protect wildlife habitats and maintain connectivity of habitat when formulating an open space acquisition strategy, open space stewardship plans and through the municipal master plan including planning and zoning ordinances.

We will seek to minimize disturbance of critical wildlife populations and their habitats from human activities, subsidized predators and invasive species.

When possible and appropriate, we will work with neighboring municipalities to implement the aforementioned principles across municipal boundaries.

When possible and appropriate, we will strive to monitor and implement appropriate management of municipal easements to ensure native vegetation and wildlife takes precedence over invasive and/or exotic species.

RESOLUTION NO. 18-113

BE IT RESOLVED by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby approve the CFO/Treasurer to issue a check to refund the tax overpayment on the following property:

| PROPERTY OWNER/ADDRESS | BLK/LOT | AMOUNT |
|--|----------------|---------------|
| Creative Property Management 657-663 Myrtle Avenue Garwood, NJ 07027 | 306/1-2 | \$3,150.80 |

REFUND TO:

Creative Property Management
 80 West Grand Street
 Elizabeth, NJ 07202

Amount of refund: \$3,150.80

EXPLANATION: Tax Assessor changed property class to 15F exempt property. Refund 2018 preliminary taxes paid.

RESOLUTION NO. 18-114

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, that in continuance of past practice, a contract be entered into for the year 2018, from January 1, 2018 to December 31, 2018, with the Garwood First Aid Squad, Inc., for the furnishing of municipal ambulance service and first aid treatment for residents and person employed in industrial establishments throughout the Borough of Garwood; and

BE IT FURTHER RESOLVED, that the sum of \$9,000.00 as budgeted and appropriated by the Borough of Garwood for this purpose shall be contributed to the said Garwood First Aid Squad, Inc., and made a part of the said contract; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk be and they are hereby directed to execute said contract with the said Garwood First Aid Squad, Inc., on behalf of the Borough of Garwood, on the basis hereof; and

BE IT FURTHER RESOLVED, that a voucher in the sum of \$9,000.00 be drawn to the order of the Garwood First Aid Squad, Inc.

RESOLUTION NO. 18-115

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize the Borough Administrator/Municipal Clerk Christina M. Ariemma to prepare Request for Qualifications from qualified Broker agencies for the purpose of marketing the Borough's Employee Health and Dental Insurance in accordance with law.

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

Roll Call:

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

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

A motion was made by _____, second by _____.

Discussion:

Roll Call:

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

NEW BUSINESS:

PROCLAMATION:

National Police Week – May 13th to May 19th / Peace Officer's Memorial Day May 15th

PAYMENT OF CLAIMS:

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

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

Roll Call:

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

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, MAY 22, 2018**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

ON WEDNESDAY, MAY 15, 2018 AT 6:00 P.M., THE MAYOR AND COUNCIL WILL HOLD STUDENTS IN GOVERNMENT NIGHT. THE PUBLIC IS ENCOURAGED TO ATTEND THIS FUN EVENING WHEN STUDENTS TAKE OVER THE ROLES OF THE GOVERNING BODY. NO ACTION WILL BE TAKEN.

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

Time: _____