

# Borough of Garwood

## Meeting of the Mayor and Council

### AGENDA

May 23, 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:**

Regular and Workshop Minutes of the Mayor and Council held on May 9, 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. 05/14/19, RE: Accelerated DOT Municipal Aid Grants: Weekly Round-Up for May 6-10
    - ii. 05/15/19, RE: Daily Update
    - iii. 05/17/19, RE: Marijuana Bill Stalls: Weekly Round-Up for May 13-17
- 2) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS** – 05/16/19, RE: Public Safety Committee, Special Meeting on May 21, 2019
- 3) **RAHWAY VALLEY SEREAGE AUTHORITY** – 5/20/19, RE: Minutes of the meeting held April 11, 2019
- 4) **TOWNSHIP OF CLARK** – 05/07/19, RE: Resolution 19-73, Library Aid Legislation

#### **ORDINANCES:**

Public Hearing on Ordinance 19-07, 19-08, 19-09 and 19-10 as advertised in the Westfield Leader.

**ADOPTION:**

Municipal Clerk to read Ordinance 19-07 by title only:

**ORDINANCE NO. 19-07**

**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.**

List correspondence concerning Ordinance 19-07.

Does anyone present wish to be heard concerning Ordinance 19-07.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to close Public Hearing on Ordinance 19-07.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to adopt Ordinance 19-07.

Discussion:

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>	_____

Municipal Clerk to read Ordinance 19-08 by title only:

**ORDINANCE NO. 19-08**

**AN ORDINANCE TO AMEND ARTICLE II (OFFICE OF THE BOROUGH CLERK) IN CHAPTER 5 (ADMINISTRATION) OF THE CODE OF THE BOROUGH OF GARWOOD TO ESTABLISH THE POSITION OF DEPUTY MUNICIPAL CLERK AND PRESCRIBE THE DUTIES THEREFOR.**

List correspondence concerning Ordinance 19-08.

Does anyone present wish to be heard concerning Ordinance 19-08.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to close Public Hearing on Ordinance 19-08.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to adopt Ordinance 19-08.

Discussion:

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>	_____

Municipal Clerk to read Ordinance 19-09 by title only:

**ORDINANCE NO. 19-09**

**AN ORDINANCE TO PROVIDE FOR A REVISED RATE SCHEDULE FOR 2019 PURSUANT TO §134-16 (RATE SCHEDULE) IN ARTICLE V (INDUSTRIAL WASTE & FEES) IN CHAPTER 134 (SEWERS) OF THE CODE OF THE BOROUGH OF GARWOOD, FOR THE INDUSTRIAL USER CHARGE PROVIDED FOR IN §134-15.**

List correspondence concerning Ordinance 19-09.

Does anyone present wish to be heard concerning Ordinance 19-09.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to close Public Hearing on Ordinance 19-09.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to adopt Ordinance 19-09.

Discussion:

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>	_____

Municipal Clerk to read Ordinance 19-10 by title only:

**ORDINANCE NO. 19-10**

**AN ORDINANCE FIXING SALARIES AND WAGES OF CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY.**

List correspondence concerning Ordinance 19-10.

Does anyone present wish to be heard concerning Ordinance 19-10.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to close Public Hearing on Ordinance 19-10.

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to adopt Ordinance 19-10.

Discussion:

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>	_____

**INTRODUCTION:**

Municipal Clerk to read Ordinance 19-11 by title only:

**ORDINANCE NO. 19-11**

**BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$320,000 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.**

A motion was made by \_\_\_\_\_, second by \_\_\_\_\_, to introduce Ordinance 19-11.

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:**

Jim Wright, Chief of Police: monthly report for the month of April 2019

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.

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. 19-210**

**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**

Robert & Carole Williams                      602/20                      \$343.95  
436 Pine Avenue  
Garwood, NJ 07027

**REFUND TO:**

Robert & Carole Williams  
436 Pine Avenue  
Garwood, NJ 07027

Amount of refund: \$343.95

**EXPLANATION:** Tax Assessor granted a Disabled Veteran Tax Exemption on September 22, 2018. The 2016 Homestead Benefit has now been applied to the 2Q 2019 taxes resulting in an overpayment.

**RESOLUTION NO. 19-211**

**WHEREAS**, New Jersey qualified Senior Citizens and Veterans currently enjoy a \$250.00 per year deduction from their taxes; and

**WHEREAS**, the \$250.00 deduction for Senior Citizens has not been increased since in addition to the income threshold which has not been increased as well;

**WHEREAS**, the \$250.00 deduction for Veterans has not increased since 2002; and

**WHEREAS**, the Borough of Garwood calls upon the Legislature to sponsor legislation and/or commence the process for a constitutional amendment that would increase the deduction to Senior Citizens and Veterans to \$1000 per year and increasing the minimum income requirements to \$20,000; and

**NOW THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Garwood in the County of Union that:

1. The Borough of Garwood urges upon the Legislature to sponsor legislation and/or commence the process for a constitutional amendment that that would increase the property tax deduction for Senior Citizens and Veterans to \$1,000 per year and to increase the minimum income requirement to \$20,000; and
2. A copy of this resolution shall be forwarded to the twenty-one municipalities in the County of Union, the Union County Board of Chosen Freeholders and all members of the Legislature.

**RESOLUTION NO. 19-212**

**WHEREAS**, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount;

**NOW THEREFORE, BE IT RESOLVED**, that the Council of the Borough of Garwood hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,000.00 which item is now available as a revenue from SUSTAINABLE JERSEY GRANTS, 2019 PSEG MUNICIPAL GRANT, in the amount of \$2,000.00;

**BE IT FURTHER RESOLVED**, that the sum of \$2,000.00 is hereby appropriated under the caption of "2019 SUSTAINABLE JERSEY GRANTS".

**RESOLUTION NO. 19-213**

**BE IT RESOLVED** that the ordinance entitled:

**"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$320,000 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."**

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 13th day of June, 2019, at 7:15 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

**RESOLUTION NO. 19-214**

**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 2019, from January 1, 2019 to December 31, 2019, 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. 19-215**

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Borough of Garwood has the authority to prepare and issue estimated tax bills; and

**WHEREAS**, in order for the Borough of Garwood to meet our financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing it would be in our best interest to do so; and

**WHEREAS**, the Chief Financial Officer has reviewed and computed an estimated levy in accordance with N.J.S.A. 54:4-66.3.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood on this 23rd day of May 2019, as follows:

1. The Borough of Garwood Tax Collector is hereby authorized to prepare and issue estimated bills for the Borough of Garwood for the third quarter of 2019 taxes, in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.
2. The entire estimated tax levy for 2019 is hereby set at \$18,636,750.00
3. The estimated tax rate for 2019 is hereby set at 10.121

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:**

**PROCLAMATION:**

National Gun Violence Awareness Day (Wear Orange) Day

**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, JUNE 13, 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 BOND ORDINANCE NO.19-11, ON THURSDAY JUNE 13, 2019, AT 7:15 P.M. OR SOON THERE AFTER**

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