

# Borough of Garwood

## Meeting of the Mayor and Council

### MINUTES

May 23, 2019

Start Time: 8:07 p.m.

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	P		
Councilman Benoit	P	Councilman Ince	P
Councilwoman Blumenstock	P	Councilman McCormack	P
Councilman Graham	P	Council President Lazarow	P

Also present Borough Administrator/Municipal Clerk Christina M. Ariemma and Borough Attorney Thomas C. Jardim, Esq.

#### **MINUTES:**

Regular and Workshop Minutes of the Mayor and Council held on May 9, 2019.

A motion was made by Council President Lazarow, seconded by Councilwoman Blumenstock to accept minutes as presented. All in favor.

#### **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

#### **ALL RECEIVED AND FILED**

#### **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.**

WHEREAS, the Borough of Garwood, in the County of Union, New Jersey (the "Borough"), a public body corporate and politic of the State of New Jersey, is authorized pursuant to the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., (the "Land Use Law"), to periodically update non-residential zone districts to promote economic development and sustainability in the Borough; and

WHEREAS, Section 106-100 of Article VIII in Chapter 106 of the Borough's Code relates to and regulates the zoning regulations of eating and drinking establishments within the Borough; and

WHEREAS, it is in the interest of the citizens of the Borough to permit certain eating and drinking establishments to maintain outdoor or patio seating; and

WHEREAS, on March 27, 2019, the Planning Board of the Borough (the "Planning Board") recommended to the Borough Council (the "Borough Council") that revisions to Section 106-100 of Article VIII in Chapter 106 of the Borough's Code should be revised to standardize and streamline treatment of outdoor or patio seating, as well as incorporate other relevant sections of the Borough Code; and

NOW THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Garwood, County of Union, New Jersey that:

Section 1. Section 106-100 (Eating and Drinking Establishments) in Article VIII (Zone Regulations) in Chapter 106 (Land Use), is hereby amended to read as follows:

Eating and Drinking Establishments, including taverns, shall be permitted as conditional uses in the Central Business (CB), General Business (GB), and Community Commercial (CC) Zones, in accordance with the following requirements:

- (1) All such establishments shall be standard table/counter or self-service restaurants. No establishments that have as a means of sales the ordering of food at a window through which the food is passed from inside to outside, or which have curbside service, or which provide a drive-through service are permitted. Take-out service accessory to a standard table/counter is permitted.
- (2) Repealed.
- (3) Reserved.
- (4) Accessory outdoor or patio seating is permitted, provided it is in accordance with the following:
  - (a) No more than 25 percent of the total on-site seating may be provided outdoors.
  - (b) Seating contained in the outdoor dining area shall not be counted in determining parking space requirements for an Eating and Drinking Establishment hereunder.
  - (c) The outdoor dining area must be directly accessible to and from the interior dining area. Areas that must be accessed via public sidewalks or property not controlled by the applicant or property owner are not considered directly accessible.
  - (d) No such areas shall be permitted within the public right-of-way, except as permitted by § 106-100(5) of this Code.
  - (e) No food shall be prepared in the outdoor dining area. Food and drink served in the outdoor dining area shall be the same, and shall be prepared the same, as that served in the indoor dining area.
  - (f) Property owners must submit an outdoor dining application to the Zoning Officer, who, together with the Police, Fire, and Health Departments, shall review the application, determine compliance with all applicable Borough requirements, and either approve or deny the application within twenty (20) days of submission. Property owners are not required to obtain separate site plan approval from the Planning Board.
  - (g) The property owner shall submit a layout of the proposed dining area in the application, which shall include, but not be limited to, a depiction of the maximum size of the area, the maximum number of seats and tables, the general layout of seating areas, tables, and aisles, and all aisles and routes of ingress and egress, and any other detail(s) the Zoning Officer deems necessary to render a decision.
  - (h) A minimum of one (1) trash and recycling receptacle provided for every twenty (20) seats shall be provided, with at least one to be located at both the exit area(s) into the public right-of-way and the interior dining area.
  - (i) A six-foot (6') closed fence and evergreen screening shall be provided at all property lines/yards adjacent to the outdoor dining area, except front yards, if the outdoor dining area is adjacent to a residential zone.
  - (j) The maximum amount of seating is to be in accordance with the International Building Code.
  - (k) All such establishments that serve food in disposable containers shall be subject to the following refuse preventative measures:
    1. The property owner shall include a maintenance plan detailing how waste will be removed on-site and within one-hundred feet (100') of the outdoor dining area must be submitted and approved by the Health Officer. This plan must show the number and location of trash/recycling receptacles and the frequency with which the tables and surrounding areas and adjacent public and private properties will be surveyed for litter. The property owner is responsible for keeping the outdoor dining area and adjacent public and private areas free and clear of debris that is generated from the establishment. Areas must be cleaned as required thereunder and at the time the establishment is closed for the day.
    2. A program and plan must be submitted to the Health Officer for recycling of all disposable containers that can be recycled.
  - (l) The outdoor dining area may not be open for business earlier or later than that of the principal establishment.
  - (m) The property owner shall not direct or permit to be directed to or from the outdoor dining area any bell, siren, whistle, loudspeaker, or public address system, radio, or similar device.
  - (n) Alcoholic beverages may be served in outdoor dining area(s) by establishments that have a valid Alcoholic Beverage Control plenary retail consumption license, but only in licensed areas and in accordance with the license terms.
  - (o) Permits for outdoor dining areas shall be valid for one (1) year from the date of the issuance of the permit by the Zoning Officer. Permit owners shall obtain an annual permit each year they wish to operate the outdoor dining area by submitting an annual application to the Zoning Officer as outlined above.
  - (p) The annual permit fee shall be as follows:
    1. 1-10 seats \$60.00
    2. 11-25 seats \$100.00
    3. 26-50 seats \$150.00
    4. 51 or more seats \$200.00
- (5) Any Eating or Drinking Establishment that has provisions for tables for interior service, upon application and issuance of a permit pursuant to this subsection, may utilize part of the sidewalk in front of its place of business for a sidewalk café, provided it is in accordance with the following:
  - (a) Application for such permit shall be made to and such permits shall be granted by the Borough Clerk. The application shall be accompanied by a schematic diagram, showing the location of all aspects of the café. All applications shall be reviewed by and approved by the Borough Health Officer prior to issuance of the permit by the Borough Clerk. Permits shall be granted only if the proposed sidewalk café conforms with the following, which must be maintained for the duration of the existence of the sidewalk café:
    1. The café shall be confined to the area directly in front of the existing eating and drinking establishment, unless written permission of any adjacent property owner and ground-floor occupant is submitted and filed with the application.
    2. Any café shall not interfere with access to the building entrance or exit, basement entrance (if any), fire hydrant, bus stop, parking meter, or public alleyway.
    3. There must be a minimum of four feet (4') of usable, unobstructed pedestrian sidewalk that remains open to maintain pedestrian access.
    4. Applicants shall be required to submit proof of liability insurance for the proposed sidewalk café, naming the Borough of Garwood as an additional insured, with minimum limits of liability of not less than \$1,000,000 for all claims for bodily injury or death of any person as a direct or indirect result of the operation of the sidewalk café, or for injury to any person occurring on the premises occupied by such café, and further providing for the payment of not less than \$10,000 to satisfy claims for property damage as a direct or indirect result of the operation of such café.
    5. No permit shall be issued unless the licensee shall have first executed and filed with the Municipal Clerk an indemnification agreement, in the form prepared or approved by the Borough Attorney, in which the permittee shall agree to forever defend, protect, indemnify, and save harmless the Borough of Garwood, its officers, agents, and employees, from and against any and all claims, causes of action, injuries, losses, damages, expenses, attorney's fees, fees and costs arising out of or which may arise out of, or be alleged to arise out of, the permittee's operation of the sidewalk café.
    6. All dishes, utensils, containers, tablecloths, napkins, cutlery and other items used in the operation or decoration of the sidewalk café shall be made of non-disposable and reusable materials. The furniture to be used in the operation of the sidewalk café shall be made of durable material, such as sturdy vinyl/plastic, wrought iron, or wood. The sidewalk area utilized by the café shall be kept clean and free of litter. Sidewalks shall be washed daily. If required by the Health Officer, trash receptacles shall be provided as specified by the Health Officer.
    7. The sidewalk café may operate no later than 11:00 p.m. on any day, and only during operating hours of the establishment. No furniture or other items of the sidewalk café shall remain outside of the eating and drinking establishment for more than 15 minutes after 11:00 p.m. or after the close of operating hours of the establishment, whichever is earlier.
    8. Beer and wine shall be the only permitted alcoholic beverages to be consumed at a sidewalk café that does not hold a valid plenary retail license.
    9. Nothing contained in this section shall be construed to amend any provision of Chapter 52 (Alcoholic Beverages) of this Code or to amend or change any provision of any alcoholic beverage control license. Alcoholic beverages shall be permitted to be served at a sidewalk café that holds a valid plenary retail license under this subsection as follows:
      - a. Consumption of alcoholic beverages shall be permitted only at sidewalk cafés that have wait staff serving patrons.
      - b. No establishment may serve alcoholic beverages at a sidewalk café until and unless the establishment applies for and receives approval of a place-to-place transfer of its license for expansion of the premises to include the sidewalk café area.
      - c. Nothing contained in this subsection shall be construed to permit service or consumption of alcoholic beverages at any time or at any place or in any manner other than as permitted under this subsection.
    10. No music or any sound device shall be played outdoors.
    11. Any sidewalk café permit may be suspended or revoked by the Borough Health Officer upon violation of this section or a determination by the Health Officer that continued operation of the sidewalk café is inimical to the public health and welfare. Such suspension or revocation shall be in writing and delivered personally or mailed by certified mail to the permit holder at the address set forth in the application. Any suspension or revocation issued by the Borough Health Officer may be appealed to the Mayor and Council within fifteen (15) days of the mailing of such notice.
    12. Permits for sidewalk café shall be valid for one (1) year from the date of the issuance of the permit by the Borough Clerk. Permit owners shall obtain an annual permit each year they wish to operate the outdoor dining area by submitting an annual application to the Borough Clerk as outlined above.
    13. The annual permit fee shall be as follows:
      - a. 1-10 seats \$60.00
      - b. 11-25 seats \$100.00
      - c. 26-50 seats \$150.00

- d. 51 or more seats \$200.00
- (b) Operation of any sidewalk café shall be in accordance with this section and shall be subject to enforcement by the Health Officer and Police Department.
- 1. Any person or entity violating any provision of this article shall, upon conviction, be punished by a fine not exceeding \$500, or by imprisonment for a term not exceeding 30 days, or both. Each separate offense shall be deemed committed on each day during which a violation occurs or continues. Additionally, any violation of the provisions of this section shall constitute sufficient grounds for the revocation, after due notice and hearing, of any permit issued under this section.
- (c) The Health Officer may establish rules and regulations pursuant to this section, which rules and regulations shall be filed with the Borough Clerk and shall be available for public inspection.

Section 2. Article VII (Sidewalk Cafés) in Chapter 146 (Streets and Sidewalks), is hereby deleted in its entirety.

Section 3. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

Section 4. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

Section 5. This Ordinance shall take effect after passage and publication in the manner provided by law.

List correspondence concerning Ordinance 19-07. NONE

Does anyone present wish to be heard concerning Ordinance 19-07. NONE

A motion was made by Councilman Benoit, seconded by Councilwoman Blumenstock to close Public Hearing on Ordinance 19-07.

A motion was made by Councilman McCormack, seconded by Councilman Benoit to adopt Ordinance 19-07.

Discussion: NONE

Roll Call

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

6-AYE, 0-NAY, Ordinance 19-07 was adopted.

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.**

**BE IT ORDAINED**, by the Mayor and Council of the Borough of Garwood as follows:

SECTION 1. In Article II (Office of the Borough Clerk); in Chapter 5 (Administration) of the Code of the Borough of Garwood is hereby amended by enacting §5-12.01 A. through D. to read as follows:

SECTION 2. Chapter 5 (Administration), Article II (Office of the Borough Clerk) subtitle is hereby amended to read as follows; Article II (Office of the Borough Clerk; Deputy Borough Clerk).

§ 5.12.01 Deputy Borough Clerk.

A. Establishment. Pursuant to N.J.S.A. 40A:9-135, the position of Deputy Borough Clerk is hereby created.

B. Appointment; term. The Deputy Borough Clerk shall be appointed annually by the Mayor, with the advice and consent of the Council, and shall serve at the pleasure of the Mayor and Council.

C. Duties. The duties of the Deputy Borough Clerk shall be to assist the Borough Clerk in all the duties of his or her office, and the Deputy Borough Clerk shall have all the powers and perform all the duties of the Borough Clerk during such times and for such specific periods as the Borough Clerk shall be absent. The Deputy Borough Clerk shall at the direction of the Borough Administrator/Clerk assist the Chief Financial Officer/Treasurer and Tax Collector in the performance of their duties.

D. Compensation. The governing body shall fix the compensation or salary of the Deputy Borough Clerk by ordinance.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 5. This ordinance shall take effect upon final passage and publication in accordance with law.

List correspondence concerning Ordinance 19-08. NONE

Does anyone present wish to be heard concerning Ordinance 19-08. NONE

A motion was made by Council President Lazarow, seconded by Councilwoman Blumenstock to close Public Hearing on Ordinance 19-08.

A motion was made by Council President Lazarow, seconded by Councilwoman Blumenstock to adopt Ordinance 19-08.

Discussion: NONE

Roll Call

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

6-AYE, 0-NAY, Ordinance 19-08 was adopted.

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.**

**WHEREAS**, §134-15 of the Code of the Borough of Garwood provides for an industrial user charge; and

**WHEREAS**, §134-16 of the Code of the Borough of Garwood, provides for the adoption by ordinance of the Mayor and Council of the rate schedule for said industrial user charge;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Garwood as follows:

**SECTION 1.** The rate schedule for the industrial user charge established under §134-16 of the Code of the Borough of Garwood, for the year 2019 and until such time as the new rate schedule shall be adopted by ordinance shall be as follows:

**FLOW:**

**Per Million Gallons \$4,048.12**

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

**SECTION 4.** This ordinance shall take effect upon final passage and publication in accordance with law.

List correspondence concerning Ordinance 19-09. NONE

Does anyone present wish to be heard concerning Ordinance 19-09. NONE

A motion was made by Council President Lazarow, seconded by Councilwoman Blumenstock to close Public Hearing on Ordinance 19-09.

A motion was made by Councilman Graham, seconded by Councilman Ince to adopt Ordinance 19-09.

Discussion: NONE

Roll Call

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

6-AYE, 0-NAY, Ordinance 19-09 was adopted

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.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey as follows:

**SECTION 1.** The following named officials and employees of the Borough of Garwood shall be entitled to an annual salary or wages hereinafter set forth opposite each respective classification:

<b>POSITION</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Accounting/Payroll Clerk – Part time	15.00 PH	20.00 PH
Accounting/Payroll Clerk – Full time	35,000	42,000
Accounts Payable Clerk – Part time	15.00 PH	20.00 PH
Accounts Payable Clerk – Full time	35,000	42,000
Administrator/Municipal Clerk	100,000	116,000
Board of Health Secretary	1,000	1,500
Board of Health Licensing Official	1,500	2,000
Chief Financial Officer/Treasurer/Assistant Administrator	85,000	100,000
Clerical Municipal Office – Part time	10.00 PH	15.00 PH
Clerk/Stenographer	40,000	47,000
Council Members (6)	0	2,000
Deputy Municipal Clerk	45,000	55,000
Deputy Registrar of Vital Statistics	250	1,000
Deputy Tax Collector	40,000	45,000
Fire Safety Inspectors	20.00 PH	25.00 PH
Mayor	0	2,000
Municipal Alliance Coordinator	3,500	7,500
<b>POSITION</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Municipal Court Administrator	45,000	52,000
Municipal Engineer	20,000	25,000
Municipal Housing Liaison – Part time	2,000	5,000
Municipal Judge	18,000	23,000
Network Administrator Police Computers	2,500	3,500
Office of Emergency Management/Secretary	150	500
Office of Emergency Management/Director	2,000	5,000
Parking Enforcement Officer – Part time	17.00 PH	22.00 PH
Planning Board Planner/Engineer	2,000	5,000
Planning Board Secretary	12,000	15,000
Police Chief	135,000	150,000
Property Maintenance Officer – Part time	17.00 PH	22.00 PH
Recreation Aides	8.85 PH	15.00 PH
Recreation Director	7,500	10,000
Recreation Director/Summer Program	23.00 PH	28.00 PH
Recreation Supervisors	9.00 PH	20.00 PH
Registrar of Vital Statistics	5,000	7,500
School Crossing Guards	13.00 PH	24.00 PH

Senior Citizen Bus Driver	15.00 PH	19.00 PH
Senior Citizen Director	4,000	7,000
Senior Citizen Handyman	15.00 PH	20.00 PH
Shade Tree Officer	3,000	5,000
Special Police Officer, Matron – Class “C”	12.00 PH	15.00 PH
Superintendent of Public Works/Recycling Coordinator	70,000	78,000
Tax Assessor - Part time	14,000	20,000
Tax Collector – Part time	20,000	25,000
Tax Collector – Full time	55,000	60,000
Zoning Code Review Official	8,000	13,000
<b>POSITION</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Zoning Code Enforcement Official	6,000	10,000
Violations Clerk – Part time	10.00 PH	15.00 PH
Police Dispatcher: RANGE	29,355	53,000
Probationary	29,355	29,355
Class IV	30,677	30,677
Class III	32,341	32,341
Class II	34,007	34,007
Class I	35,671	35,671

- SECTION 2.** The salaries fixed pursuant to Section 1 hereof for the Borough Tax Collector, CFO/Treasurer, Assessor, Judge, Engineer, Borough Clerk, Police Chief, Superintendent of Public Works and Court Administrator shall be in lieu of all fees which may be collected by said Officer or Employees and all said fees shall be turned over to the Borough Treasurer.
- SECTION 3.** The salaries and wages provided for in Section 1 hereof shall be payable bi-weekly unless otherwise ordered by resolution of the Mayor and Council.
- SECTION 4.** The within salaries shall be retroactive and take effect January 1.
- SECTION 5.** All ordinances or parts of ordinances inconsistent herewith shall be and they are hereby repealed.
- SECTION 6.** This ordinance shall take effect at the time and in the manner prescribed by law.

List correspondence concerning Ordinance 19-10. NONE

Does anyone present wish to be heard concerning Ordinance 19-10. NONE

A motion was made by Councilwoman Blumenstock, seconded by Council President Lazarow to close Public Hearing on Ordinance 19-10.

A motion was made by Councilman Graham, seconded by Councilman Ince to adopt Ordinance 19-10.

Discussion: NONE

Roll Call

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

6-AYE, 0-NAY, Ordinance 19-10 was adopted

**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 Councilman Graham, seconded by Councilman Benoit to introduce Ordinance 19-11.

Roll Call:

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

6-AYE, 0-NAY, Ordinance 19-11 was introduced.

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

**POLICE: Councilman Ince, Chr.**

Garwood rocks, our annual street fair and car show, will be held on Sunday June 2<sup>nd</sup>. As in years past there will be no parking on Center St or on the 300 block of Locust Ave from 7 am until 7 pm the day of the event. If you live on one of the streets that will be closed please park on another street or in the lot next to the Fire Department off of West Street prior to the event.

There is still space available for the Garwood Police Department Youth Academy. The academy is open to children entering 6<sup>th</sup> through 9<sup>th</sup> grade of the upcoming year. Applications are available at the police desk in headquarters and also online at [www.garwoodpd.org](http://www.garwoodpd.org). The deadline for applications is June 7, 2019

**PUBLIC HEALTH: Councilman Ince**

The most recent meeting was held on 05/15/2019 which I attended.

Some of the more recent Board of Health activities include the following:

- Provided immunization guidance to the Garwood YMCA preschool program.
- Vaccines for Adults Program continues to be offered – to be eligible, individuals must be uninsured. Interested persons should contact the Westfield Regional Health Department to determine whether a particular vaccine would be appropriate for them to receive.
- The Regional Chronic Disease Coalition of Middlesex and Union Counties met on March 28<sup>th</sup>.
- The Westfield Youth and Family Mental Health Commission met on March 27<sup>th</sup>.
- The Union County Opioid Taskforce meeting was held on March 18<sup>th</sup>.
- Overlook Medical Center sponsored the following events during April and May:
  - April 3<sup>rd</sup>: Alcohol & substance abuse education, BMI and glucose screenings held in Summit
  - April 11<sup>th</sup>: The same set of screenings were held at the Westfield YMCA
  - May 8<sup>th</sup>: Stroke awareness education held in Summit
  - May 16<sup>th</sup>: The same program was held at the Westfield YMCA

Note: This represents a sampling of extensive Board of Health programming.

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

In addition to regular garbage pickup, the DPW has been sprucing up the Borough and getting Garwood ready for Garwood Rocks. They've been busy planting in the flowers pots that line the center part of town, trimming trees and cutting grass at all Borough owned areas. In addition, the DPW is undertaking the task of cleaning and painting the underpass. They have begun the hard work of scraping away the peeling paint and once that is done, they will give it a fresh coat. The work on the underpass will take a few weeks to complete as it is a rather large undertaking.

I would also like to announce that our new street sweeper has arrived! There will be a soft roll-out during the month of June as the employees begin training on the new vehicle. It is our hope that come July or August the sweeper will be going out on a regular basis according to the schedule created last year and it will be on the streets thru October when leaf season begins. Please check the Garwood website and Facebook pages, as we will repost the sweeping schedule during the summer and please also sign-up for Nixle alerts as we will make a few alerts with the schedule as well. That's all for my report, Mayor.

**FIRE: Councilman McCormack, Chr.**

Thank you Mayor: The Fire Committee hereby approves the membership applications for: Jason Ryan of Garwood and Nicholas Diaz of Cranford. They have passed their physicals and background requirements. Also read Fire Chief Tweedle's activity report.

**FINANCE: Council President Lazarow, Chr. No Report**

**BUILDINGS AND GROUNDS: Councilman Graham No Report**

**LAWS AND LICENSES: Councilman Benoit No Report**

**RECREATION: Councilman Benoit**

Recreation Commission met on May 13<sup>th</sup> at the Rec Complex. They are working on getting the summer rec program running. There will be a parent's meeting for the summer program at Lincoln School on Wednesday June 5<sup>th</sup> at 7pm. In regards to the field trips, right now there are 7 field trips planned, and they will include roller skating, ceramics, the movies, and a trip to pump it up.

The Commission wants to look into finding an area at the field to put picnic tables and shade coverings, so that is something that they are looking into. And, they are also looking into trying to host a movie night at some point soon, as well as another kid's video game night.

Their next meeting will be on June 10<sup>th</sup> at 6pm at the Recreation Complex. Please don't forget to go on the Garwood Recreation Facebook page and hit like so that their events and news items will appear in your daily news feed

**GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Blumenstock No Report**

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

#### **ACTIVITIES:**

In May/June the Library will continue its ongoing programs including.

**Knitting Club** – Every Monday and Thursday at 10:30am **through June 6.**

**Book Clubs** – Monday afternoon and Thursday evening

**Kid's Chess** – Every Monday at 3:00pm **through June 10**

**Adult Craft** – Tuesday, **June 11 @ 6:00pm**

**Story Time** - Wednesdays at 10:30am, (Pipsqueak players on **June 5**)

**Kid's Craft** – Wednesday, **June 12, at 3:00pm**

**Lego Club** - Today and **June 13 at 3:00pm**

Tomorrow, **May 24 from 9am to 4pm**, a representative from the Union County Board of Elections will be on hand to **demonstrate the new voting machine** that will be used in the upcoming election.

On Sunday, **June 2 from 10:00am to 6 pm**, come visit the Library's booth at the **Garwood Rocks** street fair. Sign up for a card, learn about our programs, take away a kid's craft.

On Tuesday, **June 4**, the Library is a polling location for the primary election. The Library will be open but all programs are cancelled and seating will be limited.

On Thursday, **June 13 at 7:00pm**, **RB Express, a DOO WOP BAND** will be performing at the Library. Join us for a night of tight harmonies and rhythms of the early street corner groups. Limit 40, registration required.

On Friday, **June 14** the Summer Reading Program will begin. This year's theme is "A Universe of Stories" celebrating the 50<sup>th</sup> anniversary of man's first steps on the moon as well as stories and folk tales from around the world.

Also, on, **June 14 at 1 pm**, the Library will kickoff its Summer Reading Program with a school assembly featuring, magician, Doug Billingsley in an interactive, summer reading themed, magic show.

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 for Memorial Day, Monday, May 27<sup>th</sup>.

#### **SCHOOL BOARD LIAISON: Councilwoman Blumenstock**

At Tuesday's meeting there was a presentation by Gwen Thornton from the NJ School Boards Association about the strategic plan that the Garwood Board of Ed has been working on this past year. At three meetings in September, October and December, members of the board met with teachers, administrators and parents to come up with 4 goals and to delve deeper into each area to come up with some specific objectives and strategies. The 4 goals include curriculum/instruction, climate and culture, community outreach and engagement, and finance and facilities. Components of each goal have been given to the board which is now in the process of creating an action plan that they will implement and evaluate over the next 3-5 years. This action plan will provide a framework for the board's annual goals.

Also, during the meeting, Gina Petrozelli gave a presentation on the NJ School Performance Report. This report looks at the student growth percentile in grades 4-8 in ELA and 4-7 in Math. Overall Lincoln School met the standard in growth for most student groups in both ELA and Math. The only area Lincoln School did not meet the standard was in absenteeism, however, the school was only off by a small percentage and being that the school has such a small population with most of the absenteeism coming from the Pre-K, it is a tough statistic to accurately compare.

The Board also approved the use of the school bus and driver for the Summer Rec Program's trips and discussed that they may be looking to improve their by-laws as a part of their best practices. That's all for my report, Mayor.

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

The next upcoming event will be the Memorial Day Remembrance Service on Monday, May 27<sup>th</sup> at 12 noon at the Knights of Columbus. The guest speaker will be Major Paul Nieves. A Garwood resident who proudly serves our nation in the military.

At the last Celebrations meeting, they discussed all the upcoming events that they are starting to plan for. Since the Breakfast with the Easter Bunny was such a success, they want to hold a Breakfast with Santa Clause in December. Tentatively scheduled for December 15<sup>th</sup>.

For Halloween, Celebrations would like to have a Scarecrow contest. They are looking into having scarecrows attached to the lampposts in town. Families can sign up to create, design and build their own scarecrow to put up, and then there would be a contest for the best ones, and prizes would be handed out. I believe that Celebrations would like to do this instead of the pumpkin carving contest that was done in past years.

Celebrations is also considering engaging local businesses to do fall time window paintings. Apparently that was something done in years past, but at some point in time, it stopped. Celebrations is going to explore doing that.

Lastly, Celebrations also wants to look into the possibility of maybe having a Garwood Memorial Day Parade in future years.

Please remember to go on Facebook and like the Garwood Celebrations Facebook page so you can receive updates.

**HISTORICAL COMMITTEE: Councilman Graham**

He commented on Councilman Benoit's report concerning the Recreation Complex. He commented on a meeting with the girl scouts concerning the; Adopt a Pot Project.

**OFFICER'S REPORTS:**

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

A motion was made by Councilman McCormack, second by Council President Lazarow to accept Officer's reports. All in favor.

**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.

NONE

Motion was made by Councilman Benoit, seconded by Councilwoman Blumenstock to close public comment. All in favor

**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:

<b>PROPERTY OWNER/ADDRESS</b>	<b>BLK/LOT</b>	<b>AMOUNT</b>
Robert & Carole Williams 436 Pine Avenue Garwood, NJ 07027	602/20	\$343.95

**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 \$1,000 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 Councilwoman Blumenstock, seconded by Council President Lazarow to adopt Consent Agenda.

Roll Call:

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

6-AYE, 0-NAY, Consent Agenda was adopted as presented.

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

**RESOLUTION NO. 19-216**

**BE IT FURTHER RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Mayor to sign the Interlocal Contract for Cooperative Purchasing with the Huston-Galveston Area Council (H-GACBuy) for the purpose of purchasing equipment in the co-op, in accordance with the and terms set forth in the attached Contract attached hereto and made part hereof.

A motion was made by Councilwoman Blumenstock, seconded by Councilman Graham to adopt Resolution No. 19-216.

Roll Call:

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

6-AYE, 0-NAY, Resolution 19-216 was adopted.

**NEW BUSINESS:**

**PROCLAMATION:**

National Gun Violence Awareness Day (Wear Orange) Day

Mayor Todisco suggested council direct the preparation of a Bond Ordinance for the purchase of a ladder fire truck. Council unanimously directed Ms. Ariemma to prepare the Bond Ordinance.

**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 Councilman McCormack, seconded by Councilman Ince to adopt Payment of Claims Resolution.

Roll Call:

<b>Councilman Benoit</b>	<b>AYE</b>	<b>Councilman Ince</b>	<b>AYE</b>
<b>Councilwoman Blumenstock</b>	<b>AYE</b>	<b>Councilman McCormack</b>	<b>AYE</b>
<b>Councilman Graham</b>	<b>AYE</b>	<b>Council President Lazarow</b>	<b>AYE</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 Councilwoman Blumenstock, seconded by Council President Lazarow to adjourn. Time: 8:36 p.m.

Respectfully submitted:



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