

Borough of Garwood

Meeting of the Mayor and Council

AGENDA

June 26, 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 Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____

Mayor Lombardo requests a motion, followed by a second, to suspend the regular order of business for the purpose of discussion and appointment of the vacant council seat.

In accordance with MUNICIPAL VACANCY LAW, [N.J.S.A. 40A:16 et seq], the Republican Municipal Committee has submitted the following three names for consideration to fill the unexpired term to December 31, 2018:

- 1) Salvatore Piarulli
- 2) Michael Collings
- 3) Stephanie Bianco

Mayor Lombardo requests a nomination, followed by a second.

Discussion:

Roll Call:

Councilwoman Cuccaro	_____		
Councilman Lazarow	_____	Councilwoman Todisco	_____
Councilman McCormack	_____	Council President Blumenstock	_____

Newly appointed councilperson to be sworn in by the Municipal Clerk and take their seat on the dais.

Mayor Lombardo requests a motion to resume the regular order of business, followed by a second.

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on June 12, 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. 06/10/18, RE: Weekly Round-Up
 - ii. 06/13/18, RE: Urgent Alert
 - iii. 06/15/18, RE: Weekly Round-Up
- 2) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS –** 06/14/18, RE: Resolution 2018-543
- 3) **GARWOOD PLANNING BOARD –** 06/13/18, RE: Minutes of the meeting held on April 25, 2018

ORDINANCES:

INTRODUCTION:

Municipal Clerk to read Ordinance 18-17 by title only:

ORDINANCE NO. 18-17

ORDINANCE OF THE BOROUGH OF GARWOOD, COUNTY OF UNION, NEW JERSEY APPROVING THE APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT WITH SOUTH AVE II URBAN RENEWAL, LLC

A motion was made by _____, second by _____, to introduce Ordinance 18-17.

Roll Call:

Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____
Councilman McCormack	_____		

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: _____, Chr.

PUBLIC HEALTH: Councilwoman Cuccaro

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

HISTORICAL COMMITTEE: Councilwoman Todisco

PARKING COMMITTEE: VACANT

OFFICER'S REPORTS:

Municipal Court Administrator Lashonn Durant: monthly report for May 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. 18-136

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 2018 in the sum of \$8,307.27 which item is now available as a revenue from the STATE OF NEW JERSEY, SOLID WASTE ADMINISTRATION FY2018 CLEAN COMMUNITIES GRANT PROGRAM, in the amount of \$8,307.27.

BE IT FURTHER RESOLVED, that the sum of \$8,307.27 is hereby appropriated under the caption of "FY2018 CLEAN COMMUNITIES GRANT PROGRAM".

RESOLUTION NO. 18-137

A RESOLUTION URGING NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO 1) FUND THE STATE'S COST SHARE OF THE GEOTECHNICAL STUDY OF THE ORANGE RESERVOIR DAM, 2) THAT SUCH STUDY BE DONE EXPEDITIOUSLY, 3) TO AGREE TO A REGIONAL RIVER MAINTENANCE PLAN; AND URGES THE UNITED STATES

ARMY CORPS TO UNDERWRITE THE FIRST MAINTENANCE EFFORT IN 2018 UNDER NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GUIDELINES

WHEREAS, the United States Senate Committee on Environment and Public Works unanimously voted on May 22, 2018 to issue a report to the full chamber recommending that the bill S. 2800: America's Water Infrastructure Act of 2018 be considered further.

WHEREAS, the Borough of Garwood, a community in the Rahway River Watershed, has greatly appreciated the efforts and cooperation provided by the New Jersey Department of Environmental Protection and the U.S. Army Corps of Engineers addressing flood mitigation measures in the Watershed; and

WHEREAS, the Rahway River Flood Mitigation Project, also known as Alternative 4A, is now in the TSP approval stage in the United States Army Corps of Engineers' review process; and

WHEREAS, the Chief Engineer has introduced some questions which are now under review. Once such review is completed, a Chief Report and Construction Authorization are expected to be processed;

WHEREAS, the Mayor and Council of the Borough of Garwood hereby urges the New Jersey Department of Environmental (NJDEP) to fund the state's cost share of the Geotechnical Study of the Orange Reservoir Dam. Such study is expected to provide certainty that the Storage Project can be done without impacting the integrity of the dam; and

WHEREAS, the Mayor and Council of the Borough of Garwood hereby urges that the study be done expeditiously so that the Chief's Report can be completed so 1) that the Project can then be included in the 2018 Federal Water Resources Development Act reauthorization; and 2) preconstruction and engineering can begin; and

WHEREAS, the Mayor and Council of the Borough of Garwood urges the New Jersey Department of Environmental Protection to agree to a Regional River maintenance plan that will allow the Borough of Garwood and communities of the Rahway River Watershed to better maintain the River.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Council urges the United States Army Corps to fund the first maintenance effort in 2018 under New Jersey Department of Environmental Protection guidelines.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Phil Murphy, the U.S. Army Corps of Engineers, New York District Planning Division-Environmental Branch, to Congressman Leonard Lance, to the Commissioner of the New Jersey Department of Environmental Protection, to Senators Menendez and Booker, the Union County Board of Chosen Freeholders, and the Union County municipalities of Springfield, Union, Clark and Rahway, Kenilworth and Winfield

RESOLUTION NO. 18-138

BE IT RESOLVED, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that renewal Club Licenses be granted to the following, said Licenses to be effective July 1, 2018 and to terminate June 30, 2019.

2006-31-014-001 Columbian Club of Garwood-Cranford, Inc., t/a Garwood Knights of Columbus, for premises at 37-43 South Avenue, Garwood, New Jersey.

BE IT FURTHER RESOLVED, that the Municipal Clerk be and she is hereby directed to issue said license.

RESOLUTION NO. 18-139

BE IT RESOLVED, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that renewal Plenary Retail Consumption Licenses be granted to the following said Licenses to be effective July 1, 2018 and to terminate June 30, 2019.

2006-33-001-006 BPC Restaurant Management, LLC, a Limited Liability Co., t/a The Station Bar & Grill, for the premises at 95-99 Center Street, Garwood, New Jersey.

2006-33-004-003 The Garwood Rest, Inc., a Business Corporation of New Jersey, t/a Garwood Restaurant, for premises at 259 South Avenue, Garwood, New Jersey.

2006-32-006-005 Laxmee, LLC, a Limited Liability Co., t/a Dittrick's Wines and Liquors, for premises at 2 North Avenue, Garwood, New Jersey. (Broad Package Privilege)

2006-33-007-004 B & D Recreation, Inc., a Business Corporation of New Jersey, t/a Garwood Lanes, for premises at 346 North Avenue, Garwood, New Jersey.

2006-33-011-006 RUDY'S OF GARWOOD, LLC, a Limited Liability Co., t/a Rudy's Ristorante & Pizzeria, for premises at 300 South Avenue, Garwood, New Jersey.

2006-33-013-011 ROSEWINE, LLC, a Limited Liability Co., t/a Rosie's Wine Bar, for premises at 514 North Avenue, Garwood, New Jersey.

2006-33-009-007 WGAFFZ, INC., a Business Corporation of New Jersey, t/a The Crossroads, for premises at 78 North Avenue, Garwood, New Jersey.

2006-33-012-002 Westwood Lanes, Inc., a Business Corporation of New Jersey, t/a The Westwood, for premises at 438 North Avenue, Garwood, New Jersey.

BE IT RESOLVED that the Municipal Clerk be and she is hereby directed to issue said licenses.

RESOLUTION NO. 18-140

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, that renewal of Plenary Retail Distribution License be granted to the following, said License to be effective July 1, 2018 and to terminate June 30, 2019. 2006-44-002-004 L & J Wine & Liquors, Inc., a Business Corporation, t/a L & J Wines & Liquors, for premises at 109 Center Street, Garwood, New Jersey.

BE IT FURTHER RESOLVED, that the Municipal Clerk be and she is hereby directed to issue said license.

RESOLUTION NO. 18-141

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby hires Peter Picarelli as part-time Property Maintenance Officer in accordance with Chapter 5, Article VIII, of the code of the Borough of Garwood, effective June 26, 2018, at a salary of \$20.00 per hour.

BE IT FURTHER RESOLVED that he will be on probation for a period of one year.

RESOLUTION NO. 18-142

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD, COUNTY OF UNION, NEW JERSEY DESIGNATING A REDEVELOPER AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH SOUTH AVE II URBAN RENEWAL, LLC, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 et seq.

WHEREAS, pursuant to N.J.S.A. 40A:12A-4, the Borough of Garwood (the "Borough") has determined to act as the "Redevelopment Entity" (as such term is defined at N.J.S.A. 40A:12A-3) for the Redevelopment Area to exercise the powers contained in the Redevelopment Law; and

WHEREAS, the municipal council of the Borough ("Municipal Council") directed the Borough planning board ("Planning Board") to investigate whether that certain area of the Borough commonly known as Block 401, Lots 1- 5; and Block 403, Lots 1- 6 and 19-22, on the tax maps of the Borough, constitutes as an "area in need of redevelopment" as defined in the Redevelopment Law ("Study Area"); and

WHEREAS, on May 27, 2015, the Planning Board conducted an investigation and prepared a study and map of the boundaries of the Borough and made a recommendation to the Municipal Council to designate the Study Area as an area in need of redevelopment; and

WHEREAS, based upon the recommendation of the Planning Board, the Municipal Council on September 13, 2016 adopted a resolution to designate the Study Area as an "area in need of redevelopment" ("Redevelopment Area") in accordance with the Redevelopment Law; and

WHEREAS, on December 26, 2017 by Ordinance 17-30, the Borough Council adopted the South Avenue Area II Redevelopment Plan (the "Redevelopment Plan"), as it pertains to Block 403, Lots 1- 6 and 19-22 on the tax maps of the Borough, as later amended by Ordinance 18-12 on May 8, 2018 by Borough Council, following review and recommendation by the Planning Board on March 15, 2018; and

WHEREAS, South Ave II Urban Renewal, LLC (the "Redeveloper") desires to be designated as the "redeveloper" (as such term is defined in the Redevelopment Law) to implement and complete the redevelopment of the Redevelopment Area to consist of a three (3) story, residential structure with a maximum of 73 residential units, with 62 market rate units consisting of approximately eight (8) studio units, thirty (30) one-bedroom units, eighteen (18) two-bedroom units, and five (5) three-bedroom units and 11 COAH units consisting of two (2) one-bedroom units, six (6) two-bedroom units, and three (3) three-bedroom units; (ii) approximately 116 covered parking spaces and 18 exterior parking spaces dedicated for residents, and an additional 22 spaces reserved for Borough use (which includes 8 spaces on Borough owned property) (the "Project"); and

WHEREAS, the Borough has determined that the Redeveloper meets all necessary criteria, including financial capabilities, experience, and expertise to implement and complete the rehabilitation of the Project in accordance with the Redevelopment Plan and all other applicable laws, ordinances and regulations; and

WHEREAS, the Borough and Redeveloper have negotiated the terms and conditions of a redevelopment agreement governing the Project (the "Redevelopment Agreement"); and

WHEREAS, the Borough has determined the Project to be in the vital and best interests of the Borough, and that it promotes the health, safety, and welfare of the Borough's residents; and

WHEREAS, the Borough desires to designate the Redeveloper as the redeveloper of the Project and to authorize the execution of the Redevelopment Agreement.

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough Council hereby authorizes the execution of a redevelopment agreement with the Redeveloper in substantially the form attached hereto as Exhibit A and by this reference incorporated herein.

3. The Mayor is authorized to execute the Redevelopment Agreement with the Redeveloper in substantially the same form as the Redevelopment Agreement attached hereto, with such additions, deletions and modifications as the Mayor may determine necessary upon consultation with counsel and the Redeveloper.
4. South Ave II Urban Renewal, LLC, is hereby designated as the redeveloper of the Project, subject to the execution of the Redevelopment Agreement.
5. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
6. A copy of this Resolution shall be filed and available for public inspection at the in the offices of the Township.
7. This Resolution shall take effect immediately.

RESOLUTION NO. 18-143

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey that David D. Perrotta be and is hereby appointed to the position of Lieutenant of the Garwood Police Department in the Borough of Garwood, effective June 27, 2018, at an annual salary of \$104,141.00, in accordance with the current PBA contract.

RESOLUTION NO. 18-144

WHEREAS, the Superintendent of Public Works solicited quotes from vendors for the supply and installation of 5,950 sq. ft. of certified playground mulch, 8 inch in dept. Quotes were received as follows:

Vendor	Price
Park Builders LLC	\$7,500
Boyce Associates	\$11,626.00
Whirl Construction, Inc.	\$12,637.50

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

CONTRACTOR: Park Builder LLC
 8 Evergreen Court
 Jackson, NJ 08527

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

Roll Call:

Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____
Councilman McCormack	_____		

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

A motion was made by _____, second by _____.

Discussion:

Roll Call:

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

NEW BUSINESS:

PAYMENT OF CLAIMS:

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

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

Roll Call:

Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____
Councilman McCormack	_____		

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, JULY 10, 2018**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

THERE WILL BE A PUBLIC HEARING IN COUNCIL CHAMBERS, ON ORDINANCE NO. 18-17, ON TUESDAY, JULY 10, 2018, AT 7:15 P.M. OR SOON THERE AFTER

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