

**Borough of Garwood Workshop Meeting of
The Mayor and Council
WORKSHOP
MINUTES
July 10, 2018**

Start Time: 7:00 p.m.

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).

Mayor Lombardo	P		
Councilwoman Bianco	P	Councilman McCormack	P
Councilwoman Cuccaro	P	Councilwoman Todisco	P
Councilman Lazarow	P	Council President Blumenstock	P

Also, present: Borough Administrator/Clerk Christina M Ariemma and Borough Attorney Robert Renaud

Acknowledgement of Adeline Calderone's 102nd birthday

Swearing in of David Perrotta as Lieutenant of the Garwood Police Department

Borough Engineer, Michael Disko – Provided a report on 2017 and 2018 DOT. There is \$252,000 in construction and engineering costs. There was discussion regarding the 430 Union Avenue sink hole. Ms. Ariemma was directed to prepare a bond for 2018 DOT and 430 Union Avenue. Councilwoman Todisco mentioned bidding curbs as an alternate. Brief discussion followed.

Borough Attorney Robert Renaud – Mentioned the Planning Board memo concerning fence ordinance. After brief discussion, Mr. Renaud was directed to prepare the fence ordinance.

Administrator/Clerk Christina M Ariemma – NONE

UNFINISHED BUSINESS – NONE

NEW BUSINESS

Mayor Lombardo - On Thursday June 28, I reached out to Chris Minks, General Counsel for Russo Projects and I asked him for a monthly update of the Russo One project. He responded as follows: As the demolition was put on hold since the Town Hall Meeting, pending the conclusion of the school year as agreed, we have had to coordinate mobilization and we anticipate demolition be starting soon, upon issuance of final permits. A monthly Status Report is premature at this point. If required, it would simply state: Developer has proceeded with applications to secure necessary permits to commence demolition and anticipates starting shortly, pursuant to Notices of Demolition circulated to the adjacent property owners and the Borough on June 14, 2018.

Mayor's Saturday in July will be held on July 21 at 11:00 A.M. at Borough Hall. I have invited Councilwoman Bianco to join me. Please stop by to discuss your concerns or just stop by and chat with us. This will be a great opportunity to meet our newly appointed Councilperson.

As discussed at the last meeting, I am appointing Councilwoman Bianco to be the Police Commissioner, Chairman of the Parking Committee, Member of the Buildings and Grounds Committee, and Garwood's representative to the Union County Transportation Advisory Board.

Comments or matters for discussion from members of Council:

Councilwoman Bianco – Expressed she is thankful and honored to be sitting on council and looks forward to serving the residents of the Borough of Garwood.

Council President Blumenstock - Just a couple of things that I wanted to address that I know will come up tonight. First about the Public Works shared service agreement with Fanwood, which is on the agenda tonight. Councilwoman Cuccaro wrote a letter to the whole Council asking to discuss further the agreement in an executive session, which of course I have no problem with. We have had executive sessions on this, where there were questions asked and answered and we have discussed it front of the public on this dais several times. We even looked into other possible opportunities for shared service in Roselle Park and Councilman Sarno, Councilwoman Todisco and I even met with their administrators and Councilman Sarno reported back that at this juncture a deal with them wasn't right for Garwood. But I have no problem with

any further discussion in either executive session or on the dais. I want everyone to feel comfortable with their decision. And I'm hopeful that this vote doesn't come down along party lines. This was passed with bipartisan support when originally put forth 3 years ago. This is not a partisan issue. This is a Garwood issue. I think in the past there's been an association that one side is for the shared service and one side is against. But I hope we can all now see the benefits that this shared-service has had for Garwood, with equipment sharing and cost savings. And yes, those savings were then put forth for other things, which is all a part of the budget. In the end, the savings gets passed on to the taxpayer, as I think we've seen as the tax rate has decreased over the past few years, culminating with the zero municipal tax increase this year. Shared services help small towns like Garwood operate efficiently, which is why we take part in numerous agreements like this one, to the benefit of all Garwood taxpayers.

Another issue I wanted to talk about is Hartman Park, because again, Councilwoman Cuccaro addressed this topic in her letter to the Council. Councilwoman, you seemed dismayed about what you called a lack of transparency with the project. But I believe the many lengthy conversations had about Hartman on the dais, both contentious or not, attest to the fact that everything about the project is out in the open. The buildings and ground committee, which unfortunately has just two of us on it now since Councilman Sarno's resignation, but I'm sure will soon have 3, brought everything to the council from the beginning conception until now; and I know Councilman Lazarow has even more updates tonight. Councilwoman Cuccaro you also seemed offended at the fact that the DPW has helped with the park. I assure you and the public that the Department of Public Works was in on the meetings about Hartman from the very beginning, as they rightly should be. Anytime a municipality undergoes a project like this, the Department of Public Works is a vital piece of the puzzle. They even offered to work in time to dismantle the old equipment into their schedule. And they will be, as has been said before, an important part of maintaining the park going forward, something that they've always done before, but that with specific guidelines and more communication implemented I'm sure will go even further to keeping the equipment long-lasting. In terms of having a dumpster remove the packaging left from the new equipment, which Councilwoman you questioned in your letter, the borough and public works ordered the dumpster, removed the packaging and had the dumpster removed. This is part and parcel with having this new project. It was done by the public works just as when they have to order new signs or tools or perform a project like pothole repair, this is all goes on without it necessarily being reported Council. The reason we very much appreciate our DPW and take every chance we can to let them know that, is because the maintenance of our town goes very much beyond garbage. Any time questions come up about a project that a specific committee has overseen, I urge all Councilmembers to get in touch with that committee; I think it's important that we don't necessitate a further divide up here. Obviously there have been opposing opinions about whether Garwood should have redone Hartman Park and I respect that. Now here we are, with the project almost at an end. We have a revitalized park for the first time in 30 years that is more inclusive at a cost of less than \$3 per home each year for ten years. I hope that on future endeavors we can continue to have open dialogues and work productively together.

Councilwoman Cuccaro – I would first like to say that we were very upset about the PB appointment. It was not on the agenda so we were not aware that it was being brought up. We did speak to the attorney and even though what happened was legal.

I don't feel like it was ethical or honorable. It seems to me that the GOP members of council seem to be omitted from the loop and are not aware of what is transpiring till it is almost ready to be voted on. As I have said in the past this is not a one person or one party council. I don't know why this is happening but I have seen this as a pattern for over 2 years.

We certainly would have had a nominee for this position and would have voted unanimously to appoint Councilman McCormack who by far has the most experience as he is in construction field. But you took this out of our hands. We would like the previous vote rescinded.

We have also received the PB recommendation about the corner property fence ordinance and they voted 6-3 to leave the ordinance "as is" The 3 votes gives me hope that we can vote on this and pass it with the 3 foot setback and finally get this off our plate for the people of Garwood that have corner properties, this has been going on way to long. So I would like to move this forward for a vote from the council.

Bob Renaud sent us 2 recommendations for ordinances that I believe we can move to laws and license and start working on that as well.

I would like an update on the netting to prevent balls hitting private residences at the little league field. This was brought up before, as a complaint from a homeowner and it was I thought moving forward at that point. I just was checking the status as the homeowner contacted me again to check on it.

Also as the shared service agreement with Fanwood is on the agenda. We would like the superintendent to come to our next council meeting to answer questions before we make a final decision. I did send e-mail to council over a week ago requesting his presence at this meeting but was not aware that he was going to be away till the 11th.

The updated contract does seem to be sparse in information concerning the agreement. We need clarification.

I see that Mrs. Calderone is here this evening and I would like to congratulate her on this huge milestone. We should all be this blessed.

Councilman Lazarow – At the last meeting there was a lot of debate about the mulch installation and I feel like the Hartman project got painted in a negative way -- that spending was somehow out of control. I want to clarify the financial details so that there is a fair decision being made on the merits of the issue. Essentially the only extra cost incurred in this project has been what amounts to about \$5,000 for the installation. The cost of the mulch was incorporated into the original quote. Now of course, every dollar counts, and I'm not dismissing that cost at all, but the bottom line is that this project has been effectively completed and stayed within the budget. We overestimated the cost when planning the bond ordinance at the advice of our professionals and given that, aside from that mulch installation cost, we have not come across anything unforeseen and are left with more than \$40,000 left in the bond. Now, we could let that amount lie there until the bond expires, but rather than do that I would like to propose that Council uses some of that money to revitalize the basketball court. Since the early stages, our vision was to be financially conservative with the plan, which is the reason why repaving the court was not in the original plan. We wanted to make sure that nothing would come up within the equipment update that would force us to expend any further funds from the bond. In fact, this was clear that the basketball court would be considered as there was a sports court quote included in the original proposal for Hartman park about a year ago. However, out of an abundance of caution, we decided to address the court at a later date and no one suggested otherwise. Given that the court most likely would have to be done at some point in the near future, and now that the equipment revitalization is done and there are further funds left in the bond, I urge my fellow councilmembers to support Resolution 18-148 and let's ask our engineer to go out for bid to see if any proposals come back that fit our needs within the bond we voted to pass in December.

Also, in response to Councilwoman Cuccaro's letter:

You said, "It seems to us that you are using the DPW as personal servants for your agenda" If by agenda, you are talking about the completion and maintenance of the park, which are duties outlined in the DPW contract, Who better to take care of our parks than our DPW workers who take pride and expressed a desire to be involved in the Hartman Park project.

You also stated, "This is all being done in the guise of saving money, saying that we are paying them anyway, this is just not done and will not be tolerated. We will not allow this continued over reach of your positions on your select committees working behind the scenes and leaving the GOP members out of the loop. You have all forgotten your place as elected officials."

This paragraph implies that there is some nefarious covert operation going on in having our DPW workers work on helping with the demolition of Hartman Park, which was explained multiple times in reports. My only goal was to complete Hartman Park in an efficient, budget friendly way that gives children, especially special needs children, an opportunity to play on equipment designed for them. So, if my agenda it to provide opportunities for families, children, and our school to benefit from the park, then I am guilty as charged.

Councilman McCormack – commented on comments made by Councilman Lazarow. He asked about the batting cages at the baseball league. Councilman Lazarow responded on the cages and netting. Councilman McCormack commented on receiving contracts on projects.

Councilwoman Todisco – I would like to thank the whole Council for supporting the resolution at the last meeting advocating for flood mitigation efforts in our area. Interestingly, a representative from Senator Cory Booker's office actually called Borough Hall to let us know they received the resolution and that they appreciated it.

At the end of last month, a news story broke about what the NJ Economic and Fiscal Policy Working Group panel commissioned by the State Senate has been working on and it created a firestorm about a few of the nearly 60 points in their draft, which included a proposal to mandate consolidation of towns with populations under 5,000. This is not a new idea in New Jersey as it has been tossed around for more than ten years, but it has raised alarm and concern with many, especially to those in small towns, like ourselves. Back in 2008, when this was discussed under the Corzine Administration, it would even include towns under 10,000. I think it is important that we as a Borough Council send a message to our state representatives that we strongly oppose any such mandate. In addition to the small town charm we all know and love from living here, town size does not correlate to efficiency. Just because a town is bigger does not mean it is more efficient. This has been concluded in multiple studies, including one in 2009 by the Local Unit Alignment, Reorganization, and Consolidation Commission as well as Rutgers study in 2014. I've contacted the League of Municipalities to help me draft a resolution that opposes mandatory consolidation as proposed by this panel. They have given me one used in Pennsylvania so far, but are continuing to look for examples from NJ and have offered me continued help. I hope we can all come together on this issue, like we did on flood control, and pass a resolution voicing our strong opposition to forced mergers at our next meeting.

As the Mayor mentioned, there will be a town hall meeting this Thursday, July 12th at 7pm at Lincoln School by the owner of the North Avenue Paperboard site that is slated for redevelopment. I noticed just today that the construction fence is going up along the property and I am pleased that we will be having this meeting in two days to have the developer provide information and answer resident questions directly. Many people have shared with me that they prefer these informal town hall style meetings that focus on one major topic like this one will, just like the ones about the South Avenue redevelopment have done in the past.

It was exciting to join the Planning Board as the Council Representative and to attend my first meeting with them on June 27th. The Board had a very lengthy discussion of the proposed ordinance on fences on corner lots referred to them by the Council and a memo has been sent to the entire Mayor and Council about the Board's recommendation. Basically, in a 6 to 3 vote, the Planning Board recommended the ordinance be changed to explicitly state the distance the 6 foot fences would be from property lines. The majority supported 5 feet from the property line, which is generally 2 feet from a sidewalk, if there is a sidewalk. The three minority votes preferred 3 feet from the property line. As we already know, this only permits a 6 foot fence in the sideline of the rear yard of the property, as to no create barriers to drivers' vision as they turn the corner. Now, it is up to the Council to decide what path it prefers to move forward with an ordinance on fences for corner lots.

Also, the Council has been sent a memo from the Planning Board that suggests the Council discuss the ownership of the one small lot and possible purchase of this by the applicant, South Avenue Urban Renewal, LLC. How should we proceed with this item?

The fence ordinance was discussed at length. Mr. Renaud was directed to prepare the fence ordinance at 3 feet.

PUBLIC COMMENT:

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

Al DelConte, 545 Locust Avenue commented on road work being performed by utility companies. Discussion followed, including forcing utility companies to provide or pay for municipal supervision/representation.

Bruce Paterson, 325 Willow Avenue commented on performance and maintenance bonds and if work is inspected prior to the bond expiring. Mr. Disko responded. Mr. Paterson commented on the Shared Service Agreement with Fanwood and the savings realized.

Councilman Lazarow commented on the transparency concerning Hartman Park Project.

At 8:11 p.m. motion by Council President Blumenstock, second by Councilwoman Cuccaro to enter Executive Session.

RESOLUTION NO. 18-144A

CLOSED SESSION RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING CONTRACT NEGOTIATIONS CONCERNING SHARED SERVICE AGREEMENT WITH THE BOROUGH OF FANWOOD, AND MATTERS OF ATTORNEY-CLIENT PRIVILEGE RELATING TO THE ABOVE AND IN ACCORDANCE WITH N.J.S.A., 10:4-12, Closed session, Meetings open to public; exclusion of public; subject of matter.

WHEREAS, it is necessary for the Mayor and Council of the Borough of Garwood to conduct an executive session closed to the public in order to discuss the above listed matters.

NOW THEREFORE BE IT RESOLVED that the Council of the Borough of Garwood hereby move to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., for the purpose of discussing the subjects stated above; and

BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

Roll Call:

Councilwoman Bianco	AYE	Councilman McCormack	AYE
Councilwoman Cuccaro	AYE	Councilwoman Todisco	AYE
Councilman Lazarow	AYE	Council President Blumenstock	AYE

ADJOURNMENT:

Motion by Council President Blumenstock, Second by Councilman Lazarow to adjourn
Time: 8:38 p.m.

Respectfully submitted:



CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood