

Borough of Garwood Meeting of the Mayor and Council

AGENDA

September 12, 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	_____	Councilman Ince	_____
Councilwoman Blumenstock	_____	Councilman McCormack	_____
Councilman Graham	_____	Council President Lazarow	_____

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on August 22, 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. 08/23/19, RE: DCA Considers Minor Work Changes, Weekly Round-Up for August 19 - 23, 2019
 - ii. 08/26/19, RE: Daily Update.
 - iii. 08/29/19, RE: Daily Update.
 - iv. 09/03/19, RE: Tax Incentive Programs, Weekly Round-Up, August 26 - 30, 2019.
 - v. 09/05/19, RE: 2019 League Conference Resolutions, Daily Update for September 4, 2019.
 - vi. 09/06/19, RE: SHBP Recommended 2020 Rates Decrease: Weekly Round-Up, September 3 – 6.
- 2) **UNION COUNTY BOARD OF CHOSEN** - 08/28/19, RE: Ordinance 809-2019.
- 3) **TOWN OF WESTFIELD** – 08/21/2019, RE: General Ordinances.
- 4) **TOWNSHIP OF CRANFORD** – 08/21/2019, RE: Resolution No. 2019-290.
- 5) **TOWNSHIP OF CRANFORD** – 09/03/19, RE: Notice of Public Hearing on Proposed Reexamination Report.

6) **GARWOOD PLANNING BOARD** – 09/03/19, RE: Minutes of the meeting held 07/22/2019

ORDINANCES:

Public Hearing on Ordinance 19-17 and 19-18, as advertised in the Westfield Leader

ADOPTION:

Municipal Clerk to read Ordinance 19- by title only:

ORDINANCE NO. 19-17

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD,
COUNTY OF UNION, NEW JERSEY ADOPTING AN AMENDMENT TO CERTAIN
PROVISIONS OF THE BOROUGH CODE RELATED TO PARKING ON SOUTH AVENUE**

List correspondence concerning Ordinance 19-17.

Does anyone present wish to be heard concerning Ordinance 19-17.

A motion was made by _____, second by _____ to close Public Hearing on Ordinance 19-17.

A motion was made by _____, second by _____ to adopt Ordinance 19-17.

Discussion:

Roll Call:

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

Municipal Clerk to read Ordinance 19-18 by title only:

ORDINANCE NO. 19-18

**ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD,
COUNTY OF UNION, NEW JERSEY ADOPTING AN AMENDMENT TO CERTAIN
PROVISIONS OF THE REVISED ORDINANCES OF THE BOROUGH OF GARWOOD,
NEW JERSEY 1974, RELATED TO ANIMAL INFESTATIONS.**

List correspondence concerning Ordinance 19-18.

Does anyone present wish to be heard concerning Ordinance 19-18.

A motion was made by _____, second by _____ to close Public Hearing on Ordinance 19-18.

A motion was made by _____, second by _____ to adopt Ordinance 19-18.

Discussion:

Roll Call:

Councilman Benoit	_____	Councilman Ince	_____
Councilwoman Blumenstock	_____	Councilman McCormack	_____

Councilman Graham _____

Council President Lazarow _____

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: report for the month of July 2019.

Len DiStefano, Zoning Code Enforcement Officer: report for August 2019.

Judy Mack, Property Maintenance Officer: report for the month of August 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. 19-254

WHEREAS, on August 28, 2019, the Borough Administrator/Clerk received correspondence dated August 28, 2019, from Joseph W. Ostrander advising that he is resigning from his employment with the Borough of Garwood; and

WHEREAS, Mr. Ostrander has advised that his resignation shall be effective immediately on September 15, 2019; and

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

- 1) The Borough of Garwood hereby accepts and relies upon the August 28, 2019 letter of resignation from Joseph W. Ostrander.
- 2) Effective September 15, 2019, Joseph W. Ostrander shall have resigned from his position as Police Officer with the Borough of Garwood.
- 3) This resolution puts the Police Chief on notice to immediately process this resignation and to commence a search for a candidate to fill the position of Police Officer.
- 4) This resolution shall take effect immediately.

RESOLUTION NO. 19-255

WHEREAS, on August 29, 2019, the Borough Administrator/Clerk received correspondence from Paulette Drogon dated August 29, 2019, advising that she will be retiring from the Borough of Garwood; and

WHEREAS, Mrs. Drogon has advised that her retirement shall be effective September 30, 2019; and

WHEREAS, the State of New Jersey, Division of Pensions and Benefits requires the Finance Department to certify the employment for Mrs. Drogon in order to process the September 30, 2019 retirement; and

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

- 1) The Borough of Garwood hereby accepts and relies upon the August 29, 2019 notice of retirement from Paulette Drogon seeking to retire from the Borough of Garwood.
- 2) Effective September 30, 2019, Paulette Drogon shall be retired from her position as Senior Citizen Director in the Borough of Garwood.
- 3) This resolution puts the Administrator/Clerk and CFO on notice to immediately process any and all requests from the State of New Jersey, Division of Pensions and Benefits regarding the retirement of Mrs. Drogon.
- 4) This resolution shall take effect immediately.

RESOLUTION NO. 19-256

WHEREAS, *N.J.S.A. 40A:5-4* requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of *N.J.S.40A:5-6*, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per *R.S. 52:27BB-34*; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations; and

as evidence by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the member of the local governing body to the penalty provisions of *R.S. 52:27BB-52* - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the governing body of the Borough of Garwood, County of Union, State of New Jersey, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 19-257

RESOLUTION AUTHORIZING THE BOROUGH OF GARWOOD THROUGH THE GARWOOD POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE 1033 PROGRAM TO ENABLE THE GARWOOD POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT.

WHEREAS, the United State Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement; and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting law enforcement agency; and

WHEREAS, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood, County of Union that the Garwood Police Department is hereby authorized to enroll in the 1033 Program for a one-year period from September 13, 2019 to September 12, 2020; and

BE IT FURTHER RESOLVED that the Garwood Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the next twelve months, based on the needs of the Garwood Police Department, without restrictions; and

BE IT FURTHER RESOLVED that the Garwood Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the next six months: utility trucks; and

BE IT FURTHER RESOLVED that the Chief of the Garwood Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Garwood Police Department shall provide a quarterly accounting of all property obtained through the 1033 program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property that may be made available through the 1033 Program until September 12, 2020 and requests to acquire "DEMIL B through Q" property that may be made available through the 1033 Program until March 12, 2020.

RESOLUTION NO. 19-258

WHEREAS, since 2006 the Borough has received funding via Community Development Block Grant (CDBG) for a program known as the Senior Citizen Handyman Program which covered the salary for an employee to perform certain home repairs to qualifying seniors in the borough; and

WHEREAS, the CDBG program is a federally funded program that has realized massive cuts for the 2019/2020 grant cycle resulting the Senior Citizen Handyman Program being completely eliminated by the County of Union.

THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Garwood County of Union, State of New Jersey, hereby terminate the employment of Richard Holler as Part-time Senior Citizen Handyman in the Borough of Garwood effective September 12, 2019.

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

Roll Call:

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

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

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:

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

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **THURSDAY, SEPTEMBER 26, 2019**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

A motion was made by _____ second by _____ to adjourn. Time: _____