

Borough of Garwood Meeting of the Mayor and Council

MINUTES

September 25, 2018

Start Time: 7:27 p.m.
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 | P | | |
| Councilwoman Bianco | P | Councilman McCormack | P |
| Councilwoman Cuccaro | ABSENT | Councilwoman Todisco | P |
| Councilman Lazarow | P | Council President Blumenstock | ABSENT |

Also present Borough Administrator/Municipal Clerk Christina M. Ariemma and Borough Attorney Robert F. Renaud.

MINUTES:

Regular, Workshop and Executive Minutes of the Mayor and Council held on September 11, 2018.

A motion was made by Councilman Lazarow, seconded by Councilwoman Todisco to accept minutes as presented.

COMMUNICATIONS:

- 1) NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –
 - a. Mayor's Advisory –
 - i. 09/11/18, RE: Daily Update
 - ii. 09/12/18, RE: URGENT ALERT
 - iii. 09/12/18, RE: Daily Update
 - iv. 09/14/18, RE: Weekly Round-Up
 - v. 09/17/18, RE: Daily Update
 - vi. 09/20/18, RE: Daily Update
- 2) UNION COUNTY BOARD OF CHOSEN FREEHOLDERS – 09/18/18, RE: Ordinances 795-2018, 796-2018 and 797-2018
- 3) RAHWAY VALLEY SEWERAGE AUTHORITY – 09/21/18, RE: Minutes of the meeting held on August 16, 2018
- 4) GARWOOD RECREATION COMMISSION – 09/11/18, RE: Minutes of the meeting held on June 18, 2018

ALL RECEIVED AND FILED

ORDINANCES:

Public Hearing on Ordinance 18-25 as advertised in the Westfield Leader.

ADOPTION:

Municipal Clerk read Ordinance 18-25 by title only:

ORDINANCE NO. 18-25

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 GARWOOD PAPERBOARD URBAN RENEWAL ASSOCIATES, LLC

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended from time to time (the "Redevelopment Law"), provides a process for municipalities, such as the Borough of Garwood (the "Borough"), to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Borough Council of the Borough ("Borough Council") directed the Borough planning board ("Planning Board") to investigate whether that certain area of the Borough commonly known as Block 211, Lot 6, 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 September 24, 2013, the Planning Board conducted an investigation and prepared a study and map of the boundaries of the Borough and made a recommendation to the Borough Council to designate the Study Area as an area in need of redevelopment; and

WHEREAS, based upon the recommendation of the Planning Board, the Borough Council on October 13, 2015, 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 August 28, 2018 by Ordinance No. 18-20, the Borough Council adopted the 'Garwood Paperboard Redevelopment Plan – Block 211, Lot 6 – 75 North Avenue' (the "**Redevelopment Plan**"); and

WHEREAS, pursuant to the Redevelopment Law, specifically *N.J.S.A. 40A:12A-4*, the Borough is designated as the Redevelopment Entity as such term is defined at *N.J.S.A. 40A:12A-3*, for the Redevelopment Area, with full authority to exercise the powers contained in the Redevelopment Law to facilitate and implement the development of the Redevelopment Area; and

WHEREAS, Garwood Paperboard Urban Renewal Associates, LLC (the "**Entity**"), is the owner of the property comprising the Block 211, Lot 6 on the tax maps of the Borough, and will construct a four (4) story, residential structure with a maximum of 124 residential units, with 112 market rate units consisting of approximately twenty-eight (28) one-bedroom units, but not to exceed 21% of all units, and eighty-four (84) two-bedroom units, but not to exceed 79% of all units, and eighteen (18) COAH units consisting of two (2) one-bedroom units, twelve (12) two-bedroom units, and four (4) three-bedroom units; (ii) approximately 286 surface parking spaces dedicated for residents, and an additional twenty-seven (27) spaces reserved parking in support of the Project's amenities; (iii) 12,500 square feet of amenity space inclusive of 4,000 square feet dedicated to the Borough and 4,200 square feet of green space/courtyard area attached to the amenity space (the "**Project**"); and

WHEREAS, the Project will conform to all applicable municipal zoning ordinances as amended by the Redevelopment Plan and will be in conformance with the master plan of the Borough; and

WHEREAS, the Entity filed (1) the application attached hereto as Exhibit A (the "**Application**") seeking a tax exemption and approval of an urban renewal project and (2) a form of Financial Agreement (the "**Financial Agreement**"), pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the "**LTTE Law**"); and

WHEREAS, the Borough has made the following findings:

1. The Project Site is currently not developed to its maximum potential. The annual real estate taxes currently generated by the under-utilized Project Site are approximately \$97,887.00. In contrast, the estimated Annual Service Charge (as defined in the Financial Agreement), to be generated upon completion of the Project would pay an annual service charge of approximately \$314,070.00 in Year 1. Upon expiration of the exemption, the Project will be fully assessed and conventionally taxed;

2. In light of market conditions and other factors currently impacting investment risk, it is not financially feasible to undertake the development of the Project in the absence of the tax exemption provided by this Agreement;

3. Given the scale of the Project and the risks associated with new construction development, without the exemption, the Entity would likely not have developed the Project in New Jersey; and

4. The Project is consistent with the Redevelopment Plan, will further its objectives, and will contribute to the economic growth of the Borough.

WHEREAS, pursuant to authorization provided by the Borough Council resolution adopted on September 25, 2018 the Borough and the Entity entered into a redevelopment agreement for the development of the Project (the "**Redevelopment Agreement**"); and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the Borough seeks to enter into the Financial Agreement in the form attached hereto as Exhibit B which shall govern the terms of the tax exemption for the Project and the Annual Service Charge to be paid to the Borough in lieu of conventional taxation; and

WHEREAS, the Borough Council has determined that the Project represents an undertaking permitted by the LTTE Law, and has further determined that the Project is an improvement made for the purposes of clearance, replanning, development or redevelopment of an area in need of redevelopment within the Borough, as authorized by the LTTE Law; and

WHEREAS, the Mayor has submitted the Application and Financial Agreement to the Municipal Council with his recommendation for approval (the "**Mayor's Recommendation**"), a copy of which recommendation is on file with the Borough Clerk.

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

1. An exemption from taxation as set forth in the Application is hereby granted to the Entity, with respect to the Project on the Project Site for the term set forth in the Financial Agreement; provided that in no event shall the tax exemption exceed the earlier of (i) thirty-five (35) years from the date of execution of the Financial Agreement or (ii) to the extent permitted by *N.J.S.A. 40A:20-12*, thirty (30) years from the Entity's receipt of a Certificate of Occupancy for the Project or phase thereof and only so long as the Entity remains subject to and complies with the Financial Agreement and the LTTE Law and any other agreement related to the Project or the Project Site; and provided further, that in no event shall the Annual Service Charge, for every year the property tax exemption is in effect, be less than the total taxes levied against the Project Site in the last full tax year it was subject to taxation.

2. The Mayor and/or the Mayor's designee, in consultation with counsel to the Borough, are hereby authorized to execute and/or amend, modify or make such necessary changes to the Application, the Mayor's Recommendation, the Financial Agreement and any other agreements or documents necessary to effectuate this ordinance and the Financial Agreement.

3. The executed copy of the Financial Agreement and this ordinance shall be certified by the Borough Clerk and filed with the Tax Assessor for the Borough and the Director of the Division of Local Government Services.

4. The Project shall conform to all federal and state law and ordinances and regulations of the Borough relating to its construction and use, including the Redevelopment Plan.

5. The Entity shall, in the operation of the Project, comply with all laws so that no person because of race, religious principles, color, national origin or ancestry, will be subject to discrimination.

6. The Entity shall, from the time the Annual Service Charge becomes effective, pay the Annual Service Charge as set forth in the Financial Agreement.

7. The following occurrences are express conditions to the grant of this tax exemption, to be performed by the Entity:

(a) The Entity shall not, without prior consent of the Borough as set forth in the Financial Agreement, convey, mortgage or transfer all or any part of the Project which would sever, disconnect or divide the improvements being tax exempted under the Financial Agreement from the land underlying the exempted improvements.

(b) The Entity shall complete the Project within the timeframes set forth in the Redevelopment Agreement.

8. This ordinance shall take effect in accordance with all applicable laws.

EXHIBIT A

Application for Long Term Tax Exemption

EXHIBIT B

Financial Agreement

List correspondence concerning Ordinance 18-25. NONE

Does anyone present wish to be heard concerning Ordinance 18-25.

Bruce Paterson, 325 Willow Avenue commented on the Ordinance and Mr. Northgrave provided information. Ms. Edwards also provided information.

A motion was made by Councilwoman Todisco, seconded by Councilman Lazarow to close Public Hearing on Ordinance 18-25.

A motion was made by Councilwoman Todisco, seconded by Councilman Lazarow to adopt Ordinance 18-25.

Discussion: Councilwoman Todisco commented on the taxes, the project and assessment. She commented that there will be another PILOT for adjacent area that will encompass a storage unit facility.

Roll Call:

| | | | |
|-----------------------------|---------------|--------------------------------------|---------------|
| Councilwoman Bianco | AYE | Councilman McCormack | AYE |
| Councilwoman Cuccaro | ABSENT | Councilwoman Todisco | AYE |
| Councilman Lazarow | AYE | Council President Blumenstock | ABSENT |

4-AYE, 2-ABSENT, Ordinance 18-25 was adopted.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilwoman Bianco, Chr.

1. "Put the Brakes on Fatalities Day" was established twelve years ago to focus attention on reducing the 37,461 traffic fatalities that occurred in 2016 in the United States. In New Jersey, 604 individuals lost their lives on the State's roadways in 2016. As part of a continuing effort in "moving toward zero fatalities," motorists, pedestrians, motorcyclists, and bicyclists are asked to take extra care on October 10 to prevent traffic crashes and make this a fatality-free day across New Jersey.
2. The first ever Garwood Police Department Coffee with a Cop event will be held on Wednesday October 3, 2018 between 9 am and 12 noon at Dunkin Donuts in the Garwood plaza. Everyone is welcome to come out and meet our officers.

PUBLIC HEALTH: Councilwoman Cuccaro **ABSENT**

STREETS AND ROADS/ECOLOGY: Council President Blumenstock, Chr. Read by Councilman Lazarow

The Department of Public Works completed the following from September 12, 2018 to September 25, 2018:

Reoccurring Activities

- Complete regular public works services including residential pickup(s) of household waste and white goods.
- Perform weekly residential brush and grass pickup every Wednesday
- Perform maintenance on miscellaneous public works vehicle and equipment as needed.
- Clean up the litter and debris throughout the grounds at the Sports and Recreation Complex on a daily basis.
- Pick up the debris/litter/leaves from both sides of the underpass sidewalks on Center Street and Kennedy Plaza. Pull weeds along Center Street near the underpass.
- Repair broken street and traffic signs in various locations of the Borough. Install a new street sign at the intersection of Union Street and 4th Avenue.
- Mow, trim and maintain all municipal owned properties and parks on a weekly basis.

Miscellaneous Activities

- Perform sign maintenance/relocation in various areas of the Borough.
- Perform pothole repairs at the following locations:
 - Maple Street (northside)
 - Intersection of Walnut Street and 2nd Avenue
- Begin to perform yearly preventative maintenance and wash Public Works vehicles and equipment.
- Complete street sweeping operations on the following Borough streets (with Garwood's sweeper):
 - Even side of the streets on the North Side of the Borough
 - Odd side of the streets from Locust to Willow Avenue(s).
 - All of Willow Avenue
- Perform shade tree pruning and/or removal in the following locations:
 - Dead end of 4th Avenue

FIRE: Councilman McCormack, Chr. **NO REPORT**

FINANCE: Councilwoman Todisco, Chr. **NO REPORT**

BUILDINGS AND GROUNDS: Councilman Lazarow

One quick update to report on. Garwood's Cadet Girl Scout Troop 42000 are working on achieving a Silver Award, the highest award a Cadet can earn. For the silver award, they needed to make a long lasting impact on our community by identifying and resolving a problem. The troop identified the shed in Hartman Park as an area where they could make a visible impact to the community. The girls were finally able to begin painting about a week and half ago. They applied the primer which has a blue tint, close to the color of the sky in the murals. They will probably try to work on it each weekend, as weather permits. They are starting on the wall facing 2nd avenue, which will be the "Make new friends but keep the old" mural. The adjacent side wall will be the "Adopt a Pet" mural. If time permits, they will also do the back wall with the mural that has children around a tree. When the project finishes, I will send the council pictures and would encourage our mayor to recognize these girls for what is likely to be a great addition to our town.

LAWS AND LICENSES: Councilwoman Cuccaro **ABSENT**

RECREATION: Councilman Lazarow

The Recreation Commission met last Monday and spent most of the meeting discussing preparations for the Senior Brunch. The event will take place at the Knights of Columbus here in Garwood on Sunday October 21st from 11 AM to 2 PM. This 50's themed brunch will feature music, bingo, and prizes and is a great tradition for all Garwood Seniors. Also, the Commission passed a resolution that revenue collected by or on behalf of the Recreation Commission will be allocated as follows:

Fifty percent (50%) of the monies collected will be allocated to a reserve account for replacement of the turf field located at the Garwood Sports and Recreation Complex, at 140 Myrtle Ave in Garwood New Jersey. The other fifty (50%) will be allocated to the Commission's Trust Account.

GARWOOD SENIOR CITIZEN LIAISON: Council President Blumenstock **ABSENT**

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Lazarow

The following is a list of ongoing programs at the Library:

Knitting Club – Every Monday and Thursday at 10:30am

Kid's Chess - Every Monday at 3:00pm.

Book Clubs - Monday afternoon at 1pm and Thursday evening at 7 pm.

Adult Craft- Tuesday, October 16 at 6:00pm

Story Time - Every Wednesday at 10:30am.

Kid's Craft – Wednesday, October 18 at 3:00pm

Movie Time - Every Friday at 10:00 am.

Lego Club - Thursday October 11 and 25 at 3:00pm

Tomorrow, at 10:30am, author, Laura Sassi, will be a guest reader at story time with her new book *Love is Kind*. She will also bring along her puppets and a craft. Tomorrow night is the Annual Lucc (Libraries of Union County Consortium) dinner at the Clark Library, honoring volunteers, business people and others who support Libraries in our county. October 3 the Library will host NASA Academy. During this six week STEM program, kids will learn about rocket science, space travel, and living in space. The program is open to children in grade 2 or older. Registration is required and the program is limited to 15 future astronauts. On October 9 the Library will start its second annual family pumpkin decorating contest. Decorate a pumpkin as a book character from a children's book and drop it off at the Garwood Public Library on or before October 22 by 5 pm. The public and Library staff will vote the week of the 22nd. Winners will be announced on Friday, October 26.

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.

SCHOOL BOARD LIAISON: Councilman McCormack

At the Board of ED meeting held on Sept 17 2018 the superintendent shared with the residents in attendance that plans for the future of the school. Residents at the meeting shared concerns regarding the future of the school with additional children attending in the future with the new Russo 1 and 2 developments and also the building at the paperboard. The Board of Education stated that they are aware of the concerns and that those projects would not be completed for the near future with more time for the school to project what impact the additional housing will effect. Residents also expressed concerns regarding the new safety procedures at the school and all children being released on the third avenue exit causing children to filter more down Third Avenue VS Second Avenue when walking home. The superintendent stated that she will address the concerns with the Chief of Police. One resident shared with the board that they believe that the town was receiving from the Pilot program could possibly help the school, another resident shared concerns about the middle school bathrooms being monitored due to rumors that some middle school students have been vaping in the bathrooms.

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:

Councilwoman Cuccaro **ABSENT**

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE: **NO REPORT**

Councilman McCormack

UNION COUNTY TRANSPORTATION ADVISORY REPRESENTATIVE: Councilwoman Bianco
NO REPORT

HISTORICAL COMMITTEE: Councilwoman Todisco

Thank you, Mayor. I attended the Historical Committee meeting last night. I would like to again invite everyone to the rededication of Georgiana Gurrieri Memorial Park this Saturday, September 29th at 11 am. The rain date will be the next day, same time. Gurrieri Memorial Park, which is at the corner of Fourth and Walnut, was first installed in 1993 and dedicated in September of that year. We are looking forward to rededicating it this year, on its 25th anniversary. The Historical Committee has invited Mayor Gurrieri's family to the event, will have a couple guest speakers, and will be serving coffee and donuts after the short ceremony. For those that may not be aware, Georgiana Gurrieri served her fellow citizens on the Garwood Council from 1975 to 1986. Then, she was elected Garwood's first female mayor and served from 1987 until her passing in 1990.

Additionally, the second edition of the Historical Committee's newsletter is in the process of getting delivered to all homes in Garwood. If you haven't gotten yours yet, it is on its way. Copies will also be available in Borough Hall and the Library. An issue was report with the quality of the yellow magnets that have been on sale the last few months as some are peeling after being out in the elements. After contacting the vendor, it appears we received a bad batch and new ones are on their way at no additional cost. If anyone bought a magnet and needs a replacement, the Committee will do so at no charge.

That's all for my report, Mayor.

PARKING COMMITTEE: Councilwoman Bianco **NO REPORT**

OFFICER'S REPORTS:

Chief of Police James H. Wright monthly reports for August 2018

A motion was made by Councilman McCormack, seconded by Councilman Lazarow 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.

Bill Nierstedt, 320 Hickory Avenue thanked Council members Lazarow and Todisco and he also commented to Councilman McCormack.

Bruce Paterson, 325 Willow Avenue commented on coffee with a cop.

John Salmon, 341 Myrtle Avenue commented on Resolution No. 18-189 and why is council not in agreement as Councilman McCormack presented them as. Councilman Lazarow commented on the wording used in the resolution and that it was his understanding that the matter was referred to Laws & License for review.

Kim Salmon, 341 Myrtle Avenue asked how much of the PILOT goes to the Board of Education. Mr. Renaud and Mr. Northgrave explained the budget process for the BOE. Councilwoman Todisco explained how the tax system works.

Mr. Renaud commented that the developments, etc., are/were requirements of the Supreme Court and not necessarily something sought by the borough.

Councilman McCormack commented on the census of today and that the school population is actually lower than previous years. He commented that these developments are good for the borough and its future.

Bill Nierstedt, 320 Hickory Avenue agreed with Councilman McCormack and commented further on the PILOT.

Ann Tarantino, 520 Beech Avenue commented that she agrees with Mr. Nierstedt concerning Resolution No. 18-189.

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. 18-186

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize Michael Disko of M. Disko & Associates to prepare specifications and for Municipal Clerk Christina M. Ariemma to advertise for the 2018 DOT Municipal Aid Program.

RESOLUTION NO. 18-187

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorizes the following:

Storm sewer repair at 430 Union Street
Vendor: JB Ragonese Construction Co., Inc.
502 West Street
Garwood, NJ 07027

Cost of contract: \$5,700.00

RESOLUTION NO. 18-188

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 GARWOOD PAPERBOARD 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 Borough Council of the Borough (“Borough Council”) directed the Borough planning board (“Planning Board”) to investigate whether that certain area of the Borough commonly known as Block 211, Lot 6, 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 September 24, 2013, the Planning Board conducted an investigation and prepared a study and map of the boundaries of the Borough and made a recommendation to the Borough Council to designate the Study Area as an area in need of redevelopment; and

WHEREAS, based upon the recommendation of the Planning Board, the Borough Council on October 13, 2015, 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 August 14, 2018, at a duly noticed public hearing of the Planning Board, and the Planning Board having prepared at a redevelopment plan entitled ‘Garwood Paperboard Redevelopment Plan – Block 211, Lot 6 – 75 North Avenue’ (the “Redevelopment Plan”) reviewed, commented upon and forwarded same to the Borough Council for consideration; and

WHEREAS, on August 28, 2018 by Ordinance 18-20 and after a duly noticed public hearing, the Borough Council accepted the Redevelopment Plan and comments thereto made by the Planning Board and adopted same; and

WHEREAS, Garwood Paperboard 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: (i) a four (4) story, residential structure with a maximum of 124 residential units, with 106 market rate units – at least twenty-one (21%) percent of which shall be one-bedroom units and no more than seventy-nine (79%) percent of which shall be two-bedroom units – and seventeen (17) affordable housing units, to be counted as nineteen (19) affordable housing units, with one (1), two-bedroom unit of the seventeen (17) units being rented allotted for two (2) “special needs” residents through a nonprofit social service, veterans or similar organization; approximately 286 surface parking spaces parking spaces dedicated for residents, and an additional twenty-seven (27) spaces reserved parking in support of the Project’s amenities; 12,500 square feet of amenity space inclusive of 4,000 square feet dedicated to the Borough (the “Amenity Space”); and 4,200 square feet of green space/courtyard area attached to the Amenity Space (collectively, the “Residential Component”); and (ii) a commercial building consistent with the Redevelopment Plan requirements (the “Commercial Component,” and together with the Residential Component, 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. Garwood Paperboard Urban Renewal Associates, 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.

EXHIBIT A
REDEVELOPMENT AGREEMENT

A motion was made by Councilwoman Todisco, seconded by Councilman Lazarow to adopt Consent Agenda as amended.

Roll Call:

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|-----------------------------|---------------|--------------------------------------|---------------|
| Councilwoman Bianco | AYE | Councilman McCormack | AYE |
| Councilwoman Cuccaro | ABSENT | Councilwoman Todisco | AYE |
| Councilman Lazarow | AYE | Council President Blumenstock | ABSENT |

4-AYE, 2-ABSENT, Consent Agenda as amended was adopted.

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

RESOLUTION NO. 18-189

WHEREAS, it has come to the attention of the Governing Body of the Borough of Garwood that a billboard existed on Morris Avenue in the Township of Union that, although promoting new film, contains a statement that is critical of the sitting President of the United States; and

WHEREAS, the operation of said billboard is between private citizens and not within regulation, control or jurisdiction of the Township of Union; and

WHEREAS, the Borough of Garwood prides itself on the Borough's diversity, and does not promote hate speech of any kind; and

WHEREAS, said billboard is not supported or condoned by the Governing Body of the Borough of Garwood or the Borough's residents.

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

1. The Borough of Garwood does not support hate speech of any kind in the borough, nor does it support or condone a billboard in the Township of Union that is critical of the sitting President of the United States.

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 Union County Legislators.

A motion was made by Councilwoman Todisco, seconded by Councilman Lazarow to table Resolution 18-189.

Discussion: The resolution was referred to Laws & License Committee for further review.

Roll Call:

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|-----------------------------|---------------|--------------------------------------|---------------|
| Councilwoman Bianco | AYE | Councilman McCormack | AYE |
| Councilwoman Cuccaro | ABSENT | Councilwoman Todisco | AYE |
| Councilman Lazarow | AYE | Council President Blumenstock | ABSENT |

4-AYE, 2-ABSENT, Resolution 18-189 was tabled.

NEW BUSINESS:

NONE

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 Councilwoman Todisco, seconded by Councilwoman Bianco to adopt Payment of Claims Resolution.

Roll Call:

| | | | |
|-----------------------------|---------------|--------------------------------------|---------------|
| Councilwoman Bianco | AYE | Councilman McCormack | AYE |
| Councilwoman Cuccaro | ABSENT | Councilwoman Todisco | AYE |
| Councilman Lazarow | AYE | Council President Blumenstock | ABSENT |

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, OCTOBER 9, 2018**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

At 8:10 p.m., a motion was made by Councilman Lazarow, seconded by Councilwoman Todisco to adjourn the regular meeting.

Respectfully submitted:



CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood