

Borough of Garwood Meeting of the Mayor and Council

MINUTES

September 26, 2019

Start Time: 7:23 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	EXCUSED		
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 Scott Salmon, Esq.

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on September 12, 2019.

A motion was made by Councilwoman Blumenstock, second by Councilman Ince to accept minutes as presented. All in favor.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 09/12/19, RE: Important Conference Sessions, Daily Update for September 12, 2019
 - ii. 09/13/19, RE: 2020 Pension Bills Released: Weekly Round-Up, September 13, 2019
 - iii. 09/17/19, RE: Vaping Information, Daily Update for September 17, 2019
 - iv. 09/20/19, RE: Weekly Round-Up, September 16 - 20, 2019
- 2) **RAHWAY VALLEY SEWERAGE AUTHORITY –** 09/12/19, RE: RVSA Personnel Committee Meeting Notice.
 - a. 09/20/19, RE: Minutes
- 3) **COUNTY OF UNION –** 09/13/19, RE: 2018 summary audit
- 4) **ROSA SANTOS –** 09/13/19, RE: CDBG YR 46 Application Process - MEMO

ALL RECEIVED AND FILED

ORDINANCES:

INTRODUCTION:

Municipal Clerk read Ordinance 19-16 by title only:

ORDINANCE NO. 19-16

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 REGULATIONS PERTAINING TO SUBMISSION OF PLANNING/ZONING APPLICATIONS

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 regulate development and to promote good planning practice; and

WHEREAS, Section 106-17 of Article I in Chapter 106 of the Borough's Code relates to and regulates the certification of a complete application for development; and

WHEREAS, it is in the interest of the Borough to require that applications be submitted electronically to promote better record-keeping and increase efficiency; and

WHEREAS, on May 23, 2019, the Planning Board of the Borough (the "**Planning Board**") recommended to the Borough Council (the "**Borough Council**") that certain provisions of Chapter 106 of the Borough's Code should be revised to provide for electronic submission of applications; and

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

Section 1. Section 106-17.1 (Electronic Submission of Applications to the Board) in Article I (General Provisions) in Chapter 106 (Land Use), is hereby created to read as follows:

- A. All documents submitted in connection with an application to the Board, including the completed application, the completed checklist, all drawings, traffic studies, stormwater reports, and similar items submitted in support of an application, shall be submitted both in physical paper hardcopy as well as electronically. Applicants shall submit the electronic version of these materials in Adobe Portable Document Format (PDF) in at least 300 dpi, unless the Board Secretary requests submission of any materials in a different format. All revisions and resubmissions shall likewise be submitted in both hard copy and electronic formats.
- B. Electronic and hard-copy applications must be submitted to the Board Secretary, with the electronic version being sent by either by e-mail, USB drive, or CD-ROM.
- C. The Zoning Officer shall not certify an application as complete until both paper and electronic submissions are received by the Board Secretary.

Section 2. 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 3. 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 4. A copy of this Ordinance shall be available for public inspection at the office of the Borough Clerk during regular business hours for the required statutory period.

Section 5. This Ordinance shall take effect in accordance with all applicable laws.

A motion was made by Councilman Benoit, second by Councilwoman Blumenstock to introduce Ordinance 19-16.

Roll Call:

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

6-AYE, 0-NAY, Ordinance 19-16 was introduced.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilman Ince, Chr.

A Police Committee meeting will be held in the near future – once we are able to coordinate member schedules. No issues are up for discussion at this time.

PUBLIC HEALTH: Councilman Ince

A Board of Health meeting was held on 09/18/2019. Some but not all of the issues discussed were:

- Discussion continued regarding rat and other pest infestation and the importance of staying on top these problems as they occur. In that same regard there will be more frequent walk throughs by the pest control firm in 2020.
- There must be one certified food handler on site per shift in all Garwood food establishments
- Hepatitis C is on the rise with IV drug users.
- September is suicide awareness month – be alert for those who may need help.
- The Board of Health plans to meet again in either October or November.

STREETS AND ROADS/ECOLOGY: Councilwoman Blumenstock Chr.

In addition to regular garbage pickup, the DPW performed street sweeping operations on the North and South side of the Borough (with the exception of streets with bypass waterlines in the gutter). They revisited streets not swept once the bypass water mains were removed. They also performed shade tree pruning in various locations of the Borough and performed major shrub and tree pruning along the perimeter of Kennedy Plaza. The department also swept the entire parking lot of Kennedy Plaza. In addition, they planted new shade trees along the 400 block of 3rd Avenue. That's all for my report, Mayor.

FIRE: Councilman McCormack, Chr.

The Fire Committee hereby approves the membership application for Jennifer Barry of Westfield. She has passed her physical and background requirements. That's all for my report.

FINANCE: Council President Lazarow, Chr.

The Finance Committee met with the Borough Administrator of Cranford to discuss the current terms of our Uniform Construction and Permitting shared service agreement. The conversation was extremely helpful in trying to find ways to improve services for Garwood residents and in discussing ways to make the financial

aspects of the deal more equitable. We are planning to meet with them again to continue the conversation and I will update the council with details as they become available.

BUILDINGS AND GROUNDS: Councilman Graham

Recreation Center was brought into compliance regarding a code change regarding CO monitoring. A sensor located in the kitchen that alarms on temperature rise and creating false alarm conditions was swapped out for a fixed temperature sensor. Periodic maintenance was performed on the monitoring panel including new 5 year rated batteries. Certification testing was performed on the entire system.

LAWS AND LICENSES: Councilman Benoit

We do have a draft of a public assembly ordinance, but we held off on distributing it to council for this workshop. We will have it sent out shortly via the borough administrator for discussion at the next workshop session. Aside from that, no other updates.

RECREATION: Councilman Benoit

No updates; next meeting is October 14 at 6pm at the Recreation complex. And please check out rec's Facebook page for updates as to their programs and events.

GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Blumenstock

At our last senior meeting, which included lunch and bingo, I update the club on the Trex challenge for plastic recycling as well as our Foodstock challenge for non-perishables items. I was able to give them the donation from the Bingo night which of course was very much appreciated. And we also had a visit from Chief Wright and Officer Herz. They came to remind the seniors about the phone scams that have been going on that are particularly targeting seniors. Many scams have been involving calls from overseas or frauds that involve impersonating the IRS. A new one that that came up was pain center scams where the robo call has a message from a pain center where they inform the senior that they can get knee or back braces are no cost. Our PD provided some helpful literature with the basic message being not to pick up the phone at all when you don't recognize the number and never give credit card or personal information over the phone.

Also, just a reminder to all seniors that we have the silver emergency contact program here in Garwood: It allows the police department to have your information and the number of an emergency contact so that in case an emergency happens here in Garwood they have a quick, easy way to check on you. You can sign up at the dispatch desk at the police department or contact me for the paperwork. That's all for my report, Mayor.

LIBRARY, MAYOR'S REPRESENTATIVE: Council President Lazarow

September is National Library Card Sign-Up Month, and the staff at the Library suggests that if you don't currently have a library card, or if yours has expired – visit the Library during the month of September. Your first library card is always free. During the month of September replacement card fees are waived. Remember your Garwood Library card can be used at our Library and all the other libraries in Union County. It also provides access to Hoopla (our digital service), museum passes and more.

October programs include:

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 8 at 6 pm.

Story Time - Every Wednesday at 10:30am

Kid's Craft – Wednesday, October 9 at 3:00pm

ASK Kiosk - Senior Services Information Kiosk, Thursday October 17, 10 to noon

The Library will start its 3rd annual family pumpkin decorating contest on October 15th. Participants must 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. The public and Library staff will vote on the pumpkins. Winners will be announced on Friday, October 25th.

A new program called Reading Re-imagined will take place on Wednesdays at 1:00 pm starting October 16. The program is geared towards 4 and 5-year olds. They will enjoy fun activities and games that will boost their ability to grasp sight words and sounds. Registration required. Limit 10

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: Councilwoman Blumenstock

At the meeting on September 17th, there was a presentation by Gwen Thornton of the NJ School Boards Association, on the difference between committees and the committee of the whole. Ms. Thornton laid out what the role of a committee is and how it was supposed to function. She also spoke to how a committee of a whole would work for a board of education. The Garwood Board of Ed is considering moving from the committee system to a committee of the whole system for its meetings. At the next meeting in October, more discussion on this matter will take place.

There was also a presentation by the Superintendent on Strategic Planning. Dr. Quigley reiterated the broad goals and laid out the specific district goals, the first of which is to align more efficiently with Kumpf in terms of their middle school curriculum, and the second is to bring social/emotional model down to the younger grades. The third goal is to enhance the website and the fourth goal focuses on ELA achievement in grades K-5. The action plans on these goals will be made available soon.

Another presentation for the night came from Principal Mary Emmons concerning their bullying prevention program. The curriculum has been updated with six essential lessons and it will also focus on the "THINK before you post" model for social media.

The school trips for the year were approved and personnel decisions were voted on, including two resignations and a maternity leave. That's all for my report, Mayor.

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON: Councilman Benoit

Celebrations met recently and they are coming up with events throughout the year. For Halloween they'll be doing the house decorating contest again. Check out their Facebook page for details, but I believe the deadline to submit entries will be 10/24. There is also a plan to do a scarecrow stroll in town up and down Center and Walnut Street. Details will follow on how to sign up for that. Preparations are being made for a breakfast with Santa and the tree lighting. And I believe the menorah lighting will be held on Monday 12/23 at 6pm. But again, check out their Facebook page for updates on dates and times, and I believe attempts will be made to send information home with kids at the Lincoln school via the Friday folder.

HISTORICAL COMMITTEE: Councilman Graham

Committee met last night. Will follow up at next meeting with a report.

OFFICER'S REPORTS:

Chief of Police James Wright monthly report for August 2019

A motion was made by Councilman Graham, second by Councilman Ince 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.

Bruce Paterson, 325 Willow Avenue commented Historical Committee meets on the 30th of September. He commented on various resolutions on the consent agenda.

A motion was made by Councilwoman Blumenstock, second by Councilman Graham to close public comment. All in favor.

Ms. Ariemma answered Mr. Paterson's questions and concerns.

Councilman McCormack responded to Mr. Paterson's questions on the resolution for additional fire truck costs. Ms. Ariemma also responded to Mr. Paterson.

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. 19-261

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR MARTIN LUTHER KING JR. DAY OF SERVICE DONATIONS REQUIRED BY N.J.S.A. 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of Martin Luther King Jr. Day of Service Donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from Martin Luther King Jr. Day of Service Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Garwood, County of Union, as follows

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Martin Luther King Jr. Day of Service (N.J.S.A. 40A:5-29)
2. The Clerk of the Borough of Garwood, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTION NO. 19-262

BE IT RESOLVED that based on the recommendation of the Administrator/Clerk the Council of the Borough of Garwood County of Union, State of New Jersey, hereby appoint the following people as Co-Senior Citizen Directors in the Borough of Garwood, each at an annual salary of \$2,250.00, and effective October 1, 2019.

Kathleen J. Wierzbinski – Director of Programs

Katelyn Christopher – Director of Accounts/Treasurer

BE IT FURTHER RESOLVED that these positions are based on successful continuation of funding from CDBG.

RESOLUTION NO. 19-263

WHEREAS by the Council of the Borough of Garwood, County of Union, State of New Jersey the Municipal Clerk was authorized to advertise for a bid entitled “FOR THE RESURFACING OF SECTIONS OF ANCHOR PLACE, OAK STREET (NORTH SIDE) AND SPRUCE AVENUE IN THE BOROUGH OF GARWOOD, UNION COUNTY, N.J.”; and

WHEREAS on September 12, 2019, at the advertised time of 11:00 a.m., Denbar Construction, 625B North Michigan Avenue, Kenilworth, NJ 07033, submitted a base bid amount of \$260,304 plus Alternate 1 for \$7,700, Alternate #2 for \$4,200, and Alternate #3 for \$9,590, which is determined the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood that the contract be hereby awarded to Denbar Construction, Inc., for \$268,004, which includes the base bid, plus Alternate #1 for \$7,700, pending New Jersey State Department of Transportation approval.

BE IT FURTHER RESOLVED that upon approval from DOT, the Mayor and Municipal Clerk be and are hereby authorized to execute an agreement in the form approved by the Borough Attorney.

RESOLUTION NO. 19-264

WHEREAS, DiMilia, Inc., PO Box 3366, Upper Montclair, NJ 07043, has satisfactorily completed on July 22, 2019, the project known as “Basketball Court Repaving at Hartman Park Project”; and

WHEREAS, the work included milling and paving of the Basketball Court at Hartman Park, Second Avenue, Garwood, NJ; and

WHEREAS, Maintenance Bond No. CSC-225409M has been received for two-year period concluding on July 22, 2021, for \$3,356.40; and

WHEREAS, the as built construction cost is \$21,503.58.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby accepts the Municipal Engineer’s recommendation that the project is complete and authorizes the Treasurer to issue a check made payable to DiMilia, Inc., PO Box 3366, Upper Montclair, NJ 07043, for final payment in the amount of \$4,260.72.

RESOLUTION NO. 19-265

WHEREAS, a proposal has been received from Spartan Motors USA, INC., 1541 Reynolds Road, Charlotte, MI, 48813-2015, for the purchase specific equipment for the Spartan 100’ Mid Mount Aerial Platform Fire Truck stock unit #217227 for use by the Garwood Fire Department in accordance with proposal CH-1R3 from Spartan Motors USA, INC., and attached hereto and made part hereof in the Borough of Garwood; and

WHEREAS, said contractor represents to the Borough of Garwood that it is in accordance with the H-GACBuy Cooperative Purchasing, 3555 Timmons Lane, Suite 120, Houston, Texas 77027, Co-op #ILC19-7828 for the purchase of said equipment at the price offered to the Borough of Garwood, to wit; \$16,848.87; and

WHEREAS, the clerk of the Borough of Garwood has researched whether said supplier is approved under contract for such equipment with Spartan Motors USA, INC., 1541 Reynolds Road, Charlotte, MI, 48813-2015, for said equipment as presented and her inquiry has resulted in verification; and

WHEREAS, said equipment is purchased under Bond Ordinance No. 19-12 for the amount of \$16,848.87.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood hereby award the aforementioned purchase of equipment for use by the Garwood Fire Department in accordance with proposal CH-1R3 from Spartan Motors USA, INC., 1541 Reynolds Road, Charlotte, MI, 48813-2015, attached hereto and that the Clerk be and is hereby authorized to enter such order on behalf of this Borough and to sign such documents as may be required to consummate this transaction.

BE IT FURTHER RESOLVED that the award of this quote be subject to the Borough Treasurer executing the appropriate Certification of Funds.

RESOLUTION NO. 19-266

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing requirements for claimant certifications set forth in N.J.S.A. 40A:516(a); and

WHEREAS, the local units are now given discretion to require a claimant certification as it deems necessary and appropriate; and

WHEREAS, the Chief Financial Officer of the Borough of Garwood recommends a claimant signature be required for all purchase orders with the exception of the below list; and

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, that the below list will be exceptions to the claimant certification requirements:

- **Federal Express**
- **Amazon**

- Home Depot
- Postage Machine USPS (CMRS-FP)
- Staples
- WB Mason
- McDonalds
- Prudential Retirement

Premium/Installment payment to Insurance Company for Borough of Garwood Policies
Payments to local newspapers for advertising
Payments to Government Agencies-Federal, State, County, Local, BOE, Post Office
Payments to Utility Companies
Purchases/Contracts Authorized by Resolution
Prof. Ed courses including but not limited to where continuing education credits are awarded
Professional Membership Association Dues
Hotel and registration fees for professional conference or convention
Website hosting, including registration and maintenance of a domain name

RESOLUTION NO. 19-267

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize the Borough Administrator/Clerk to prepare Request for Proposals for professional services as listed for year 2020 in the Borough of Garwood.

- Professional Legal Services – Borough Attorney
- Professional Legal Service – Labor Attorney
- Professional Legal Service – Tax Appeals Attorney
- Professional Engineering Services – Contractual Engineering
- Professional Auditing Services - Auditor
- Municipal Prosecutor
- Municipal Public Defender

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby authorized to solicit proposals for the above services in accordance with law.

RESOLUTION NO. 19-268

RESOLUTION ENDORSING THE DECEMBER 2018 HOUSING ELEMENT AND FAIR SHARE PLAN

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Mount Laurel IV”).

In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing (“COAH”) to the New Jersey Superior Court and established a transitional process for municipalities like the Borough of Garwood (“The Borough”) to file declaratory judgment actions seeking to declare their Housing Element and Fair Share Plans (“HEFSPs”) to be constitutionally compliant and seeking similar protections to what they would have received if they had continued to proceed before COAH; and

WHEREAS, pursuant to N.J.S.A. 52:27D-313 and Mount Laurel IV, the New Jersey Superior Court has the authority to enter an Order granting protection and repose against exclusionary zoning litigation to a municipality that is in compliance with its affordable housing obligations under the Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

WHEREAS, on July 2, 2015, the Borough of Garwood (“Borough”) filed a declaratory judgment action under docket number UNN-L-2406-15 with the New Jersey Superior Court, Union County (“the DJ action”) seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation for a ten (10) year period; and

WHEREAS, the Superior Court of New Jersey has ordered that municipalities that have filed declaratory judgment actions must submit updated HEFSPs that address their affordable housing obligations as calculated by their respective municipal experts; and

WHEREAS, the Borough’s Affordable Housing Consultant, Jill Hartmann, PP, prepared a HEFSP that addressed the Borough’s affordable housing obligation (the “2017 HEFSP”); and

WHEREAS, the Borough reached agreement with the Fair Share Housing Center (FSHC) and 490 South Avenue, LLC, owner of certain properties on South Avenue in Garwood, as to the Borough’s obligation for providing affordable housing and the methodology and strategies for meeting that obligation; and

WHEREAS, by resolution dated April 17, 2017, the Borough Planning Board endorsed, prior to the Fairness Hearing, the March 28, 2017 Summary Plan which is the basis of the HEFSP; and

WHEREAS, the Planning Board, at a meeting held on April 17, 2017, reviewed the March 28, 2017 Summary Plan and determined that implementation of the March 28, 2017 Summary Plan is in the public interest and would promote the general welfare and, by Resolution dated April 17, 2017, endorsed the March 28, 2017 Summary Plan and, resolved that if the March 28, 2017 Summary Plan is approved by the Court, the Planning Board will promptly adopt the 2017 HEFSP in accordance with the March 28, 2017 Summary Plan as an amendment to the Master Plan of the Borough of Garwood; and

WHEREAS, the Planning Board recommended by said resolution that the Mayor and Council of the Borough of Garwood similarly endorse the March 28, 2017 Summary Plan and, if the March 28, 2017 Summary Plan was approved by the Court, that the Mayor and Council accept the 2017 HEFSP prepared in accordance with the March 28, 2017 Summary Plan and adopt such legislation as is necessary to implement the 2017 HEFSP; and

WHEREAS, the Court held a Fairness Hearing on April 20, 2017, at which time the Court tentatively determined that the Borough’s March 28, 2017 Summary Plan satisfied the Borough’s obligation to provide a realistic opportunity to satisfy its Rehabilitation, Prior Round and Third Round “fair share” of the regional need for housing affordable to low income and moderate income households pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., the

substantive, applicable regulations of the New Jersey Council on Affordable Housing (“COAH”), Mount Laurel IV and other applicable laws; and

WHEREAS, by Resolution dated October 11, 2017, the Planning Board adopted the 2017 HEFSP as an amendment to the Master Plan of the Borough of Garwood and recommended that the Mayor and Council adopt and implement same; and

WHEREAS, by its October 11, 2017 resolution, the Planning Board reserved the right to amend the 2017 HEFSP, if necessary; and

WHEREAS, on October 24, 2017, the Borough Council adopted Resolution Number 17-197, endorsing the 2017 HEFSP and agreeing to implement same; and

WHEREAS, since the adoption of the 2017 HEFSP, certain proposed developments, namely what have been referred to as the South Avenue II site and the Paperboard site have evolved as a result of negotiations between the developers thereof and the Borough; and

WHEREAS, such changes in those developments have mandated changes in the HEFSP; and

WHEREAS, Jill Hartmann, P.P., has prepared a July 2018 HEFSP to reflect such changes; and

WHEREAS, after conducting a public hearing after giving public notice pursuant to N.J.S.A. 40:55D-13 on the proposed amendment of the Master Plan of the Borough of Garwood to include the proposed July 2018 HEFSP prepared by Jill Hartmann, P.P., the Planning Board determined to adopt said July 2018 HEFSP; and

WHEREAS, the Planning Board resolved on that date to adopt the July 2018 HEFSP as an amendment to the Master Plan of the Borough of Garwood and to recommend that the Mayor and Council adopt and implement same; and

WHEREAS, by resolution dated August 14, 2018, the Borough Council adopted a resolution endorsing the July 2018 HEFSP as adopted by the Planning Board as an amendment to the Master Plan; and

WHEREAS, prior to the compliance hearing on September 14, 2018, the Special Masters appointed by the court in connection with the DJ action submitted reports which included recommendations for revisions to the July 2018 HEFSP; and

WHEREAS, the Court in the DJ action entered a Judgment of Compliance and Repose on October 10, 2018 which contained certain conditions to be complied with, including, “The Borough shall revise, readopt and re-endorse the Borough’s Housing Element and Fair Share Plan (HEFSP) to conform with the settlement agreement and with Recommendations 1 and 3 of Special Master McKenzie’s report and the last paragraph of Section 3.0 and the second paragraph of Section 5.0 of Special Master Caton’s report;” and

WHEREAS, Jill Hartmann, PP, has provided a December 2018 HEFSP conforming to the Settlement Agreement and to the recommendations of the Special Master; and

WHEREAS, after conducting a public hearing after giving public notice pursuant to N.J.S.A. 40:55D-13 on the proposed amendment of the Master Plan of the Borough of Garwood to include the proposed December 2018 HEFSP prepared by Jill Hartmann, PP, the Planning Board determined on September 25, 2019 to adopt said December 2018 HEFSP;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Garwood, Union County, New Jersey, on this 26th day of September, 2019, that:

1. The Borough Council hereby agrees to implement the December 2018 HEFSP that has been adopted by the Planning Board; and
2. The Borough Council hereby endorses the December 2018 HEFSP as adopted by the Planning Board as an amendment to the Borough’s Master Plan; and
3. The Mayor, Borough Administrator, and Borough Clerk, together with all other officers, professionals and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately.

A motion was made by Councilwoman Blumenstock, second by Councilman Ince to adopt Consent Agenda.

Roll Call:

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

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

RESOLUTION NO. 19-269

WHEREAS by the Council of the Borough of Garwood, County of Union, State of New Jersey the Municipal Clerk was authorized to advertise for a bid entitled “PAVING IMPROVEMENTS ON NEW STREET IN THE BOROUGH OF GARWOOD, UNION COUNTY, N.J.”; and

WHEREAS on September 26, 2019, at the advertised time of 11:00 a.m., Denbar Construction, 625B North Michigan Avenue, Kenilworth, NJ 07033, submitted a base bid amount of \$147,961 plus Alternate #1 for \$7,100, Alternate #2 for \$10,800, and Alternate #3 for \$14,660, which is determined the lowest responsible bidder.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood that the contract be hereby awarded to Denbar Construction, Inc., for \$169,721, which includes the base bid, plus Alternate #1 for \$7,100, and Alternate #3 for \$14,660.

BE IT FURTHER RESOLVED that the award of this quote be subject to the Borough Treasurer executing the appropriate Certification of Funds.

A motion was made by Councilman Benoit, second by Councilwoman Blumenstock to adopt Resolution
Discussion: NONE

Roll Call:

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

6-AYE, 0-NAY, Resolution 19-269 was adopted.

NEW BUSINESS:

PROCLAMATIONS:

Metastatic Breast Cancer Awareness Day-October 13, 2019
Fire Prevention Week-October 6, 2019 – October 12, 2019

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 Graham, second by Councilwoman Blumenstock to adopt Payment of Claims Resolution.

Roll Call:

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

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **THURSDAY, OCTOBER 10, 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 ORDINANCE NO. 19-16, ON THURSDAY, OCTOBER 10, 2019, AT 7:15 P.M. OR SOON THERE AFTER

A motion was made by Councilman Benoit, seconded by Councilman Graham to adjourn.
Time: 7:52 p.m.

Respectfully submitted:



CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood