

Borough of Garwood

Meeting of the Mayor and Council

MINUTES

October 10, 2019

Start Time: 8:32 p.m.

Moment of Silence for Coach Louis Peragallo and the Mayor's Uncle Eddie.

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	P		
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 Thomas C. Jardim, Esq.

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on September 26, 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. 10/02/19, RE: Funding for Shared Services & Transportation, Weekly Round-Up, September 27
 - ii. 10/03/19, RE: Notice of Proposed Membership Dues
 - iii. 10/04/19, RE: Court Dismisses SALT Lawsuit: Weekly Round-Up, October 4, 2019.
- 2) **RAHWAY VALLEY SEWERAGE AUTHORITY –** 09/23/19, RE: Letter Regarding Change in RVSA's Billing Methodology.
- 3) **BOROUGH OF TINTON FALLS –** 09/23/19, RE: Resolution in Support of Referendum - Veteran's Property Tax Deduction.
- 4) **BOROUGH OF KENILWORTH –** 10/02/19, RE: Sr. Citizen & Veterans Tax Deduction Resolution
- 5) **GARWOOD PLANNING BOARD –** 09/26/19, RE: Minutes of the meeting held on August 28, 2019.

ALL RECEIVED AND FILED

ORDINANCES:

ADOPTION:

Municipal Clerk to 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.

List correspondence concerning Ordinance 19-16, NONE

Does anyone present wish to be heard concerning Ordinance 19-16, NONE

A motion was made by Council President Lazarow, second by Councilwoman Blumenstock to close Public Hearing on Ordinance 19-16.

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

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, Ordinance 19-16 was adopted.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilman Ince, Chr.

Today is National "Put the Brakes on Fatalities Day". Police are encouraging motorists to obey all traffic laws, including buckling up during every ride; drive the speed limit; avoid distractions while driving; and driving sober. The goal of the initiative is to experience a single day when there are no fatalities on the roadways.

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 will revisit streets not swept once the bypass water mains are removed. They also inspected all drainage inlets in accordance with the NJDEP Stormwater Management Regulations. They will continue to clean the inlets as needed. The Department also completed tree pruning for residential shade tree complaints that were received by the Borough's Shade Tree Officer in twenty-two (22) locations throughout the Borough. Shade trees were also pruned/elevated in an additional eleven (11) locations throughout the Borough as regular preventative maintenance. Fanwood's bucket truck and chipper were used for the tree work. That's all for my report, Mayor.

FIRE: Councilman McCormack, Chr.

Reported on Chief Tweedle's monthly report and other related matters.

FINANCE: Council President Lazarow, Chr. NO REPORT

BUILDINGS AND GROUNDS: Councilman Graham

Our DPW supervisor, Len Navarro advised me that mulch was recently added to the area under the swings at Hartman Park. He is concerned, as am I, that a better solution to this recurring problem is needed. He suggested putting a rubber mat under the mulch in order to prevent the ruts from getting too deep. The mats will be deep enough that they do not impede the swingers. The planters on Center and South Street were cleaned out in preparation for planting mums tomorrow.

LAWS AND LICENSES: Councilman Benoit

Our borough attorney recently suggested looking at our catchall ordinance in terms of fines. So for any violation that does not have a clearly defined penalty, the catchall ordinance caps the monetary fine at \$1250. It was brought to our attention that a lot of surrounding municipalities have it capped at \$2000. So laws and licenses will be looking into this ordinance and discussing it, and we will report back at the next meeting.

RECREATION: Councilman Benoit

No report; next meeting will be on October 14th at 6pm at the Garwood Recreation Complex.

GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Blumenstock

No report, Mayor. Our next meeting is on October 17th.

LIBRARY, MAYOR'S REPRESENTATIVE: Council President Lazarow

The Library is once again the grateful recipient of the Union County Library Freeholder's Grant totaling almost \$5000. The money received from the grant will be used for the following:

2 New Public Computers \$2600

Museum Pass Program \$1959.40

Children's Afterschool program: \$375

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 24. The public and Library staff will vote on the pumpkins. Winners will be announced on Friday, October 29th.

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's hours have changed. The Library is now open Monday and Wednesday 9:00 AM to 8:00 PM, **Tuesday and Thursday 10:00 AM to 8:00 PM**. Fridays from 9:00 AM to 4:30 PM, and Saturdays from 9:00 AM to 1:00 PM. The later opening on Tuesday and Thursday is to accommodate the school children before the Library opens to the public. This will allow the school to use it before the public has access to the space.

SCHOOL BOARD LIAISON: Councilwoman Blumenstock

No report, Mayor. The next meeting is on October 15th, but I'd like to encourage everyone to attend. The October meeting is the one where the test scores from the previous year are always discussed and the Board also said they would have their auditors there to discuss this year's tax bill.

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON: Councilman Benoit

Very excited to announce Garwood's First Scarecrow Contest – please go to Garwood Celebrations Facebook page for all the details. But pre-registration will be Oct 4 through the 18th; Scarecrows will be set up the weekend of Oct. 25th; public voting will be from Oct. 28 to Nov. 1, ballots will be at the Garwood Library; winner will be announced Nov. 2. And Celebrations is doing the Halloween House Decoration Contest again. To participate, Email: garwoodcelebrations@garwood.org by no later than 10/24. There are three categories for the winners: scariest, funniest, and most creative. Winners will be announced on Halloween. Again, go to Garwood Celebrations Facebook page for more information.

HISTORICAL COMMITTEE: Councilman Graham

The Historical Committee met on September 30. Items discussed were:

The committee is still working toward producing a Web page.

The fall newsletter has been written and should be appearing shortly.

The third in a series of Christmas decorations celebrating Garwood's past has been produced and will feature Garwood streetscapes including the trolley tracks, train station and the intersection of center and south streets. As usual a set of three will cost \$15 and will be sold at the Halloween parade.

The committee has been gathering dessert recipes for the cookbook fundraiser. I trust that all of my fellow council members remembered to bring their recipes to tonight's meeting as requested. If not, please get them to Carol Lombardo as soon as possible.

The new veteran street signs will be installed prior to Veterans Day on November 11.

The committee is looking into applying for a History in Pictures Grant that will help fund the effort to memorialize Garwood's amazing history. That concludes my report.

OFFICER'S REPORTS:

Len DiStefano, Zoning Code Enforcement Officer: report for September 2019.
Judy Mack, Property Maintenance Officer: report for the month September 2019.

A motion was made by Councilman McCormack, second by Councilwoman Blumenstock 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.

John Pritchard, 410 Spruce Avenue commented on merging of schools. He said he hopes the council will object.

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

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. 19-270

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize the Mayor and Municipal Clerk to sign the contract with the County of Union Municipal Alliance, for the period of July 1, 2019 to June 30, 2020.

RESOLUTION NO. 19-272

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW THEREFORE, BE IT RESOLVED, that the Council of the Borough of Garwood hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$4,934.40 which item is now available as a revenue from the UNION COUNTY Board of Chosen Freeholders, in the amount of \$4,934.40;

BE IT FURTHER RESOLVED, that the sum of \$4,934.40 is hereby appropriated under the caption of "2019 Union County Library Grant for Children's Programming & Materials".

A motion was made by Councilwoman Blumenstock, second by Councilman Benoit to adopt Consent Agenda as amended.

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. 19-271

A RESOLUTION of the Borough of Garwood, County of Union, State of New Jersey, in opposition to forced consolidation of the Garwood Public School District

WHEREAS, the municipalities are excellent fiscal stewards that have been doing more with less ever since New Jersey was founded in 1787 and are run by elected officials that live and work in the communities they represent, and are more committed to working together and the responsible and efficient use of tax dollars than any other level of government; and

WHEREAS, Senate President Stephen Sweeney has called for the forced consolidation of all K-4, K-5, K-6, K-8, and K-9 school districts into regional school districts as part of his 32-recommendation "Path to Progress" plan; and

WHEREAS, last week, Governor Philip Murphy has set aside \$10 million for New Jersey to help promote shared services and Senate President Stephen Sweeney responding by vocalizing support for \$2 million of those dollars to be earmarked to study K-12 consolidation; and

WHEREAS, the Garwood Public School District is a K-8 school district with a send and receive agreement with Clark Public School District for high school; and

WHEREAS, according to New Jersey's Taxpayer Guide to Education Spending, the cost per pupil in the Garwood Public School District was \$20,690 for the 2017 to 2018 school year and the New Jersey State average was \$21,866 for the 2017 to 2018 school year; and

WHEREAS, no studies currently exist on the potential impact of consolidation on the Garwood Public School District; and

WHEREAS, the municipality supports voluntary consolidation of local school districts, if the process is initiated at the local level, has the support of the governing bodies of the affected municipalities, and the completed studies indicate it would be beneficial to Garwood and the surrounding municipalities; and, therefore, it is **RESOLVED** that Garwood Borough, County of Union, opposes any measure, initiative, or plan that mandates the forced consolidation of the Garwood Public School District; and be it further **RESOLVED**, that the General Assembly, the Senate, and the Governor be urged to oppose forced consolidation of local school districts without proper investigation and majority support by the local school districts involved in any potential consolidation. **ADOPTED** by the Borough Council of the Borough of Garwood, County of Union, the State of New Jersey, this 10th day of October, 2019.

A motion was made by Councilman Benoit, second by Councilwoman Blumenstock to adopt Resolution 19-271.

Discussion: Councilman Graham read the following statement.

As a former member of the Garwood Board of Education and a substitute teacher at Lincoln School for the past four years, it came as a surprise to me when I read a local Patch article regarding forced mergers for K-8 districts throughout New Jersey. According to the article, Garwood was listed as a possible candidate to become regionalized. While money has been earmarked to study school consolidation, no definite plans have been announced. However, having been involved with Garwood schools in various capacities, it greatly concerned me that this possibility could even exist.

One of the events that I look forward to each year is the EFG (Education Foundation of Garwood) banquet recognizing a Lincoln School teacher of the year. At this event, one of our many outstanding teachers is celebrated for their incredible dedication to our students and for creating an atmosphere that embraces academic achievement and community spirit. As a substitute teacher I am inspired by these devoted professionals who selflessly give their time and energy for the benefit of our kids. At this point, I worry that consolidating our district will take away the small town with a big heart identity that has been nurtured since the inception of Lincoln School.

As a member of the joint committee that consists of the Board of Education, Garwood's governing body, and Planning Board, we will continue to keep the lines of communication open to respond assertively and thoughtfully to this issue and any others that may impact the school children of our community.

I believe in proactively standing up for our educators and students.

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 19-271 was adopted.

RESOLUTION NO. 19-273

WHEREAS, the Municipal Clerk solicited proposals from State Contract Vendors for the provision of the 2019 General Tree Maintenance project; and

WHEREAS, one proposal has been received as follows:

1) Rich's Tree Service (State Contract Vendor) - \$ 25,753.48

WHEREAS, the proposal has been received from Rich's Tree Service, Inc., 325 Bergen Street, S. Plainfield, NJ, 07080-3320, for the provision of tree maintenance services in accordance with the specifications attached hereto and made part hereof; and

WHEREAS, said vendor represents to the Borough of Garwood that it is under contract with the State of New Jersey, Division of Purchase and Property in the Department of the Treasury, T-0465, State Contract #18-dpp-00645 for the supplying of said tree maintenance services at the price offered to the Borough of Garwood, to wit; \$25,753.48; and

WHEREAS, the clerk of the Borough of Garwood has received the Notice of Award concerning the supplier for contract period which states the supplier is under contract for such services with the Division of Purchase and Property, State of New Jersey and she has researched whether said supplier is under contract for such services with the Division of Purchase and Property and her inquiry has resulted in verification.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Garwood hereby authorize the award of the aforementioned 2019 Shade Tree Maintenance Contract from Rich's Tree Service, Inc., 325 Bergen Street, S. Plainfield, NJ, 07080-3320, in accordance with the quote for \$25,753.48, attached hereto and that the Clerk be and she 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.

A motion was made by Councilman Graham, 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 19-273 was adopted.

NEW BUSINESS:

APPOINTMENT: GREEN TEAM

Andrew Wiecek – 2 year term 10/10/2019-12/31/2020

PROCLAMATION:

Breast Cancer Month – October 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 Councilman Benoit 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 24, 2019**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

A motion was made by Councilwoman Blumenstock, seconded by Councilman Benoit to adjourn.
Time: 8:59 p.m.

Respectfully submitted:



CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood