

**Borough of Garwood**  
**MEETING OF THE MAYOR AND COUNCIL**  
**MINUTES**  
**November 14, 2022**

Time: 7:00 P.M.

Moment of Silence was dedicated to Former Police Chief Bob Ryan passed away on Nov. 10th.

Salute to the Flag

Adequate notice of this meeting was provided to the Union County Hawk advertised on December 2, 2021. Notification was sent to the Star Ledger, and is posted on the Municipal website, 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:**

<b>Mayor Todisco</b>	<b>P</b>		
<b>Councilman Graham</b>	<b>P</b>		
<b>Councilman Kearney</b>	<b>P</b>	<b>Councilwoman Salmon</b>	<b>P</b>
<b>Councilman Lazarow</b>	<b>P</b>	<b>Council President Blumenstock</b>	<b>P</b>

**Also Present:**

Kyle Harris, Borough Administrator  
Adam Abramson, Borough Attorney  
Catherine D. Cameron, Borough Clerk  
Sandy Bruns, Borough CFO/Treasurer/Tax Collector  
James Wright, Chief of Police

**PRESENTATION:**

Mayor Todisco presented a Community Spirit Award to Rodney Van Natta.

Report of Borough Attorney NO REPORT

Mr. Abramson stated an Ordinance will be introduced at the November 28<sup>th</sup> Council meeting.

Report of Borough Administrator:

1. Yesterday afternoon, I received an email from Councilman Petruzzelli, that he was resigning his council seat effective immediately. I forward this information to Ms. Cameron, the Municipal Clerk so that she could notify the board of elections. On tonight's consent agenda, please remove Resolution 22-160. The reason for the consent agenda A and B on this agenda was for separating the fire department items that Councilman Petruzzelli had to abstain from. We will return to a single consent agenda at the next meeting.
2. The Borough of Garwood is looking for volunteers to serve on various committees and boards. Applications are available on the borough website and in Borough Hall. Please return your application via email to [clerk@garwood.org](mailto:clerk@garwood.org) or drop off at the clerk's office.
3. Borough Hall will be closed next Thursday and Friday, November 24<sup>th</sup> and 25<sup>th</sup> for the Thanksgiving Holiday
4. Resolution 22-157: This is a unique situation that requires a road opening for a roadway under moratorium. The new property owner of 106 and 108 Anchor Place, these are both separate tax lots of an attached two family dwelling, discovered the water service for 108 Anchor Place was coming from the basement of 106 Anchor. This essential gave the occupant of 106 Anchor Place control over 108's water. Upon meeting with the Streets and Roads Committee on October 27<sup>th</sup> it was agreed this road opening permit should be approved. The disturbed area will be 30 square feet and will require infrared repair.

5. Resolution 22-161: This is for the purchase of Pedestrian Crossing Beacon for Third and Cedar the funding was approved in a bond ordinance earlier this year
6. Resolution 22-162: This is for the purchase of a Radar Trailer to be used by the Police Department. The funding was approved in a bond ordinance earlier this year.
7. Resolution 22-163: This is for the purchase of new administrative SUV for the fire department. This is just the vehicle and will still need to be upfitted. The funding was approved earlier this in a bond ordinance
8. Resolutions 22-164, 22-165 and 22-166 are all purchases from the Fire Department Operating Budget. Due to earlier purchases this year from the vendors in the resolution are over the purchasing threshold and will need council approval.

### **Report of Mayor Sara Todisco**

Police Chief Retirement - As you can see on the agenda tonight, we have a resolution acknowledging the retirement letter for our Police Chief Jim Wright. Chief Wright submitted his letter on November 8th and he will continue serving as Chief until his last day on February 28, 2023. On behalf of the entire Borough of Garwood, I want to thank Chief Wright for his dedicated service both over the past 5 years as our Chief and also as a sworn police officer in our department since 2000. He has always represented and led our Police Department well with professionalism and respect. He has always been someone I could call with any matter, nothing was too big or too small, and he always had an open ear to what we had to say as elected officials. I know he still has a few more months with us, but I wish him much happiness as he embarks on a new chapter in his life.

Veterans Day - I want to take a moment to acknowledge Veterans Day, which was this past Friday. Thanks to all those who have served in our military, we are a safer and a freer country. I thank each and every veteran for their service. In particular, I want to acknowledge our Borough employees and volunteers who are veterans, including Councilman Russ Graham.

Restaurant Week - I want to thank everyone who helped organize as well as all the local businesses who participated in this year's "Taste of Garwood" Restaurant week and of course, all who made a point to support these restaurants. This was brought back from when it was first done in 2020 and I'm sure it will be even more successful in future years.

Food Drive - The annual Garwood Cares Food Drive was another huge success this year and I want to thank everyone who contributed, starting with residents Coleen Hay and Jen Battiloro who spearheaded this whole effort and who spent basically the whole weekend here in Council Chambers sorting all the donated items. I want to thank the others who helped them sort the items and all the Block Ambassadors. I always enjoy helping as a Block Ambassador as you get to witness the generosity of our community firsthand. And of course, last but not least, all of those who participated by clearing out their kitchen cabinets or making a special trip to the grocery store to donate to the food drive.

Planning Board - The Planning Board met last Wednesday, November 9th. The entire meeting focused on the discussion of possible regulations of short-term rentals. Some board members still expressed concern in regulating short-term rentals as opposed to a prohibition on short-term rentals. Also, preliminary discussion was the enforcement of any type of regulations. The discussion will continue at the next Planning Board meeting on December 14th.

The topic of short-term rentals was initially discussed by Council in August and was referred to the Planning Board in early September. To date, the Planning Board has spent over two months discussing short-term rentals with no recommendations for Council. In addition, it was explained in September by the Planning Board Attorney that short-term rentals are not currently permitted in the Borough. Specifically, because short-term rentals are not listed as a permitted use in the code. I have been asked why the Borough is not enforcing the current prohibition of short-term rentals.

Since this has been ongoing for over two months, and the Planning Board is still working on determining whether to prohibit, regulate and/or how to enforce, I am asking the Council to introduce an ordinance at the next meeting codifying in writing the Borough's current prohibition on short-term rentals. This will continue to allow the Planning Board to work on their recommendations for either regulations and enforcement or prohibition. Additionally, if recommendations from the Planning Board to come before Council in late 2022 or early 2023, it will take time to review the recommendations of the Planning Board, vote on accepting or rejecting and further financially determine if the Borough has the finances or is able to budget the ability to enforce any regulations. It could be the 2nd or 3rd quarter of 2023 before any recommendations ever be implemented. Therefore, there should be a simple, straightforward ordinance drafted by our attorney and he can then circulate it individually to members of the Council for comments or questions to him before it is introduced.

Mayor Todisco requested Council's approval to introduce an Ordinance at the next meeting codifying in writing the Borough's current prohibition on short-term rentals.

Council President Blumenstock stated her support for codifying an Ordinance prohibiting short-term rentals for enforcement purposes.

Councilman Kearney and Councilman Graham stated support of same.

**Comments from the Council:**

Councilman Graham

I WANT TO THANK CLARISSA NOLDE FOR HER RESILIANCE AND OVER WHELMING DESIRE TO SERVE THE RESIDENTS OF OUR TOWN AND ALTHOUGH THE VOTING HAS NOT YET BEEN CERTIFIED I EAGERLY LOOK FORWARD TO WELCOMING HER TO THIS COUNCIL IN THE VERY NEAR FUTURE. I ALSO WANT TO CONGRATULATE MY FRIEND, FORMER RUNNING MATE AND FELLOW COUNCILMAN ON HIS SUCCESSFUL REELECTION. MARC LAZAROW HAS SHOWN TREMENDOUS LEADERSHIP AND CLEAR HEADEDNESS THROUGHOUT HIS PREVIOUS SIX YEARS ON COUNCIL AND WILL CONTINUE TO DO SO OVER THE NEXT THREE. A HUGE CONGRATULATIONS TO ANOTHER OF MY FORMER RUNNING MATES, JEN BLUMENSTOCK ON HER VICTORY IN THE MAYORS RACE. MAYOR-ELECT BLUMENSTOCK HAS BEEN AN INCREDIBLE ASSET TO THIS GOVERNING BODY OVER THE PAST SIX YEARS AND IS SURE TO DO AN INCREDIBLE JOB AS MAYOR DURING THE NEXT FOUR. THE RESIDENTS OF THIS TOWN HAVE GOTTEN TO KNOW AND RELY UPON JEN AND NOW THEY WILL CONTINUE TO ENJOY THE BENEFIT OF HER LEADERSHIP SKILLS AND DEDICATION TO THE NEEDS OF THIS COMMUNITY.

Councilman Kearney

No comments tonight, Mayor, but I want to congratulate Chief Wright on his retirement and wish him well.

Councilman Lazarow congratulated Chief Wright on his retirement.

Councilwoman Salmon congratulated Chief Wright on his retirement.

Council President Blumenstock

The Garwood Lions Club held their Halloween Parade and costume contest and it was a resounding success. Thank you to everyone who participated and of course to all of the Lions volunteers, the Police Department, Fire Department and First Aid Squad who helped make it a great night for all of the children. The Lions Club Famous Pancake Breakfast is back this year! It will be held on Sunday, November 27<sup>th</sup> from 8am -12 noon at the Westwood. Tickets are \$10 a person, kids under 6 eat free. You can purchase tickets at the door, or

ahead of time by venmoing Garwood Lions Club. Come help support the Lions and enjoy a great breakfast of pancakes, bacon and sausage!

**MINUTES:**

Minutes of the Regular Meeting of the Mayor and Council held on October 27, 2022.

Minutes of the Executive Session of the Mayor and Council held on October 27, 2022.

A motion was made by Council President Blumenstock, second by Councilman Kearney, to accept minutes as presented. All in favor.

**COMMUNICATIONS:**

NONE

**ORDINANCE:**

**ADOPTION:**

Municipal Clerk to read Ordinance No. 22- 15 by title only:

**ORDINANCE NO. 22-15**

**ORDINANCE AMENDING THE 2021 REVISED AGREEMENT BETWEEN THE MEMBER MUNICIPALITIES OF THE RAHWAY VALLEY SEWERAGE AUTHORITY**

[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/22-15\\_RVSA\\_AMENDMENT\(1\).pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/22-15_RVSA_AMENDMENT(1).pdf)

List correspondence concerning Ordinance No. 22-15. NONE

Does anyone present wish to be heard concerning Ordinance No. 22-15.

NONE

A motion was made by Councilman Lazarow, second by Councilman Kearney, to close Public Hearing on Ordinance No. 22-15.

A motion was made by Councilman Graham, second by Council President Blumenstock, to adopt Ordinance No. 22-15.

Discussion: NONE

Roll Call:

**Councilman Graham AYE**

**Councilman Kearney AYE**

**Councilman Lazarow AYE**

**Councilwoman Salmon**

**AYE**

**Council President Blumenstock**

**AYE**

5- AYES Ordinance No. 22-15 was adopted.

**INTRODUCTION:**

Municipal Clerk to read Ordinance No. 22- 16 by title only:

**ORDINANCE NO. 22-16**

**AN ORDINANCE AMENDING THE BOROUGH CODE OF THE BOROUGH OF GARWOOD BY AMENDING CHAPTER 34, ENTITLED "POLICE DEPARTMENT", ARTICLE V, "PRIVATE EMPLOYMENT OF POLICE OFFICERS".**

[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/22-16-INTRO-REVISING\\_PD\\_CHAPTER\\_34.pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/22-16-INTRO-REVISING_PD_CHAPTER_34.pdf)

A motion was made by **Councilman Lazarow**, second by **Council President Blumenstock**, to introduce Ordinance No. 22-16.

Roll Call:

<b>Councilman Graham</b>	<b>AYE</b>		
<b>Councilman Kearney</b>	<b>AYE</b>	<b>Councilwoman Salmon</b>	<b>AYE</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

5- AYES Ordinance No. 22-16 was introduced.

## **COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:**

### **FINANCE AND PERSONNEL: Councilman Lazarow, Chair**

#### **FIRE AND OEM: Councilman Kearney, Chair**

Thank you, Mayor, and once again a thank you to everyone from the Liberty Hose Company who joined us earlier to honor the 52 years of service by Firefighter Rod Van Natta.

I attended the dedication held on Wednesday, November 2nd for Truck 1. As Mayor Todisco spoke about earlier, the Fire Department was unable to do a traditional wet down ceremony when the truck entered service due to the pandemic, but even with a delay it was great to celebrate the arrival of such an essential firefighting apparatus as well as all of the hard work by former Chief Tweedle, Chief Scalzadonna, and the members of both the Fire Department, our Mayor and current and former members of the Council who made this possible. After the dedication, I attended the regular monthly meeting where business was discussed and, in the fine tradition of Fire Department meetings, “progress was made”. There were also nominations for next year’s officers. Elections for the officer positions will be held at the December monthly meeting.

Regarding two ordinance updates which have been pending in committee:

- The general update to *Chapter 27* is going to remain with the committee for a while longer. While the officers have settled on the updates they are requesting, additional time is needed to assemble the Bylaws Committee of the Liberty Hose Company to review everything and ensure there are no conflicts between the organization bylaws and the proposed updates to the Borough Code. As this will take at least two regular membership meetings to get through, this item will have to be passed to next year’s Fire Committee for follow up.
- For *Chapter 83*, which deals specifically with Fire Prevention, there are a handful of minor language updates, including clarification that Fire Officials must be state certified, an addition giving Fire Officials the ability to reassess inspection fees for non-compliance or missed appointments, and adjustments to the fee schedule for inspections. Specifically, our Fire Official asked for small raises to fees for certain types of inspections, which are now taking more time than the last time the fees were set, and streamlining some of the inspection categories.

I will send Ms. Cameron a redlined update for the Fire Prevention chapter to distribute to the entire Council for review this evening, and it should be up for introduction in our next meeting.

I don’t have the October activity report yet, so we will carry that to our next meeting.

Finally, regarding the Consent Agenda “Part B” tonight, I am requesting the full support of the Council for all of the items listed, including an auxiliary vehicle (which will be replacing a vehicle at least 20 years old), SCBA maintenance, radio paging and charging equipment, the annual clothing allowance. The vehicle is coming off this year’s capital bond; the other items are already in the Fire Department’s operating budget but require Council approval because the vendors are over the purchasing threshold. We also have the appointment of two new Firefighters, Chelsea Kessok and Victor Roveda, on for tonight, who I would also like to welcome to the department and wish good luck on their training! And that’s finally all for this report.

### **FACILITIES, GROUNDS AND SHADE TREES: VACANT NO REPORT**

**STREETS, ECOLOGY AND SUSTAINABILITY: Council President Blumenstock, Chair**

In addition to regular garbage pickup, the DPW cleared the debris from the tops of all stormwater drainage inlets on the North and South side of the Borough before heavy forecasted rains. They also removed shade trees in the following locations: 345 3<sup>rd</sup> Avenue; 456 Spruce Avenue. Fanwood's bucket truck was used to complete the work. The Department painted a new handicap spot on 3<sup>rd</sup> Avenue and no parking areas along Center , and provided assistance to the Borough Clerk for Election Day. They also performed weekly bagged leaf pickup for the north and south side of the Borough. The bagged leaves were disposed of at the Union County Conservation Center in Springfield. In addition the DPW began to prepare the Christmas tree at the municipal complex for the annual tree lighting event. That's all for my report, Mayor.

**POLICE AND PUBLIC SAFETY: Councilman Graham, Chair**

Since the last meeting of Mayor and Council on October 27, 2022 the Garwood Police Department has recorded the following activity:

Initiated 67 motor vehicle stops; Conducted 57 building/property checks; Assigned to 46 fixed traffic posts (Radar, Stop Sign, Distracted Driving); Responded to 21 calls for medical assist; Responded to 7 business/residential alarms; Responded to 27 false 911/fire/co alarms; Conducted 2 welfare checks  
Initiated 13 community policing posts.

Ordinance No 22-15 which is on the agenda for adoption if approved will amend Chapter 34 Article V. of the Borough of Garwood Code. The proposed ordinance will to allow for third party scheduling and collecting of payments for police officer extra duty assignments. This ordinance does not change the way officers are scheduled for road jobs. It comes at **NO** additional costs to taxpayers. It simply cleans up and clarifies the language in the Chapter allowing for third party billing of vendors.

ON 11/10 CHIEF WRIGHT INVITED MAYOR ELECT BLUMENSTOCK AND MYSELF TO A SEMINAR TITLED "UNDERSTANDING POLICE USE OF FORCE" CONDUCTED AT THE UNION COUNTY POLICE ACADEMY BY CHIEF SACCA OF ELIZABETH.

THERE WERE A NUMBER OF COMMUNITIES PRESENT INCLUDING MANY FAITH-BASED ORGANIZATIONS THAT ARE CONSTANTLY STRUGGLING WITH IMPROVING COMMUNICATION WITH RESIDENT GROUPS AND THE LOCAL POLICE FORCES. THERE WERE VARIOUS EXCHANGES OF INFORMATION AND OPINIONS WITH THE HOPE THAT COMMON GROUND COULD BE REACHED.

IT WAS CLEAR FROM THE BEGINNING THAT THE EVENTS THAT OCCURRED A FEW YEARS AGO IN REGARDS TO THE GEORGE FLOYD INCIDENT WERE THE MAIN DRIVERS BEHIND MANY OF THE REVISED USE OF FORCE GUIDELINES. CHIEF SACCA EXPLAINED THAT THERE ARE MINIMAL GUIDELINES LAID OUT FOR STATES TO FOLLOW BUT THAT EACH STATES ATTORNEY GENERAL HAD THE AUTHORITY TO MAKE THEM EVEN HARSHER. THE ATTORNEY GENERAL WEBSITE HAS THE USE OF FORCE POLICY POSTED ON IT IF ANYONE WANTS TO PURUSE IT. CHIEF SACCA WENT THROUGH EACH INSTANCE WHERE USE OF DEADLY FORCE IS PERMISSABLE AND COVERED ALL OF THE LIMITATIONS AS WELL. AT THE CONCLUSION OF THE PRESENTATION EVERYONE GOT A CHANCE TO WITNESS OR EXPERIENCE THE VIRTRA VIRTUAL REALITY SIMULATOR THAT IS USED TO TRAIN POLICE OFFICERS ON HOW TO DEAL WITH VARIOUS INTERACTIONS WITH THE PUBLIC. MANY OF THE SCENARIOS ARE RECREATIONS OF ACTUAL EVENTS AND CAN BE QUITE DISTURBING. IT IS AN INCREDIBLY IMPORTANT AND USEFUL TOOL THAT WILL HELP PREPARE NEW AND EXPERINCED OFFICERS ALIKE FOR THE CHALLENGES OF EVERYDAY POLICING. THE TRAINING IS EXTREMELY VALUABLE BECAUSE THE OUTCOMES ARE NOT PREDETERMINED AND CAN BE ALTERED BY THE WAY EACH INDIVIDUAL REACTS TO EACH SET OF CIRCUMSTANCES. THE MOST VALUABLE ASPECT IS THE AFTER EVENT ASSESSMENT THAT TAKES PLACE WHERE INDIVIDUAL ARE COUNCILED ABOUT ALTERNATIVE APPROACHES THAT MAY LEAD TO BETTER

OUTCOMES. CHIEF SACCA PLANS TO HOLD THE SEMINAR PERIODICALLY SO THAT ALL OF THE TOWNS IN UNION COUNTY CAN ATTEND.

**COMMUNITY ENGAGEMENT: RECREATION, HISTORICAL AND CELEBRATIONS COMMITTEES:**

**Councilwoman Salmon, Chair**

Garwood Recreation has received an amazing number of sign-ups for basketball!!! With close to 100 kids our recreation committee and recreation director are currently working on scheduling. That will be made available shortly. Thank you to Mayor Todisco for adding some feedback to our committee and recreation director regarding our past basketball program. Also, and personal thank you to Jen Galluzzo of Galluzzo Bros that gave a large donation to Garwood Recreation this past week. I know the committee and the children appreciate it!

Garwood Celebrations is very busy getting ready for this holiday season. Their Christmas tree lighting is scheduled for November 26<sup>th</sup>. there are many new additions this year. So be sure to be there! Also please be sure to purchase your luminaire kit! They are available for purchase now please be sure to check out Garwood Celebrations Facebook page for purchasing information. Brunch with Santa tickets are selling fast. Brunch with Santa is set for December 6<sup>th</sup>. at the Columbian Club, please be sure purchase your tickets, information also is available on Garwood Celebrations Facebook page.

**COMMUNICATIONS COMMITTEE: Councilman Kearney** NO REPORT

**LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Lazarow**

**November 18 at Noon** - Join the library for Classic Movie Fridays featuring memorable movies from the 50s and 60s. Light refreshments will be served. Registration required. **November 21, and 28 at 10:30 am - Knitting Club** Join our Knitting Club. Open to all levels, No Registration required. Yarn and needles provided to newcomers. **November 17 at 7 pm – RB Express** – Enjoy a night of hits from the Coasters, the Platters, Frankie Valli and the Temptations, and more performed by RP Express the most entertaining band to emerge from the Jersey Shore. Registration requested by phone or on the events calendar. The Library will be closed on November 24 and 25 for Thanksgiving and will close at 4:30 pm on November 23, the day before Thanksgiving.

**SCHOOL BOARD LIAISON: Councilman Kearney**

The Garwood Board of Education met in a special session on Tuesday, November 1st for the purpose of appointing a new Superintendent. Mr. Christopher Kinney was appointed by the Board as both the Superintendent and Director of Special Services. He will begin with the district effective January 1st, 2023. Congratulations to Mr. Kinney, and welcome to Garwood! The next regular meeting of the Board will be tomorrow, Tuesday November 15th, 7pm at Lincoln School.

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

Our next Senior Club meeting is this week, November 17<sup>th</sup> at 12 pm. Also, holiday time has begun. We have our Christmas Party on December 1<sup>st</sup> at the Westwood, so looking forward to that. We also have our craft day, where we will be stenciling and painting holiday bags, on December 8<sup>th</sup> at 1pm at the Knights of Columbus. I also just want to let the Council know that we have lost two very important members of the Senior Club Board, Rita and Fred Unnold. They were on the Board for many years and will be greatly missed. That's all for my report, Mayor.

**SMALL BUSINESS ADVISORY LIAISON: Councilman Kearney**

Thank you, Mayor. The "Restaurant Week" / "Taste of Garwood" promotion finished up yesterday. I hope everyone had the chance to check out at least one of the participants! A thank you to our Small Business

Board President (and owner of Rosie's Wine Bar), Josh Rosenberg, Vice President Eric Weiss, and member Lee Frankel (owner of Crossroads) for all their work getting this event back off the ground this year. We also owe thanks to Mr. Harris and Ms. Cameron, who both went above the call of duty to assist with website and social media updates; and of course a thank you to Garwood Lanes, Mooyah Burgers and Benvenuti for joining in with special offers! I want to note that none of us on the Board realized the extent of the behind-the-scenes work done by our former Public Information Officer on this event. It was frankly a bit of a time crunch trying to get everything done, and I think this is reflected in the lower overall participation of our local restaurants this time around. I'm going to put on my Communications Committee hat soon for this topic, and set up a meeting within the next few weeks to discuss this and similar issues I've observed this year. We are also working out a date to meet with the Board to follow up on the "Wellness Week" promotion, review Restaurant Week to consider updates to the event, and also to consider pending applications of new Board members. I should have more on all this for my next report.

**PLANNING BOARD LIAISON: Councilwoman Salmon**

Update provided in Mayor's report.

**OFFICER'S REPORTS:**

Zoning Enforcement Officer's Monthly Report for October 2022.

[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Addendum\\_October\\_2022.pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Addendum_October_2022.pdf)

Property Maintenance Officer's report for October, 2022.

[https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Property\\_Maintenance\\_Reports\\_10-2022\\_1.pdf](https://garwoodnj.govoffice3.com/vertical/Sites/%7B7F1088A0-CEC9-4505-80EE-1DF1BF7DFFBD%7D/uploads/Property_Maintenance_Reports_10-2022_1.pdf)

CFO/Treasurer, Sandy Bruns, Bond Anticipation Note Sale.

A motion was made by Councilman Kearney, second by Councilman Graham, 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 requested clarification regarding the Executive Session matters planned for discussion.

Mr. Paterson requested clarification regarding the short term rental ordinance being proposed.

Mr. Paterson requested clarification regarding the Police Chief hiring process.

Mr. Paterson requested clarification regarding the bond sale.

Tom Evelina, 308 North Avenue commented on short term rental ordinance being proposed.

Mr. Evelina commented on permitting film production in the Borough.

Steve Greet, 409 Brookside Place, stated his support for codification of a short term rental ordinance.

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

Mr. Abramson provided clarification regarding disclosure of executive session subject matter.

Mayor Todisco clarified the purpose of introducing a short term rental Ordinance is to outline enforcement parameters.



Mr. Harris clarified the hiring process for Police Chief.  
Mr. Abramson stated hiring process for Police Chief is outlined in the Borough Code.  
Mrs. Bruns clarified the bond sale.

Mayor Todisco stated permission of film production can be further discussed by Council.  
Mayor Todisco clarified the significance of codifying a short term rental ordinance.

**UNFINISHED BUSINESS:**

**CONSENT AGENDA A**

(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. 22-156**

**WHEREAS**, on November 8, 2022 the Governing Body received correspondence from James H. Wright dated November 8, 2022, advising that he will be retiring from the Borough of Garwood; and

**WHEREAS**, Mr. Wright has advised that his retirement shall be effective March 1, 2023; and

**WHEREAS**, the State of New Jersey, Division of Pensions and Benefits requires the Finance Department to certify the employment for Mr. Wright in order to process the March 1, 2023 retirement.

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

- 1) The Borough of Garwood hereby accepts and relies upon the November 8, 2022, notice of retirement from James H. Wright, seeking to retire from the Borough of Garwood.
- 2) Effective March 1, 2023, James H. Wright shall be retired from his position as Chief of Police in the Borough of Garwood.
- 3) This resolution puts the 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 Mr. Wright.
- 4) This resolution authorizes the Borough Administrator on behalf of the Governing Body to accept applications from qualified applicants for the position of Chief of Police.
- 5) This resolution shall take effect immediately.

**RESOLUTION NO. 22-159**

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, that Manny Vilarino is hereby appointed as a part time Public Moderator, effective November 28, 2022 at an hourly rate of \$25.00 per hour.

**RESOLUTION NO. 22-161**

**WHEREAS**, a proposal has been received from Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ 08332, for the purchase of pedestrian safety beacons in accordance with the specifications and quote dated 11/02/2022, attached hereto and made part hereof; and

**WHEREAS**, said supplier represents to the Borough of Garwood that it is in accordance with Somerset County Co-Op, #CC-0099-22 Group 10 for the purchase of pedestrian safety beacons at the price offered to the Borough of Garwood, to wit; \$18,404.87; and

**WHEREAS**, the Police Chief of the Borough of Garwood has researched whether said supplier is approved under contract for such pedestrian safety beacons from Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ 08332, as presented and his inquiry has resulted in verification; and

**WHEREAS**, said pedestrian safety beacons are purchased under Bond Ordinance No. 22-07 for the amount of \$18,404.87.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Garwood hereby award the aforementioned purchase of pedestrian safety beacons for use by the Garwood Police Department in accordance with the specifications and quote attached hereto and made part hereof, from Garden State Highway Products, Inc., 301 Riverside Drive, Millville, NJ 08332, in accordance with the quote for \$18,404.87, attached hereto, and that the Police Chief of the Borough of Garwood 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. 22-162**

**WHEREAS**, a proposal has been received from All Traffic Solutions, 14201 Sullyfield Circle, Ste. 300, Chantilly, Va. 20151, for the purchase of speed radar signs in for use by the Garwood Police Department in accordance with Quote #Q-72246 dated 11/04/2022 attached hereto and made part hereof; and

**WHEREAS**, said supplier represents to the Borough of Garwood that it is contracted with All Traffic Solutions, State Contract #NJ 17-FLEET-00776 for the supply of said equipment at the price offered to the Borough of Garwood, to wit; \$20,005.85; and

**WHEREAS**, the Police Chief of the Borough of Garwood has researched whether said supplier is approved under contract for such speed radar signs from All Traffic Solutions, 14201 Sullyfield Circle, Ste. 300, Chantilly, Va. 20151, as presented and his inquiry has resulted in verification; and

**WHEREAS**, said speed radar signs are purchased under Bond Ordinance No. 22-07 for the amount of \$20,005.85.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Garwood hereby award the aforementioned purchase of speed radar signs for use by the Garwood Police Department in accordance with the specifications and quote attached hereto and made part hereof, from All Traffic Solutions, 14201 Sullyfield Circle, Ste. 300, Chantilly, Va. 20151, in accordance with the quote for \$20,005.85, attached hereto, and that the Police Chief of the Borough of Garwood 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.

A motion was made by Councilman Graham, second by Council President Blumenstock, to adopt Consent Agenda A as amended.

Roll Call:

<b>Councilman Graham</b>	<b>AYE</b>		
<b>Councilman Kearney</b>	<b>AYE</b>	<b>Councilwoman Salmon</b>	<b>AYE</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

### **CONSENT AGENDA B**

(Adoption upon Roll Call)

#### **RESOLUTION NO. 22-164**

**WHEREAS**, a proposal has been received from New Jersey Fire Equipment Co., 119-131 Route 22 East, Green Brook, NJ 08812, for the purchase of SCBA equipment maintenance for use by the Garwood Fire Department in accordance with Quote #17060 attached hereto and made part hereof; and

**WHEREAS**, said supplier represents to the Borough of Garwood that it is contracted with New Jersey Fire Equipment, State Contract #17-FLEET-00819 for the supplying of said equipment maintenance at the price offered to the Borough of Garwood \$1,350; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Garwood hereby authorize the purchase of SCBA equipment maintenance for use by the Garwood Fire Department in accordance with Quote #17060 attached hereto and made part hereof from New Jersey Fire Equipment Co., 119-131 Route 22 East, Green Brook, NJ 08812, for \$1,350, and that the Borough Fire Chief is hereby authorized to enter such order on behalf of this Borough.

#### **RESOLUTION NO. 22-165**

**WHEREAS**, a proposal has been received from Motorola Solutions Inc., c/o Wireless Communications & Electronics, 153 Cooper Road, West Berlin, NJ, 08091, for Voice Pagers for use by the Garwood Fire Department, in accordance with Quote #518-91922, attached hereto and made part hereof; and

**WHEREAS**, said vendor represents to the Borough of Garwood that it is under contract with the Motorola Solutions Inc., State Contract #83909 for the supplying of said equipment at the price offered to the Borough of Garwood, to wit; \$1,503.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Garwood hereby authorize the purchase of Voice Pagers for use by the Garwood Fire Department in accordance with Quote #518-91922 attached hereto and made part hereof from Motorola Solutions Inc., c/o Wireless Communications & Electronics, 153 Cooper Road, West Berlin, NJ, 08091 for \$1,503.00 and that the Borough Fire Chief is hereby authorized to enter such order on behalf of this Borough.

#### **RESOLUTION NO. 22-166**

**WHEREAS**, a proposal has been received from Motorola Solutions Inc., c/o Wireless Communications & Electronics, 153 Cooper Road, West Berlin, NJ, 08091, for Multi Unit Chargers for use by the Garwood Fire Department, in accordance with Quote #518-091522, attached hereto and made part hereof; and

**WHEREAS**, said vendor represents to the Borough of Garwood that it is under contract with the Motorola Solutions Inc., State Contract #83909 for the supplying of said equipment at the price offered to the Borough of Garwood, to wit; \$1,697.76

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Garwood hereby authorize the purchase of Voice Pagers for use by the Garwood Fire Department in accordance with Quote #518-091522 attached hereto and made part hereof from Motorola Solutions Inc., c/o Wireless Communications & Electronics, 153 Cooper Road, West Berlin, NJ, 08091 for \$1,697.76 and that the Borough Fire Chief is hereby authorized to enter such order on behalf of this Borough.

#### **RESOLUTION NO. 22-167**

**BE IT RESOLVED**, by the Council that the treasurer be and she is hereby authorized to draw checks to the sum of \$24,865 to members of Garwood Fire Department for clothing allowances due for 2022; and

**BE IT FURTHER RESOLVED**, that the report of the Chief and Secretary of the Garwood Fire Department, which shows the amounts due to by said members for a period of one year from November 1, 2021 to October 31, 2022, be made a part hereof.

**RESOLUTION NO. 22-168**

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby appoint Chelsea Kessok and Victor Roveda as Fire Fighters for the Garwood Fire Department effective November 14, 2022.

A motion was made by Councilman Lazarow, second by Council President Blumenstock, to adopt Consent Agenda B as amended.

Roll Call:

<b>Councilman Graham</b>	<b>AYE</b>		
<b>Councilman Kearney</b>	<b>AYE</b>	<b>Councilwoman Salmon</b>	<b>AYE</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

**RESOLUTION NO. 22-157**

**RESOLUTION APPROVING ROAD OPENING PERMIT FOR NEW JERSEY AMERICAN WATER**

**WHEREAS**, New Jersey American Water has submitted a Road Opening Permit Application for installation of water service at 108 Anchor Place, Garwood, NJ; and

**WHEREAS**, there is a five year moratorium on this section of Anchor Place because it was reconstructed less than five years ago; and

**WHEREAS**, New Jersey American Water has agreed to for install water service at this opening and to have the work inspected and approved by the Borough Superintendent of Public Works.

**NOW, THEREFORE BE IT RESOLVED** that the Council of the Borough of Garwood hereby approves the Road Opening Permit Application for 108 Anchor Place that was submitted by New Jersey American Water and that the Borough Administrator is hereby authorized to execute the approval of the said Road Opening Permit Application.

A motion was made by Councilman Lazarow, second by Councilman Kearney, to adopt Resolution No. 22-157.

Discussion: NONE

Roll Call:

<b>Councilman Graham</b>	<b>AYE</b>		
<b>Councilman Kearney</b>	<b>AYE</b>	<b>Councilwoman Salmon</b>	<b>ABSTAIN</b>
<b>Councilman Lazarow</b>	<b>AYE</b>	<b>Council President Blumenstock</b>	<b>AYE</b>

**RESOLUTION NO. 22-158**

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF GARWOOD AND AUTHORIZING THE MAYOR, MUNICIPAL CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$5,310,000 BOND ANTICIPATION NOTE AND A \$228,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED NOVEMBER 4, 2022 AND PAYABLE AUGUST 3, 2023, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.**

**WHEREAS**, the Borough of Garwood, in the County of Union, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

**WHEREAS**, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

**WHEREAS**, the Borough intends to issue a \$5,310,000 Bond Anticipation Note and a \$228,000 Special Emergency Note, both issues dated November 4, 2022 and payable August 3, 2023 (collectively, the "Notes"); and

**WHEREAS**, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Garwood, in the County of Union, New Jersey, as follows:

**SECTION 1.** The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Notes) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code

**SECTION 2.** The Mayor, Municipal Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

**SECTION 3.** The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

**SECTION 4.** It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2022.

**SECTION 5.** It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2022.

**SECTION 6.** The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

**SECTION 7.** The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2022 dated as of the date of delivery of the Notes.

**SECTION 8.** This resolution shall take effect immediately upon its adoption.

A motion was made by Councilman Lazarow, second by Councilman Kearney, to adopt Resolution No. 22-158.

Discussion:

Councilwoman Salmon requested clarification of resolution No. 22-158.

Mrs. Bruns provided clarification.

Roll Call:

**Councilman Graham AYE**

**Councilman Kearney AYE**

**Councilman Lazarow AYE**

**Councilwoman Salmon**

**AYE**

**Council President Blumenstock**

**AYE**

**RESOLUTION NO. 22-160**

**WHEREAS**, on September 12, 2022 Councilwoman Heather Loffredo submitted her resignation from the Council of the Borough of Garwood effective September 13, 2022; and

**WHEREAS**, on or about September 12, 2022 the Municipal Clerk communicated with the Union County Elections Supervisor regarding the term of office appointment which would become effective October 13, 2022 through December 31, 2023; and

**WHEREAS**, on September 13, 2022, the Municipal Clerk provided an email to the Union County Clerk and the Union County Elections Supervisor confirming the term of office appointment to be effective October 13, 2022 through December 31, 2023; and

**WHEREAS**, at the regular meeting of the Borough Council of the Borough of Garwood held on October 13, 2022, Louis Petruzzelli was appointed successor to fill the term of office effective October 13, 2022 through December 31, 2023; and

**WHEREAS**, after further review of the Municipal Vacancy Law, N.J.S.A 40A:16 -1 et. seq., and in order to be compliant with the law, the Municipal Clerk seeks to amend the term of appointment of Louis Petruzzelli to be effective October 13, 2022 to November 7, 2023.

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

1. That the term of office appointment for Louis Petruzzelli shall be amended to be effective October 13, 2022 to November 7, 2023, at which time a successor will be voted in at the General Election.
2. A copy of this resolution shall be provided to Councilman Louis Petruzzelli upon ratification via email for his records.

A motion was made by Councilman Lazarow, second by Councilman Kearney, to delete Resolution No. 22-160.

Discussion: NONE

Roll Call:

**Councilman Graham AYE**

**Councilman Kearney AYE**

**Councilman Lazarow AYE**

**Councilwoman Salmon**

**AYE**

**Council President Blumenstock**

**AYE**

**RESOLUTION NO. 22-163**

**WHEREAS**, a proposal has been received from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002, for the purchase of one (1) 2023 Chevrolet Tahoe SSV 4WD, in accordance with the specifications and quote dated 06/01/2022, attached hereto and made part hereof; and

**WHEREAS**, said supplier represents to the Borough of Garwood that it is in accordance with Educational Services Commission of NJ, ESCNJ Co-Op #ESCNJ 20/21-09 for the purchase of one (1) 2023 Chevrolet Tahoe SSV 4WD at the price offered to the Borough of Garwood, to wit; \$43,632.24; and

**WHEREAS**, the Fire Chief of the Borough of Garwood has researched whether said supplier is approved under contract for such vehicle from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002, as presented and his inquiry has resulted in verification;  
and

**WHEREAS**, said vehicle is purchased under Bond Ordinance No. 22-07 for the amount of \$43,632.24.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Borough of Garwood hereby award the aforementioned purchase of vehicle for use by the Garwood Fire Department in accordance with the specifications and quote attached hereto and made part hereof, from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, NJ 08002, in accordance with the quote for \$43,632.24, attached hereto, and that the Fire Chief of the Borough of Garwood 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.

A motion was made by Councilman Lazarow, second by Councilman Kearney, to adopt Resolution No. 22-163.

Discussion ensued.

Roll Call:

**Councilman Graham AYE**

**Councilman Kearney AYE**

**Councilman Lazarow AYE**

**Councilwoman Salmon**

**NAY**

**Council President Blumenstock**

**AYE**

**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 Council President Blumenstock, second by Councilman Lazarow, to adopt Payment of Claims Resolution.

Roll Call:

**Councilman Graham AYE**

**Councilman Kearney AYE**

**Councilman Lazarow AYE**

**Councilwoman Salmon**

**AYE**

**Council President Blumenstock**

**AYE**

**EXECUTIVE SESSION:**

At 8:20 P.M. the Municipal Clerk read the following:

**RESOLUTION NO. 22-169**

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

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

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

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

A motion was made by Council President Blumenstock, second by Councilman Lazarow, to adopt Resolution 22-156. All in favor.

At 9:08 P.M. a motion was made by Council President Blumenstock, second by Councilman Kearney, to resume the regular session. All in favor.

**ADJOURNMENT:**

The Regular Meeting of the Mayor and Council will be held on **Monday, November 28, 2022**, at 7:00 P.M. in Council Chambers.

Information for meetings is posted on the Borough website: [https://garwood.org/gb\\_notices](https://garwood.org/gb_notices)

A motion was made by Councilman Lazarow, second by Councilman Kearney, to adjourn. Time: 9:09 P.M.

Respectfully submitted:  
Catherine D. Cameron, R.M.C.  
Borough Clerk