

Borough of Garwood Meeting of the Mayor and Council

AGENDA

November 15, 2018

Moment of Silence.....

Salute to the Flag.....

Adequate notice of this meeting was provided to the Westfield Leader, advertised on January 4, 2018, notification was sent to the Star Ledger and prominently posted on the municipal public bulletin board and filed in the office of the municipal clerk informing the Public of the time and place according to the Provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

ROLL CALL:

Mayor Lombardo	_____		
Councilwoman Bianco	_____	Councilman McCormack	_____
Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____

Motion to suspend the regular order of business to hold public hearing on the Union County Community Development Block Grant Proposal for the Year 45 as advertised on November 1, 2018.

Mayor Lombardo asks the Clerk if she has received any applications or correspondence.

Mayor Lombardo asks if any one wishes to be heard concerning CDBG applications.

Motion to close public hearing:

Motion to submit applications, followed by a second:

Borough of Garwood's Year 45 Applications:

Senior Citizen Social Service Programs	\$ 35,000.00
Senior Citizen Handyman Program	\$ 10,000.00

Roll Call:

Councilwoman Bianco	_____	Councilman McCormack	_____
Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

Motion to resume the regular order of business

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on October 23, 2018.

A motion was made by _____, second by _____, to accept minutes as presented.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor’s Advisory –
 - i. 10/26/18, RE: Weekly Round-Up
 - ii. 11/02/18, RE: Weekly Round-Up
 - iii. 11/09/18, RE: Weekly Round-Up
 - iv. 11/14/18, RE: Daily Update
- 2) **RAHWAY VALLEY SEWERAGE AUTHORITY –** 10/22/2018, RE: Minutes of the meeting held on September 20, 2018 and October 18, 2018.
- 3) **TOWNSHIP OF CRANFORD –** 10/29/18, RE: Ordinance No. 2018-16.
- 4) **TOWN OF WESTFIELD –** 10/31/18, RE: Ordinances 2114, 2115, 2116, 2117
- 5) **GARWOOD PLANNING BOARD –** 10/25/18, RE: Minutes of the meeting held on September 26, 2018 and October 10, 2018.

ORDINANCES:

Public Hearing on Ordinance 18-26 as advertised in the Westfield Leader.

ADOPTION:

Municipal Clerk to read Ordinance 18-26 by title only:

ORDINANCE NO. 18-26

AN ORDINANCE TO AMEND § 67-17 (NOTICE AND REGISTRATION REQUIRED) IN ARTICLE VII (MAINTENANCE, REGISTRATION AND REPAIR OF RESIDENTIAL PROPERTIES SUBJECT TO FORECLOSURE) IN CHAPTER 67 (BUILDINGS AND STRUCTURES) OF THE CODE OF THE BOROUGH OF GARWOOD TO REVISE A REFERENCE TO THE REGISTRATION OR RENEWAL FEE

List correspondence concerning Ordinance 18-26.

Does anyone present wish to be heard concerning Ordinance 18-26.

A motion was made by _____, second by _____, to close Public Hearing on Ordinance 18-26.

A motion was made by _____, second by _____, to adopt Ordinance 18-26.

Discussion:

Roll Call:

Councilwoman Bianco	_____	Councilman McCormack	_____
Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilwoman Bianco, Chr.

PUBLIC HEALTH: Councilwoman Cuccaro

STREETS AND ROADS/ECOLOGY: Council President Blumenstock, Chr.

FIRE: Councilman McCormack, Chr.

FINANCE: Councilwoman Todisco, Chr.

BUILDINGS AND GROUNDS: Councilman Lazarow

LAWS AND LICENSES: Councilwoman Cuccaro

RECREATION: Councilman Lazarow

GARWOOD SENIOR CITIZEN LIAISON: Council President Blumenstock

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Lazarow

SCHOOL BOARD LIAISON: Councilman McCormack

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:
Councilwoman Cuccaro

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:
Councilman McCormack

UNION COUNTY TRANSPORTATION ADVISORY REPRESENTATIVE: Councilwoman Bianco

HISTORICAL COMMITTEE: Councilwoman Todisco

PARKING COMMITTEE: Councilwoman Bianco

OFFICER'S REPORTS:

Chief of Police, James H. Wright: monthly reports for the months of August & October 2018
Zoning Code Enforcement Officer, Lenny DiStefano: monthly report for the month of October 2018
CFO/Treasurer, Sandy Bruns: report concerning Bond Anticipation Note Sale
A motion was made by _____, second by _____, to accept Officer's reports.

PUBLIC COMMENT:

Is there anyone in the audience who wishes to address the mayor and council please step to the microphone, and state your full name and address. Please limit your comments to three minutes.

UNFINISHED BUSINESS:

CONSENT AGENDA

(Adoption upon Roll Call)

"Consent agenda items are considered to be routine and will be enacted with a single motion; any items requiring expenditure are supported by a Certification of Availability of funds; any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in the full minutes."

RESOLUTION NO. 18-206

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 \$1,600,735 BOND ANTICIPATION NOTE AND A \$140,000 SPECIAL EMERGENCY NOTE, BOTH ISSUES DATED NOVEMBER 8, 2018 AND PAYABLE NOVEMBER 8, 2019, 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 \$1,600,735 Bond Anticipation Note and a \$140,000 Special Emergency Note, both issues dated November 8, 2018 and payable November 8, 2019 (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 2018.

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 2018.

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 2018 dated as of the date of delivery of the Notes.

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

RESOLUTION NO. 18-207

WHEREAS, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby directs the transfers of 2018 budget appropriations be and they are hereby made:

2018 Budget Transfer #1

FROM:	Department	Account Name	Account Number	Amount
	Senior Citizen Program	S&W	8-01-28-371-100-0100	3,100.00
	Salary Adjustment	S&W	8-01-30-425-100-0100	2,675.00
	Fair Housing Plan	Professional Fees	8-01-21-190-200-0970	5,000.00
	Group Insurance	HB Employer Retired	8-01-23-220-200-1010	10,000.00
	Streets & Roads	S&W	8-01-26-290-100-0100	10,750.00
			Total	<u>31,525.00</u>

TO:	Department	Account Name	Account Number	Amount
	Senior Citizen Program	Programs/Seniors	8-01-28-371-200-1090	3,100.00
	Admin & Exec	S&W	8-01-20-100-100-0100	1,075.00
	Municipal Court	S&W	8-01-43-490-100-0100	1,000.00
	Planning Board	S&W	8-01-21-180-100-0100	300.00
	Office of Emerg Mgmt	S&W	8-01-25-252-100-0100	300.00
	Legal Fees	Mt Laurel Litigation	8-01-20-155-200-0952	20,000.00
	Telephone	Telephone	8-01-31-440-200-0160	750.00
	Utilities	Water Gas Electric	8-01-31-431-200-0163	5,000.00
			Total	<u>31,525.00</u>

RESOLUTION NO. 18-208

WHEREAS, on October 31, 2018, the Borough Administrator/Clerk received correspondence from Jarrett Louise, Laborer DPW dated October 30, 2018, advising that he is resigning from his employment with the Borough of Garwood; and

WHEREAS, Mr. Louise has advised that his resignation shall be effective on November 13, 2018; and
NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Garwood as follows:

- 1) The Borough of Garwood hereby accepts and relies upon the October 30, 2018 notice of resignation from Jarrett Louise.
- 2) Effective November 13, 2018, Jarrett Louise shall have resigned from his position as Laborer DPW with the Borough of Garwood.
- 3) This resolution puts the Borough Administrator/Clerk on notice to immediately process this resignation and to commence a search for a candidate to fill the position of Laborer DPW.
- 4) This resolution shall take effect immediately.

RESOLUTION NO. 18-209

BE IT RESOLVED by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby approve the CFO/Treasurer to issue a refund check for the tax overpayment on the following properties:

PROPERTY OWNER	ADDRESS	BLOCK/LOT	AMOUNT
FLITSANOV, IGOR	301 NEW STREET	510/1.01	\$1,000.00
MARIANOVSKY, ALEXANDER	303 NEW STREET	510/1.02	\$1,000.00
WILLIAMS, ROBERT	436 PINE AVENUE	602/20	\$2,294.65

REFUND TO:

WELLS FARGO REAL ESTATE TAX SERVICE
 ATTN: FINANCIAL SUPPORT UNIT
 MAC F2302-035
 1 HOME CAMPUS

DES MOINES, IA 50328-0001

AMOUNT OF REFUND: \$4,294.65

EXPLANATION: 4Qtr 2018 taxes paid by Wells Fargo Tax Services resulted in an overpayment. Refund is made to the tax servicer on behalf of the homeowner.

RESOLUTION NO. 18-210

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby hires Judith D. Mack as part-time Property Maintenance Officer in accordance with Chapter 5, Article VIII A, of the code of the Borough of Garwood, effective November 19, 2018, at a salary of \$20.00 per hour, not to exceed 5 hours per week.

BE IT FURTHER RESOLVED that the above is pending a background check and driving record check as directed by Chief Wright and also that the position includes probation period of one year.

RESOLUTION NO. 18-211

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Mayor and Municipal Clerk to sign the agreement with the County of Union for the following grants.

Kids Recreational Trust Fund Grant - \$20,000

RESOLUTION NO. 18-212

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Mayor and Municipal Clerk to sign the grant application for:

- Community Development Block Grant "Year 45"
- Senior Citizen Social Service Programs \$ 35,000.00
- Senior Citizen Handyman Program \$ 10,000.00

RESOLUTION NO. 18-213

WHEREAS, the Borough of Garwood advertised for bids for a contract for recycling collection services for a three year term commencing January 1, 2019 to December 31, 2021; and

WHEREAS, bids were received on November 1, at 11:00 a.m., at Borough Hall as follows; and

REPUBLIC SERVICES OF NJ, LLC dba MIDCO WASTE	2019	2020	2021	TOTAL
11 HARMICH ROAD	109,334.00	114,800.00	120,540.00	344,674.00
SOUTH PLAINFIELD, NJ 07080				
JOSEPH SMENKOWSKI, INC.	2019	2020	2021	TOTAL
P.O. BOX 17398-160 JAMES AVE	176,000.00	186,000.00	196,000.00	558,000.00
JERSEY CITY, NJ 07307				
WASTE MANAGEMENT	2019	2020	2021	TOTAL
107 SILVIA STREET	\$196,500.00	\$202,500.00	\$208,800.00	\$607,800.00
EWING, NJ 08628				

WHEREAS, Republic Services of NJ, LLC, dba MIDCO WASTE, 11 Harmich Road, South Plainfield, NJ 07080, submitted the lowest bid by submitting a grand total lump sum bid for a 36-month contract in the amount of \$344,674.00;

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Garwood that the aforementioned contract be and the same hereby is awarded to Republic Services of NJ, LLC, dba MIDCO WASTE in accordance with the bidding documents and the aforementioned bid submitted; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and are hereby authorized to execute the contract in accordance with the foregoing in the form prepared or approved of by the Borough Attorney.

RESOLUTION NO. 18-214

BE IT RESOLVED, by the Council that the treasurer be and she is hereby authorized to draw checks to the sum of \$21,135.00 to members of Garwood Fire Department for clothing allowances due for 2018; 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 December 1, 2017 to November 30, 2018, be made a part hereof.

RESOLUTION NO. 18-215

WHEREAS, Resolution No. 18-159 was adopted on July 24, 2018 from Foveonics Document Solutions, 999 Willow Grove Street, Hackettstown, NJ, 07840, for the provision of records management/scanning project in accordance with Proposal #CONV02122018, dated 02/12/2018; and

WHEREAS, the attached quote for \$42,789.06 is for the actual count of materials retrieved by Foveonics and also includes additional work for a total project cost of \$79,735.06; and

WHEREAS, said contractor represents to the Borough of Garwood that it is in accordance with the Education Services Commission of New Jersey Cooperative Administration (ESC NJ), 1660 Stelton Road, Piscataway, NJ 08854, Co-op #65MCESCCPS, and Bid #ESCNJ 16/17-48 for the supplying of the following work and at the price offered to the Borough of Garwood, to wit; \$36,946.00, from Resolution 18-159 and \$42,789.06 from Resolution No. 18-215 for a project total of \$79,735.06; and

Transportation, manifest, *Document Preparation, Document Scanning, Indexing, Quality Control, Certified Destruction and loading of data into DocumentSync, hosting services

WHEREAS, the clerk of the Borough of Garwood has researched whether said supplier is a NJ State approved Co-op under contract for such equipment with ESC NJ Cooperative Administration Co-op #65MCECCPS for said services as presented and her inquiry has resulted in verification; and

WHEREAS, said project is funded under Bond Ordinance No. 18-14, which includes a UC Infrastructure matching grant of \$40,000.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood hereby award the aforementioned project for the provision of records management/scanning project in the Borough of Garwood in accordance with Proposal #CONV02122018, dated 02/12/2018 and Proposal #CONV11052018, dated 11/5/2018, from Foveonics Document Solutions, 999 Willow Grove Street, Hackettstown, NJ, 07840, attached hereto and that the Clerk be and is hereby authorized to enter such order on behalf of the 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 _____, second by _____, to adopt Consent Agenda.

Roll Call:

Councilwoman Bianco	_____	Councilman McCormack	_____
Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

A motion was made by _____, second by _____.

Discussion:

Roll Call:

Councilwoman Bianco	_____	Councilman McCormack	_____
Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____
Mayor Lombardo	_____		

NEW BUSINESS:

APPOINTMENT:

Public Celebrations Committee – Monica Schvetz

PAYMENT OF CLAIMS:

BE IT RESOLVED that the following claims as approved be and the same are hereby ordered paid when properly signed and verified; and the payment of payrolls as listed is hereby confirmed and ratified.

A motion was made by _____, second by _____, to adopt Payment of Claims Resolution.

Roll Call:

Councilwoman Bianco	_____	Councilman McCormack	_____
Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Lazarow	_____	Council President Blumenstock	_____

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, NOVEMBER 27, 2018**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

A motion was made by _____ Second by _____, to adjourn. Time: _____