

BOROUGH of GARWOOD

Regular MINUTES of the COUNCIL MEETING

February 10, 2015

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 7:54 p.m. by Mayor Lombardo. He asked all present to participate in a moment of silence, followed by a salute to the flag.

Adequate notice of this meeting was provided to the Cranford Chronicle, advertised on January 16, 2015, 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:

Present: Mayor Lombardo (Not voting), Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt.

Also Present: Borough Administrator/Clerk Christina M. Ariemma and Borough Attorney Robert Renaud.

Councilman Martin was absent.

MINUTES:

Regular Meeting of the Mayor and Council held on January 13, 2015.

Workshop Session of the Mayor and Council held on January 13, 2015.

Motion: Action: Approve, Moved by Councilwoman Tarantino, **Seconded by** Council President Nierstedt

COMMUNICATIONS:

1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**

- a. Mayor's Advisory –
 - i. 01/09/15, RE: Weekly Policy Update
 - ii. 01/13/15, RE: 23rd Annual Mayor's Legislative Day, The Heroin Addiction Epidemic
 - iii. 01/16/15, RE: Celebrating the History of the League
 - iv. 01/16/15, RE: I. & II. Upcoming League Seminars
 - v. 01/16/15, RE: UPDATE- FCC Rule Published in Federal Register
 - vi. 01/16/15, RE: I. & II. Upcoming League Seminars
 - vii. 01/16/15, RE: I. Annual Campaign Contribution Notice II. NJLM Magazine is now available digitally III. Budgeting for the Elected Official
 - viii. 01/16/15, RE: Weekly Policy Update
 - ix. 01/21/15, RE: I. Contact Legislators Now to Protect Relief for Our Property Taxpayers II. Please support all efforts to increase local transportation aid
 - x. 01/21/15, RE: Interstate Natural Gas Pipeline Projects in NJ
 - xi. 01/21/15, RE: I. The First Installment of League History is Available Online Now II. & III. Upcoming League Seminars
 - xii. 01/22/15, RE: PROPERTY TAX IN NEW JERSEY
 - xiii. 01/23/15, RE: A. Transportation Trust Fund (TTF) B. Washington Watch – An Update on Activity in Our Nation's Capital
 - xiv. 01/23/15, RE: A. Disaster Strikes in the Borough of Edgewater B. Weekly Policy Update
 - xv. 01/28/15, RE: NJLM 100th Anniversary & William G. Dressel, Jr. Retirement Banquet
 - xvi. 01/28/15, RE: I. New Jersey Municipalities Magazine Article II. NJ Supreme Court III. Annual Mayor's Legislative Day IV. Upcoming League Seminar
 - xvii. 01/29/15, RE: A. Interstate Oil Pipeline Projects in NJ B. & C. Upcoming League Seminars
 - xviii. 01/30/15, RE: I. Weekly Policy Update II. & III. Upcoming League Seminars
 - xix. 02/03/15, RE: I. Proclamations - League 100th Anniversary & William G. Dressel, Jr. Retirement Banquet II. Make Plans to Attend Mayors' State/Local Policy Briefing
 - xx. 02/03/15, RE: I. Budgeting for the Elected Official II. Claim Your CEU's III. February Grant Page Posted IV. Celebrating 100 Years of History
 - xxi. 02/05/15, RE: I. Upcoming League Seminar II. Funding Announcement
 - xxii. 02/05/14, RE: Social Security Announces New Online Service
 - xxiii. 02/05/15, RE: 23rd Annual Mayors' Legislative Day Recap

RECEIVED AND FILED

- 2) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS** – 01/26/15, RE: Resolution 2014-1015.
RECEIVED AND FILED
- 3) **GARWOOD BASEBALL LEAGUE** – 02/02/15, RE: Opening Day.
RECEIVED AND FILED
- 4) **CHRISTINE GUERRIERO** – 02/05/15, RE: Dog Licensing.
RECEIVED AND FILED
- 5) **GARWOOD PLANNING BOARD** – 01/15/15, RE: Minutes of the meeting held on December 10, 2014 and the 2014 Annual Planning Board Report
RECEIVED AND FILED
- 6) **GARWOOD PLANNING BOARD** – 01/29/15, RE: Minutes of the meeting held on January 14, 2015.
RECEIVED AND FILED
- 7) **GARWOOD RECREATION COMMISSION** – 01/22/14, RE: Minutes of the meeting held on December 17, 2014.
RECEIVED AND FILED
- 8) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 01/13/15, RE: RVSA Meeting Notice
RECEIVED AND FILED

ORDINANCES:

Ms. Ariemma read Ordinance 15-02 by title only.

ORDINANCE NO. 15-02

AN ORDINANCE AUTHORIZING THE PURCHASE OF FINANCE AND TAX SOFTWARE AND ASSOCIATED APPLICATIONS AND APPROPRIATING THE SUM OF TWENTY-ONE THOUSAND FIVE HUNDRED DOLLARS FROM THE CAPITAL IMPROVEMENT FUND TO FINANCE THE COST THEREOF.

Motion: Action: INTRODUCE ORDINANCE 15-02, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Mathieu

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Ordinance No. 15-02 was introduced.

Ms. Ariemma read Ordinance 15-03 by title only.

ORDINANCE NO. 15-03

AN ORDINANCE TO REPEAL §67-2 (CONSTRUCTION BOARD OF APPEALS) IN ARTICLE I (CONSTRUCTION CODE) IN CHAPTER 67 (BUILDINGS AND STRUCTURES) OF THE CODE OF THE BOROUGH OF GARWOOD TO REPEAL THE PROVISIONS THEREOF PERTAINING TO THE CONSTRUCTION BOARD OF APPEALS.

Motion: Action: INTRODUCE ORDINANCE 15-03, **Moved by** Councilwoman Todisco, **Seconded by** Council President Nierstedt.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Yes: Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Ordinance No. 15-03 was introduced.

Ms. Ariemma read Ordinance 15-04 by title only.

ORDINANCE NO. 15-04

AN ORDINANCE TO AMEND SUBSECTION A OF §126-4 (PROHIBITIVE ACTIVITIES) IN ARTICLE I (USE OF PARKS, FACILITIES AND PLAYGROUNDS) IN CHAPTER 126 (PARKS, FACILITIES, PLAYGROUNDS, AND RECREATION) OF THE CODE OF THE BOROUGH OF GARWOOD PERTAINING TO PROHIBITIVE ACTIVITIES.

Motion: Action: INTRODUCE ORDINANCE 15-04, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Ordinance No. 15-04 was introduced.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilwoman Tarantino, Chr.

Two resolutions on the consent agenda for tonight:

1. 15-142 - Promoting Officer John T. Wright to the rank of Sergeant in the Garwood Police Department. Officer Wright was the next in line on the current promotional list established after the last testing procedure and replaces Sgt. Morelli in that rank, following Sgt. Morelli's retirement on January 31 2015.
2. 15-148 – Appointing Valerio Zuena to the Garwood Police Department as a probationary officer. Chief Underhill and his staff concluded the interviews of those candidates who submitted resumes, and is pleased to recommend Mr. Zuena for this position. He comes to Garwood having served with the Essex County Sheriff's Office as a Special Class II Officer graduating from the Essex County Police Academy. The appointment is as a probationary officer and he is subject to the terms of the new contract when settled. Valerio grew up in Garwood attended our schools and maintains deep roots in Garwood.

The Police Committee recommends passing both of these resolutions on tonight's consent agenda.

Additionally, Residents can have their Child Safety Car Seats inspected from 7:30am – 11:00am, on Wed's and Thursdays at the Garwood First Aid Squad building.

This service has been established by Union County in conjunction with the Garwood First Aid Squad, the NJ Division of Traffic Safety, AAA's Northern Division and the UC Board of Chosen Freeholders who have relocated their Child Safety Seat Inspection Program to the Garwood First Aid Squad Building. All residents are invited to take advantage of this highly successful program. No Appointment is necessary.

PUBLIC HEALTH: Council President Nierstedt

The Board of Health also met on January 21. They submitted the September- December 2014 agency reports. Flu shots are still available to be obtained by contacting the Westfield Regional Health Department at 789-4070 to schedule an appointment. I recognized during our meeting that the Department does not charge a fee for plan reviews. I recommend that the inspector look into it, and she found that other municipalities charge anywhere from \$75.—to \$300.00 for plan reviews. The Board will be preparing an ordinance for fee adoption at a future meeting once they decide on the appropriate amount. The Board elected Ellen Shelley the new president, and Lauren Montagne the new vice president.

STREETS AND ROADS/ECOLOGY: Councilwoman Todisco, Chr.

Thank you, Mayor. The Streets and Roads Committee met yesterday. Before I get into my report, I want to say a big thank you to our DPW for all their hard work and long hours keeping our streets clear and safe during the winter storms we've been having. They continue to do a tremendous job and make us proud to live in Garwood.

I would like to remind the residents of the ordinance requiring them to remove all vehicles from the street at 3 inches of snow. If you need alternative parking solutions, please contact dispatch for details. Also, please do not blow snow into the street.

As I mentioned I would at our last council meeting, I reached out to the gentleman who is on the Board for the Recycling Center in Fanwood. He will be able to meet with us in a few weeks, which we look forward to, as does he.

Due to the fact that our current recycling contract expires in July, the Streets and Roads Committee recommends that we direct the Administrator to ask Waste Management for an extension of recycling service for 6 months until December 31, 2015 in an effort to keep the same schedule for the residents that they are accustomed to and as they have been notified about in the recent mailing of the garbage schedule. However, we would like to explore putting this contract out for bid between now and July, so that it will be in place by the time the next garbage schedule needs to go out.

Also, we discussed the downed flagpole by the underpass. This is the second time this particular pole was hit by a motor vehicle in the past year. We would like to put it back up, but with some type of protection to try to prevent it from falling down again. We discussed two 6" bollards around the flagpole and are presently working with the Superintendent of Public Works to determine the procedure and cost for doing so. That's all for my report, Mayor.

FIRE: Council President Nierstedt, Chr.

Thank you, Mayor. Fire Division – I would like to add to the fire division report submitted by Chief Tharaldsen. While the volunteer hours are listed, I want to impress upon residents what those hours actually mean – Our volunteers have been called out at wee hours of the morning to investigate gas smells, to cover for other fire stations for fires in their communities. While we were all watching the Super Bowl this past Sunday, six of our volunteers were in Elizabeth manning the fire station due to the four alarm fire that claimed two lives. Numerous members also gave up their warm and comfortable beds to stay all night on

cots at the fire house during last month's emergency storm warning. I wish to acknowledge their commitment and dedication that I believe most of us don't recognize. That's all for my report.

FINANCE: Councilman Petruzzelli, Chr.

Thank You Mayor The budget process has begun and the Finance Committee has met with some Department heads on Feb. 5th and will continue this week. That's all for my Report

BUILDINGS AND GROUNDS: Councilman Mathieu, Chr.

Reported on the boiler replacement. Council asked questions regarding the procedure and the obtaining of more than one quote and the fact that the lowest quote wasn't used. It was mentioned that the lower quote was from an unknown company and that the borough would use the company that is familiar with the system which was from the vendor the borough has the annual service contract with.

LAWS AND LICENSES: Councilman Martin, Chr. Read by Councilwoman Todisco

Tonight there are eight applications for a Raffle Licenses.

The Laws & License Committee recommends the adoption of Resolution No. 15-136, for the application of one *On-Premise 50/50 raffle license* and one *On-Premise merchandise raffle license* to be drawn on March 18, 2015, at The Westwood, 438 North Avenue, Garwood, NJ, by UNION HIGH SCHOOL P.T.A.

The Laws & License Committee recommends the adoption of Resolution No. 15-137, for the application of one *On-Premise 50/50 raffle license*, and one *On-Premise Merchandise raffle license* to be drawn on March 25, 2015, at The Westwood, 438 North Avenue, Garwood, NJ, by Project Home of Cranford

The Laws & License Committee recommends the adoption of Resolution No. 15-138, for the application of one *On-Premise 50/50 raffle license*, and one *On-Premise Merchandise raffle license* to be drawn on April 23, 2015, at The Westwood, 438 North Avenue, Garwood, NJ, by Education Foundation of Garwood

The Laws & License Committee recommends the adoption of Resolution No. 15-146, for the application of one *On-premise Merchandise raffle license* and a *Bingo License*, to be held March 20, 2015, at The Knights of Columbus, 37 South Avenue, Garwood, NJ, by CASA of Union County, Inc.

That is all for my report Mayor.

The Laws and License Committee met last week to discuss a couple of items. One was the sign ordinance, which was started last year. After observing what businesses in town currently put outside and reviewing a draft prepared by our attorney, we have decided to make a couple additional changes, which we have given to Mr. Renaud tonight and after he prepares the final ordinance we will be able to put it on the agenda for introduction. The purpose of working on the sign ordinance was to clarify the definition, which was suggested by the Planning Board, and to determine reasonable size requirements. We have decided to make the following changes to Section 106-141 of the Borough code: no portable sign, including a support frame, shall exceed 48 inches in height. Also, we would like to take out the line that only allows first-floor businesses to utilize such a sign. If Mr. Renaud agrees, we would like to add a provision to state signs must be removed from the outside in the case of inclement weather, especially high winds.

Another item we worked on was the ordinance dealing with residential preferred parking, or permit parking, in an effort to remove commuter cars from residential streets and allow more spaces for our residents to park. However, we recognize that this should be done at the same time as parking spaces are acquired for commuters to relocate to, which is presently being handled by the Parking Committee. Essentially, we would like an ordinance prepared in advance so that it is ready when the commuter parking spaces are acquired. The Laws and License Committee accepts the Chief's recommendation to add more streets to the current ordinance that covers Anchor, Winslow, and Willow. I have copies of the streets proposed by the Chief for the Council and anyone else who would like it. In an effort to allow the Police more time to enforce this ordinance, we would like to extend the hours where vehicles are not allowed to park for more than 2 hours from 10 am to 2 pm to 9 am and 3 pm. We gave Mr. Renaud the details so that he can prepare the ordinance for the Council to consider. Also, the Committee would like to make sure residents that live on the affected streets are notified of our proposed ordinance.

RECREATION: Councilwoman Todisco Chr.

Thank you, Mayor. I attended the first regular meeting of the Recreation Commission on January 21st. They elected officers, which for 2015 will be Jack Sullivan as Chair, Mary Ann Duffy as Vice Chair, Kirsten Froden as Treasurer, and Paul Nieves as Secretary. In the basketball report, it was noted that the season is going well with 3 boys teams for grades 3 to 5 and 2 for grades 6 to 8 and there are 2 girls' teams for each division. They have been playing games against Kenilworth. Soccer will take place on Fridays from 4:30 to 5:30pm from April 17th to May 22nd for children ages 3 to 5. The cost to join will be \$50, which is the same as last year, and includes a pizza and trophy party at the end. Since the last Recreation Director resigned at the end of 2014, the position was posted with an application deadline of January 31st. The Commission assigned a special interview committee to interview the two applicants for the position and

reported their recommendation at the special meeting of the Commission on February 4th. Although they only received two applications for the position, the Commission was very pleased with both candidates and in the end passed a resolution to hire Scott Kessler as the Recreation Director at an annual salary of \$7,302, which is the same as the salary for the director last year. The next meeting of the Recreation Commission will be February 18th. That's all for my report, Mayor.

COMMITTEE ON AGING: Councilwoman Tarantino

I attended the Senior Club meeting of January 14th. At that time it was brought to my attention that the Zumba class has become very popular with the residents but has become very crowded due to out of town residents attending. We researched this matter all though the classes are funded by CDBG money, we could in fact close the class to only Garwood residents, which is what we deiced to do, as per the seniors wishes. The last senior meeting was canceled due to weather, so the next meeting will be February 19th. That is all for my report Mayor

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Petruzzelli

Despite the weather conditions, events are still being held and planned at the Garwood Public Library. This past Saturday, there was a program teaching children how to *Make Art out of Recycled Materials* readily available around the house.

On Wednesday, February 11th, at 7:00 PM, there will be a program presented by *Dr. Orest Pelechaty* (pronounced as Pelecotti) who will talk about staying healthy through the changes of seasons and how to avoid the usual winter ills of flus, colds, and fevers. Registration is required for this event.

The Library will be closed on Monday, February 16th in recognition of President's Day.

As a February tradition, the Garwood Library will hold its annual "*Blind Date*" program. Readers can come in from Tuesday, February 17th through Saturday, February 28th, and choose a wrapped book to take home to try out. The only rule is that you have to promise to read the first 100 pages, then, if you like it, continue reading, if you don't... bring it back and try another. This is a great way to discover new authors you might not normally select and you might just find a new favorite. All readers that chose a wrapped book will be entered into a random drawing for a prize to be awarded on Monday, March 2nd.

On Thursday, February 26, at 7:00 PM, the Library will present *Nina Et Cetera* – a vocal/musical program featuring the love songs of Johnny Cash, Patsy Cline, Elvis, Peggy Lee, and many more. Registration is also required for this event and maybe done in person at the Library, by phone, or at the Library's interactive calendar page found on their website.

Toddler story time for children up to age 4 is continuing every Wednesday morning at 10:30 AM, and Movie Time is held on Friday mornings at 10:00 AM. There will be no movies shown on Friday February 27th due to a special Director's meeting being held in the Library at that time.

SCHOOL BOARD LIAISON: Councilman Mathieu

Reported on the contract not being settled, common core testing and size of classes in 1st grade. Council President Nierstedt asked for the number of students in the first grade class. A resident answered there are 50 students in the first grade.

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON: Council President Nierstedt

The committee met on January 21. They adopted the 2015 calendar, which residents can find in the Garwood gazette. The first event is the March 28 Easter Egg Hunt at the new Garwood Recreation and Sports Complex. Their next meeting is February 18. Anyone who is interested in joining the Celebrations Committee is urged to contact the Clerk.

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:

Councilman Mathieu NO REPORT

PARKING COMMITTEE: Councilwoman Tarantino NO REPORT

POLICE NEGOTIATIONS COMMITTEE: Councilwoman Tarantino NO REPORT

ADMINISTRATIVE REVIEW COMMITTEE: Councilwoman Tarantino

No formal report however the Councilwoman asked if there are questions on Resolution No. 15-143 and none were presented.

HISTORICAL COMMITTEE: Councilwoman Todisco NO REPORT

OFFICER'S REPORTS:

Chief of Police Bruce Underhill: monthly reports for the month of December 2014.
Treasurer/CFO Sandy Bruns; 2014 Quarterly Report.
Municipal Tax Collector Aggie Kurzweil: monthly report for January 2015.
Municipal Court Administrator Martha Marino: Municipal Court Operations, January to December 2014.
Municipal Court Administrator Martha Marino: monthly report for December 2014.
Motion: Action: Approve, Moved by Councilwoman Todisco, **Seconded by** Councilman Petruzzelli

PUBLIC COMMENT:

Bruce Paterson 325 Willow Avenue mentioned the newsletter and Mayor Lombardo said it will be mailed soon. He asked about payout for Sgt. Morelli and Councilman Petruzzelli responded. He commented on the administrator for Scotch Plains being one of the freeholders. He asked council to form a collation with other towns and hold back on municipal payment of county taxes. Council President Nierstedt asked Mr. Paterson to be responsible with his request and that the council will not support anything that will end up in litigation for which the borough has no chance of winning. Councilman Mathieu commented that he finds that after four years with a mayor who ran against this that it is coming up now and not while she was in office. He said he feels this is being done to embarrass the mayor because of where he works. He said he feels this is very disrespectful. He said this council should stick to discussions about Garwood.

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. 15-135

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 check for the Veteran Deduction on the following property.

PROPERTY OWNER&ADDRESS	BLK/LOT	DEDUCTION	AMOUNT
Mr. Erwin C. Schnitzer 603 Maple Court Garwood, NJ 07027	106/8.1 C035	Veteran	\$250.00

EXPLANATION: DEDUCTION GRANTED BY ASSESSOR IN 2014.
NOTE: PROPERTY TAXES ARE CURRENT AT THIS TIME.

RESOLUTION NO. 15-136

BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct an On Premise 50/50 raffle and an On Premise Merchandise raffle on March 18, 2015, to be held at the Westwood, 438 North Avenue, Garwood, NJ at 6:00 p.m., is hereby granted to Union High School PTA, pursuant to Application Number RA #1032 and RA #1033.

RESOLUTION NO. 15-137

BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct an On-Premise Merchandise Raffle and an Off-Premise 50/50 to be held on March 25, 2015, to be held at the Westwood, 438 North Avenue, Garwood, NJ at 6:00 p.m., is hereby granted to Project Home of Cranford, pursuant to Application Number RA #1034 and RA #1035.

RESOLUTION NO. 15-138

BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct a On-Premise 50/50 Raffle and a On-Premise Merchandise Raffle to be held on April 23, 2015, to be held at the Westwood, 438 North Avenue, Garwood, NJ from 5:30 p.m. to 8:30 p.m., is hereby granted to Education Foundation of Garwood, pursuant to Applications Number RA-1036 and RA-1037.

RESOLUTION NO. 15-141

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize Police Chief Bruce Underhill to sign the release to transfer firearm Glock Model 21, .45 Cal Handgun Serial#EXG780 to Sergeant Mario Morelli.

RESOLUTION NO. 15-142

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, that Police Officer John T. Wright be and is hereby appointed Sergeant for the Garwood Police Department in the Borough of Garwood, effective February 1, 2015, at an annual salary of \$93,784, in accordance with and as directed in the agreement between the Borough of Garwood and Garwood PBA Local #117.

RESOLUTION NO. 15-143

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby adopt the following policy and procedures for Agenda, Ordinances and Resolutions, effective January 27, 2015.

1. The agenda for each meeting shall be prepared by the Municipal Clerk, as directed by the Mayor and Council at previous a public meeting(s).
2. Except for emergency matters, the agenda for each regular meeting of the Council shall include matters of routine Council business or that have been presented or delivered to the Municipal Clerk by the any of the following, the Mayor, a department head with the approval of the Mayor, Council members as presented at a previous public meeting, Council committee of the Mayor, or Borough Attorney and must be received no later than 12:00 noon on the Thursday preceding the meeting.
3. When the agenda is prepared, the Municipal Clerk shall deliver a copy to each Council member, the Mayor, and Borough Attorney.
4. Emergency matters, including the request for a closed session, may be added to the agenda at any time, with direction from the Borough Attorney, Mayor or Council.
5. Filing of reports and resolutions. Reports to Council and resolutions, ordinances, correspondence and other papers considered by or presented to Council shall be filed with the Municipal Clerk.

6. Ordinances and resolutions may be introduced and sponsored by a member of Council except that the Mayor, Municipal Clerk or Borough Attorney may present ordinances and resolutions to Council and any Council member may assume sponsorship thereof by moving that such ordinance or resolution be adopted; otherwise they shall not be considered. Consent agenda items can be moved by any Council member.
7. Ordinances shall be prepared by the Borough Attorney or Municipal Clerk upon request by the Council, the Mayor, or the Borough Administrator or upon the recommendation of the Borough Attorney. Resolutions may be prepared by the Municipal Clerk, Mayor, Council or Borough Attorney. Items not prepared by the Borough Attorney must be presented to the Municipal Clerk who shall present them to the Borough Attorney prior to placement on the agenda.
8. Suggested Ordinances that are prepared by committees of the Mayor shall be presented to the Municipal Clerk for presentation to the entire Council prior to being placed on the agenda for introduction.
9. Council shall review proposed ordinance and prepare to comment at the following Council meeting, at which time updates or amendments may be suggested, or made. Council will provide direction to the Municipal Clerk regarding when introduction shall take place. Upon receipt of that direction, the Municipal Clerk shall present the ordinance for introduction accordingly.
10. Each ordinance and resolution shall be limited to a single object which shall be expressed in the title or easily ascertainable by its context.
11. Enactment. All ordinances shall be introduced, read, heard and enacted in accordance with law.
12. Signatures. Each ordinance passed by the Council shall be forthwith delivered by the Municipal Clerk to the Mayor. Each ordinance shall be returned by the Mayor to the Municipal Clerk, after the Mayor has affixed his/her signature thereto or after expiration of 10 days from the date of delivery to the Mayor in any event.
13. Passage over veto. The Council will reconsider any ordinance returned by the Mayor within the time permitted with a statement setting forth the Mayor's objections thereto or to any item or part thereof. Such reconsideration of the ordinance or any item or part thereof from which the Mayor is constrained to withhold approval shall be at the next meeting of Council. Whenever an ordinance has been reconsidered by the Council following a veto by the Mayor, the Municipal Clerk shall append to such ordinance a certification of the action of the Council upon such reconsideration in substantially the following form:
"I HEREBY CERTIFY that the above ordinance adopted by the Council of the Borough of Garwood on the ____ day of _____, 20____, was delivered to me on the ____ day of _____, 20____, together with the Mayor's statement of the reasons for which the Mayor was constrained to withhold approval of such ordinance, item or part thereof. On reconsideration thereof, on the ____ day of _____, 20____, (the Council duly resolved by the affirmative vote of 2/3 of its members to enact such ordinance, item or part thereof, notwithstanding the Mayor's veto) or (the Mayor's veto was sustained).
Dated:
Municipal Clerk
14. Ordinances not returned by Mayor. Whenever an ordinance shall take effect without the Mayor's signature by reason of the Mayor's failure to return it to the Council by filing it with the Municipal Clerk within 10 days after it has been presented to the Mayor, the Municipal Clerk shall append to such ordinance a certificate in substantially the following form:
"I HEREBY CERTIFY that the above ordinance was adopted by the Borough Council on the ____ day of _____, 20____, and was presented to the Mayor duly certified on the ____ day of _____, 20____, and upon the Mayor's failure to sign it or to return and file it with the Municipal Clerk within 10 days thereafter, the ordinance took effect in like manner, as if the Mayor had signed it.
Dated:
Municipal Clerk

RESOLUTION NO. 15-144

WHEREAS, the Police Department purchased in 2014, from Visual Computer Solutions, Inc., 4400 US Highway 9 South Side 3500, Freehold, NJ, 07758, P/T POSS Enterprise Scheduling Software Core and other related materials; and

WHEREAS, the full service plan renewal for term 03/01/2015 to 03/01/2016 is \$2,410 and includes SaaS Service in accordance with the attached.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Garwood hereby authorize the Police Department to accept the renewal plan at a cost not to exceed \$2,410.00.

BE IT FURTHER RESOLVED that the above is subject to the Borough Treasurer executing the appropriate Certification of Funds.

RESOLUTION NO. 15-146

BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the licenses to conduct an On-Premise Merchandise Raffle and a Bingo on March 20, 2015, to be held at The Knights of Columbus, 37 South Avenue, Garwood, NJ from 7:00 p.m. to 11:00 p.m., is hereby granted to Court Appointed Special Advocates of Union County, pursuant to Application Number RA #1038 and BA #1039.

RESOLUTION NO. 15-147

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

CONTRACTOR: CRANFORD PLUMBING AND HEATING
350 WILLOW AVENUE
GARWOOD, NJ 07027

DESCRIPTION: Purchase and Installation of Williamson cast iron boiler for the Municipal building
at 403 South Avenue, and includes all parts and labor

PRICE: \$11,385.00

RESOLUTION NO. 15-148

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

Valerio Zuena
14 Twin Oaks Road
Springfield, NJ 07081

As Probationary Patrolman in the Garwood Police Department, effective February 16, 2015, at a probationary salary subject to the terms and conditions of the contract effective 1/1/2015 currently under negotiation, and to include the salary guide of that contract.

BE IT FURTHER RESOLVED that he will be on probation for a period of one year.

RESOLUTION NO. 15-149

WHEREAS, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Mayor and Council of the Borough of Garwood further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Mayor and Council of the Borough of Garwood has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Union;

NOW THEREFORE, BE IT RESOLVED, by the Borough of Garwood, County of Union, State of New Jersey hereby recognizes the following:

1. The Council of the Borough of Garwood hereby authorize submission of an application for the Garwood Municipal Alliance grant for term July 1, 2015 to June 30, 2016, in the amount of \$14,202.00; and
2. The Council of the Borough of Garwood acknowledges the terms and conditions for administering the Municipal Alliance grant, including the required amounts of 25% Cash \$3,550 and 75% \$10,652 In-kind matched, and the administrative compliance and audit requirements.

RESOLUTION NO. 15-150

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby approves the list of members eligible for 2014 LOSAP Benefits from the Garwood First Aid Squad.

BE IT FURTHER RESOLVED, that the list attached be and is hereby made part of this resolution.

RESOLUTION NO. 15-151

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby approves the list of members eligible for 2014 LOSAP Benefits from the Garwood Fire Department.

BE IT FURTHER RESOLVED, that the list attached be and is hereby made part of this resolution.

RESOLUTION NO. 15-152

WHEREAS, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby directs the transfers of 2014 budget appropriations be and they are hereby made:

2014 Budget Transfer #3

Resolution #15-152

FROM:	Department	Account Name	Account Number	Amount
	Streets & Roads	Salt	10-14-1-0600-2-0600	1,000.00
				<u>1,000.00</u>
TO:	Buildings & Grounds	Repairs & Contractual Svc	10-14-1-0400-2-0320	1,000.00
		Total		<u>1,000.00</u>

Motion: Action: To remove Resolution No. 15-139, 140 and 145 from the Consent Agenda for individual voting, **Moved by** Councilman Mathieu **Seconded by** Councilman Petruzzelli. All Agreed.

Motion: Action: Adopt consent agenda as amended, **Moved by** Council President Nierstedt **Seconded by** Councilwoman Todisco

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Consent agenda as amended was adopted.

RESOLUTIONS DELETED OR REMOVED FROM THE CONSENT AGENDA:

RESOLUTION NO. 15-139

WHEREAS, on September 18, 2014, a bill was introduced in the New Jersey State Legislature entitled "The Water Infrastructure Protection Act ("Act"), Senate Bill No. 2412 and Assembly No. 3628; and

WHEREAS, the Act is being fast tracked and action may be taken by the Senate at its next Legislative Session; and

WHEREAS, the title of the bill does not in any way reflect the true purpose of this legislation since it does not protect ratepayers; and

WHEREAS, the Rahway Valley Sewerage Authority ("RVSA") has determined that the Act would negatively impact ratepayers by permitting privatization of public systems before public and applicable regulators have sufficient opportunity to study the impact of such sales, especially as regards unnecessarily high rates for water and wastewater service; and

WHEREAS, the Act would unnecessarily speed up the sales process, severely limit voter involvement and allow the private companies to recoup the entire purchase price in future rates; and

WHEREAS, the Act would minimize opportunities for sharing services, as well as the ability to lease and/or purchase water and wastewater assets, particularly where such plants are being operated by well-run public bodies; and

WHEREAS, the Act would remove existing safeguards for transparency in the sale of water systems and eliminate opportunities for public input and, instead, permitting the Chief Executive Officer of the public entity or municipality to act without any input from the entity's Governing Body.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, Union County, State of New Jersey that strongly opposes the Act and urges the members of the Legislature representing the eleven (11) municipalities that make up the RVSA to oppose passage of the Act; and

BE IT FURTHER RESOLVED, the council realizes that the legislature has adopted these bills, but we still wish to indicate our opposition to these actions, and urge the governor to veto this measure.

BE IT FURTHER RESOLVED, that a copy of this Resolution be distributed to the members of the Senate and Assembly representing the eleven (11) member municipalities in the RVSA, the Municipal Clerks for the eleven (11) member municipalities, Governor Chris Christie and the Association of Environmental Authorities.

Motion: Action: Adopt Resolution No. 15-139, **Moved by** Council President Nierstedt **Seconded by** Councilman Petruzzelli

Discussion: Councilman Mathieu suggested the council not consider this resolution because the legislation was signed. Council President Nierstedt said he would amend the resolution to include another paragraph. All agreed.

Vote: Motion carried by roll call vote (**summary:** Yes=4, 1=abstain)

Yes: Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Resolution No. 15-139 was adopted.

Abstain: Councilman Mathieu

RESOLUTION NO. 15-140

BE IT RESOLVED, by the Council of the Borough of Garwood County of Union, State of New Jersey hereby accepts the terminal leave calculation for retirement benefits for employee Mario Morelli, Sergeant, in the Department of Police, as prepared by the Administrator and CFO, in accordance with and as directed in the agreement between the Borough of Garwood and the Garwood PBA Local #117:

Hours	Description	Hourly Rate	Amount
240	2015 vacation hours	48.78	11,707.20
120	2015 holiday hours due	46.25	5,550.00
120	2015 sick time hours due	48.78	5,853.60
192	terminal leave calendar month	48.78	9,365.76
36	2015 personal time due	48.78	1,756.08
1.5	terminal leave sick bank	48.78	73.17
709.5	TOTALS:		34,305.81

BE IT FURTHER RESOLVED that the CFO/Treasurer be and she is hereby authorized to execute to the above.

Motion: Action: Adopt Resolution No. 15-140, **Moved by** Council President Nierstedt **Seconded by** Councilwoman Todisco

Discussion: Councilman Mathieu opposed this resolution and he explained that he has a problem with this payout. Discussion followed regarding voting NO and the impact that would have on the borough. Councilwoman Todisco said while she doesn't support the payout she said it is a contractual obligation of the borough and failure to pass the resolution would result in a lawsuit for which the borough will surely lose. She said voting YES is the responsible thing to do. Councilman Mathieu said someone has to vote NO and offered to vote YES so Councilwoman Todisco could vote NO. Councilwoman Todisco said she will not vote NO.

Vote: Motion carried by roll call vote (**summary:** Yes = 4, 1 = No)

Yes: Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Resolution No. 15-140 was adopted.

No: Councilman Mathieu

RESOLUTION NO. 15-145

WHEREAS, the Council of the Borough of Garwood have hereto adopted:

ORDINANCE NO. 14-01

AN ORDINANCE FIXING SALARIES AND WAGES OF CERTAIN OFFICIALS AND EMPLOYEES OF THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY

WHEREAS, said Ordinance reflects changes of salaries and/or hourly rates to be paid to said employee of the Borough of Garwood for the year 2015.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Garwood be and they are hereby authorized and directed to execute checks on Borough funds for the purpose of paying the annual salary to the employee of the Borough of Garwood as set forth below and in the amount set forth opposite the job classification. Said salary to be paid bi-weekly less such deductions as in such cases made. The schedule of salaries hereafter set forth shall be effective as of January 1, 2015 or pro-rated as the case may be.

Name	Title	2015
Paulette Drogon	Senior Citizen Director PT	\$5,384.42

Motion: Action: Adopt Resolution No. 15-145, **Moved by** Council President Nierstedt **Seconded by** Councilwoman Todisco

Discussion: Councilman Mathieu said that this resolution is paired up with a resolution giving a police officer \$22,000 for time he did not work while cutting the director salary. He said this is an abuse of power and he will not support it. Council President Nierstedt explained and clarified why he supports this resolution. He also mentioned that the mayor will be asking CDBG for contingent funds and also for the next grant cycle to be increased. Councilwoman Todisco mentioned that the committee analyzed the hours for the job and they were decreased to accommodate the adjusted salary. The committee said they met with the employee at the request of the employee and the employee was informed that the hours were cut to 5 per week.

Vote: Motion carried by roll call vote (**summary:** Yes = 4, 1 = No)

Yes: Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Resolution No. 15-145 was adopted.

No: Councilman Mathieu

NEW BUSINESS:

Any new business the Mayor and Council may have:

APPOINTMENT: Council President Nierstedt, Board of Health Liaison for 2015

Municipal Alliance 02/10/15 to 12/31/15
 Ralph Bernardo, Caitlin Tweedle, Barbara Brodie

PROCLAMATION:

March is "Youth Art Month"

Mayor Lombardo's Report:

I would personally like to thank the Department Heads for their support with their many articles submitted for the Garwood Gazette which will be in the mail soon. A special thanks goes to Ryan Palmer, our new editor, for his efforts.

- We are always looking for volunteers, but today in particular, we need volunteers for our Recreation Commission and Celebrations Committees. If you can spare some time, we would appreciate it. Please contact Borough Hall to offer your assistance.

I would also like to welcome to Garwood the new Union County Child Safety Seat Inspection Center located at the Garwood First Aid Squad Building. Hours of operation are 7:30 AM until 11:00 AM every Wednesday and Thursday morning.

- I have been in contacted Nathan Kramer, a young man from Garwood, who is in the process of attaining the highest rank in Boy Scouts which is Eagle Scout. I am proud to say that currently sitting here on the dais tonight are two Eagle Scouts, myself and Mr. Nierstedt. Nathan's request is to be put in contact with a person or group that he might help as part of his Eagle Project. If anyone knows of such a group or individual, or if you need further clarification of this process, please contact me by phone or email. Mr. Kramer's project must be completed by the end of the summer.

Just a reminder - Mayor's Saturday will be held on February 21, 2015 at 11:00 AM here in the Council Chambers. For this session, Councilman Mike Martin will be joining me to meet and talk with any resident that wishes to stop by.

- Finally, in know we all have busy schedules, but this is a reminder that Little League opening day is April 11th at 9:00 AM. As always, the Garwood Little League Parade will start at Lincoln School.

Thank you for your attention.

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.

Motion: Action: Adopt, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Petruzzelli

Vote: Motion carried by unanimous roll call vote (**summary:** Yes =5)

Yes: Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Payment of Claims was adopted.

ADJOURNMENT

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, FEBRUARY 24, 2015**, 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. 15-01, 15-02, 15-03 AND 15-04, ON TUESDAY, FEBRUARY 24, 2015, AT 7:15 P.M. OR SOON THERE AFTER.

Motion: Action: At 8:32 p.m., adjourn, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco.