

Borough of Garwood

Meeting of the Mayor and Council

February 23, 2016

Start Time: 7:28 p.m.

Moment of Silence, followed by a Salute to the Flag.

Adequate notice of this meeting was provided to the Westfield Leader, and UC Local Source, advertised on January 7, 2016, 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	P		
Councilwoman Cuccaro	P	Councilman Sarno	P
Councilman Martin	P	Councilwoman Todisco	P
Councilman Mathieu	P	Council President Petruzzelli	P

Also present: Borough Administrator/Clerk Christina M Ariemma
Borough Attorney Robert F. Renaud arrived at 7:38 p.m.

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on February 09, 2016

A motion to accept meeting minutes was made by Councilman Martin, seconded by Councilwoman Todisco.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 02/08/16, RE: Weekly Update
 - ii. 02/12/16, RE: Daily Update
 - iii. 02/12/16, RE: A-302, Revenue Restoration Bill Needs Amendment
 - iv. 02/16/16, RE: Weekly Update
 - v. 02/17/16, RE: Daily Update
 - vi. 02/18/16, RE: Updated Vegetative Management Regulations
- 2) **DIVISION OF LOCAL GOVERNMENT SERVICES** - 02/10/16, RE: 2016 CY Transitional Aid Application
- 3) **JENNIFER BLUMENSTOCK** – 02/19/16, RE: Letter to the Council regarding Benefits Ordinance
- 4) **UNION COUNTY IMPROVEMENT AUTHORITY** – 02/10/16, RE: 2016 Annual Meeting Schedule
- 5) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 02/09/16, RE: 2016 Meeting Schedule
- 6) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS** – 02/09/16, RE: County Ordinance 771-2016

All received and filed.

ORDINANCES:

Public Hearing on Ordinance 16-01 as advertised on February 11, 2016.

ADOPTION:

Municipal Clerk to read Ordinance 16-01 by title only:

ORDINANCE NO. 16-01

AN ORDINANCE TO AMEND §83-7 (NON-LIFE HAZARD USES) IN ARTICLE I, FIRE PREVENTION (MAINTENANCE) CODE IN CHAPTER 83 (FIRE PREVENTION) OF THE CODE OF THE BOROUGH OF GARWOOD TO REVISE CERTAIN FEES FOR INSPECTIONS.

List correspondence concerning Ordinance 16-01. NONE

Does anyone present wish to be heard concerning Ordinance 16-01. NONE

Motion Councilwoman Todisco, Second Councilman Petruzzelli to close Public Hearing on Ordinance 16-01.

Motion Councilwoman Todisco, Second Councilman Petruzzelli to adopt Ordinance 16-01.

Discussion: NONE

Roll Call:

Councilwoman Cuccaro	AYE	Councilman Sarno	AYE
Councilman Martin	AYE	Councilwoman Todisco	AYE
Councilman Mathieu	AYE	Council President Petruzzelli	AYE

Ordinance No. 16-01 was adopted.

INTRODUCTION:

Municipal Clerk to read Ordinance 16-02 by title only:

ORDINANCE NO. 16-02

AN ORDINANCE TO AMEND CHAPTER 30 (PERSONNEL POLICIES) OF THE CODE OF THE BOROUGH OF GARWOOD TO LIMIT ELIGIBILITY FOR HEALTH INSURANCE BENEFITS AND OTHER BENEFITS.

Motion Councilman Sarno, Second Councilwoman Cuccaro to introduce Ordinance 16-02.

Comments:

Councilwoman Todisco – “For the record for as a general principal, I do not agree with elected officials receiving health benefits however I respect the law and the advice of two attorneys on this matter. What are we if we do not have respect for the law? Therefore I cannot support this ordinance.”

Mayor Lombardo - I will state for the record - again - I have always been supportive of our councilman retaining his health insurance. The statute has been stated many times and I will take this stand until the law is changed. If you don't like the law, I suggest you go to Trenton to lobby and petition the Governor to change the law.

Also, this issue should not be in retaliation for the firing of Fred Corbitt. The supposed "firing" of Fred, just for the benefits, is an unfair statement. His position became a casualty of economics. The shared services agreement was a good deal for all, with all its components, and should have nothing to do with this councilman's health benefits. This issue is not a Republican or Democratic situation. This issue is not about stipends or making a partial payment to make it acceptable. It is not about personal family situations. It is either right or wrong under the law. We have two legal professional opinions stating that our one councilman is entitled to health insurance, as he is grandfathered under the current law. He has a legal right to maintain his health insurance through the Borough. If brought into a suit, the insurance company covering Garwood will not defend it. We cannot jeopardize, or put at risk, our community for another potential lawsuit that we cannot win, costing the taxpayers more money, for something that is obviously governed by state laws. Doing additional research, I also found that, according to the legal department of the League of Municipalities, "If an elected official needs legal advice, that question should be directed to the municipal attorney", and that the municipal attorney is the primary source of legal advice. Because of the statutes stated, this issue should be laid to rest so that the Council can get on with dealing with the issues at hand, and not expend their energy on fruitless battles.

Roll Call:

Councilwoman Cuccaro	AYE	Councilman Sarno	AYE
Councilman Martin	NAY	Councilwoman Todisco	NAY
Councilman Mathieu	AYE	Council President Petruzzelli	ABSTAIN

Ordinance No. 16-02 was introduced.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilman Sarno, Chr.

Thank you mayor and Good Evening The two officers out with injuries and on Workman's Compensation are both due for reevaluation within the next week. It is expected that both officers will be released for full duty at some point in March.

Officer Pridy has completed Phase A & B of his Coach Program and is currently in Phase C. He is ahead of schedule and should complete the training by mid-March, at which point he will be released for solo patrol. Officer Pridy's 8 years' experience as a Police Officer prior to coming to the Garwood PD has expedited the training process and has helped him become acclimated to the Borough and the procedures of the PD.

Additionally, in regards to Resolution 16-162 on tonight's agenda I would like to point out that the Officer is due for this promotion by contract, there was nothing to preclude Officer Zuena from attaining his Step 1 promotion, and the recommendation was made as he has served the borough honorably and productively. That's all for my report

PUBLIC HEALTH: Councilwoman Cuccaro no report

STREETS AND ROADS/ECOLOGY: Councilman Petruzzelli, Chr.

The Department of Public Works completed the following from February 10th to February 23rd.

Reoccurring Activities

- Perform residential household waste pickup twice weekly on the North and South side(s) of the Borough on Monday, Tuesday, Thursday and Friday. Dispose of all materials at the Covanta Incinerator in Rahway.
- Fuel all vehicles and equipment at the Union County Public Works complex in Scotch Plains as needed throughout the week.
- Provide residential white good/appliance pickup at various times weekly throughout the Borough.
- Setup and take down the tables/chairs for the seniors events at the firehouse on the first (1st) and third (3rd) Thursday of the month.
- Check and treat reoccurring problem sewer lines for roots on a weekly basis. Check sewer complaint within the 300 block of Willow Avenue. The block was found to be in the residential lateral connection not in the Borough's main sewer line.
- Perform maintenance on miscellaneous public works vehicle and equipment as needed.
- Remove miscellaneous road side debris along North and South Avenue(s).

Miscellaneous Activities

- Perform deicing on Borough streets, parking lots, school crossings and sidewalks during the small winter event on February 15th and 16th.
 - Continue clearing the debris from the tops of all stormwater drainage inlets on the North and South side of the Borough.
 - Remove the advertisements from the utility poles in various locations throughout the Borough.
 - Replace the bulbs in the overpass sidewalk lighting on both sides of Center Street.
 - Cut up and remove broken branches in various locations of the Borough.
 - Remove the clothing bins from the commuter parking lot at Burger King.
 - Picked up brush from the 200 block of 3rd avenue.
 - Remove the leaning trees from the Sports and Rec Complex grounds.
 - Clean all trucks and equipment within the fleet.
 - Perform winter pothole repairs in various locations of the Borough.
- Fanwood's front end loader was provided with an operator to perform the following:
- Push back the stockpiled snow in the recycling center to make room for access to the bins and equipment in the center.
 - Assist in relocating the stockpiled wood chips from along the dead end of Willow Avenue to the Recycling Center.

FIRE: Councilwoman Cuccaro, Chr.

The Fire Committee hereby approves the membership application for Patrick Szotak, 307 Willow Avenue, Garwood. He has both passed his physical and background requirements.

Patrick is a former member of the department and we welcome him back. That's all for my report.

FINANCE: Councilwoman Todisco, Chr.

Thank you, Mayor. The budget meetings of the Finance Committee are ongoing. I would like to remind everyone that the special budgets meetings of the Mayor and Council will be on Thursday, March 10th and Thursday, March 17th. Both meetings start at 7pm here in Council Chambers. Additionally, I would like to report that taxpayers are now able to pay their property taxes online, if they find it more convenient. It will not be available for late payment. Enabling taxes to be paid online has been a trend among a number of municipalities. More information has been posted on the Borough website at www.garwood.org. That's all for my report, Mayor.

BUILDINGS AND GROUNDS: Councilman Mathieu, Chr. no report

LAWS AND LICENSES: Councilman Martin, Chr.

Mentioned letter from Bruce Underhill and requested council review the recommendation contained therein.

RECREATION: Councilman Martin Chr. no report

GARWOOD SENIOR CITIZEN LIASON: Councilwoman Cuccaro

1/ I am very happy to announce that after many inquiries and tenaciousness, Beginning in April, Crafts and ceramics will be brought back to the Garwood seniors. It will be the 2nd and 4th Thursdays of the month with alternating days for each. I would like to thank Tina who gave us a name to start the ball rolling after a year of no activity to accomplish this. And to Paulette who reached out to make it happen. Many things can be accomplished if we try hard enough to help the people that are the backbone of Garwood and such an important part of our community.

2/ Thursday June 23rd from 11:00-3:00 will be the senior Picnic; I will begin to inquire where we can get tents donated for this event. If anyone knows who can help me accomplish this without turning it into a photo op, I would greatly appreciate this. If it rains it will be at the firehouse

3/August 11: 12:30-3:30 will be the Ice Cream sundae Party and music

4/ April 21 from 9-12:00 there will be stroke screening at Overlook Hospital,

5/Memory screenings will also be available by appointment and the date to be determined.

6/March 3 Chief Underhill will be speaking to a very concerning topic about first aid and 911 calls. There were also 2 other presenters scheduled to speak on this topic, but will be put on the back burner in the event the chief can clarify and explain with clarity to the satisfaction of the group.

7/ Another resident has been asking relentlessly with no action taken for quite a while concerning the missing street sign on the corner of Hickory and Lexington. I spoke to the chief and he said it would be taken care of promptly.

8/ I was very happy to help another resident that applied and received aid for home repairs through the UC senior home improvement program, she was very unhappy with the job that was being done on her front steps that needed major repair work as well as a new hand rail. She wanted the handrail to go up to her door, due to precarious balance instead of the previous one that was 2 steps down and had nothing to hold onto. She said the contractor wanted an extra 400 dollars from her to extend the railing. I made many phone calls and met the contractor at her house to explain to him what her issue was, of course after much dialogue he sent another person out to clean up the steps to Mary's liking and also agreed to extend the handrail up to the door with no added expense to the homeowner.

9/ When I spoke at the senior meeting I explained to everyone that they should please have someone look over these contracts that they are expected to sign, as the legal lingo is hard to comprehend. The person that had this issue called me over the weekend and said they want her to sign another 20 pages of documents so the contractor can get paid. I informed her not to sign anything until the permit has been closed out and the Cranford building department comes out to inspect and it passes. She said she would make him wait as long as he made her wait to get the job completed to her satisfaction, lol

10/ The historical committee left flyers about the Garwood complex rededication of the bronze plaques commemorating those volunteers who helped build the initial complex in 1960 and others supporting at that time. There is a list of 84 names that were involved and would like to reach out to any families or friends that has contact info so they can be reached.

The rededication will take place on June 12, at 2PM. Reach out to Bruce Paterson if you have any questions or further info.

11/ I would like to thank Kathleen from Boro hall who took the time and came to the meeting and stayed for a while to help anyone that needed assistance with the parking permits. I was happy to see that almost everyone had taken care of it previously. Now I better go take care of mine.

12/ The group was very pleased with the modification to Garwood Senior Citizen Liaison.

13/ I would like to thank Mayor Lombardo once again for making me the liaison for this wonderful group of people. As I look around that room at every meeting, I see my parent's faces in all of their faces, and many whose kids I went to school with. Sometimes the melancholy and sadness is overwhelming as they are no longer with me.

I feel like I am doing what I was elected to do, and that is to help anyway I can and it lessens the sadness for me with the enjoyment I am receiving in return. Of course those great 2-dollar sandwiches are not bad either

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Petruzzelli

Winter is the perfect time to stay inside and enjoy a good book or movie. The Library has books for all interests and many recent movie releases including: The Martian, Mad Max: Fury Road, Everest, Goosebumps, and Ant-Man.

February is also a good month for Legos. The kids had a lot of fun at the Lego Garwood Derby and another Derby is coming up this week on Thursday, February 25th. The seniors are enjoying the Friday movies. Next Friday the Library presents the classic, "From Here to Eternity". The following Friday, the "Duke", John Wayne, will be making an appearance in "The Quiet Man".

March 2nd is Dr. Seuss' birthday. The Library will be celebrating at 3pm, on the 2nd, with: a Seuss themed birthday cake, Justin Bieber reading "The Cat in the Hat" (on YouTube projected on the library screen), President Obama reading "Green Eggs and Ham" (on YouTube), Dr. Seuss Bingo with prizes and more.

March is also National Craft Month. We will be celebrating with Craft Fridays. Each Friday a simple craft will be available to anyone who feels inclined including: origami, flower making and painting.

As always, the library has many other programs including:

1. The Knitting Club – Monday / Thursday @10:30AM
2. Color Me Calm - Mondays @ 11:30AM
3. Book Clubs
4. Adult Ed - Tuesday/Thursdays @ NOON
5. ESL - Tuesdays @2:00PM
6. Parent Child Knitting - Wednesday @ 6:00PM
7. Toddler Story Time - Wednesdays @10:30AM

The Garwood Library is open Monday through Thursday from 9:00 AM to 8:00 PM, Fridays from 9:00 AM to 4:30 PM, and Saturdays from 9:00 AM to 1:00 PM. The Library will be closed, Friday March 25th and Saturday, March 26th for the Easter holiday.

SCHOOL BOARD LIAISON: Councilman Sarno

Thank you Mayor, The school board Tuesday February 16th and approved the hiring of an "education specialist" to assist in the observation and evaluation of teachers at Lincoln School on an as-needed basis for nine to 10 days of work.

Board President Christine Guerriero informed us that ALJ will be switching to "block scheduling". The new schedule will start with two 80-minute instructional periods, lunch, a 25-minute activity period followed by two more 80-minute instructional periods. The reasoning for the change was to allow for continuous quality learning without as many interruptions as the former schedule currently has in place.

The 12th Annual Appreciation Dinner is at the Westwood on Thursday April 21st from 6-9pm where the Educator of the Year and the Garwood person of the year will both be honored respectively.

Lastly, Lincoln School just passed its 100th day milestone on February 17th and some students took 100 steps and wrote about what they saw in their small journey.

That's all for my report

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:

Councilwoman Todisco

Thank you, Mayor. I attended the last meeting of the Celebrations Committee last week on February 17th. The Committee is gearing up for the Egg Hunt, which will be held at the Garwood Recreation Complex on March 19th. Residents can arrive at 11:45am as the egg hunt will begin at 12:15pm. In addition to eggs, children will have an opportunity to win prizes that will be raffled off. Looking forward to seeing everyone there. Additionally, at the meeting I made a suggestion that the Borough ask businesses to sponsor half of the banners in town that can be left up year round and the other banners can alternate through the seasons. The Committee and I will investigate this possibility, which would support shopping local and make the banner changing operation easier for the DPW. That's all for my report, Mayor.

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:

Councilman Mathieu no report

ADMINISTRATIVE REVIEW COMMITTEE: Councilwoman Todisco no report

HISTORICAL COMMITTEE: Councilwoman Todisco

Thank you, Mayor. I attended the Historical Committee meeting last night. The Committee is continuing to plan the rededication of the Recreation Complex. Again, the date has been set for Sunday, June 12th with a rain date of the following week on June 19th. The Committee will be sending out a press release shortly with names of Garwood residents who contributed in some way to the history of the complex and are memorialized on various plaques from the Baseball League to the Lions Club and more, in order to welcome them to the rededication as well as their family members. This press release will also be uploaded to the Borough website. We are really excited for this event and hope everyone can join us. That's all for my report, Mayor.

OFFICER'S REPORTS:

Chief of Police Bruce Underhill: monthly report for January 2016

Municipal Court Administrator Martha Marino: monthly report for January 2016

A motion to accept Officer's reports was made by Councilwoman Todisco, seconded by Council President Petruzzelli

PUBLIC COMMENT:

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

Paul Nieves, 263 Fourth Avenue expressed his dismay at passing illegal, immoral and unethical ordinance.

Jeff Sylvester, 554 Myrtle Avenue said there is no public outcry to give up the benefits. He said it's not about the public, it's a council problem.

Rich McCormack, 101 Fourth Avenue said people have been coming to object the benefits. He commented further on the benefit matter.

Rick King, 412 Hazel Avenue commented further on the benefits matter.

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. 16-160

BE IT RESOLVED, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, hereby authorizes the issuance of a "Special Bingo License" pursuant to P.L. 1973, Chapter 324, to the Village at Garwood Senior Association for a period of two years from February 23, 2016 to February 23, 2018.

BE IT FURTHER RESOLVED, that the said application filed by the Village at Garwood Senior Association be made a part hereof by reference.

RESOLUTION NO. 16-161

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 Off-Premise 50/50 Raffle and an On-Premise Merchandise Raffle to be held on April 17, 2016, at the Westwood, 435 North Avenue, Garwood, NJ from 11:00 a.m. to 3:00 p.m., is hereby granted to Summit Animal Rescue Association., pursuant to Application Number RA #1069 and RA #1071.

RESOLUTION NO. 16-162

WHEREAS, Bruce D. Underhill, Chief of Police has recommended that Patrolman Valerio Zuena, Police Officer in the Garwood Police Department be upgraded to Step 1 Patrolman, pending approval from Council.

NOW THEREFORE BE RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize that Valerio Zuena be upgraded from a Probationary Patrolman, to a Step 1 Patrolman in the Garwood Police Department, effective February 16, 2016, at an annual salary of \$44,000.00 in accordance with the existing P.B.A. Contract.

RESOLUTION NO. 16-163

BE IT RESOLVED, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the Municipal Clerk be and is hereby authorized to submit the 2016 Infrastructure and Municipal Aid Grant Agreement with the County of Union for a grant amount of \$212,500, for the milling and resurfacing of Center Street between South Avenue and the dead end, at Unami Park.

RESOLUTION NO. 16-164

WHEREAS, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby directs the transfers of 2015 budget appropriations be and they are hereby made:

2015 Budget Transfer #6

FROM:	Department	Account Name	Account Number	Amount
	Police	Supplies	5-01-25-240-200-0110	500.00
	Police	Seminars	5-01-25-240-200-0195	500.00

Police	New Equipment	5-01-25-240-200-0350	500.00
Police	911 EMD	5-01-25-240-200-0385	500.00
Police	Signs	5-01-25-240-200-0410	500.00
Police	Uniforms	5-01-25-240-200-0430	500.00
Police	Convention	5-01-25-240-200-0480	500.00
Social Security	OE	5-01-36-472-200-2050	4,775.00
Streets & Roads	S&W	5-01-26-290-100-0100	9,750.00
			<u>18,025.00</u>

TO:

Police	S&W	5-01-25-240-100-0100	8,275.00
Snow Removal	Fees	5-01-26-290-201-1110	9,750.00
Total			<u>18,025.00</u>

Motion Councilman Sarno, Second Councilman Martin, to adopt Consent Agenda.

Roll Call:

Councilwoman Cuccaro	AYE	Councilman Sarno	AYE
Councilman Martin	AYE	Councilwoman Todisco	AYE
Councilman Mathieu	AYE	Council President Petruzzelli	AYE

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

RESOLUTION NO. 16-165

WHEREAS, the Municipal Clerk, Custodian of Records has received an ORPA request for a letter that has been deemed Attorney Client Privilege dated January 25, 2016 regarding State Health Benefits Program – Eligibility, written by Borough Attorney Renaud.

BE IT RESOLVED by the Council of the Borough of Garwood that the Custodian of Records is hereby authorized to provide said letter to the requestor and hereby deems this letter public record for purposes of disclosure.

Motion Councilwoman Todisco Second, Councilman Petruzzelli, to adopt Resolution No. 16-165

Discussion: Brief discussion followed whether or not to give out the document.

Roll Call:

Councilwoman Cuccaro	NAY	Councilman Sarno	AYE
Councilman Martin	AYE	Councilwoman Todisco	AYE
Councilman Mathieu	NAY	Council President Petruzzelli	AYE

Resolution No. 16-165 was adopted.

NEW BUSINESS:

PROCLAMATION:

National Nutrition Month – March 2016

APPOINTMENT:

Christina Ariemma – Historical Committee

Mayor Lombardo said Councilwoman Todisco has asked me to consider removing her from the Street and Roads Committee due to her increasing work load while working towards attaining her Master's Degree. I am going to grant her request and replace her with Councilman Mike Martin on the Streets and Road Committee.

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, Councilwoman Todisco, Second, Councilman Petruzzelli to adopt Payment of Claims Resolution.

Capital Acct: \$12,035.00	Trust Acct: \$485.35
Dog Tax Acct: \$745.00	Current Acct: \$29,867.63

Roll Call:

Councilwoman Cuccaro	AYE	Councilman Sarno	AYE
Councilman Martin	AYE	Councilwoman Todisco	AYE
Councilman Mathieu	AYE	Council President Petruzzelli	AYE

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, MARCH 08, 2016**, 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. 16-02, ON TUESDAY, MARCH 08, 2016, AT 7:15 P.M. OR SOON THERE AFTER

Motion Councilman Martin, Second Councilwoman Cuccaro, to adjourn.
Time: 8:10 p.m.

Respectfully submitted:



CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood