

# BOROUGH of GARWOOD

## *Regular MINUTES of the COUNCIL MEETING*

May 26, 2015

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 7:26 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 Martin, 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.

### **MINUTES:**

Regular Meeting of the Mayor and Council held on May 12, 2015.

Workshop Session of the Mayor and Council held on May 12, 2015.

**Motion: Action:** Approve, **Moved by** Councilwoman Todisco, **Seconded by** Councilwoman Tarantino

### **COMMUNICATIONS:**

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
    - a. Mayor's Advisory –
      - i. 05/11/15, RE: COAH/Affordable Housing
      - ii. 05/11/15, RE: REVISED COAH/Affordable Housing
      - iii. 05/11/15, RE: Weekly Policy Update
      - iv. 05/11/15, RE: Deptford Challenges Chapter 54 Police Camera Mandate
      - v. 05/12/15, RE: I. Proposed Agreement Could Remove Verizon's Service Quality Standards II. Seminar Round Up
      - vi. 05/19/15, RE: I. Weekly Policy Update II. Local Aid Infrastructure Fund Program Changes
      - vii. 05/19/15, RE: Proposed Agreement Could Remove Verizon's Service Quality Standards Placed on the BPU's Agenda for Tomorrow May 19<sup>th</sup>
      - viii. 05/20/15, RE: I. UPDATE- Energy Seminar at Rowan University on May 27<sup>th</sup> II. BPU Approves Proposed Stipulation Agreement
      - ix. 05/20/15, RE: Local Authority Limited as Office of Management & Budget Approves FCC Rules
  - 2) **UNION COUNTY BOARD OF CHOSEN FREEHOLDERS**, 05/11/15, RE: Resolution 2015-317, 05/19/15, RE: Resolution No. 2015-415 and Ordinance 764-2015
  - 3) **TOWNSHIP OF CRANFORD** – 05/11/15, RE: Resolution supporting Transparent Tax Act of 2015
  - 4) **TOWNSHIP OF SPRINGFIELD** – 05/21/15, RE: Resolution supporting Transparent Tax Act of 2015
  - 5) **GARWOOD PUBLIC LIBRARY BOARD OF TRUSTEES** – 05/11/15, RE: Minutes of the meetings held on January 14, 2015, February 4, 2015 and April 1, 2015.
  - 6) **GARWOOD CELEBRATIONS** – 05/21/15, RE: Minutes of the meeting held on March 18, 2015.
  - 7) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 05/15/15, RE: Minutes of the meetings held on April 9, 2015 and April 16, 2015.
- ALL WERE RECEIVED AND FILED**

### **ORDINANCES:**

#### **INTRODUCTION:**

Municipal Clerk to read Ordinance 15-11 by title only:

**BOND ORDINANCE NO. 15-11**

**BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW 9-1-1 POLICE COMMUNICATIONS AND DISPATCHING EQUIPMENT IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$59,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.**

**Motion: Action:** INTRODUCE ORDINANCE 15-11, **Moved by** Councilman Petruzzelli, **Seconded by** Councilwoman Todisco.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6)

**Discussion:**

**Yes:** Councilman Martin, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Ordinance No. 15-11 was introduced.

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

**POLICE:** Councilwoman Tarantino, Chr. *NO REPORT*

**PUBLIC HEALTH:** Council President Nierstedt

Board of Health – The board met last Wednesday night and had its first reading of the ordinance to commence charging fees for plan reviews of commercial establishments that must submit such plans prior to obtaining their health certificate. The second reading and adoption is scheduled for Wednesday, June 17.

**STREETS AND ROADS/ECOLOGY:** Councilwoman Todisco, Chr. *NO REPORT*

**FIRE:** Council President Nierstedt, Chr.

Fire Division – last Wednesday, May 20, the Garwood Fire Division held it's Memorial for deceased firefighters and member of the Ladies Auxiliary. As always, the tolling of the firemen's bell was a moving experience, and I thank everyone who honored our firefighters by their attendance.

There 196 man hours and 19 incidents and 10 request for mutual aid.

**FINANCE:** Councilman Petruzzelli, Chr. *NO REPORT*

**BUILDINGS AND GROUNDS:** Councilman Mathieu, Chr. *NO REPORT*

**LAWS AND LICENSES:** Councilman Martin, Chr. *NO REPORT*

**RECREATION:** Councilwoman Todisco Chr.

Thank you, Mayor. The Recreation Commission last met on May 20<sup>th</sup>. The Commission was very pleased with the number of children that signed up for the pre-K and Kindergarten instructional soccer program, which took place on Fridays. In total, there were 31 children. They will close out the program with a pizza and trophy party on June 12<sup>th</sup>. Also, the Commission is looking forward to summer recreation this year. Sign up night is set for Tuesday, June 9<sup>th</sup> at 7pm at the Lincoln School cafeteria. This year there will be an 8<sup>th</sup> grade project graduation held on graduation night from 9 to 11pm at the recreation complex. Lastly, the Commission is about to finalize a day for the annual Senior Citizen Dinner. Right now, it looks like it will be on August 15<sup>th</sup> or 16<sup>th</sup>. That's all for my report, Mayor.

**COMMITTEE ON AGING:** Councilwoman Tarantino

Thank you Mayor

Last meeting I reported that I applied to the county for a tent for the Seniors Annual Summer Picnic. Well I'm happy to report the county came through for us and we will be getting 2 20x20 tents to provide shade for the senior at their picnic in June.

That is all for my report.

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

On Thursday, June 4<sup>th</sup>, horticulturist Bryan Lowe will present a program at the Library at 7:00 PM, discussing "Deer Resistant Plants". As with his other lectures on gardening, he will present a slide show along with his advice and descriptions. Registration is required for this event.

Toddler story time will continue through Wednesday, June 10<sup>th</sup> and then break for the summer, returning on Wednesday, September 16<sup>th</sup>.

Friday Morning movies will continue through Friday June 19<sup>th</sup> and then will break for the summer, returning on Friday, September 11<sup>th</sup>.

The Monday afternoon book Club will meet on Monday, June 15<sup>th</sup> at 1:00 PM, and then will resume on Monday, September 21<sup>st</sup>. The Thursday evening book group will meet on the 1<sup>st</sup> Monday of each month throughout the summer.

The Garwood Library will have a tent at "Garwood Rocks" event on Sunday, June 7<sup>th</sup>. We hope that residents and visitors alike will stop by our booth to find out about the happenings at the Library.

Summer reading club sign up starts on Wednesday, June 17<sup>th</sup> and log-ins will begin on Monday, June 22<sup>nd</sup>.

**SCHOOL BOARD LIAISON:** Councilman Mathieu

On Tuesday, May 19<sup>th</sup>, the BOE met and two matters of note occurred. First, the Board agreed to extend their shared services agreement for a business administrator with Mountainside from July 1, 2015 through June 30, 2018. Second, the Board applied to the Department of Education for funds for a new handicapped bathroom at Lincoln School.

**CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:** Council President Nierstedt

Celebrations Committee – The celebrations Committee met last Wednesday, May 20.

The Celebration's Committee held its annual Memorial Day remembrance day yesterday at the Knights of Columbus with over 100 people in attendance. We wish to thank the Knights of Columbus for donating the room, soda and water and also doing the cooking and cleanup.

Even though the guest speaker Colonel Teresa Wolfgang had car trouble and could not be there in person, she called in and gave a heartwarming speech on women in the military. Two brownies and one Girl Scout spoke on what Memorial Day meant to them, the Presentation of the Colors was done by both the boy and girl scouts; and TAPS was played by 8<sup>th</sup> Grader Justina Augustine. Mayor Lombardo gave his message on the meaning of the poppy. Major Paul Nieves, a resident of 4<sup>th</sup> Avenue, made a special presentation of "The Fallen Soldier Table".

The Celebration's Committee wishes to remind everyone – especially on Council, to send in their favorite recipe as soon as you can. The recipe form is on-line at garwood.org. You can either drop it off at Borough Hall, or send via email to garwoodcelebrations@garwood.org.

And while it is not technically a celebrations committee report, I do wish to report that Mayor and Council did walk in yesterday's Cranford Memorial Day Parade, followed by representatives of the Garwood First Aid Squad, Fire and Police Divisions. I thank everyone who came out and greeted us! And I hope that everyone had a memorable day of their own.

**UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:**

Councilman Mathieu NO REPORT

**PARKING COMMITTEE:** Councilwoman Tarantino

Thank you Mayor

The Parking Committee did meet last week. We continue to get feedback on the proposed ordinance. The biggest concern seems to be visitor passes. The committee has discussed a suggestion that was made about giving each household two laminated visitor passes. Of course we would number them and keep records of who has what passes so we could keep some type of control. There are a few issues we are still working out. The response is mostly positive. Residents are eager to have this ordinance passed.

Councilwoman Todisco suggested stickers not be used and brief discussion followed.

**POLICE NEGOTIATIONS COMMITTEE:** Councilwoman Tarantino NO REPORT

**ADMINISTRATIVE REVIEW COMMITTEE:** Councilwoman Tarantino

Thank you Mayor

We had a meeting and we will be going into executive session at the end of this meeting to discuss the outcome of that meeting.

That is all for my report.

**HISTORICAL COMMITTEE:** Councilwoman Todisco

Will provide a detail report next time.

**OFFICER'S REPORTS:**

Chief of Police Bruce Underhill: end of year report - 2014

Chief of Police Bruce Underhill: monthly report for April 2015

Municipal Court Administrator Martha Marino: monthly report for April 2015

**Motion: Action: Approve, Moved by, Councilwoman Tarantino Seconded by Councilwoman Todisco**

**PUBLIC COMMENT:**

Joe Sarno III, 658 Willow Avenue suggested passes for parking.

Bruce Paterson, 325 Willow Avenue mentioned more borrowing taking place with the introduction of the bond ordinance this evening. He commented on the county taxes and his feelings of abuse there. Council President Nierstedt suggested Mr. Paterson and him sit and discuss preparing a resolution concerning this.

**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. 15-197**

**WHEREAS**, there were 556 motor vehicle fatalities in New Jersey in 2014; and

**WHEREAS**, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

**WHEREAS**, use as a seatbelt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

**WHEREAS**, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

**WHEREAS**, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 18 – 31, 2015 in effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education and;

**WHEREAS**, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88% to 90%; and

**WHEREAS**, a further increase in seat belt usage in New Jersey will save lives on our roadways;

**THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Garwood hereby declares its support for the Click It or Ticket seat belt mobilization both locally and nationally from May 18 – 31, 2015, and pledges to increase awareness of the mobilization and the benefits of seat belt use.

**RESOLUTION NO. 15-198**

**WHEREAS**, *N.J.S.A. 40A:5-4* requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of *N.J.S.40A:5-6*, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per *R.S. 52:27BB-34*; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments

Recommendations; and

as evidence by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgation's of the Local Finance Board of the State of New Jersey may subject the member of the local governing body to the penalty provisions of *R.S. 52:27BB-52* - to wit:

*R.S. 52:27BB-52* - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE BE IT RESOLVED**, that the governing body of the Borough of Garwood, County of Union, State of New Jersey, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**RESOLUTION NO. 15-199**

**BE IT RESOLVED** by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby accepts the Finance Officers "Corrective Action Report" for 2014, copy of which will be made a part hereof and copies filed with the Municipal Clerk and the Division of Local Government Services.

**RESOLUTION NO. 15-200**

**BE IT RESOLVED**, by the Council of the Borough of Garwood, County of Union, State of New Jersey, that in continuance of past practice, a contract be entered into for the year 2015, from January 1, 2015 to December 31, 2015, with the Garwood First Aid

Squad, Inc., for the furnishing of municipal ambulance service and first aid treatment for residents and person employed in industrial establishments throughout the Borough of Garwood; and

**BE IT FURTHER RESOLVED**, that the sum of \$9,000.00 as budgeted and appropriated by the Borough of Garwood for this purpose shall be contributed to the said Garwood First Aid Squad, Inc., and made a part of the said contract; and

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk be and they are hereby directed to execute said contract with the said Garwood First Aid Squad, Inc., on behalf of the Borough of Garwood, on the basis hereof; and

**BE IT FURTHER RESOLVED**, that a voucher in the sum of \$9,000.00 be drawn to the order of the Garwood First Aid Squad, Inc.

**RESOLUTION NO. 15-201**

**WHEREAS**, it has pleased Almighty God in his infinite wisdom to take unto himself, on April 20, 2015, our friend and former Garwood Municipal Clerk/CFO Doris L. Polidore; and

**WHEREAS**, Doris L. Polidore was born Doris L. Brezney on the 19th day of August, 1934 in the City of Irvington and moved to the Borough of Garwood at the age of six months; and

**WHEREAS**, on March 1, 1977 Doris was appointed Welfare Director of the Borough of Garwood by Mayor Charles J. Horbacz, a position she held until 1990; and

**WHEREAS**, on March 20, 1979 Doris was appointed Municipal Clerk by Mayor John J. McCarthy, moved by Council President Georgiana Gurrieri and seconded by Councilwoman Doris Mann; and

**WHEREAS**, in April of 1984 Doris obtained her "Registered Municipal Clerk" status and in June of 1984 her "Certified Municipal Clerk" status; and

**WHEREAS**, in January 1986 Doris was appointed Treasurer and in January 1990 Doris was appointed Finance Officer by Mayor Georgiana Gurrieri and obtained her "Certified Municipal Finance Officer" status; and

**WHEREAS**, in November of 1996 at the Municipal Clerks Association of New Jersey Annual Conference in Atlantic City, surrounded by her peers, family and friends Doris was named "Municipal Clerk of the Year"; and

**WHEREAS**, on March 1, 1999 after 22 years of dedicated service to the Borough of Garwood, Doris L. Polidore took her much deserved retirement; and

**WHEREAS**, Doris L. Polidore had served the Borough of Garwood in many capacities for 22 years, she had devoted many selfless hours to this town and its people. The service of Municipal Clerk is never really acknowledged for all the duties it encompasses. Her dedication and love for Garwood will never be forgotten. She was greatly appreciated by all she served under. She is remembered fondly and is sadly missed, especially by those who knew her well. Her memory lives on and is sustained by the mark she left.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Municipal Clerk be and hereby endorse this resolution extending Garwood's deepest sympathy to the family of Doris L. Polidore.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be presented to the family of Doris L. Polidore.

**RESOLUTION NO. 15-202**

BE IT RESOLVED that the ordinance entitled:

**"BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF NEW 9-1-1 POLICE COMMUNICATIONS AND DISPATCHING EQUIPMENT IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$59,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."**

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 9th day of June, 2015, at 7:15 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6)

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

**RESOLUTIONS DELETED OR REMOVED FROM THE CONSENT AGENDA:**

**NEW BUSINESS:**

Any new business the Mayor and Council may have:

Council President Nierstedt asked if there is interest in canceling a meeting in July or August.

**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.

Trust Acct: \$682.39

Block Grant Trust Acct: \$1,092.00

Capital Acct: \$3,496.00

Unemployment Trust: \$2,704.09

Current Acct: \$739,213.49

**Motion: Action:** Adopt, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6)

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

At 8:00 p.m., Ms. Ariemma read Resolution No. 15-203

**RESOLUTION NO. 15-203**

**CLOSED SESSION RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING POTENTIAL LITIGATION BETWEEN THE BOROUGH OF GARWOOD AND FLANAGAN'S CONTRACTING GROUP RELATING TO THE CONSTRUCTION OF THE GARWOOD SPORTS AND RECREATION COMPLEX AND SHARED SERVICE CONTRACTS BETWEEN THE BOROUGH OF GARWOOD, AND THE TOWNSHIP OF CRANFORD AND BETWEEN THE BOROUGH OF GARWOOD AND THE BOROUGH OF FANWOOD, 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 matters.

**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 subjects 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.

**Motion: Action:** Adopt Resolution No. 15-203, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6)

**Yes:** Councilman Martin, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Tarantino, Councilwoman Todisco and Council President Nierstedt. Resolution No. 15-203 was adopted.

At 8:55 p.m., a motion was made by Councilwoman Todisco, seconded by Councilwoman Tarantino to end the executive session and resume the regular session.

**ADJOURNMENT**

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, June 9, 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. 15-11 ON TUESDAY, JUNE 9, 2015, AT 7:15 P.M. OR SOON THERE AFTER.**

**Motion: Action:** At 8:58 p.m., adjourn, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco.