

**Borough of Garwood
Meeting of the Mayor and Council**

AGENDA

June 10, 2014

Moment of Silence.....

Salute to the Flag.....

Adequate notice of this meeting was provided to the Westfield Leader, advertised on January 9, 2014, 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).

Mayor Quattrocchi asks at this time please turn your cell phones to off or vibrate.

ROLL CALL:

Mayor Quattrocchi	_____		
Council President Palmer	_____	Councilman Nierstedt	_____
Councilman Martin	_____	Councilman Petruzzelli	_____
Councilman Mathieu	_____	Councilwoman Todisco	_____

MINUTES:

Regular Meeting of the Mayor and Council held on May 27, 2014.

Executive Session of the Mayor and Council held on May 27, 2014.

Workshop Session of the Mayor and Council held on May 27, 2014.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor’s Advisory –
 - i. 05/27/14, RE: An Electrical Energy Policy Primer for New Jersey Municipalities
 - ii. 05/27/14, RE: Legislative Recap for Assembly Voting Session May 22
 - iii. 05/27/14, RE: I. On Memorial Day, Remember That Some Gave All II. Social Security Offers Help to Wounded Warriors
 - iv. 05/28/14, RE: I. New COAH Regulations Webinars II. Mini One Day Conference
 - v. 05/29/14, RE: Draft Ordinance Mandating Direct Deposit Pursuant to P.L. 2013. c. 28.
 - vi. 05/29/14, RE: I. Interest Arbitration – Week 9 Update II. Upcoming League Seminar.
 - vii. 06/03/14, RE: I. Consider some summer reading. II. June grant page posted.

- 2) **GARWOOD PLANNING BOARD** – 05/29/14, RE: Minutes of the meeting held on April 23, 2014.

ORDINANCES:

Public Hearing on Ordinance 14-07, 14-08, 14-09 and 14-10, as advertised in the Westfield Leader on May 30, 2014.

ADOPTION:

Municipal Clerk to read Ordinance 14-07 by title only:

ORDINANCE NO. 14-07

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY
TO THE RAHWAY VALLEY SEWERAGE AUTHORITY**

List correspondence concerning Ordinance 14-07.

Does anyone present wish to be heard concerning Ordinance 14-07.

Motion to close Public Hearing on Ordinance 14-07.

Motion to adopt Ordinance 14-07. Roll Call.

Municipal Clerk to read Ordinance 14-08 by title only:

ORDINANCE NO. 14-08

**AN ORDINANCE TO AMEND § 5-18 (COMPENSATION) IN ARTICLE IV (OFFICE OF THE
BOROUGH ATTORNEY) IN CHAPTER 5 (ADMINISTRATION) OF THE CODE OF THE
BOROUGH OF GARWOOD TO REVISE THE METHOD OF COMPENSATION OF THE
BOROUGH ATTORNEY.**

List correspondence concerning Ordinance 14-08.

Does anyone present wish to be heard concerning Ordinance 14-08.

Motion to close Public Hearing on Ordinance 14-08.

Motion to adopt Ordinance 14-08. Roll Call.

Municipal Clerk to read Ordinance 14-09 by title only:

ORDINANCE NO. 14-09

**AN ORDINANCE TO AMEND §14-16 (COMPENSATION) IN ARTICLE II (MUNICIPAL
PROSECUTOR) IN CHAPTER 14 (MUNICIPAL COURT) OF THE CODE OF THE BOROUGH OF
GARWOOD TO REVISE THE METHOD OF COMPENSATION OF THE MUNICIPAL
PROSECUTOR.**

List correspondence concerning Ordinance 14-09.

Does anyone present wish to be heard concerning Ordinance 14-09.

Motion to close Public Hearing on Ordinance 14-09.

Motion to adopt Ordinance 14-09. Roll Call.

Municipal Clerk to read Ordinance 14-10 by title only:

ORDINANCE NO. 14-10

AN ORDINANCE TO AMEND CHAPTER 111 (MASSAGE ESTABLISHMENTS) OF THE CODE OF THE BOROUGH OF GARWOOD TO REPEAL AND REVISE CERTAIN REQUIREMENTS.

List correspondence concerning Ordinance 14-10.

Does anyone present wish to be heard concerning Ordinance 14-10.

Motion to close Public Hearing on Ordinance 14-10.

Motion to adopt Ordinance 14-10. Roll Call.

COMMITTEE REPORTS:

POLICE: Councilman Martin, Chr.

PUBLIC HEALTH: Councilwoman Todisco

STREETS AND ROADS/ECOLOGY: Councilman Nierstedt , Chr.

FIRE: Councilman Mathieu, Chr.

FINANCE: Councilwoman Todisco, Chr.

BUILDINGS AND GROUNDS: Councilman Petruzzelli, Chr.

LAWS AND LICENSES: Council President Palmer, Chr.

RECREATION: Councilman Petruzzelli, Chr.

COMMITTEE ON AGING: Council President Palmer

LIBRARY, MAYOR'S REPRESENTATIVE: Mayor Quattrocchi

SCHOOL BOARD LIAISON: Councilwoman Todisco

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:

Councilman Martin

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:

Councilman Mathieu

ATHLETIC FIELD COMPLEX PROJECT COMMITTEE REPRESENTATIVE:

Councilman Petruzzelli

OFFICER'S REPORTS:

Tax Collector Aggie Kurzweil Monthly report for May 2014.

Zoning Code Enforcement Officer Len DiStefano for May 2014.

PUBLIC COMMENT:

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

UNFINISHED BUSINESS:

CONSENT AGENDA

(Adoption upon Roll Call)

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

RESOLUTION NO. 14-216

WHEREAS, the Mayor and Council of the Borough of Garwood previously determined that there is a need for professional engineering & landscape architectural services for design and construction phase for the development of the Athletic Field Complex Project located on Block 509/Lot 20, Block 512/Lot 6, Block 512/Lot 5 in the Borough of Garwood; and

WHEREAS, the said Governing Body awarded the above services to Kinsey Associates as per Resolution No. 08-168, and amended per Resolution No. 10-233 and 11-261; and

WHEREAS, the said Governing Body determined that such services are professional services as defined in the Local Public Contracts Law of the State of New Jersey; and

WHEREAS, the Local Public Contracts Law requires that a notice stating the nature, duration, services and amount of each contract awarded as a professional services contract be printed once in the official newspaper of the municipality;

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

1. That the Mayor and Borough Clerk be and are hereby authorized and directed to amend the agreement with Kinsey Associates, 4 Walter E. Foran Blvd., Suite 210, Flemington, NJ 08822, for the provision of professional engineering & landscape architectural services for subsequent completion of construction contract documents for the site development at the complex, several major revision sequences were necessitated by changes and additions to the scope of work; and
2. That said Contractor shall receive additional fees not to exceed \$5,000.00, for additional services included above as in the proposal dated May 16, 2014; and

- 3. That this contract is awarded without competitive bidding as professional services pursuant to the Local Public Contracts Law; and
- 4. That the Borough Clerk be and is hereby authorized and directed to maintain this resolution and the professional services contract on file and available for public inspection in the Office of the Borough Clerk; and
- 5. That the Borough Clerk is hereby authorized and directed to publish a copy of this notice as required by law.

RESOLUTION NO. 14-217

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

Maintenance for four Savin Copiers
 ID #G11380 Department of Public Works
 ID #GI01616 Police Department
 ID #G16921 Court Administrator's Office
 ID #GI01615 Municipal Clerk's Office

TERM: 5/01/2014 to 04/30/2015
12 months

COST: Not to exceed \$2,024.54

INCLUDES: labor, parts, drums, cleaning, and supplies, including toner for black & white and color copies. Preventive maintenance visits and all service calls.

VENDOR: **Atlantic Tomorrow's Office**
200 Broadacres Drive
Bloomfield, NJ 07003
Maintenance Contract #54603

RESOLUTION NO. 14-218

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

Maintenance for 1 Savin 2518 Copier
 ID #: G11381 Fire Department/Prevention

TERM: 05-01-2014 to 04-30-2015
12 months

COST: Not to Exceed \$870.73
Covers 12,000 copies annually

INCLUDES: Labor, Parts, Drums, Cleaning and supplies, including toner. Preventive maintenance visits and all service calls.

VENDOR: **Atlantic Tomorrow's Office**
200 Broadacres Drive
Bloomfield, NJ 07003
Maintenance Contract #54599

RESOLUTION NO. 14-219

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Borough Administrator/Clerk to prepare, sign and submit a grant application for:

2014 KIDS RECREATION TRUST FUND GRANT
2014 GREENING UNION COUNTY

ROLL CALL

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

14-220 Directing the Planning Board to study certain areas of South and Willow Avenue for the purpose of declaring the area in need of Redevelopment.

ROLL CALL

NEW BUSINESS:

Any new business the Mayor and Council may have:

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.

ROLL CALL

EXECUTIVE SESSION

RESOLUTION NO. 14-221

CLOSED SESSION RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING LITIGATION RELATING TO ARIEMMA VS THE BOROUGH OF GARWOOD, MAYOR AND COUNCIL OF THE BOROUGH OF GARWOOD AND COUNCILMAN JAMES MATHIEU CIVIL SUMMONS DOCKET NO. UNN-L447-12, AND MATTERS OF ATTORNEY-CLIENT PRIVILEGE RELATING TO THE ABOVE AND IN ACCORDANCE WITH N.J.S.A., 10:4-12, Closed session, Meetings open to public; exclusion of public; subject of matter.

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

NOW THEREFORE BE IT RESOLVED that the Council of the Borough of Garwood hereby moves 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: Executive Session Resolution No. 14-221 **Action:** Adopt, **Moved by, Seconded by.**

Let the record reflect that no action will be taken during Closed Session. Ms. Ariemma is leaving the Council Chambers for the executive session portion of the meeting relating to Ariemma vs. the Borough of Garwood, Mayor and Council of Garwood and Councilman James Mathieu Civil Summons Docket No. UNN-L447-12. Ms. Ariemma will not take minutes for the portion of the meeting that she is not present. The minutes will be taken and prepared by Mayor Quattrocchi. Ms. Ariemma will not return to the Council Meeting.

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, JUNE 24, 2014**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.