

Borough of Garwood Meeting of the Mayor and Council

AGENDA

June 14, 2016

Moment of Silence.....

Salute to the Flag.....

Adequate notice of this meeting was provided to the Westfield Leader and Union County 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	_____	Councilman Sarno	_____
Councilwoman Cuccaro	_____	Councilwoman Todisco	_____
Councilman Martin	_____	Council President Petruzzelli	_____
Councilman Mathieu	_____		

MINUTES:

Regular and Workshop Minutes of the Mayor and Council held on May 24, 2016.

Motion _____ Second _____, to accept minutes as presented.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 05/20/16, RE: Weekly Friday Briefer
 - ii. 05/26/16, RE: Legislative Action on Local Priorities Scheduled for Tomorrow Your Legislators Need to Hear from You
 - iii. 05/31/16, RE: Weekly Update
 - iv. 06/06/16, RE: Weekly Update
 - v. 06/10/16, RE: Weekly Update
- 2) **TOWNSHIP OF CRANFORD** – 06/01/16, RE: Ordinance 2016-15
- 3) **POLICE CHIEF BRUCE UNDERHILL** – 05/26/16, RE: BeSMART Program, June 9th, 7:00 p.m. to 8:00 p.m. at the Garwood Fire Department
- 4) **MARY EMMONS, SCHOOL PRINCIPAL** - 05/31/16, RE: Invitation to the eighth grade graduation program.
- 5) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 05/23/16, RE: Minutes of the meetings held on 4/14/2016 and 4/21/2016

- 6) **GARWOOD PLANNING BOARD** – 06/01/16, RE: Minutes of the meetings held on 03/23/16, 04/18/16 and 04/25/16.

ORDINANCES:

INTRODUCTION:

Municipal Clerk to read Ordinance 16-10 by title only:

ORDINANCE NO. 16-10

AN ORDINANCE TO AMEND ARTILE I (ESTABLISHMENT, ORGANIZATION AND ADMINISTRATION) IN CHAPTER 34 (POLICE DEPARTMENT) TO DESIGNATE THE MAYOR AS THE APPROPRIATE AUTHORITY FOR THE POLICE DEPARTMENT PURSUANT TO N.J.S.A. 40A:14-118 AND TO AMEND ADMINISTRATIVE PROCEDURES PERTAINING TO THE POLICE DEPARTMENT.

Motion _____ Second _____, to introduce Ordinance 16-10.

Roll Call:

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

Municipal Clerk to read Ordinance 16-11 by title only:

ORDINANCE NO. 16-11

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.

Motion _____ Second _____, to introduce Ordinance 16-11.

Roll Call:

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

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilman Sarno, Chr.

PUBLIC HEALTH: Councilwoman Cuccaro

STREETS AND ROADS/ECOLOGY: Councilman Petruzzelli, Chr.

FIRE: Councilwoman Cuccaro, Chr.

FINANCE: Councilwoman Todisco, Chr.

BUILDINGS AND GROUNDS: Councilman Mathieu, Chr.

LAWS AND LICENSES: Councilman Martin, Chr.

RECREATION: Councilman Martin Chr.

GARWOOD SENIOR CITIZEN LIAISON: Councilwoman Cuccaro

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Petruzzelli

SCHOOL BOARD LIAISON: Councilman Sarno

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:
Councilwoman Todisco

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:
Councilman Mathieu

ADMINISTRATIVE REVIEW COMMITTEE: Councilwoman Todisco

HISTORICAL COMMITTEE: Councilwoman Todisco

OFFICER'S REPORTS:

Len Di Stefano, Zoning Code Enforcement Officer monthly report for May 2016

Motion _____ Second _____, to accept Officer's reports.

PUBLIC COMMENT:

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

UNFINISHED BUSINESS:

CONSENT AGENDA

(Adoption upon Roll Call)

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

RESOLUTION NO. 16-213

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, on October 06, 2016, to be held at the Westwood, 438 North Avenue, Garwood, NJ at 8:30 p.m., is hereby granted to YWCA Eastern Union County, pursuant to RA#1086.

RESOLUTION NO. 16-214

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 2015 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. 16-215

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, that in accordance with N.J.A.C. 5:30-6-5, have familiarized ourselves with the contents of the Annual Municipal Audit, and have reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations", in the 2015 report which has none.

BE IT FURTHER RESOLVED, that copies of said reports are filed with the Municipal Clerk and the Division of Local Government Services.

RESOLUTION NO. 16-216

WHEREAS, the Borough Council of the Borough of Garwood, County of Union, State of New Jersey, authorized the Borough Administrator/Municipal Clerk to advertise for bids for the replacement of Concrete Sidewalk at various locations in the Borough of Garwood (Work); and

WHEREAS, on March 29, 2016, three bids were received for the Work by the Borough Administrator/Municipal Clerk; and

WHEREAS, bids were received from the following bidders:

<u>Name of the Company</u>	<u>Lump-Sum Total</u>
CMS Construction, Inc.	\$78,340
T. Fiotakis Construction	\$87,200
Midwest Construction, Inc.	\$102,300

WHEREAS, by Resolution No. 16-194, the Borough Council for the Borough of Garwood authorized the Borough Administrator/Municipal Clerk to request an extension of the award of the bids received on March 29, 2016 for the Work; and

WHEREAS, CMS Construction, Inc., and Midwest Construction, Inc., consented to the requested extension of the award but no such consent of extension was received from T. Fiotakis Construction; and

WHEREAS, due to the inability to certify funds within sixty (60) days of receipt of bids, the Work could not be awarded within sixty (60) days and CMS Construction, Inc., the lowest responsible bidder did consent to the extension of its bid; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Garwood that the bid of CMS Construction, Inc., in the sum of \$78,340 be and is the lowest responsible bid; and

BE IT FURTHER RESOLVED that the contract is hereby awarded to CMS Construction, Inc., 521-535 North Avenue, Plainfield, NJ 07060, for the Work as indicated on the bid proposal form attached hereto and made a part hereof for the lump sum total amount of \$78,340; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and hereby authorized to execute an agreement in the form prepared or approved by the Borough Attorney.

RESOLUTION NO. 16-217

WHEREAS, it has pleased Almighty God in his infinite wisdom to take unto himself, on May 28, 2016, our friend and former Garwood Councilman Walter Maszczak; and

WHEREAS, Walter was born in Newark, New Jersey and he was a resident of Garwood for the last 43 years; and

WHEREAS, Walter served his country in the military, he was an Army veteran of WWII; and

WHEREAS, Walter had been a lineman for the Newark Fire Department; and

WHEREAS, Walter faithfully served the Borough of Garwood as Councilman for 17 years where he served on many various committees; and

WHEREAS, Walter was a member of the Garwood Republican Club, Knights of Columbus Council No. 5437 and Garwood Senior Citizens Club; and

WHEREAS, the Mayor and Council of the Borough of Garwood wishes to express their deepest sympathy and condolences to his wife Mary and the entire family of Walter Maszczak; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Municipal Clerk be and hereby endorse this resolution extending deepest sympathy to the family of Walter Maszczak.

BE IT FURTHER RESOLVED that a copy of this Resolution be presented to his beloved wife Mary and the family of Walter Maszczak.

RESOLUTION NO. 16-218

WHEREAS, it has pleased Almighty God in his infinite wisdom to take unto himself, on June 2, 2016, William H. (Bill) Severage; and

WHEREAS, Bill lived in Garwood since 1933 and married his devoted wife MaryAnn; and

WHEREAS, Bill served in The United States Navy from 1951 to 1955 and was a proud veteran of the Korean War; and

WHEREAS, Bill joined the Garwood Fire Department in 1959, where he was a past Fire Chief and served the Fire Department for 55 years, retiring in January 2014. He was President of the Garwood Exempt Association for 35 years and a past President of NJ Volunteer Chief's Association. William was also a member of the V.F.W. Post #2230 of Kenilworth; and

WHEREAS, the Mayor and Council of the Borough of Garwood wishes to express their deepest sympathy and condolences to his wife Mary Ann and the entire family of William H. Severage; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Garwood that this resolution expressing the sympathy of Bill's passing be adopted and spread upon the permanent records of the Borough of Garwood; and

BE IT FURTHER RESOLVED that this Resolution be presented to his beloved wife Mary Ann and the family of William H. Severage

RESOLUTION NO. 16-219

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW THEREFORE, BE IT RESOLVED, that the Council of the Borough of Garwood herby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$2,500.19 which item is now available as a revenue from the STATEWIDE INSURANCE FUND, for the AED UNITS, in the amount of \$2,500.19.

BE IT FURTHER RESOLVED, that the sum of \$2,500.19 is hereby appropriated under the caption of "AED UNITS".

RESOLUTION NO. 16-220

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW THEREFORE, BE IT RESOLVED, that the Council of the Borough of Garwood herby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,000.00 which item is now available as a revenue from the NJ DIVISION OF HIGHWAY TRAFFIC SAFETY, 2016 CLICK IT OR TICKET PROGRAM, in the amount of \$5,000.00;

BE IT FURTHER RESOLVED, that the sum of \$5,000.00 is hereby appropriated under the caption of "2016 CLICK IT OR TICKET PROGRAM".

RESOLUTION NO. 16-221

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby appoints Briana L. Ramirez as Violations Clerk for the Garwood Municipal Court effective May 31, 2016 at the rate of \$15.00 per hour.

RESOLUTION NO. 16-222

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the upgrading of Dispatcher Susanna dos Santos from Class III Dispatcher to Class II Dispatcher at the salary of \$30,309, effective June 6, 2016.

Motion _____ Second _____, to adopt Consent Agenda.

Roll Call:

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

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

Motion _____ Second _____,

Discussion:

Roll Call:

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

NEW BUSINESS:

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_____ Second_____, to adopt Payment of Claims Resolution.

Roll Call:

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

ADJOURNMENT:

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, JUNE 28, 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. 16-10 AND 16-11, ON TUESDAY, JUNE 28, 2016, AT 7:15 P.M. OR SOON THERE AFTER

Motion_____ Second_____, to adjourn.

Time:_____