

BOROUGH of GARWOOD

Regular MINUTES of the COUNCIL MEETING

June 23, 2015

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 8:11 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 June 9, 2015.

Workshop Session of the Mayor and Council held on June 9, 2015.

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

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 06/08/15, RE: Weekly Policy Update
 - ii. 06/10/15, RE: URGENT LEGISLATIVE ALERT S-781 and S-782
 - iii. 06/10/15, RE: NJ Supreme Court Ruling on Pension Payment Obligation
 - iv. 06/10/15, RE: Update on Federal Developments
 - v. 06/11/15, RE: I. NJ Supreme Court Case on Pension Funding ("Chapter78") II. Federal Highway Administration Memo on Roadside Safety Hardware III. "The Making of our Nation's Laws"
 - vi. 06/11/15, RE: REVISED NJ Supreme Court Case on Pension Funding ("Chapter78")
 - vii. 06/11/15, RE: Federal Law Enforcement Body-Worn Camera Program
 - viii. 06/15/15, RE: Weekly Policy Update
 - ix. 06/17/15, RE: Impact on Property Taxes When Implementing an Element of Pension and Benefits "Roadmap" Report
 - x. 06/19/15, RE: Status Report on Addressing the "Roadmap to Resolution"
- 2) **RAHWAY VALLEY SEWERAGE AUTHORITY –** 06/09/15, RE: Personnel Committee Meeting to be held Thursday, June 11, 2015 at 6:30 p.m.
ALL WERE RECEIVED AND FILED

ORDINANCES:

Municipal Clerk read Ordinance 15-12 by title only:

ORDINANCE NO. 15-12

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: Action: INTRODUCE ORDINANCE 15-12, **Moved by** Councilwoman Tarantino, **Seconded by** Councilwoman Todisco

Discussion: None.

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. Ordinance No. 15-12 was introduced.

Municipal Clerk read Ordinance 15-13 by title only:

ORDINANCE NO. 15-13

AN ORDINANCE TO AMEND ARTICLE 12 (COMMUTER PARKING) IN CHAPTER 21 (TRAFFIC AND PARKING) OF THE REVISED ORDINANCES OF THE BOROUGH OF GARWOOD, 1974, TO ESTABLISH A COMMUTER PARKING AREA AT BLOCK 211, LOT 3 AND TO ESTABLISH REGULATIONS THEREFOR.

Motion: Action: INTRODUCE ORDINANCE 15-13, **Moved by** Councilwoman Tarantino, **Seconded by** Councilwoman Todisco

Discussion: None.

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. Ordinance No. 15-13 was introduced.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Councilwoman Tarantino, Chr.

Officer Zuena: Has completed his coach program with his Field Training Officer. He will be assigned to a squad shortly as an "extra man", which will allow him to attend the Police Academy to complete those classes he needs to obtain a waiver from the PTC (Police Training Commission) for the Basic Course for Certification as a Police Officer. He will be attending various classes as they are scheduled, during the 114th Police Academy class, held at the John H. Stamler Police Academy. The 114th class is slated to begin on July 20 and run through December.

Property Maintenance: The Police Department has been sending out notices as needed to address high grass and weed issues as well as other property maintenance issues. Foreclosed properties, or "Zombie Properties" as they have come to be called, continue to be a big problem in this area. Chief Underhill made arrangements with the DPW to cut three properties which fall into this category and whose management companies are failing to maintain the properties regularly. The Chief has reestablished contact and contacts, with each Bank's Code Violations Division, and is working closely with them to see that these properties are maintained on a regular basis.

Chief Underhill reports that two signs designating a "Quit Zone" have been erected at the dead ends of Myrtle and Spruce Avenues abutting the Sports and Athletic Field Complex. These signs remind the visiting public to be considerate of the residents in the area.

Mayor Lombardo and Chief Underhill will be hosting an Appreciation Breakfast, recognizing the services of our current and past School Crossing Guards to our community. This is the first such event to be held and will take place June 24th at the Sports and Recreation Complex.

PUBLIC HEALTH: Council President Nierstedt

The board did not have a quorum for its last scheduled meeting, so we could not act.

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

FIRE: Council President Nierstedt, Chr. *NO REPORT*

FINANCE: Councilman Petruzzelli, Chr. *NO REPORT*

BUILDINGS AND GROUNDS: Councilman Mathieu, Chr.

On June 11th the Buildings and Grounds Committee met with its counterpart from the Board of Election at Lincoln School. It was agreed that the current shared services agreement between the BOE and the Boro, whereby the Board provides janitorial services for the Recreation Center was beneficial to both parties and would continue thru March 31, 2016. A minor modification to the agreement was made whereby the janitors of the BOE would clean the Recreation Center as needed, but not to exceed more than 5 billable hours per week, or a total of \$125.00 per week, unless agreed to by both parties in writing. The previous arrangement had provided a fixed total of billable hours or \$75.00 per week. The new arrangement allows for daily cleanings of the facility during heavy use periods such as the upcoming six weeks, and for a reduction of services to as few as one or two cleanings per week when the facility is being more lightly used. The Buildings and Grounds Committee unanimously recommends the adoption of Resolution 214 on tonight's agenda memorializing such agreement. The Buildings and Grounds Committee met again on the evening of June 20th to discuss whether or not to apply for a Union County grant to improve or expand Borough recreation areas. The Committee came to a decision not to recommend application for any such grants at this time. Our thinking was that the Boro had recently made significant investments in recreation facilities and no such other extraordinary appropriations should be made in the coming year.

LAWS AND LICENSES: Councilman Martin, Chr.

Thank you, Mayor. The Laws and License Committee met last week to discuss Chapter 126, which governs parks and recreation. We met with the Chairman of the Recreation Commission to gain his input on how the code is working out.

We discussed an idea brought before us by a resident to lower the minimum hours required to rent the recreation complex turf field. We would need to restructure the fees completely if we were to change the minimum. The Recreation Chairman does not feel that will change the amount of time available for public versus private usage because an outside organization needs the facility for a certain amount of time no matter what the minimum is. For instance, they would likely not stay later just to use all the time and if they are not on the turf, then it is available to the public. We also discussed adding to the code to allow for people and organizations to rent half of the turf field rather than all or nothing. Finally, we also brought up an idea to make it a requirement to rent the bathrooms when renting the fields.

We would rather not change the ordinance multiple times, but rather see how it works for a Spring, Summer, and Fall season and make any necessary changes at once. So after this Fall season, we will have recommendations to share with the Council. That's all for my report, Mayor.

Councilman Mathieu asked how much has been collected in rental. Councilwoman Todisco said it's about \$10,000.

RECREATION: Councilwoman Todisco Chr.

Thank you, Mayor. Last week, I attended the last meeting of the Recreation Commission on June 17th. The Commission is looking forward to summer recreation this year, which starts on Monday, June 29th and runs for 6 weeks from 9am to 12noon Monday through Friday at the Recreation Complex. They plan on having 4 field trips this year. At the last meeting, they approved the rates for the Summer Recreation Director as well as counselors. The annual Senior Citizen Dinner will be August 16th from 12noon to 4pm at the Knights of Columbus. There was also some discussion of adding another event for seniors, such as a Bingo Night, in the fall. The next meeting of the Commission will be on July 15th. That's all for my report, Mayor.

COMMITTEE ON AGING: Councilwoman Tarantino

Thank you Mayor

I attended the Senior Club meeting last Thursday. Officer Hertz attended as well. He spoke to the seniors on the topic of Nixle and First Alert and how what information comes across. He explained they can have information come to them by email or text message.

The Senior Citizens will be having their Senior Picnic this Thursday at the Garwood Sports and Rec Complex. Also the annual ice cream party will be August 13th.

The Village at Garwood Ribbon cutting will be held Thursday afternoon to celebrate the opening of the new building. That is all for my report Mayor.

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Petruzzelli

Children participating in the Library's 21st annual Summer Reading Club began logging in their reading time beginning Monday, June 22. The theme this year is "Every Hero Has a Story". The program will run through Friday, August 7th. There will be crafts for kids on Tuesdays at 3 PM and movies for kids on Thursdays at 2:00 PM. Please check with the library for the schedule of events.

On Saturday, June 27th, from 10 AM to Noon, the Garwood Library Board of Trustees will host a Farewell Reception for Carol Lombardo, its retiring Director, who has served in that post for the past 17 years. All residents are invited to the reception. Light refreshments will be served.

Toddler story-time will take a break during the summer and resume after Labor Day on September 16th. The Monday book club will resume its meetings on Monday, September 21st. The Thursday book club will continue to meet through the summer on the first Thursday of the month at 7:00 PM.

Summer hours for the library will begin on Monday, June 29th. The weekday hours of the library will remain unchanged, however, the library will be closed on Saturdays during July and August. Regular Saturday hours will begin again on Saturday, September 12, after Labor Day.

SCHOOL BOARD LIAISON: Councilman Mathieu NO REPORT

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON: Council President Nierstedt

The movie for 'Under the Stars' night on September 18 at Washington School is Paddington Bears. This year's sponsors are the Greater Westfield Area Chamber of Commerce, the Greater Westfield Area YMCA Garwood branch, the Garwood branch of Spencer Savings Bank and the Borough of Garwood.

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:

Councilman Mathieu NO REPORT

PARKING COMMITTEE: Councilwoman Tarantino

The parking committee met this week. We have been working diligently to work out all the issues that have been coming up with in regards to the parking ordinance we have been discussing we have a few more issues to work out and hope to have the ordinance before council soon.

POLICE NEGOTIATIONS COMMITTEE: Councilwoman Tarantino *NO REPORT*

ADMINISTRATIVE REVIEW COMMITTEE: Councilwoman Tarantino *NO REPORT*

HISTORICAL COMMITTEE: Councilwoman Todisco

Thank you, Mayor. The Historical Committee is still seeking donations from interested Garwood families to sponsor historical photos in the meeting room of the Garwood Sports and Recreation Complex building. The donations will be used to pay for the frames and all other proceeds will go to preserving Garwood's history. Thank you, Mayor.

OFFICER'S REPORTS:

Municipal Court Administrator Martha Marino: monthly report for May 2015

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

PUBLIC COMMENT:

Sal Piarulli, 55 Fourth Avenue asked if council will be voting on these resolutions tonight. He asked council to wait and defer the matter to the next meeting.

Paulette Mathieu, 324 Pine Avenue said she is not in favor of the change and asked council to vote no on the resolutions.

Bruce Paterson, 325 Willow Avenue mentioned that Anne Leonard is not doing well. He requested council honor Mrs. Leonard with a resolution. He stated his concerns for DPW and asked council to wait to vote.

Bruce Maloney, 451 Pine Avenue stated his objections to the shared service agreement with Fanwood.

Tina Smitz, 345 Hemlock Avenue stated she does not agree with sharing DPW services.

Joe Sarno, 651 Willow Avenue talked about sharing and DPW work ethic. He expressed he is not in favor of the proposal.

Bruce Paterson, 325 Willow Avenue mentioned the sharing of construction with Cranford and the concerns with that relationship.

Marge De Rosa, 336 Spruce Avenue stated she does not agree with sharing DPW services.

Sal Piarulli, 55 Fourth Avenue further commented and objected to the proposal.

Kathleen Paterson, 416 Center Street stated she does not agree with sharing DPW services.

Rich Bonfanti, 340 Second Avenue mentioned sharing equipment and not manpower.

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. 15-210

WHEREAS, the Borough of Garwood has filed or anticipates filing a Declaratory Judgment Action in the Superior Court of New Jersey Union County in furtherance of the Supreme Court's March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the "Supreme Court Decision"); and

WHEREAS, Fair Share Housing Center (“FSHC”), through the services of David Kinsey, has prepared what it considers to be the statewide fair share numbers (the “FSHC Numbers”) for use by the 15 vicinage Mt. Laurel Judges to calculate a municipality’s affordable housing obligation pursuant to the Supreme Court Decision; and

WHEREAS, the Borough of Garwood desires to participate in the preparation of a statewide fair share analysis to be undertaken by Rutgers, The State University of New Jersey (“Rutgers”), through Dr. Robert W. Burchell, Principal Investigator, and various other experts employed by Rutgers in order to establish a rational and reasonable methodology (the “Burchell Fair Share Analysis”) for determination of a municipality’s obligation to provide a realistic opportunity through its land use ordinances for its fair share of the region’s affordable housing needs in accordance with the Mount Laurel Doctrine as set forth in In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”) and prior decisions of the Courts of New Jersey, and the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq.; and

WHEREAS, Rutgers, utilizing Dr. Burchell as the Principal Investigator and author has agreed to prepare the Burchell Fair Share Analysis within 90 days of being retained to establish his view of the proper way to determine each municipality’s fair share obligation; and

WHEREAS, Dr. Burchell estimates the cost to prepare the initial Burchell Fair Share Analysis will be \$70,000; and

WHEREAS, it is anticipated that there will be a need for Dr. Burchell to analyze any challenges to his conclusions and prepare a rebuttal report to said challenges which is not included in the \$70,000; and

WHEREAS, it is anticipated that if each municipality contributes \$2,000, there will be sufficient monies to pay the cost to prepare the initial Burchell Fair Share Analysis, to analyze any challenges to the Initial Fair Share Analysis and to Prepare A Rebuttal Report given the number of municipalities that have expressed an interest in retaining Burchell; and

WHEREAS, a Municipal Shared Services Defense Agreement (hereinafter MSSDA”), has been prepared (a) so that monies can be collected to enter into an agreement with Rutgers (hereinafter “the Rutgers Agreement”) and so that Burchell, along with various other experts from Rutgers, can perform the tasks described above and (b) so that the rights and responsibilities of each municipality that wishes to sign the agreement to retain Rutgers are defined; and

WHEREAS, the MSSDA provides that the Law Offices of Jeffrey R. Surenian and Associates, LLC (“Surenian”) will serve as the administrative entity to sign the Rutgers agreement on behalf of the municipalities that signed the MSSDA and paid the \$2,000 fee; and

WHEREAS, it is imperative given the time constraints for municipalities that wish to retain Burchell to sign the MSSDA and pay the \$2,000 fee so that Burchell can conduct the necessary analysis; and

WHEREAS, notwithstanding the foregoing, it is possible that the MSSDA may need to be changed as a result of ongoing negotiations with the Rutgers agreement following execution of the MSSDA and the payment of the \$2,000 fee; and

WHEREAS, in such an event, any member that objects to the changes that Rutgers may require shall have the opportunity to relinquish membership in the Municipal Group and to receive back the \$2,000 payment as more specifically set forth in the MSSDA.

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

1. The terms and conditions of the MSSDA attached hereto are hereby approved, ratified and confirmed.
2. The amount of \$2,000 is hereby authorized to be expended by the Borough of Garwood for Rutgers through Dr. Robert Burchell, Principal Investigator to prepare the Burchell Fair Share Analysis.
3. A certification of funds authorizing the aforesaid expenditure has been signed by the Chief Financial Officer of the Borough of Garwood and is appended hereto.
4. The Mayor and Municipal Clerk be and is hereby authorized to execute the aforesaid MSSDA to memorialize the participation of the Borough of Garwood in the preparation of the Burchell Fair Share Analysis and to take any and all actions reasonably required to effectuate said Agreement.
5. The Borough of Garwood hereby authorizes Jeffrey R. Surenian, Esq. to execute on behalf of the Borough of Garwood the Research Agreement with Rutgers to initiate and complete Burchell Fair Share Analysis and to do such other actions to effectuate the purposes of said Research Agreement.
6. If further changes to the MSSDA are needed as a result of finalizing the Rutgers Agreement, within ten (10) days of notification by Surenian of the changes, the Borough of Garwood will inform Surenian if it objects to the changes and wishes to withdraw from the Municipal Group and obtain a refund of the \$2000 it paid.
7. This Resolution shall take effect immediately.

RESOLUTION NO. 15-211

BE IT RESOLVED by the Council of the Borough of Garwood that Borough Attorney Robert F. Renaud be and is hereby authorized to file a Declaratory Judgment Action in the Superior Court of New Jersey Union County in furtherance of the Supreme Court’s March 10, 2015 decision captioned In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (the “Supreme Court Decision”).

RESOLUTION NO. 15-212

A RESOLUTION AUTHORIZING THE MAYOR AND MUNICIPAL CLERK OF THE MUNICIPALITY OF THE BOROUGH OF GARWOOD TO EXECUTE AN AGREEMENT WITH THE COUNTY OF UNION TO MODIFY THE COOPERATIVE AGREEMENT DATED JUNE 2011

WHEREAS, certain Federal funds are potentially available to the County of Union under Title I of the Housing and Community Development Block Grant Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, certain Federal funds are potentially available to the County of Union under Title II of the National Affordable Housing Act of 1990, commonly known as the HOME Investment Partnership program; and

WHEREAS, substantial Federal funds provided through subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act commonly known as the Emergency Solutions Grants program (ESG) are allocated to prevent homelessness and to enable homeless individuals and families to move toward independent living; and

WHEREAS, it is necessary to amend an existing Cooperative Agreement for the County of Union and its people to benefit from this program; and

WHEREAS, it is in the best interest of the Municipality of the Borough of Garwood and the County of Union in cooperation with each other to enter into a modification of the existing Cooperative Agreement pursuant to N.J.S.A. 40A:65-1 et seq;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Municipality of Garwood that the agreement entitled “**COOPERATIVE AGREEMENT BETWEEN THE COUNTY OF UNION AND CERTAIN MUNICIPALITIES FOR CONDUCTING CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES,**” dated June 2011, for the Purpose of Inserting a

Description of Activities for Fiscal Year 2015-2016 of the Union County Community Development Block Grant program, the HOME Investment Partnership program, and the Emergency Shelter Grant program (ESG), a copy of which is attached hereto; be executed by the Mayor and Municipal Clerk in accordance with the provisions of law;

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its adoption.

RESOLUTION NO. 15-213

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 separate checks for the redemption of Lien Certificate #2015-08 for the following property.

LIEN REDEMPTION:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
0406	0016	Dolores Sullivan 307 Willow Avenue Garwood, NJ 07027	Lien Redemption Premium HI Trust \$15,000.00 \$10,051.38

REFUND TO: US BANK CUST FOR PHOENIX FUNDING
2 LIBERTY PLACE - TLSG
50 SOUTH 16TH ST – SUITE 1950
PHILADELPHIA, PA. 19102

EXPLANATION: TAX SALE CERTIFICATE REDEEMED BY OWNER, DOLORES A. SULLIVAN

RESOLUTION NO. 15-214

WHEREAS, the Mayor and Council of the Borough of Garwood currently participate in an Interlocal Shared Services agreement for the provision of Janitorial services with the Garwood Board of Education for the Borough of Garwood properties; and

WHEREAS, Municipal properties in this service include, Borough Hall at 403 South Avenue, Fire Department Building at 415 South Avenue and Department of Public Works at 10 South Avenue; and

WHEREAS, both parties have agreed to renew the agreement for a period of one year, commencing April 1, 2015 in accordance with the following:

Janitorial services to Municipal properties listed above for an annual cost of \$23,345.00, billed quarterly \$5,836.25; and

WHEREAS, both parties have agreed to include Janitorial services for the Garwood Sports and Recreation Complex, located at 140 Myrtle Avenue, as follows:

Janitorial services to the Garwood Sports and Recreation Complex for cost of \$25.00 per hour on an as needed basis not to exceed five (5) billable hours per week without prior approval from the Borough of Garwood.

BE IT RESOLVED by the Council of the Borough of Garwood that the above is hereby approved.

BE IT FURTHER RESOLVED that the Board of Education shall bill the Borough for the above services at the Garwood Sports and Recreation Complex at the conclusion of each month which will reflect the number of cleaning hours utilized per week at the Garwood Sports and Recreation Complex.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk be and are hereby authorized to sign the agreement between the Borough of Garwood and the Garwood Board of Education for the above provisions.

RESOLUTION NO. 15-215

WHEREAS Mayor Charles P. Lombardo hereby appoints Sandra Bruns as Assistant Borough Administrator in accordance with Chapter 5, Article VIII B, Section 5.51-26.

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union hereby consent to the Mayor's appointment of Sandra Bruns as Assistant Borough Administrator, which shall be now titled Chief Financial Officer/Treasurer/Assistant Borough Administrator effective June 24, 2015, with the annual salary of \$4,500.00, added to the existing salary for her position(s).

RESOLUTION NO. 15-216

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: JB Ragonese Construction, Co., Inc.
PO Box 304
Garwood, NJ 07027
PRICE & DESCRIPTION: Repair 8" clay sewer main approximately 9' deep, and related work. As per quote dated June 18, 2015
Not to exceed: **\$6,450.00**

Motion: Action: REMOVE Resolutions 15-217 & 218 from Consent agenda, **Moved by** Councilwoman Tarantino, **Seconded by** Councilman Mathieu

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 = 6)

Yes: Councilman Martin, 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. 15-217

WHEREAS, the Uniform Shared Services and Consolidation Act (the "Act"), N.J.S.A. 40A:65-1, et seq., permits, authorizes and encourages public bodies such as municipalities to enter into agreements with each other to contract for the provision of any service which the parties to such agreement are empowered to render under and within its own jurisdiction, whether administrative, educational, instructional or otherwise; and

WHEREAS, there is a mutually beneficial opportunity to further improve the efficiency of public works services for Fanwood and Garwood (each a "Municipality" and collectively, the "Municipalities"), while protecting the health, safety and welfare of the municipal residents; and

WHEREAS, the Borough Council of the Borough of Garwood has determined it to be in the best interests of the Borough of to provide for shared public works services with Fanwood serving as the lead agency; and

WHEREAS, in accordance with N.J.S.A 40A:9-154.6g, the governing body or chief executive officer of each municipality, as appropriate, shall appoint a principal public works manager for that municipality; and

WHEREAS, the Municipalities under the agreement will share management in which the Director of Public Works for the Borough of Fanwood will serve as Superintendent of Public Works for the Borough of Garwood as defined in the Code of the Borough of Garwood; and

WHEREAS, the shared service agreement will promote efficiency and economy and will satisfy the requirements of N.J.S.A 40A:9-154.6g, and cause the elimination of the need to employ a full time Superintendent of Public Works in the Borough of Garwood; and

WHEREAS, § 5-44 of the Garwood Code provides that the Superintendent of Public Works shall serve at the pleasure of the Council;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Garwood, County of Union, State of New Jersey, that the employment of Frederick W. Corbitt, Superintendent of Public Works in the Borough of Garwood, be and is hereby terminated, effective July 8, 2015.

RESOLUTION NO. 15-218

WHEREAS, the Uniform Shared Services and Consolidation Act (the "Act"), N.J.S.A. 40A:65-1, et seq., permits, authorizes and encourages public bodies such as municipalities to enter into agreements with each other to contract for the provision of any service which the parties to such agreement are empowered to render under and within its own jurisdiction, whether administrative, educational, instructional or otherwise; and

WHEREAS, there is a mutually beneficial opportunity to further improve the efficiency of public works services for Fanwood and Garwood (each a "Municipality" and collectively, the "Municipalities"), while protecting the health, safety and welfare of the municipal residents; and

WHEREAS, the Municipalities have determined it to be in their mutual best interests to provide for shared public works services with Fanwood serving as the lead agency; and

WHEREAS, each Municipality has authorized the execution of this Agreement by duly adopted resolution of its respective governing body.

BE IT RESOLVED by the Borough Council of the Borough of Garwood that the Mayor and Municipal Clerk be and are hereby authorized to sign the agreement for Shared Service with the Borough of Fanwood for a three-year term commencing July 8, 2015 to July 8, 2018; and

BE IT FURTHER RESOLVED that the agreement is substantially approved subject to final approval by the Borough Attorney and Insurance Carrier.

Motion: Action: Table Resolution No. 15-217 and 15-218, **Moved by** Councilwoman Tarantino, **Seconded by** Council President Nierstedt. All in favor.
Resolution No. 15-217 and 15-218 were tabled.

NEW BUSINESS:

Any new business the Mayor and Council may have:

PROCLAMATION – Acknowledging Library Director, Carol Lombardo's Retirement

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: \$15,299.00 Developers Escrow Acct: 2,082.50 Current Acct: \$126,601.60

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

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.

ADJOURNMENT

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, July 14, 2015**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

Motion: Action: At 9:10 p.m., adjourn, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco.

CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood