

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

**AGENDA**

June 24, 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:**

<b>Mayor Quattrocchi</b>	_____		
<b>Council President Palmer</b>	_____	<b>Councilman Nierstedt</b>	_____
<b>Councilman Martin</b>	_____	<b>Councilman Petruzzelli</b>	_____
<b>Councilman Mathieu</b>	_____	<b>Councilwoman Todisco</b>	_____

**MINUTES:**

Regular Meeting of the Mayor and Council held on June 10, 2014.  
Executive Session of the Mayor and Council held on June 10, 2014.  
Workshop Session of the Mayor and Council held on June 10, 2014.

**COMMUNICATIONS:**

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
  - a. Mayor’s Advisory –
    - i. 06/09/14, RE: League Mini Conference to Address State & Municipal Credit Rating Issues
    - ii. 06/09/14, RE: Interest Arbitration
    - iii. 06/09/14, RE: NJLM Educational Foundation, Inc. - Five Years of Economic Recovery: Where are we and where are we going?
    - iv. 06/09/14, RE: Unauthorized Hotel Reservation Services
    - v. 06/12/14, RE: New Jersey 350th Birthday Celebration: June 22 11am -5pm at the State Capital Complex in Trenton, Rain or Shine!
    - vi. 06/13/14, RE: Father's Day Social Security
    - vii. 06/13/14, RE; SCR-81/ACR-130 Open Space Funding
    - viii. 06/13/14, RE; A-3059/S-1811 Buy American
    - ix. 06/16/14, RE: Red Cross

- x. 06/18/14, RE; Assembly Passes A-3424, Extension of Interest Arbitration Cap
- xi. 06/18/14, RE: Important Police/Fire Wage and Hour Decision
- 2) **KAREN MCCARRICK** – 06/10/2014, RE: Displeasure with the Garwood Rocks Street Fair.
- 3) **SANDRA BRUNS** – 06/19/2014, RE: Notice of new position and last full day.
- 4) **GARWOOD RECREATION COMMISSION** – 06/13/14, RE: Minutes of the meeting held on January 12, 2014.
- 5) **GARWOOD LIBRARY BOARD OF TRUSTEES** – 06/19/14, RE; Minutes of the meetings held on 12/04/14, 01/08/14, 03/05/14 and 05/07/14.

**ORDINANCES:**

**INTRODUCTION:**

Municipal Clerk to read Bond Ordinance 14-11 by title only:

**BOND ORDINANCE NO. 14-11**

**BOND ORDINANCE TO AUTHORIZE THE 2014 ROAD AND DRAINAGE IMPROVEMENT PROJECT IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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 to introduce Bond Ordinance 14-11. 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:**

Chief of Police Bruce Underhill: monthly reports for May 2014.

Municipal Tax Collector Aggie Kurzweil: monthly report for May 2014.

Municipal Court Administrator Martha Marino: monthly report for May 2014.

**PUBLIC COMMENT:**

Is there anyone in the audience who wishes to address the mayor and council please step to the microphone, sign in on the form provided, 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. 14-221**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the licenses to conduct four Off Premise 50/50 raffles on September 14, 2014, December 7, 2014, May 8, 2015, June 7, 2015, all to be drawn at Church of St. Anne, 325 Second Avenue, Garwood, NJ at 1:00 p.m. on each occasion, is hereby granted to Church of St. Anne pursuant to RA#1017, RA#1018, RA#1019, and RA#1020.

**RESOLUTION NO. 14-222**

**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 Merchandise Raffle, On Premise Merchandise and an On Premise 50/50 raffle on October 16, 2014, to be held at the Westwood, 438 North Avenue, Garwood, NJ from 7:00 – 11:00 p.m., is hereby granted to St. Joseph Social Service Center pursuant to RA#1021, RA#1022 and RA#1023.

**RESOLUTION NO. 14-223**

BE IT RESOLVED that the ordinance entitled:

**"BOND ORDINANCE TO AUTHORIZE THE 2014 ROAD AND DRAINAGE IMPROVEMENT PROJECT IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, NEW JERSEY, TO APPROPRIATE THE SUM OF \$300,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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 22<sup>ND</sup> day of July, 2014, 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.

**RESOLUTION NO. 14-224**

**WHEREAS**, it has pleased Almighty God in his infinite wisdom to take unto himself, on Monday, June 9, 2014, Robert "Bob" B. Froat; and

**WHEREAS**, Bob lived in Garwood his whole life and served on the Garwood Police Department for 25 years, and retired in 1989 as Lieutenant; and

**WHEREAS**, Bob served in The United States Military and was a Navy veteran, serving on the USS Intrepid; and

**WHEREAS**, Bob was a peacemaker, an avid fisherman and enjoyed countless hours by a lake. He enjoyed spending time outdoors with the family; and

**WHEREAS**, the Mayor and Council of the Borough of Garwood wishes to express their deepest sympathy and condolences to his wife Matilda and the entire family of Robert B. Froat.; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Garwood that this resolution expressing the recognition and appreciation of Bob's citizenry and hard work for the borough be adopted and spread upon the permanent records of the Borough of Garwood; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to the family of Robert B. Froat.

**RESOLUTION NO. 14-225**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize the Mayor and Municipal Clerk to sign the contract with County of Union, Community Development Block Grant, Year 40, September 1, 2014 to August 31, 2015.

FOR THE FOLLOWING:

Senior Citizen Transportation Program	\$ 3,700.00
Senior Citizen Program	\$13,250.00
Senior Citizen Handyman Program	\$ 3,000.00

**RESOLUTION NO. 14-226**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that renewal Plenary Retail Consumption Licenses be granted to the following, said Licenses to be effective July 1, 2014 and to terminate June 30, 2015.

2006-33-001-006 BPC RESTAURANT MANAGEMENT, LLC, a Limited Liability Co., t/a The Station Bar & Grill, for the premises at 95-99 Center Street, Garwood, New Jersey.

2006-33-004-003 THE GARWOOD REST, INC., a Business Corporation of New Jersey, t/a Garwood Restaurant, for premises at 259 South Avenue, Garwood, New Jersey.

2006-32-006-005 LAXMEE, LLC, a Limited Liability Co., t/a Dittrick's Wines and Liquors, for premises at 2 North Avenue, Garwood, New Jersey. (Broad Package Privilege)

2006-33-007-004 B & D RECREATION, INC., a Business Corporation of New Jersey, t/a Garwood Lanes, for premises at 346 North Avenue, Garwood, New Jersey.

2006-33-011-006 RUDY'S OF GARWOOD, LLC, a Limited Liability Co., t/a Rudy's Ristorante & Pizzeria, for premises at 300 South Avenue, Garwood, New Jersey.

2006-33-012-002 WESTWOOD LANES, INC., a Business Corporation of New Jersey, t/a The Westwood, for premises at 438 North Avenue, Garwood, New Jersey.

2006-33-013-011 ROSEWINE, LLC, a Limited Liability Co., t/a Rosie's Wine Bar, for premises at 514 North Avenue, Garwood, New Jersey.

2006-33-009-007 WGAFFZ, INC., a Business Corporation of New Jersey, t/a The Crossroads, for premises at 78 North Avenue, Garwood, New Jersey.

**BE IT RESOLVED** that the Municipal Clerk be and she is hereby directed to issue said licenses.

**RESOLUTION NO. 14-227**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, that renewal of Plenary Retail Distribution License be granted to the following, said License to be effective July 1, 2014 and to terminate June 30, 2015.

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2006-44-002-004 L & J Wine & Liquors, Inc., a Business Corporation, t/a L & J Wines & Liquors, for premises at 109 Center Street, Garwood, New Jersey.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk be and she is hereby directed to issue said license.

**RESOLUTION NO. 14-228**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that renewal Club Licenses be granted to the following, said Licenses to be effective July 1, 2014 and to terminate June 30, 2015.

2006-31-014-001 Columbian Club of Garwood-Cranford, Inc., t/a Garwood Knights of Columbus, for premises at 37-43 South Avenue, Garwood, New Jersey.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk be and she is hereby directed to issue said license.

**RESOLUTION NO. 14-229**

**WHEREAS**, the State of New Jersey, Department of Law & Public Safety, Division of ABC, has granted a special ruling pursuant to N.J.S.A. 33:1-12.39; for the 2013/14 and 2014/15 license terms to:

License #2006-33-005-007  
Polyak, Joseph M  
No Premises  
Mailing Address:  
17 Ginesi Drive  
Clark, NJ 07066

**BE IT RESOLVED** by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby renews the Plenary Retail Consumption License for:

License #2006-33-005-007  
License Period: Effective July 1, 2014 to June 30, 2015

**BE IT FURTHER RESOLVED** that the Municipal Clerk be and she is hereby directed to comply with the special ruling.

**RESOLUTION NO. 14-230**

**WHEREAS**, in accordance with Chapter 72, P.L. 1994, the Borough of Garwood has the authority to prepare and issue estimated tax bills; and

**WHEREAS**, in order for the Borough of Garwood to meet our financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing it would be in our best interest to do so; and

**WHEREAS**, the Chief Financial Officer has reviewed and computed an estimated levy in accordance with N.J.S.A. 54:4-66.3.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Garwood on this 24<sup>th</sup>, day of June 2014, as follows:

1. The Borough of Garwood Tax Collector is hereby authorized and directed to prepare and issue estimated bills for the Borough of Garwood for the third quarter of 2014 taxes, in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.
2. The entire estimated tax levy for 2014 is hereby set at \$16,769,219.04
3. The estimated tax rate for 2014 is hereby set at 8.961

**RESOLUTION NO. 14-231**

**WHEREAS**, the Mayor and Council of the Borough of Garwood desire to contract for Professional Labor Attorney Services to provide Legal Counsel and other legal services to the Borough specifically related to the contract negotiations for the PBA #117; and

**WHEREAS**, the Mayor and Council of the Borough of Garwood posted in accordance with law and received proposals on June 12, 2014 under a fair and open process in accordance with P.L. 2004, c.19, as amended by P.L. 2005, c.51; and

**WHEREAS**, the said Governing Body has 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 Mayor and Council of the Borough of Garwood:

1. That the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with Matthew Giacobbe, Esq., of Cleary, Giacobbe, Alfieri, Jacobs, LLC, 169 Ramapo Valley Road, Upper Level 105, Oakland, NJ 07436, for the provision of professional labor attorney services for the Borough of Garwood; and
2. That said Contractor shall receive fees not to exceed \$10,000 in accordance with the 2014 Municipal Budget in accordance with the proposal dated June 11, 2014; and
3. 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
4. That the Borough Clerk is hereby authorized and directed to publish a copy of this notice as required by law.

**RESOLUTION NO. 14-232**

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

Dylan Cosgrove  
630 Cleveland Ave  
Linden, NJ 07036

As Patrolman Class E in the Garwood Police Department, effective August 1, 2014, at an annual salary of \$43,608 in accordance with existing P.B.A. contract.

**BE IT FURTHER RESOLVED** that he will be on probation for a period of one year.

**RESOLUTION NO. 14-233**

**RESOLUTION OF THE BOROUGH OF GARWOOD, COUNTY OF UNION, STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF CREDIT CARD PAYMENTS FOR THE OLLECTION OF TAXES AND MUNICIPAL COURT FEES IN ACCORDANCE WITH THE PROVISIONS OF N.J.A.C.5:30-9.1**

**WHEREAS**, the Department of Community Affairs, Division of Local Government Services has promulgated regulations, N.J.A.C. 5:30-9.1 et seq., authorizing municipalities to accept credit card payments in accordance with the provisions of the Administrative Code, and in regard to transactions related to municipal court, pursuant to the Rules of the Court promulgated by the New Jersey State Supreme Court; and

**WHEREAS**, in order for a municipality to accept credit card payments, a resolution must be adopted by the governing body authorizing the same and stating the type of obligations which can be paid by electronic receipt and the types of electronic receipt that will be permitted; and

**WHEREAS**, it is the desire of the Mayor and Council to authorize the payment of municipal tax bills, municipal court fees and fines, bail and other fees, costs or payments associated with the operation of the municipal court, tax, finance and police departments; and

**WHEREAS**, it is the intention of the Mayor and Council to authorize the Municipal Court Office, Tax Collector's Office, Finance Department and the Police Department to accept payment by credit cards for those fees, costs, or other payments associated with that department as set forth above; and

**WHEREAS**, the utilization of credit cards for payment of these taxes, fees, costs, or fines must be in accordance with the provisions of N.J.A.C. 5:30-9.1 et seq., and in regard to the municipal court, in compliance with the Rules of the Court adopted by the New Jersey Supreme Court.

**NOW THEREFORE BE IT FURTHER RESOLVED** by the Governing Body of the Borough of Garwood, County of Union, State of New Jersey, as follows:

1. That the Mayor and Council do hereby authorize the Tax Collector's Office and Finance Department to accept credit card payments for the payment of tax bills.
2. That the Mayor and Council authorize the Municipal Court Office to accept credit card payments for the Payment of municipal court fees, fines, and such other payments that may be due the municipal court. The Mayor and Council do further authorize the Police Department to accept credit card payment of bail and such other payments that are made to the Municipal Court as the Police Department is authorized to accept.
3. That the use of credit cards for payment is subject to the provisions of N.J.A.C. 5:30-9.1 et seq. In regard to the Municipal Court and the Police Department, where the Police Department is accepting payments require by the Municipal Court, these payments are subject to the provisions of N.J.A.C. 5:30-9.1 et seq., as well as the rules of the Court adopted by the New Jersey Supreme Court, and such guidelines as the Supreme Court may adopt in regard to the acceptance of credit card payments for municipal court obligations.

**RESOLUTION NO. 14-234**

**WHEREAS**, the Borough of Garwood advertised and received proposals for the furnishing of electronic credit/debit card and payment card services according to the competitive process for such services; and

**WHEREAS**, one Proposal was received and opened on June 19, 2014; and

**WHEREAS**, certain fees related to this service can be recovered from service users through a per/transaction convenience fee, except fines/costs paid to the Municipal Court per Administrative Code and Rules of the Court; and

**WHEREAS**, one vendor, Platinum Choice Bancard, responded in the proper form with rates as follows:

SERVICE	FEE
Card Service Rate:	Interchange cost +.10 cents
Transaction Fee:	.10 cents / transaction
Application Fee/Set Up Fee:	\$99.00
Annual Fee:	\$79.00
Monthly minimum billing fee:	\$25.00
Chargeback handling fee:	\$25.00
Monthly statement fee:	\$10.00
Monthly IRS Regulatory Fee	\$8.95
Annual PCI compliance Fee:	\$99.00

**NOW THEREFORE BE IT RESOLVED**, the Council of the Borough of Garwood hereby awards this contract to Platinum Choice Bancard and authorize the Mayor and Municipal Clerk to sign the contract documents necessary to effectuate the award of this contract.

**RESOLUTION NO. 14-235**

**WHEREAS**, an application has been filed by Javier Bautista, 258 Second Avenue, FL 1, Garwood, New Jersey, for a limousine/livery service vehicle license; and

**WHEREAS**, the submitted vehicle license application form is complete in all respects, the fees have been paid, and a favorable recommendation has been provided by the Chief of Police; and  
**WHEREAS**, the applicant has complied with the provisions of N.J.S.A. 48:16-13 et seq. with respect to proof of insurance and delivery of power of attorney; and  
**WHEREAS**, Mr. Bautista has also filed an application for a limousine/livery driver's license required by the Borough of Garwood; and  
**WHEREAS**, no additional applications for a limousine/livery driver's license have been filed, which indicates that Mr. Bautista will be the sole driver of said vehicle for the purpose of providing limousine/livery services; and  
**WHEREAS**, the submitted driver's license application form is complete in all respects, the fees have been paid, and a favorable recommendation has been provided by the Chief of Police; and  
**NOW, THEREFORE BE IT RESOLVED** that the Council of the Borough of Garwood does hereby approve, effective June 24, 2014, the issuance of a limousine/livery service vehicle license for Javier Bautista for a license term ending December 31, 2014.

**ROLL CALL**

**RESOLUTIONS DELETED FROM THE CONSENT AGENDA:**

**ROLL CALL**

**NEW BUSINESS:**

Any new business the Mayor and Council may have:

**APPOINTMENTS:**

Ryan Palmer-Municipal Alliance / Term expires 12/31/2014

Joanne Tharaldsen-Municipal Alliance / Term expires 12/31/2014

**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**

**ADJOURNMENT:**

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, JULY 8, 2014**, 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 BOND ORDINANCE NO. 14-11 ON TUESDAY, JULY 22, 2014, AT 7:15 P.M. OR SOON THERE AFTER.**