

# BOROUGH of GARWOOD

## *Regular MINUTES of the COUNCIL MEETING*

July 22, 2014

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 8:35 p.m. by Mayor Quattrocchi. She 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 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:**

**Present:** Mayor Quattrocchi (Not voting), Council President Tarantino, Councilman Martin, Councilman Mathieu, Councilman Nierstedt, Councilman Petruzzelli, Councilwoman Todisco.

**Also Present:** Borough Administrator/Clerk Christina Ariemma, and Borough Attorney Robert Renaud.

### **MINUTES:**

Regular Meeting of the Mayor and Council held on June 24, 2014.

Executive Session of the Mayor and Council held on June 24, 2014.

Workshop Session of the Mayor and Council held on June 24, 2014.

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

### **COMMUNICATIONS:**

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
  - a. Mayor's Advisory –
    - i. 06/24/14, RE: A. Reminder – Filing Deadline for Financial Disclosure Statements B. UPDATE ON FEDERAL POLICY INITIATIVES C. Reminder of an upcoming NJLM Educational Foundation, Inc. Program
    - ii. 06/24/14, RE: REMINDER. Telecommunications Business Personal Property Tax Survey
    - iii. 06/24/14, RE: Governor Signs Extension of Interest Arbitration Cap
    - iv. 06/26/14, RE: Important Decision on Police Search of Cell Phone
    - v. 06/27/14, RE: RECEIVE THE RECOGNITION YOUR TOWN DESERVES!
    - vi. 06/27/14, RE: State Pension Payment/Budget Update – Two Court Cases
    - vii. 06/27/14, RE: State Budget Goes to Governor & Legislative Recap for June 26
    - viii. 06/27/14, RE: Hurricane Season Has Begun. Are Your Residents Ready?
    - ix. 07/01/14, RE: I. New License Fees Books Available II. "A Review of the New COAH Regulations Webinar" III. July Grant Page Posted
    - x. 07/01/14, RE: I. Weekly Summer Legislative Update II. Resource for Municipalities When Heading Into Interest Arbitration
    - xi. 07/07/14, RE: Weather Warning and Preparedness Reminder
    - xii. 07/07/14, RE: Notice, **for references purposes**, as per the Open Public Meetings Act Requirements, N.J.S.A. 10:4-8 and N.J.S.A. 10:4-18.
    - xiii. 07/08/14, RE: NJLM Educational Foundation Publishes "My Home Town"
    - xiv. 07/08/14, RE: Weekly Summer Legislative Update
    - xv. 07/08/14, RE: Upcoming New COAH Regulations Webinar
    - xvi. 07/10/14, RE: Federal Transportation Funding Severely Depleted Action Needed Now
    - xvii. 7/10/14, RE: I. Increase in Prevailing Wage Threshold II. Upcoming League Seminar
    - xviii. 07/16/14, RE: I. Weekly Summer Legislative Update II. The 2014 Police & Fire books are now available! III. Reminder of Survey on Municipal & School District Cooperation
    - xix. 7/16/14, RE: Upcoming Sustainable Jersey Events
    - xx. 7/17/14, RE: Stopgap Transportation Funding Bill Advances

- 2) **COMCAST** – 07/01/14, RE: Channel Changes.  
**RECEIVED AND FILED**

- 3) UNION COUNTY BOARD OF CHOSEN FREEHOLDERS – 06/30/2014, RE: Ordinance 757-2014  
**RECEIVED AND FILED**
- 4) BRUCE PATERSON – 07/08/2014, RE: Curbing and the intersection issue.  
**RECEIVED AND FILED**
- 5) BOROUGH OF KENILWORTH – 07/14/14, RE: Resolution 13, proposed zoning map changes.  
**RECEIVED AND FILED**
- 6) RAHWAY VALLEY SEWERAGE COMMISSION, 06/24/2014, RE: Minutes of the meeting held on 5/15/2014.  
**RECEIVED AND FILED**
- 7) RAHWAY VALLEY SEWERAGE COMMISSION, 07/14/2014, RE: RVSA Meeting Notice - REVISED MEETING DATE  
**RECEIVED AND FILED**
- 8) GARWOOD RECREATION COMMISSION, 06/24/2014, RE: Minutes of the meeting held on May 21, 2014  
**RECEIVED AND FILED**
- 9) GARWOOD BOARD OF HEALTH, 07/01/2014, RE: Minutes of the meeting held June 18, 2014.  
**RECEIVED AND FILED**

#### **ORDINANCES:**

##### **ADOPTION**

Public Hearing on Ordinance 14-11, as advertised in the Westfield Leader on June 26, 2014.

Municipal Clerk 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.**

List correspondence concerning Ordinance 14-11. NONE.

Does anyone present wish to be heard concerning Ordinance 14-11? Mr. Bruce Paterson, 325 Willow Avenue asked about the grant amounts and if they are normal ratios. Ms. Ariemma answered as did council members.

**Motion: Action:** Close Public hearing, **Moved by** Councilman Nierstedt, **Seconded by** Councilwoman Todisco.

**Motion: Action:** ADOPT ORDINANCE 14-11, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Nierstedt.

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

**Yes:** Council President Tarantino, Councilman Martin, Councilman Mathieu, Councilman Nierstedt, Councilman Petruzzelli, Councilwoman Todisco. Ordinance No. 14-11 was adopted.

#### **COMMITTEE REPORTS**

##### **POLICE:** Councilman Martin, Chr.

1. The new Police vehicles were received from Winner Ford – The up-lift (including decals, emergency lights & radios) has been completed. They are now in service. The old Ford Crown Victoria's will be auctioned.
2. Jen Electric was on site today (all day) working on the repairs to the light at South & Center. The light was damaged during a motor vehicle accident last month when a truck took down the traffic light & pole. All repairs should have been completed today. Repair costs will be covered by the truck driver's insurance company.
3. The town-wide commuter parking traffic survey is still in progress and expected to be completed in August. The results will be forwarded for review when completed.
4. Due to the combination of the heavy rain followed by hot sun, property maintenance issues (tall grass & weed) have had to be addressed aggressively. Notices have gone out and most residents are either now in compliance or are in the process.
5. Members of the Departments Bicycle Patrol Unit have been out and patrolling both week days and on weekends. Residents are encouraged to stop and speak to the Officers if you see them. They can assist with addressing any quality of life issues you might have in your neighborhood.

Additionally, the Bike Unit along with members of PBA Local 117 recently conducted a Bike Rodeo with the children at Hartman Park participating in the Summer Recreation Program. Basic bicycle safety issues were addressed as well as traffic laws relating to bicyclist. Participants also had the opportunity to register their bikes (obtain bike licenses).

**Motion: Action:** Approve, **Moved by** Councilwoman Todisco, **Seconded by** Council President Tarantino. Councilwoman Todisco thanked the PBA for their donation to the Recreation Department.

**PUBLIC HEALTH:** Councilwoman Todisco, Chr. No Report

**STREETS AND ROADS/ECOLOGY:** Councilman Nierstedt, Chr. No Report

Mayor Quattrocchi inquired about the trash and recycling containers for the bus shelter. Councilman Nierstedt said he would check on that matter.

**FIRE:** Councilman Mathieu, Chr.

The Fire Committee would like to recommend acceptance of 2 applications for membership to the Garwood Fire Department. The first application is from Joseph Ellis, 116 Anchor Place, Garwood, NJ and the second application is from Brad Bisset, 4 Kathryn Street, Clark, NJ.

For the month of June, the GFD had a total of 15 incidents, including 3 mutual aid calls, for a total of 272 man-hours. In addition, 20 members of the GFD did 10 hours each for a total of 200 community service hours for Garwood Rocks.

**Motion: Action:** Approve, recommendation contained therein, **Moved by** Councilman Nierstedt, **Seconded by** Council President Tarantino.

**FINANCE:** Councilwoman Todisco, Chr.

Thank you, Mayor. The Finance Committee met yesterday with the Borough Administrator and CFO to discuss the budget at the midyear point. We are on track to receive all our anticipated revenues.

One revenue as well as expense is bulk pickup, which we collected about \$8000 from our first pickup of the year. We anticipated spending and receiving \$24,000, which means conducting bulk pick-up, is essentially a wash. If we do not spend and collect the full \$24,000 for two pickups, just as we did not for the \$12,000 we budgeted for one pickup last year, the remaining balance on the appropriation side can be cancelled out so that it does not just roll into surplus, but rather matches the amount we collected and is a true wash. We did this at the end of 2013 as well.

At this point in the year, we have received all of the grants we anticipated.

We took a look at how much money has been spent up to June 30<sup>th</sup> of this year compared to how much we budgeted. We also compared the figured from this point in 2013. Up to June 30<sup>th</sup>, 57% of the budget has been spent, which is consistent with last year where 55% was used midway through the year.

We also discussed delinquent taxes and compared them to last year. The numbers show some improvement over last year. We have 45 delinquent accounts for a total of \$122,645 as of June 30<sup>th</sup> compared to 51 delinquent accounts at a total of \$185,433 at June 30, 2013. We have collected all delinquent taxes from 2013 by this point because we held a tax sale this past March.

That's all for my report, Mayor.

**Motion: Action:** Approve, **Moved by** Councilman Nierstedt, **Seconded by** Councilman Martin.

**BUILDINGS AND GROUNDS:** Councilman Petruzzelli, Chr.

Thank You Mayor

The new roof has been installed at borough hall, the contractor DP Roofing and Contracting; LLC removed the entire old roof which consisted of 3 to 6 roofs in certain locations.

All new 2 inch insulation was installed on the steel decking.

The TPO Roofing System that was installed is heat reflective and energy efficient, the single ply membrane is resistance to ultraviolet, ozone and chemical exposure.

New pitch pockets and flashing were installed along the entire perimeter of the roof. The new roof has a 20 year guarantee. The total cost on the new roof was \$33,000.00 plus permit fee.

Also in Building and grounds, I would like to read an email from Megan Avallone, MS, RN, Health Officer, regarding inspections done in the brook by a company hired thru the Westfield Board of Health. "I talked to Pest-Gon this morning and he said that other than some debris in the brook, the brook itself looked pretty good. He said that there was some yard debris in some sections and some concrete blocks in other sections that may serve as harborage for rodents. He walked the area twice, on 2 different dates and both times he did not find any active burrows. He said that the vegetation was actually pretty minimal compared to past years.

Also, he had the chance to speak with several residents who live bordering the brook and not one complained about active rodent complaints. He said the most common response was "there was a problem a while ago, but not anymore."

That's all for my report

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

Council President Tarantino said what is the point of spraying the brook if it doesn't help the rodent problem. Brief discussion followed.

**LAWS AND LICENSES:** Council President Tarantino, Chr.

Tonight there is one application for a Raffle License.

The committee recommends the adoption of Resolution No. 14-240, for the application of one **on-premise 50/50 raffle**, to be drawn on August 8, 2014, at Crossroads, 78 North Avenue, Garwood, NJ, by OCCUPATIONAL CENTER OF UNION COUNTY, INC.

That is all for my report Mayor.

**Motion: Action:** Approve Recommendation contained therein, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Nierstedt.

**RECREATION:** Councilman Petruzzelli, Chr.

Thank You Mayor

Summer Recreation is in full swing with 120 children registered; on average 60 children participate daily.

Upcoming trips: July 24<sup>th</sup> Union County Trailside, July 29<sup>th</sup> Somerset Patriots Game, Aug.3<sup>rd</sup> Turtle Back Zoo. All counselor's go on the trips to ensure safety.

I would like to give a big thank you to the Garwood PBA, for donating all proceeds from Garwood Rocks, a total of 700.00 dollars from "Dunk a Cop" and using the money to help purchase equipment for the recreation dept.

The PBA also had bike safety and registration program on July 21<sup>st</sup> with a pizza party afterwards.

Another note to put on your calendar is Senior Dinner Aug.17<sup>th</sup> Sunday at Knights of Columbus from 1-5

The theme is Senior Prom.

That's all for my Report

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

Councilwoman Todisco commented on the new Summer Director and the improved calendar.

**COMMITTEE ON AGING:** Council President Tarantino

Thank you Mayor,

August 21<sup>st</sup> is the annual ice cream Sundae party at the firehouse from noon until 3. If you are interested in attending please contact Paulette Drogon, or you can always contact me and I'll forward the information.

That is all for my report Mayor

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

**LIBRARY, MAYOR'S REPRESENTATIVE:** Mayor Quattrocchi No Report

**SCHOOL BOARD LIAISON:** Councilwoman Todisco No Report

**CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON:** Councilman Martin No Report

**UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:** Councilman Mathieu  
No Report

**ATHLETIC FIELD COMPLEX PROJECT COMMITTEE REPRESENTATIVE:**

Thank You Mayor

The monthly construction meeting was held July 21st at borough hall. In attendance were Borough Administrator, DPW Superintendent, and Professionals for the project and Flanagan's Construction.

Discussion took place on the new curbing design for the roof on the main building, exhaust hood installation, railings for the handicap ramp and stairs, water issues on the basketball court & baseball field and door delivery. What has been done at the site: Permanente electric has been energized, sheetrock has started to be installed, camera wiring inside the two buildings, walking paths are 100% complete with exception to touch up areas at the end of the project. Basketball court has been painted. When asked about a new construction schedule, one could not be provided at this time.

That's all for my report

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

Council President Tarantino commented on the mulch, flooding and the other matters. The construction calendar was discussed. Councilman Mathieu asked about when Councilman Petruzzelli thinks it will be done. He said there are still pending issues and he is not certain on when it will be finished. He asked if there is anything council can do regarding this matter. Brief discussion followed.

**OFFICER'S REPORTS:**

Chief of Police Bruce Underhill: monthly report for June 2014.

Len DiStefano Zoning Code Enforcement Officer: monthly report for June 2014.

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

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

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

**PUBLIC COMMENT:**

Bruce Paterson 325 Willow Avenue commented on Resolution No. 14-244, concerning the sand cap at the AFC. His questions were answered. He asked about Resolution No. 14-247, concerning the environmental tax appeal assessment matter. Mr. Renaud responded and provided the information. He asked about comments made by Councilwoman Todisco concerning the TB resolution matter.

**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. 14-240**

**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 On Premise 50/50 raffle on August 8, 2014, to be held at the 78 North Avenue, Garwood, NJ at 11:30 p.m., is hereby granted to Occupational Center of Union County, Inc. pursuant to RA#1024.

**RESOLUTION NO. 14-242**

**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 hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$295.40 which item is now available as a revenue from the STATE OF NEW JERSEY, MUNICIPAL COURT ALCOHOL EDUCATION REHABILITATION AND ENFORCEMENT FUND, in the amount of \$295.40;

**BE IT FURTHER RESOLVED**, that the of \$295.40 is hereby appropriated under the caption of "MUNICIPAL COURT ALCOHOL EDUCATION REHABILITATION AND ENFORCEMENT FUND"; and

**BE IT FURTHER RESOLVED**, that the above is a result of the Municipal Court Alcohol Education Rehabilitation and Enforcement Fund for \$295.40.

**RESOLUTION NO. 14-243**

**WHEREAS**, the Mayor and Council of the Borough of Garwood has determined that there exists a need for professional appraisal services for the Borough of Garwood's 2014/2015 tax appeals; 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:

That the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with Timothy Hoffman Inc. Real Estate Appraisers and Consultants, 409 Westfield Avenue, Westfield, NJ 07090, for the provision of professional appraisal services in connection with the Borough of Garwood's 2014/2015 tax appeals; and

That said Contractor shall receive fees not to exceed \$6,000.00; and

That this contract is awarded without competitive bidding as professional services pursuant to the Local Public Contracts Law; and

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

That the Borough Clerk is hereby authorized and directed to publish a copy of this notice as required by law.

**RESOLUTION NO. 14-244**

**WHEREAS**, the Borough of Garwood is contracted with Flanagan's Contracting Group, Inc., for the construction, and environmental remediation at the Athletic Field Complex; and

**WHEREAS**, the clean sand is required to create a one-foot remedial "cap" to isolate soil contamination; and

**WHEREAS**, the initial bid was based on an estimated 1,000 tons of clean sand at a unit cost of \$35 per ton to create the "cap"; and

**WHEREAS**, the actual amount of clean sand to fill in utility trenches and to bring the "cap" to final grade is 1,178.38 tons, exceeding the initial bid amount by 178.38 tons.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorize the Treasurer to draw a check for the additional soil in the amount of 178.38 x \$35.00 = \$6,243.30 to Flanagan's Contracting Group, Inc., for the additional tonnage.

**BE IT FURTHER RESOLVED** that the above is being covered in full by the Borough Insurance policy under the existing claim for environmental remediation at the AFC.

**RESOLUTION NO. 14-246**

**WHEREAS**, A-947/S-2216 would require municipalities, counties and local authorities to release the names, upon request, of all parties who have received bid documents prior to the bid opening once three or more bid packets have been obtained; and  
**WHEREAS**, the release of the bidders' list would have to be made available in a timely manner in accordance with the Open Public Records Act and the municipalities will have the option to post the list on their websites; and  
**WHEREAS**, failure to release this information would prohibit a municipality from accepting the bids and require the re-advertisement for bids; and  
**WHEREAS**, the Appellate Division's decision in O'Neill Electric Co., Inc. v. the Board of Chosen Freeholders of the County of Warren, 297 N.J. Super. 473 (App. Div. 1997) stated that "access to a bidders list facilitates collusive or bid-rigging arrangements and that withholding disclosure makes this more difficult." Id. at 480. The Court went on to say that bid rigging is an "extremely serious problem, which costs the public enormous sums of money. The relatively insignificant interest of plaintiff and amici in obtaining bidders lists cannot overcome the grave danger to the public resulting from a failure to keep the door tightly closed to potential corruption in public bidding." Id.; and  
**WHEREAS**, the governing body of the Borough of Garwood agrees with the court in the O'Neill decision and we are concerned that the release of the bidders' names prior to the receipt of bids could lead to collusion and bid rigging; and  
**WHEREAS**, the benchmark of "three or more bids" before the release of the bidders' list is an arbitrary benchmark that will lead to costly litigation; and  
**WHEREAS**, the provisions of A-947/S-2216 will require a municipality to create and maintain a record; and  
**WHEREAS**, contractors have long argued that release of the bidder's list may force contractors to "sharpen their pencils." The governing body of the Borough of Garwood question why can't these "pencils be sharpened" regardless of the number of bidders or who is bidding on the project; and  
**WHEREAS**, that the governing body of the Borough of Garwood strongly supports an open and competitive bidding process and the release of bidders after a bid opening;  
**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Garwood strongly opposes A-947/S-2216;  
**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be sent to Governor Christie, Senate President Sweeney, Senator Thomas Kean, and the League of Municipalities.

**RESOLUTION NO. 14-247**

**WHEREAS**, the Mayor and Council of the Borough of Garwood has determined that there exists a need for professional engineering services for environmental engineering consulting services to be performed by a Licensed Site Remediation Professional in connection with the defense of a tax appeal where there is a claim of environmental contamination and the need to remediate same at an industrial/warehouse property located at 502-570 South Avenue in the Borough of Garwood; 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 Council of the Borough of Garwood:  
That the Mayor and Borough Clerk be and are hereby authorized and directed to execute an agreement with Najarian Associates, One Industrial Way West, Eatontown, NJ 07724, for the provision of professional engineering services in connection with the above mentioned matter; and  
That said Contractor shall receive fees not to exceed \$8,000.00; and  
That this contract is awarded without competitive bidding as professional services pursuant to the Local Public Contracts Law; and  
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  
That the Borough Clerk is hereby authorized and directed to publish a copy of this notice as required by law.

**RESOLUTION NO. 14-248**

**WHEREAS**, it has pleased Almighty God in his infinite wisdom to take unto himself, on Monday, May 26, 2014, Richard John Polidore; and  
**WHEREAS**, Richard lived in Garwood for many years and served as a member of the Garwood Board of Education for two decades;  
**WHEREAS**, Richard served in The United States Military and was a veteran the Korean War and received the Bronze Star Medal as a Sergeant in the Infantry of the U. S. Army; and  
**WHEREAS**, after returning from war Richard married Doris Lillian Brezney, aka Doris Polidore, former Borough Clerk and C.F.O. and lifelong resident of Garwood; and  
**WHEREAS**, the Mayor and Council of the Borough of Garwood wishes to express their deepest sympathy and condolences to his wife Doris and the entire family of Richard John Polidore; 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 Richard's citizenry 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 Mrs. Polidore.  
Councilman Nierstedt made a motion to remove Resolution No. 14-241 and 14-245 from the consent agenda for individual voting, motion seconded by Councilwoman Todisco.  
**Motion: Action: Adopt Consent Agenda as amended, Moved by Councilman Nierstedt, Seconded by Council President Tarantino.**  
**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).  
**Yes:** Council President Tarantino, Councilman Martin, Councilman Mathieu, Councilman Nierstedt, Councilman Petruzzelli, Councilwoman Todisco. Consent Agenda as amended was adopted.

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

A motion to adopt Resolution No. 14-241 was made by Councilwoman Todisco, seconded by Councilman Mathieu.

**RESOLUTION NO. 14-241**

**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 #2014-03 for the following property.

**LIEN REDEMPTION:**

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
207	3	Leslie O. Graham 225 Second Ave Garwood, NJ 07027	\$14,502.40/LIEN REDEMPTION \$25,000.00/PREMIUM (held in Trust)

**REFUND TO:** EBURY FUND 1NJ, LLC  
P.O. Box 37695

BALTIMORE, MARYLAND 21297-3695

EXPLANATION: Tax Sale Certificate redeemed for owner, Leslie O. Graham, by Attorney Joan E. Dowling.

**Vote:** Motion carried by roll call vote (**summary:** Yes = 5, Abstain = 1, No = 0).

**Yes:** Council President Palmer, Councilman Martin, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco.

**Abstain:** Councilman Nierstedt

Resolution No. 14-241 was adopted.

A motion to adopt Resolution No. 14-245 was made by Councilman Mathieu, seconded by Councilwoman Todisco.

**RESOLUTION NO. 14-245**

**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 refund of 2014 property taxes on the following property.

TAX REFUND:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME &amp; ADDRESS</u>	<u>AMOUNT</u>
207	3	Leslie O. Graham 225 Second Ave Garwood, NJ 07027	\$3, 146.86

REFUND TO: Leslie O. Graham & Joan E. Dowling, Esq. /Attorney Trust Account

EXPLANATION: Taxes for the 1<sup>st</sup> & 2<sup>nd</sup> quarter 2014 taxes were paid. Due to a fire at 225 Second Ave, the tax assessor reduced the assessed value on the property. Because of this reduction, the homeowner overpaid.

**Vote:** Motion carried by roll call vote (**summary:** Yes = 5, Abstain = 1, No = 0).

**Yes:** Council President Palmer, Councilman Martin, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco.

**Abstain:** Councilman Nierstedt

Resolution No. 14-245 was adopted.

**NEW BUSINESS:**

Any new business the Mayor and Council may have: NONE

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

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

**Yes:** Council President Tarantino, Councilman Martin, Councilman Mathieu, Councilman Nierstedt, Councilman Petruzzelli, Councilwoman Todisco.

**ADJOURNMENT**

Mayor Quattrocchi expressed condolences for the passing of Lori Jean DiStefano and Sheriff Ralph Froehlich.

The Next Regular Meeting of the Mayor and Council will be held on, **TUESDAY, AUGUST 12, 2014**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

**Motion: Action:** At 9:30 p.m., adjourn, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Nierstedt.

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**CHRISTINA M. ARIEMMA, Municipal Clerk**  
Borough of Garwood