

Borough of Garwood

Meeting of the Mayor and Council

AGENDA

July 26, 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	_____		
Councilwoman Cuccaro	_____	Councilman Sarno	_____
Councilman Martin	_____	Councilwoman Todisco	_____
Councilman Mathieu	_____	Council President Petruzzelli	_____

MINUTES:

Regular, Workshop and Executive Minutes of the Mayor and Council held on July 12, 2016.

Motion _____ Second _____, to accept minutes as presented.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 07/08/16, RE: Weekly Update
 - ii. 07/12/16, RE: Daily Update
 - iii. 07/15/16, RE: Weekly Update
 - iv. 07/22/16, RE: Weekly Update
- 2) **TOWNSHIP OF CRANFORD** – 06/12/16, RE: Ordinance 2016-16
- 3) **MARYANN SEVERAGE AND FAMILY** – 07/15/16, RE: Thank you card.
- 4) **RVSA** – 07/18/16, RE: Meeting Notice.
- 5) **TOWNSHIP OF CRANFORD** – 07/15/16, RE: Ordinance No. 2016-21.
- 6) **THE LEONARDELLI FAMILY** – 07/20/16, RE: Purchasing 609 East Street and squaring off the property.
- 7) **KEITH & MARY LOCK** – 07/21/16, RE: Owners of 609 East Street, irregular spaced lot.

ORDINANCES:

Public Hearing on Ordinance 16-14 as advertised on July 14, 2016.

ADOPTION:

Municipal Clerk to read Ordinance 16-14 by title only:

ORDINANCE NO. 16-14

AN ORDINANCE AUTHORIZING THE PURCHASE OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY CONSISTING OF FINGERPRINT MACHINE UPGRADE EQUIPMENT FOR THE USE OF THE POLICE DEPARTMENT AND SELF-CONTAINED BREATHING APPARATUS EQUIPMENT FOR THE USE OF THE FIRE DEPARTMENT AND APPROPRIATING THE SUM OF THIRTY-SIX THOUSAND FIVE HUNDRED DOLLARS FROM THE CAPITAL IMPROVEMENT FUND TO FINANCE THE COST THEREOF.

List correspondence concerning Ordinance 16-14.

Does anyone present wish to be heard concerning Ordinance 16-14.

Motion _____ Second _____, to close Public Hearing on Ordinance 16-14.

Motion _____ Second _____, to adopt Ordinance 16-14.

Discussion:

Roll Call:

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

INTRODUCTION:

Municipal Clerk to read Ordinance 16-15 by title only:

ORDINANCE NO. 16-15

AN ORDINANCE TO ADOPT A REDEVELOPMENT PLAN FOR PREMISES KNOWN AND DESIGNATED AS BLOCK 401, LOTS 1, 2, 3, 4 & 5, LOCATED ON SOUTH AVENUE IN THE BOROUGH OF GARWOOD, COUNTY OF UNION, STATE OF NEW JERSEY, PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, ET SEQ).

Motion _____ Second _____, to introduce Ordinance 16-15.

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:

Chief of Police Bruce Underhill monthly report for June 2016.

Municipal Court Administrator Lashonn Durant monthly reports for April, May and June 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. 16-240

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 Center Street Milling and Paving Project Phase 1 in the Borough of Garwood (Work); and

WHEREAS, on July 13, 2016, two 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>
Cifelli & Son General Contractor, Inc.	\$114,769.80
Midwest Construction, Inc.	\$120,431.80

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Garwood that the bid of Cifelli & Son General Contractor, Inc., 81 Franklin Avenue, Nutley, NJ 07110, in the sum of \$114,769.80 be and is the lowest responsible bid; and

BE IT FURTHER RESOLVED that the contract is hereby awarded to Cifelli & Son General Contractor, Inc., for the Work as indicated on the bid proposal form attached hereto and made a part hereof for the lump sum total amount of \$114,769.80; 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. 16-241

WHEREAS, the Borough of Garwood has filed a Declaratory Judgment Action in the Superior Court of New Jersey 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 has previously authorized the execution of a Municipal Shared Service Defense Agreement and a contribution of \$4000 to be combined with the contributions of other municipalities for the purpose, among others, of participating in the preparation of a statewide fair share analysis in order to establish a rational and reasonable methodology 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, the Borough of Garwood and the other participating municipalities in the Municipal Shared Service Defense Agreement have been informed that the fund has been depleted and needs to be replenished in order for the municipalities to continue to act in concert in marshalling the resources necessary to counter the FSHC numbers;

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

1. The additional amount of \$2000 is hereby authorized to be expended by the Borough of Garwood in connection with the Municipal Shared Service Defense Agreement
2. 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.
3. The Mayor and Municipal Clerk be and are hereby authorized to execute any documents necessary to memorialize and confirm the continued participation of the Borough of Garwood in the preparation of a Fair Share Analysis and any other analyses and actions deemed appropriate to assist in the joint efforts of the municipalities participating in the Municipal Shared Service Defense Agreement and to take any and all actions reasonably required to effectuate said Agreement.
4. This Resolution shall take effect immediately.

RESOLUTION NO. 16-242

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 2016/17 AND 2017/18 license term to:

License #2006-33-005-008
Quick Copper Holdings LLC
No Premises – Pocket License
Mailing Address:
345 South Avenue, 3rd Floor
Garwood, NJ 07027

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

License #2006-33-005-008
License Period: Effective July 1, 2016 to June 30, 2017

Motion _____ Second _____.

Discussion:

Roll Call:

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

RESOLUTION NO. 16-246

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, that the FIRST regular meeting for the month of August 2016, scheduled for August 9, 2016, is hereby canceled.

BE IT FURTHER RESOLVED that the next meeting of the Mayor and Council will be held on August 23, 2016.

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, AUGUST 23, 2016**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

Motion _____ Second _____, to adjourn.

Time: _____