

Borough of Garwood Meeting of the Mayor and Council

AGENDA

September 22, 2015

Moment of Silence.....

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).

Mayor Lombardo asks at this time please turn your cell phones to off or vibrate.

ROLL CALL:

Mayor Lombardo

Councilman Martin

Councilman Mathieu

Councilman Petruzzelli

Councilwoman Todisco

Council President Nierstedt

Mayor Lombardo requests a motion, followed by a second, to suspend the regular order of business for the purpose of discussion and appointment of the vacant council seat.

In accordance with MUNICIPAL VACANCY LAW, [N.J.S.A. 40A:16 et seq], the Democratic Municipal Committee has submitted the following three names for consideration to fill the unexpired term to December 31, 2015:

- 1) Carol Kearney
- 2) Hugh Sinclair
- 3) Paul Tarantino

Mayor Lombardo requests a nomination, followed by a second. Roll Call

Newly appointed councilperson to be sworn in by the Municipal Clerk and take their seat on the dais.

Mayor Lombardo requests a motion to resume the regular order of business, followed by a second.

MINUTES:

Regular Meeting of the Mayor and Council held on September 08, 2015.

Executive Session of the Mayor and Council held on September 08, 2015.

Workshop Session of the Mayor and Council held on September 08, 2015.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 09/08/15, RE: Weekly Policy Update
 - iii. 09/15/15, RE: Weekly Update

ORDINANCES:

Public Hearing on Ordinance 15-18, as advertised in the Westfield Leader on September 18, 2015

ADOPTION:

Municipal Clerk to read Ordinance 15-18 by title only:

ORDINANCE NO. 15-18

AN ORDINANCE TO AMEND §21-33 (ISSUANCE OF PERMITS; DURATION; VISITOR PERMIT; DISPLAY; FEES) AND § 21-37 (SCHEDULE OF RESIDENT PREFERENTIAL PERMIT PARKING ZONES) IN ARTICLE XIV (RESIDENT PREFERENTIAL PERMIT PARKING) IN CHAPTER 21 (VEHICLES AND TRAFFIC) AND TO AMEND § 21-8. (TWO-HOUR PARKING) IN ARTICLE I (TRAFFIC AND PARKING) IN CHAPTER 21 (VEHICLES AND TRAFFIC) OF THE CODE OF THE BOROUGH OF GARWOOD TO REVISE THE RESIDENT PREFERENTIAL PERMIT PARKING ZONE AND TO REVISE THE TWO-HOUR PARKING ZONE BY ADDING ADDITIONAL STREETS TO EACH.

List correspondence concerning Ordinance 15-18.

Does anyone present wish to be heard concerning Ordinance 15-18.

Motion to close Public Hearing on Ordinance 15-18.

Motion to adopt Ordinance 15-18. Roll Call.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: , Chr.

PUBLIC HEALTH: Council President Nierstedt

STREETS AND ROADS/ECOLOGY: Councilwoman Todisco, Chr.

FIRE: Council President Nierstedt, Chr.

FINANCE: Councilman Petruzzelli, Chr.

BUILDINGS AND GROUNDS: Councilman Mathieu, Chr.

LAWS AND LICENSES: Councilman Martin, Chr.

RECREATION: Councilwoman Todisco Chr.

RESOLUTION NO. 15-265

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize the Borough Administrator/Clerk to prepare a Request for Proposals for professional auditing consulting services for 2015 audit, financial and debt statements and the 2016 budget preparation process in the Borough of Garwood.

BE IT FURTHER RESOLVED that the Municipal Clerk be and is hereby authorized to solicit proposals for the above services in accordance with law.

RESOLUTION NO. 15-266

WHEREAS, the Borough Council of the Borough of the Garwood entered into the Municipal Shared Services Defense Agreement ("MSSDA") for the purpose as set forth therein, which included retaining a common expert in the Declaratory Judgment action ("Litigation") that was filed in accordance with 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

WHEREAS, the MSSDA identified Dr. Robert Burchell, a distinguished professor at Rutgers University, as the expert to be retained; and

WHEREAS, Dr. Burchell became ill and has been unable to complete the obligations under the Research Agreement as set forth in the MSSDA; and

WHEREAS, as a result, Rutgers University has exercised its right to terminate the Research Agreement as permitted under its terms; and

WHEREAS, the MSSDA requires modification to allow the members to retain one or more alternative experts, consultants and/or other professionals for the Litigation; and

WHEREAS, an Amendment to the MSSDA ("Amendment") has been prepared to effectuate the modification; and

WHEREAS, the Borough Council of the Borough of Garwood recognizes that the Litigation requires immediate action and may require further expedited actions by its counsel determined to be necessary and appropriate; and

WHEREAS, the Borough Council of the Borough of Garwood has determined that it is in the best interests of the citizens of the Garwood to approve the Amendment, and/or to affirm and ratify the Amendment, and to authorize their designated counsel to take actions on behalf of the municipality with regard to the multiplicity of issues raised and associated with the continued implementation of the MSSDA;

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

1. The terms and conditions of the Amendment to MSSDA attached hereto are hereby approved, and/or ratified and confirmed.
2. The Mayor and Borough Clerk be and are hereby authorized to execute the aforesaid Amendment.
3. The Borough Council of the Borough of Garwood hereby authorizes Jeffrey R. Surenian, Esq., to execute an agreement on behalf of the Borough of Garwood with Econsult Solutions, Inc.

The Borough Council of the Borough of Garwood hereby authorizes Jeffrey R. Surenian, Esq., to execute on behalf of Garwood with the approval of Garwood's designated counsel such other agreement(s) as are advisable to effectuate the purposes of the MSSDA as amended.

4. The Borough Council of the Borough of Garwood further authorizes its designated counsel to approve such other changes to the MSSDA as may be necessary to effectuate its purposes, and to take action on behalf of the municipality with regard to the multiplicity of issues raised and associated with the implementation of the MSSDA provided that the action will not require the municipality to appropriate and commit any additional funding for the MSSDA.

In the event such changes and actions require the municipality to appropriate and commit any additional funding for the MSSDA, Borough of Garwood shall only be responsible for such funding if it authorizes same.

5. If additional monies are needed to effectuate the intent and purpose of the MSSDA, no such services shall be authorized by designated counsel without further action from the Borough.
6. This Resolution shall take effect immediately.

RESOLUTION NO. 15-267

WHEREAS, the Municipal Clerk solicited proposals from State Contract Vendors and from the vendor on contract with the Borough for the provision of tree removal in the 2015 Sidewalk Repair/Replacement Program; and

WHEREAS, two proposals have been received as follows:

- 1) Rich's Tree Service (State Contract Vendor) - \$ 34,750
- 2) Caffrey Tree Service (Borough Contracted Vendor) - \$81,600

WHEREAS, said supplier represents to the Borough of Garwood that it is under contract with the State of New Jersey, Division of Purchase and Property in the Department of the Treasury, State Contract #A80902 for the supplying of said services at the lump sum price offered to the Borough of Garwood, to wit, \$34,750 for the removal of said trees as presented to the vendor on list dated September 8, 2015; and

WHEREAS, the clerk of the Borough of Garwood has received the Notice of Award concerning the supplier for contract period of 03/01/12 to 02/29/16, which states the supplier is under contract for such services with the Division of Purchase and Property, State of New Jersey and she has researched whether said supplier is under contract for such services with the Division of Purchase and Property and her inquiry has resulted in verification.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Garwood hereby authorize the aforementioned project in accordance with the quote attached hereto and that the Clerk be and she is hereby authorized to enter such on behalf of this Borough and to sign such documents as may be required to consummate this transaction.

BE IT FURTHER RESOLVED that the award of this quote be subject to the Borough Treasurer executing the appropriate Certification of Funds.

RESOLUTION NO. 15-268

WHEREAS, a proposal has been received from TASER International, 17800 N. 85th Street, Scottsdale, Arizona 85255, for the purchase of Police and Homeland Security Equipment, Body Worn Cameras and other related materials including licensing, in accordance with specifications attached hereto and made part hereof; and

WHEREAS, the Union County Prosecutors Office is the lead agency and have agreed to the cost distribution and other terms and conditions as outlined in the proposal received; and

WHEREAS, said supplier represents to the Borough of Garwood that it is under contract with the State of New Jersey, Division of Purchase and Property in the Department of the Treasury, State Contract #A81321 for the supplying of said equipment at the price offered to the Borough of Garwood, to wit;

Cost distribution

Year 1: \$24,984.14 – TASER will bill the Union County Prosecutor's Office in full.

Years 2-5 (annual cost): \$10,386.00 – TASER will bill Garwood on an annual basis; and

WHEREAS, the following is included in the proposal:

Hardware

- 14 Axon Body cameras (each with shirt mount and clip mount)
- 3 Axon Docks (each with 6 bays) for automatic charging and uploading
- 3 Axon Dock wall mounts

- 2 spare Axon Body cameras
- Warranties/Upgrades - "TASER Assurance Plan"**
- Full 5 year warranty for all Axon Body cameras
 - Full 5 year warranty for all Axon Docks
 - Upgraded cameras every 2.5 years (for a total of 3 shipments over 5 years)
 - Upgraded docks every 2.5 years (for a total of 3 shipments over 5 years)
- Software** (please reference attached "Evidence.com Tiers" document for more information)
- 14 Standard licenses
 - 2 Professional licenses
- Storage**
- 1,430 GB (or, about 1.3 TB)
- Professional Services**
- Team installs, sets up, and configures the cameras, docks, and your Evidence.com account (to your specifications)
 - Team manages on-site end-user and administrator training, and provides continued on-site support for the first few shifts
 - Continued support while the program is still "getting on its feet"; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Garwood hereby authorize the purchase of the aforementioned in accordance with the quote, attached hereto and that the Clerk be and she is hereby authorized to enter such order on behalf of this Borough and to sign such documents as may be required to consummate this transaction.

ROLL CALL

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

ROLL CALL

NEW BUSINESS:

Any new business the Mayor and Council may have:

PROCLAMATIONS:

Acknowledging Tom Pedas for his accomplishments

Fire Prevention Week

APPOINTMENT:

Paul Nieves – Planning Board, Un-expired Term 09/22/2015 – 12/31/2015

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, OCTOBER 13, 2015**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.