

BOROUGH of GARWOOD

Regular MINUTES of the COUNCIL MEETING

October 14, 2014

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 8:21 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 September 23, 2014.

Workshop Session of the Mayor and Council held on September 23, 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. 09/24/14, RE: Local Leaders Urge Transportation Trust Fund Action
 - ii. 09/29/14, RE: I. Important Conference Sessions Personnel Management, Pensions & Benefits II. NJ Future Survey
 - iii. 09/29/14, RE: I. A Short & Simple Glimpse at the Property Tax in NJ II. FINAL REMINDER: 2014 Conference Resolutions III. Grant Seminar Series Helps Municipal Officials Find Funding to Meet Their Needs
 - iv. 9/29/14, RE: New Jersey Makers Day – CORRECTED
 - v. 9/29/14, RE: Joining Forces: Municipal Strategies for Supporting Military Installations, League Leadership Urges Pension Study Group to Recognize Strength of Local Pension Funding
 - vi. 09/29/14, RE: Corrected Version-Joining Forces: Municipal Strategies for Supporting Military Installations
 - vii. 10/02/14, RE: Upcoming Sustainable Jersey events
 - viii. 10/02/14, RE: A. Federal Update – Several Issues B. Important Conference Sessions Transportation Matters C. October grant page posted
 - ix. 10/02/14, RE: October issue of NJ Municipalities magazine is available now
 - x. 10/02/14, RE: I. League Presents Red Tape Review Group with Request List II. IMPORTANT NOTICE REGARDING HOME ELEVATION CONTRACTORS REGISTRATION
 - xi. 10/03/14, RE: Weekly Policy Update
 - xii. 10/03/14, RE: Public Health Information
 - xiii. 10/07/14, RE: I. League Foundation Releases Latest White Paper II. Upcoming Seminar
 - xiv. 10/08/14, RE: Best Practices Checklist Issued
 - b. Membership Advisory -
 - i. 09/24/14, RE: Upcoming Sustainable Jersey Events

RECEIVED AND FILED

- 2) **COMCAST-**
 - a. 09/26/14, RE: Channel Changes.

RECEIVED AND FILED

- 3) **SAL PIARULLI –** 09/22/14, RE: Inappropriate Democratic Fundraiser Invitations from Garwood Borough Facebook page.

RECEIVED AND FILED

- 4) **GARWOOD RECREATION COMMISSION** – 10/08/14, RE: Minutes of the meeting held on September 17, 2014.

RECEIVED AND FILED

- 5) **RAHWAY VALLEY SEWERAGE AUTHORITY** – 10/01/14, RE: Minutes of the meeting held on August 21, 2014.

RECEIVED AND FILED

ORDINANCES:

ADOPTION:

Municipal Clerk to read Ordinance 14-12 by title only:

AN ORDINANCE TO ENACT ARTICLE IX (DUMPSTERS AND CONTAINERS) IN CHAPTER 146 (STREETS AND SIDEWALKS) OF THE CODE OF THE BOROUGH OF GARWOOD TO REGULATE PLACEMENT AND MAINTENANCE OF DUMPSTERS AND CONTAINERS.

BE IT ORDAINED by the Mayor and Council of the Borough of Garwood:

SECTION 1. Article IX (Dumpsters and Containers) in Chapter 146 (Streets and Sidewalks) of the Code of the Borough of Garwood is hereby enacted to read as follows:

ARTICLE IX

DUMPSTERS AND CONTAINERS

§146-62. Roll-off dumpsters and containers; consent to park or leave unattended along Borough street or property.

A. No person shall park or leave unattended any waste or refuse container commonly known as a roll-off dumpster or roll-off container, on or along any borough street or borough public property, without obtaining a permit from the Borough of Garwood. The permit shall be issued by the Office of the Municipal Clerk upon completion of required information and the payment of the fee in C. of this section. The application for the permit shall be prepared by the Borough Administrator/Clerk and require information regarding the identification of the contractor and property owner or party hiring the contractor. The dumpster shall comply with the display markings required under N.J.S.A. 27:51-1(a). The application process requires the approval of the Chief of Police or his designee of the Borough of Garwood who shall determine that the location of the roll-off dumpster or roll-off container does not create a traffic hazard. The application shall include a diagram indicating the location of the dumpster.

B. Upon approval, the permit shall be valid for a period of fourteen days and may be renewed for an additional fourteen day period.

C. The fee for the permit shall be \$5.00.

§146-63. Violations and Penalties.

Owners and occupants of property and owners of dumpsters shall be liable for any violation. A person who is convicted of a violation of this article shall pay a fine of not less than \$200 and no more than \$1,000 for each violation. Repeat offenders shall pay a fine of not less than \$500 and no more than \$2,000 or be subject to imprisonment in the county jail for a period of 90 days or community service may be imposed for a period not to exceed 90 days.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any portion of this ordinance shall be determined to be invalid, such determination shall not affect the validity of the remaining portions of said ordinance.

SECTION 4. This ordinance shall take effect upon final passage and publication in accordance with law.

List correspondence concerning Ordinance 14-12. NONE.

Does anyone present wish to be heard concerning Ordinance 14-12?

Gene Jannotti 440 Spruce Avenue mentioned the fee of \$5.00 is too low and also the ordinance has no provision for dumpsters parked on private property.

Councilman Nierstedt responded that he feels the fee is too low and should be at least \$25.00. He said \$5.00 will not cover the administrative and police costs for this permit. He explained that the ordinance should deter people from putting dumpsters in the street and he feels this proposal will not accomplish that. Council President Tarantino asked Ms. Ariemma to provide information on how the regulation was established. Ms. Ariemma responded that the fee is low so as not be a hardship on residents but rather to establish a procedure that would satisfy the police department request to implement procedure that included notification of dumpsters, safety markers and length of time allowed on the street. There was discussion regarding the intent of the ordinance. Councilman Mathieu asked which members are on Laws and License Committee. Council President Tarantino responded, Councilwoman Todisco, Councilman Martin and herself. Discussion to amend the ordinance continued and Mr. Renaud interjected that it would be best to table the ordinance and establish a new one vs. amending, since it would need to be re-

advertised regardless. Councilwoman Todisco said the tax payers already pay for administrative and police services through taxes and shouldn't pay twice for services from staff. She further commented it is not the intent to cause them additional hardship but rather to just have control over dumpsters parked in the street which is what the police requested. Captain Stoffer said the intent was to have knowledge of dumpsters in the street to regulate safety, not to obtain revenue. Councilman Mathieu said he feels the ordinance is acceptable as presented and the mere fact that people have to obtain a permit will cause them to park dumpsters on private property vs. the street and therefore the intent satisfied. He said he supports the ordinance. Councilman Nierstedt said perhaps a second ordinance for construction dumpsters should be considered. Councilman Petruzzelli said he is in favor of the \$5.00 fee and suggested council not regulate dumpsters on private property.

Al DelConte 545 Locust Avenue stated he thinks the ordinance is absurd. He said two weeks is ridiculous of construction dumpsters. He commented further on the matter.

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

Motion: Action: ADOPT ORDINANCE 14-12, **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. Ordinance No. 14-12 was adopted.

COMMITTEE REPORTS

POLICE: Councilman Martin, Chr.

Thank you Mayor.

The Borough Administrator and Labor Attorney had their first meeting today with the representatives from Local 117, Garwood PBA. A report from the Labor Attorney to the negotiations committee is forthcoming. The group will meet again in November however will continue the process via email. That's all for my report.

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

PUBLIC HEALTH: Councilwoman Todisco, Chr. **NO REPORT**

STREETS AND ROADS/ECOLOGY: Councilman Nierstedt, Chr.

Reported that garbage must be placed in containers with lids. Bagged leaf pickup starts next week. Schedules are in the Gazette and on the Borough Website.

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

Comments: Council President Tarantino mentioned that Superintendent Corbitt asked Council to remind residents that only leaves are bagged. Grass and other vegetative yard waste must be placed in separate containers. Councilman Nierstedt confirmed.

Councilwoman Todisco asked Councilman Nierstedt if he would keep track of the other duties the DPW is able to accomplish since mandatory leaf bagging has been implemented. Councilman Nierstedt responded he would.

Ms. Ariemma asked if committee has decided on bulk cost and dates for 2015. Councilman Nierstedt responded it would be the same months, June after the town wide yard sale and October. The permit fee for 2015 is \$85.00. Councilwoman Todisco mentioned she is pleased bulk will run twice in 2015.

FIRE: Councilman Mathieu, Chr. **NO REPORT**

FINANCE: Councilwoman Todisco, Chr.

Thank you, Mayor. The Finance Committee will be having a meeting with our CFO and Borough Administrator at the early part of next month, which is consistent with what we have been doing for the past 3 years I have been Finance Chair. The purpose of this meeting will be to look at the year and see how the budget has worked out, in addition to discussing ideas for next year. I will report on this after our meeting for the benefit of the public as well as us on the dais, so that next year's Finance Committee can take these notes and apply them as they see fit in next year's budget process. 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 chimney has been repaired on the roof at borough hall. A scratch coat of cement was added to the exterior and a new chimney cap was installed. That's all for my report

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

LAWS AND LICENSES: Council President Tarantino, Chr.

Thank you Mayor, The Parking Committee met on October 1st. Chief Underhill reviewed the parking survey that was conducted by Officer Kleinsorgen who consulted with Sgt. Morelli. The study was very detailed conducted over multiple days ranging from June 2nd through August 14th. Multiple streets were observed on both sides of town. Without giving all the details of the actual study, I'll read you the conclusion officer Kleinsorgen provided. "My observations and results show that a large number of vehicles being parked in certain specific areas are due to non-resident commuters who are able to park legally, for free, all day, within close proximity of their chosen preference of mass transit." The parking committee is taking this information and we are continuing to look for solutions for commuter parking to satisfy the residents of the borough that are being affected by commuter parking on residential streets. We hope to have something to present to council in the near future. That is all for my report Mayor.

RECREATION: Councilman Petruzzelli, Chr. **NO REPORT**

Mayor Quattrocchi asked if the Recreation Commission members are attending and all seats are full. Councilman Petruzzelli said yes to both.

COMMITTEE ON AGING: Council President Tarantino **NO REPORT**

LIBRARY, MAYOR'S REPRESENTATIVE: Mayor Quattrocchi

As the year is quickly coming to a close, the Library is getting ready for the holidays. Please be aware that there will be no morning movie on Friday, October 31st as it is Halloween, and there will be many school events going on that will interfere with our program. The movies will resume the following Friday, November 7th at 10:00 AM.

On Thursday, November 6th, at 7:00 PM, Dave DeLuca will bring his "Star Spangled Songbook" to the Library. He will perform many familiar songs of all the great composers who kept America's morale going through the Great Depression and the World Wars. Singing along is encouraged, however, registration is required for this event and can be done at the Library, by phone or at the Library's interactive website calendar.

The Library's Thursday evening book club will be moved to 7:00 PM on October 13th, as Dave DeLuca's program is in the book club's usual place.

The Library will be closed on Tuesday, November 11, in recognition of Veterans Day, but the book drop will be open for your convenience.

Because the Garwood Library is a polling place for two voting districts, please be aware that although the building will be open to voters on November 4th beginning at 6:00 AM, Library business will be conducted only within its normal hours of 9:00 AM to 8:00 PM. Please plan accordingly.

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

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 today at Borough Hall; in attendance were Borough Engineer, DPW Superintendent, Musial Group and Flanagan construction.

Discussion took place on: interior mechanical parts for the doors, railings for the exterior, fence area under the deck, color of the flooring, fire suppression system for the kitchen and site work.

The basketball court has been repaired and is ready for paint if the weather stays dry. The site cleanup has started with pulling of weeds and replacing the dead bushes.

All door frames are installed and all doors are hung, we are still waiting for the interior mechanical parts for the automatic doors they are expected to arrive this week.

Tile is now installed in the bathrooms, toilets are now being installed in the bathrooms, the toilet partition walls and sinks are expected on site by the end of this week, the light fixtures are installed on all the ceiling.

The exhaust hood in the kitchen is mounted and the duct work is being made to complete the ventilation

The water fountain is installed, and Verizon FIOS is installed in the building. That's all for my report

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

Councilman Mathieu asked if there is a completion date for the project. Councilman Petruzzelli said no however work is picking up and he anticipates 6-8 weeks. Councilman Mathieu mentioned weather delays will commence soon.

OFFICER'S REPORTS:

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

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

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

PUBLIC COMMENT:

NONE.

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. 14-264

BE IT RESOLVED by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby approves to expunge 2013 sewer charges on the following property and refund where required.

EXPUNGE:

<u>BLOCK</u>	<u>LOT</u>	<u>NAME & ADDRESS</u>	<u>AMOUNT</u>
0301	0001	All Seasons 550 South Avenue Garwood, NJ 07027	\$975.68

EXPUNGE TOTAL: \$975.68

EXPLANATION: BOROUGH ENGINEER REQUESTED THAT THE TAX DEPARTMENT WITHDRAW THE 2013 SEWER BILLS FOR THE ABOVE BLOCK/LOT.

RESOLUTION NO. 14-265

BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Municipal Clerk to sign the FRA Technologies 2013-2014 Maintenance Contract for the Animal Licensing Software. Cost not to exceed \$600.00. Contract with FR Associates, 499 Ernston Road, Suite B-8, Parlin, NJ 08856

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorize the Municipal Clerk to utilize one service call for the installation of updates, cost not to exceed \$250.00.

RESOLUTION NO. 14-266

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2015 DOT Various Road Improvement Project.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Borough of Garwood, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Garwood Borough-00532 to the New Jersey Department of Transportation on behalf of the Borough of Garwood.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Garwood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION NO. 14-267

WHEREAS, in accordance with N.J.S.A 40:14B-66 municipal authorities shall cause an annual audit of its accounts to be made, and for this purpose it shall employ a registered municipal accountant of New Jersey or a certified public accountant of New Jersey to conduct an annual audit and provide other required accounting services and therefore the Mayor and Council have determined that there exists a need for professional auditing and consultant services to provide Auditing/Consultant services of a specialized nature to the Borough; and

WHEREAS, the Mayor and Council of the Borough of Garwood posted in accordance with law a request for proposals and received proposals on October 7, 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 Suplee, Clooney & Company, 308 East Broad Street, Westfield, NJ 07090, for the provision of professional auditing and consulting services for the Borough of Garwood; and
2. That said Contractor shall receive fees not to exceed \$45,250.00 for 2014 Statutory Audit, \$2,650.00 for 2014 Financial/Debt Statement including 2015 Municipal Budget, and \$400.00 per Preparation of Supplement Debt Statements, \$1,050.00 Borough's Deferred Compensation Plan, and telephone

- consultation as needed for no charge which are included in proposal dated October 6, 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. 14-268

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorize the Police Department Server Replacement Project as follows:

Project Costs	
Item Description	Extended Price
Dell Replacement Server – per FBC per attached specs	4,500
Integrated Backup & Recovery Device with 12-month subscription service (Eq. 1,150 + 12 mo. Subscription service @ 129/mo)	2,698
New Server Set-up/Integration (includes migrating data and operations backup to new server)	1,750
Project Total:	\$8,948

RESOLUTION NO. 14-269

WHEREAS, Local Finance Notice 2014-16 requires municipalities to complete and submit “Best Practice Inventory Worksheet” to determine the final 5% allocation of State Aid entitlement; and

WHEREAS, in accordance with LFN #2014-16 the completed form must be an agenda item for discussion at a public meeting of the Mayor and Council. The Municipal Clerk is required to certify that the inventory was presented to the Governing Body for public discussion.

THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey hereby acknowledge receipt of the Best Practices Worksheet CY 2014; and

BE IT FURTHER RESOLVED, that the Municipal Clerk and Chief Financial Officer be and are hereby directed to sign and submit the CY2014 Best Practice Inventory Worksheet at the meeting of the Mayor and Council held on Tuesday, October 14, 2014.

Motion: Action: Delete Resolution No. 14-270 from consent agenda, **Moved by** Councilwoman Todisco **Seconded by** Councilman Petruzzelli

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. Resolution No. 14-270 was removed.

Motion: Action: Adopt as amended, **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. Consent agenda as amended was adopted.

RESOLUTIONS DELETED OR REMOVED FROM THE CONSENT AGENDA:

RESOLUTION NO. 14-270

RESOLUTION REQUESTING THAT THE COUNTY OF UNION COMBINE THE EXISTING COUNTY SHERIFF'S AND POLICE DEPARTMENTS TO FORM ONE COUNTY OF UNION LAW ENFORCEMENT AGENCY

WHEREAS, the County of Union is now the last county in the State of New Jersey to force its residents/taxpayers to pay for both a Sheriff and a Police Department; and

WHEREAS, all 20 of the 21 county governments in the State of New Jersey have found that having a combined sheriff and county police law enforcement agency has proven to be a cost savings measure without loss of safety or security for their residents; and

WHEREAS, Bergen County, the most recent county to merge their two departments, projects a savings of approximately \$3 million and upwards of \$17 million in three years; and

WHEREAS, the County of Union has the dubious distinction of raising taxes every year for County government with an example of just the last 10 years an average tax increase of 60% on county residents. A merger of these two departments could represent a major savings to county taxpayers at no loss to safety and security; Now, therefore

BE IT RESOLVED, that the Mayor and Council of the Borough of Garwood fully bi-partisan in structure and nature and representing the voters, residents and taxpayers of the Borough of Garwood hereby request that the Freeholders of the County of Union strongly consider, and take action to effectuate the merger of the County of Union Sheriff and Police Departments for the purpose of saving county taxpayers millions of dollars; and

BE IT FURTHER RESOLVED, that the Borough of Garwood hereby requests that the Freeholders report back in a reasonable time period of 3 (three) months to the 21 constituent municipalities of the County of Union with its report on the appropriateness of this merger; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the Union County Clerk and Freeholders of the County of Union, and all 21 constituent municipal mayors and governing bodies of the County of Union with a request that each of the 21 municipality's governing body consider adopting such a resolution within the next month and using this as the model, and forwarding it to the County of Union Freeholders to show that there is consensus within the county for this action, and that a copy of this resolution be filed in the office of the Municipal Clerk.

This resolution was deleted.

NEW BUSINESS:

Any new business the Mayor and Council may have:

PROCLAMATION:

Breast Cancer Awareness Month: October 2014,

Red Ribbon Day: October 25th and Red Ribbon Week October 23 – 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.

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

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.

EXECUTIVE SESSION

At 9:50 P.M. A Motion was made to enter ex session and adopt Executive Session Resolution No. 14-271

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

RESOLUTION NO. 14-271

CLOSED SESSION RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING LITIGATION RELATING TO ARIEMMA VS THE BOROUGH OF GARWOOD, MAYOR AND COUNCIL OF THE BOROUGH OF GARWOOD CIVIL SUMMONS DOCKET NO. UNN-L447-12 AND MATTERS OF ATTORNEY-CLIENT PRIVILEGE RELATING TO THE ABOVE AND IN ACCORDANCE WITH N.J.S.A., 10:4-12, Closed session, Meetings open to public; exclusion of public; subject of matter.

WHEREAS, it is necessary for the Mayor and Council of the Borough of Garwood to conduct an executive session closed to the public in order to discuss the above listed matter.

NOW THEREFORE BE IT RESOLVED that the Council of the Borough of Garwood hereby move to go into executive session in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq., for the purpose of discussing the subject stated above; and

BE IT FURTHER RESOLVED that the matters discussed in and minutes of the closed session shall be disclosed to the public when the reason for confidentiality no longer exists.

Ms. Ariemma noted that no action will be taken during Closed Session. Ms. Ariemma stated she is leaving the Council Chambers for the executive session portion of the meeting relating to Ariemma vs. the Borough of Garwood, Mayor and Council of Garwood Civil Summons Docket No. UNN-L447-12. Ms. Ariemma said she will not take minutes for the portion of the meeting that she is not present. The minutes will be taken and prepared by Mayor Quattrocchi. Ms. Ariemma said she will not return to the Council Meeting.

At 9:39 P.M. a motion was made by Councilman Nierstedt, seconded by Councilwoman Todisco to end the ex-session and resume the regular session.

ADJOURNMENT

The Next Regular Meeting of the Mayor and Council will be held on, **TUESDAY, OCTOBER 28, 2014**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

Motion: Action: At 9:40 p.m., adjourn, **Moved by** Councilman Nierstedt, **Seconded by** Councilwoman Todisco.