

Borough of Garwood

Meeting of the Mayor and Council

AGENDA

October 25, 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 October 11, 2016.

Motion _____ Second _____, to accept minutes as presented.

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES** –
 - a. Mayor's Advisory –
 - i. 10/17/16, RE: Weekly Update
 - ii. 10/17/16, RE: Governor Signs TTF Reauthorization
 - iii. 10/18/16, RE: Daily Update
 - iv. 10/19/16, RE: Daily Update
 - v. 10/20/16, RE: Daily Update
- 2) **TOWNSHIP OF UNION** – 10/17/16, RE: Resolution 2016-327, Opposing Legislature's approval of a 23 cent gas take hike
- 3) **COMCAST** – 10/17/16, RE: Renewal period for franchise agreement

ORDINANCES:

INTRODUCTION:

Municipal Clerk to read Ordinance 16-17 by title only:

ORDINANCE NO. 16-17

AN ORDINANCE FIXING THE SALARIES AND WAGES FOR THE DEPARTMENT OF PUBLIC WORKS OF THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, STATE OF NEW JERSEY.

Motion _____ Second _____, to introduce Ordinance 16-17.

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

PARKING COMMITTEE: Councilman Sarno

OFFICER'S REPORTS:

Chief of Police Bruce Underhill: monthly reports for September 2016

Municipal Court Administrator Lashonn Durant: monthly report for September 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. 16-283

WHEREAS, CMS Construction Inc., 521 North Avenue, Plainfield, NJ 07060, has satisfactorily completed on October 7, 2016, the project known as "Replacement of Concrete Sidewalk at various locations in the Borough of Garwood"; and

WHEREAS, Maintenance Bond No. CSC-223617M has been received for one-year period concluding on October 7, 2017, for \$7,834.00; and

WHEREAS, the as built construction cost is \$74,160.00 which is a reduction in the bid of \$78,340.00.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby accepts the Municipal Engineer's recommendation that the project is complete and authorizes the Treasurer to issue a check made payable to CMS Construction Inc., for \$74,160.00, for final payment.

RESOLUTION NO. 16-284

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby enter into an agreement with Local #11 affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America and authorize the Mayor and Municipal Clerk to sign said agreement, covering the years 2016, 2017, 2018 and 2019. The terms of said agreement are attached and made a part of the resolution.

RESOLUTION NO. 16-285

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 Request for Proposals for professional services as listed for year 2017 in the Borough of Garwood.

- Professional Legal Services – Borough Attorney
- Professional Legal Service – Labor Attorney
- Professional Legal Service – Tax Appeals Attorney
- Professional Engineering Services – Contractual Engineering
- Municipal Prosecutor
- Municipal Public Defender

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. 16-286

WHEREAS, the Council of the Borough of Garwood has determined that there exists a need for professional appraisal services for the Borough of Garwood's 2016/2017 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 2016/2017 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. 16-287

BE IT RESOLVED, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the Borough Administrator/Clerk is hereby authorized to sign the Access Agreement for Right of Entry for Block 403/Lot 12, 114 Center Street to enter upon Willow Avenue for the purpose of conducting environmental remediation of residual soil and groundwater contamination at the subject premises and in the sidewalk area in the public Rights-of-Way with:

*Willow Center LLC
5 Marine View Plaza
Suite 303
Hoboken, NJ 07030*

*Atlantic Environmental Solutions, Inc.
5 Marine View Plaza
Suite 303
Hoboken, NJ 07030*

RESOLUTION NO. 16-288

RESOLUTION OF THE BOROUGH OF GARWOOD CANCELLING GRANT BALANCES

WHEREAS, there exists various Grant Receivable and Grant Reserves on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the receivable balances and their offsetting appropriation balances from the balance sheet;

NOW THEREFORE BE IT RESOLVED by the council of the Borough of Garwood, County of Union, State of New Jersey that the following grant receivables and appropriation balances be cancelled:

Grant Receivables

Municipal Alliance Grant 2014/15 \$628.94

Grant Appropriated Reserves

Municipal Alliance Grant 2014/15 \$628.94

RESOLUTION NO. 16-289

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR OUTSIDE EMPLOYMENT OF OFF DUTY MUNICIPAL OFFICERS
REQUIRED BY N.J.S.A. 40A:4-39**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides for receipt of Outside Employment escrow deposits by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Outside Employment of Off Duty Municipal Officers are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Garwood, County of Union, as follows

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Outside Employment of Off Duty Municipal Officers
2. The Clerk of the Borough of Garwood, County of Union is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTION NO. 16-290

BE IT RESOLVED, by the Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct an on premise merchandise raffle to be held on November 4, 2016, at the Knight of Columbus, 37 South Avenue, Garwood, NJ from 7:00 p.m. - 9:00 p.m., is hereby granted to The Cerebral Palsy League, NJ, pursuant to Application Number BA #1011.

Motion _____ Second _____, to adopt Consent Agenda.

Roll Call:

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

RESOLUTIONS DELETED FROM THE CONSENT AGENDA:

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, NOVEMBER 15, 2016**, 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 AND ON THE UNION COUNTY DEVELOPMENT BLOCK GRANT YEAR 43 PROPOSALS ON TUESDAY, NOVEMBER 15, 2016, AT 7:15 P.M. OR SOON THERE AFTER.

THERE WILL BE A PUBLIC HEARING IN COUNCIL CHAMBERS, ON ORDINANCE NO. 16-17, ON TUESDAY, NOVEMBER 15, 2016, AT 7:15 P.M. OR SOON THERE AFTER

Motion _____ Second _____, to adjourn.

Time: _____