

BOROUGH of GARWOOD

Regular MINUTES of the COUNCIL MEETING November 10, 2015

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 7:27 p.m. by Mayor Lombardo. He 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 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).

ROLL CALL:

Present: Mayor Lombardo, Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt.

Also Present: Borough Administrator/Clerk Christina M Ariemma, Attorney Catherine M. DeAppolonio and Borough Engineer Donald R. Guarriello.

Councilman Martin was excused.

Public hearing on the Union County Community Development Block Grant Proposal for the Year 42 as advertised in the Westfield Leader.

Motion: Action: Suspend the regular order of business, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Petruzzelli

Mayor Lombardo asked the Clerk if she has received any applications or correspondence. None

Mayor Lombardo asked if any one wishes to be heard concerning CDBG applications. No response

Motion: Action: Close Public Hearing on Union County Community Development Block Grant Proposal for the Year 42, **Moved by** Councilwoman Todisco, **Seconded by** Council President Nierstedt

Motion: Action: Submit applications for Union County Community Development Block Grant Proposal for the Year 42, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Petruzzelli

Borough of Garwood's Year 42 Applications:

Senior Citizen Program	\$ 25,000.00
Senior Citizen Transportation	\$ 12,000.00
Senior Citizen Handyman Program	\$ 10,000.00

Motion: Action: Resume regular order of business, **Moved by** Councilwoman Todisco, **Seconded by** Council President Nierstedt

MINUTES:

Regular Meeting of the Mayor and Council held on October 27, 2015.

Workshop Session of the Mayor and Council held on October 27, 2015.

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

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 10/27/15, RE: URGENT ALERT
 - ii. 10/27/15, RE: Gateway Project - Contact your Congress Members Now
 - iii. 10/27/15, RE: Daily Update
 - iv. 10/30/15, RE: : Weekly Policy Update

- 2) **CITY OF UNION CITY** - 10/28/15, RE: Resolution urging N.J. Mayors to provide leadership in ending human trafficking at the local level.
- 3) **BOROUGH OF WANAQUE** – 10/30/15, RE: Resolution petitioning the Governor and State Legislature to form a Commission to explore the elimination or reduction of County government in the State of New Jersey.
- 4) **BOROUGH OF FANWOOD** – 10/30/15, RE: Resolution supporting the Gateway Trans-Hudson Tunnel Project
- 5) **GARWOOD PLANNING BOARD** – 11/04/2015, Minutes of the meetings held on August 16, 2015 and September 23, 2015.

All received and filed.

ORDINANCES:

Public Hearing on Ordinance 15-21, as advertised in the Westfield Leader on October 29, 2015

ADOPTION:

Municipal Clerk read Ordinance 15-21 by title only:

ORDINANCE NO. 15-21

AN ORDINANCE TO REPEAL §21-8.7 (ALTERNATE SIDE PARKING) IN ARTICLE I (TRAFFIC AND PARKING) IN CHAPTER 21 (VEHICLES AND TRAFFIC) OF THE CODE OF THE BOROUGH OF GARWOOD.

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

- SECTION 1. § 21-8.7 (Alternate Side Parking) in Article I (Traffic and Parking) in Chapter 21 (Vehicles and Traffic) is hereby repealed.
- 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.
- SECTION 5. The Chief of Police is hereby authorized and directed to arrange for the removal of all alternate side parking signs.

List correspondence concerning Ordinance 15-21. NONE.

Does anyone present wish to be heard concerning Ordinance 15-21? No Response.

Motion: Action: Close Public hearing, Moved by Council President Nierstedt, Seconded by Councilman Petruzzelli

Motion: Action: Adopt ORDINANCE 15-21, Moved by Councilwoman Todisco, Seconded by Council President Nierstedt

Discussion: NONE.

Vote: Motion carried by roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt.

INTRODUCTION:

Municipal Clerk read Ordinance 15-22, by title only:

ORDINANCE NO. 15-22

AN ORDINANCE CONCERNING THE CARE, MAINTENANCE, SECURITY AND UPKEEP OF THE EXTERIOR OF VACANT AND ABANDONED RESIDENTIAL PROPERTY.

Motion: Action: INTRODUCE ORDINANCE 15-22, Moved by Council President Nierstedt, Seconded by Councilman Petruzzelli

Discussion: Councilman Mathieu stated he works for a mortgage lender and will need to abstain.

Vote: Motion carried by roll call vote (**summary:** Yes = 4, Abstain = 1)

Yes: Councilwoman Kearney, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt. Ordinance No. 15-22 was introduced.

Abstain: Councilman Mathieu

Municipal Clerk read Ordinance 15-23, by title only:

ORDINANCE NO. 15-23

AN ORDINANCE TO AMEND SUBSECTION (H) IN §106-118 (FENCES AND WALLS) IN ARTICLE VIII (ZONE REGULATIONS) IN CHAPTER 106 (LAND USE) OF THE CODE OF THE BOROUGH OF GARWOOD TO AMEND RESTRICTIONS ON FENCES ON CORNER LOTS.

Motion: Action: INTRODUCE ORDINANCE 15-23, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco

Discussion: None

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt. Ordinance No. 15-23 was introduced.

Municipal Clerk read Ordinance 15-24, by title only:

BOND ORDINANCE NO. 15-24

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$10,000 FOR THE UNDERTAKING OF SEWER IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Motion: Action: INTRODUCE ORDINANCE 15-24, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Petruzzelli

Discussion: Councilwoman Todisco explained the Bond Ordinance

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt. Ordinance No. 15-24 was introduced.

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Chr. Councilwoman Kearney *NO REPORT*

PUBLIC HEALTH: Council President Nierstedt, *NO REPORT*

STREETS AND ROADS/ECOLOGY: Councilwoman Todisco, Chr.

Thank you, Mayor. The DPW has been busy with its regular duties of garbage, white goods pickup, maintaining Borough properties, and more. Also, too, it has started its usual fall duty of leaf pickup curbside. I would like to remind residents that loose leaves are not permitted in the street, but may be placed curbside in covered receptacles no larger than 32 gallons or in leaf bags. The North Side will be picked up for the remainder of this week, then from November 23rd to 25th and December 7th to 11th. The South Side was first picked up last week and will again be picked up November 16th to 20th and November 30th to December 4th. The schedule is per the schedule in the annual notification to all residents.

Also, the DPW staff has worked to maintain various equipment and trucks in house, has installed doorstops at Borough Hall entrances, and has performed street sign repairs. Major pothole repairs were done along the western dead end block of Myrtle to finish the job they started as I mentioned in my report at our last Council meeting. Additionally, the DPW has begun inspecting and completing repairs as well as preventative maintenance to all snow removal/deicing equipment.

Borough Administration and Public Works Management has completed the first round of interviews for the vacant Public Works position. Due to the large number of applicants, another round will be held this week and a recommendation will be ready for the Council in the near future.

That's all for my report, Mayor.

FIRE: Council President Nierstedt, Chr.

16 Incidents this month included 5 alarm activations, 2 CO alarms, 1 smoke condition, 2 MV fires, 1 odor of gas. There were 5 mutual aid calls: 2, to Linden (14 hrs.), Roselle (5 hrs.), Plainfield (12 hrs.) Elizabeth (10 hrs.), for a total of 103 man hours Meeting: 27 men attended=40hours, Drill: 15 men=40hours, General Clean-up 20 men=100 hours, Extra duty 43 men=203 man hours, Driver Training & Pump Drills, 3 men=9hrs.

FINANCE: Councilman Petruzzelli, Chr. *NO REPORT*

BUILDINGS AND GROUNDS: Councilman Mathieu, Chr. *NO REPORT*

LAWS AND LICENSES: Councilman Martin, Chr. *ABSENT*

RECREATION: Councilwoman Todisco Chr. *NO REPORT*

COMMITTEE ON AGING: Councilwoman Kearney, *NO REPORT*

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Petruzzelli

The Library has a busy calendar of programs for November. The following is a list of upcoming programs and activities.

Tuesday, November 10th – Adult Craft – Adults can make an autumnal centerpiece for their Thanksgiving table. - 7:00 PM. Registration required.

Thursday, November 12th – Dixieland Band – The Library will present an upbeat evening of early jazz, ragtime and blues! This band is led by Florian Schantz, a 13-year-old trumpet, cornet and Fluegelhorn player from Westfield, who founded the band when he was only 9-years-old and has delivered programs at scores of different venues across New Jersey and New York. 7:00 PM – Registration required.

Monday, November 16th – Children's Thanksgiving Craft – for children in 2nd grade and up. 3:00PM – Registration required. Limit 20 children

Tuesday, November 17th – Adult Craft – Adults can paint a fall ceramic perfect for Thanksgiving. This program is sponsored by the Garwood Department of Parks and Recreation 6:00PM – Registration required

Saturday, December 5th – Santa is coming to the Library. 11:00AM. Registration required.

In addition, we have many **ongoing programs**:

On Monday and Thursday mornings from 10:30AM to 11:45AM our new Knitting Club;

On Mondays and Fridays, ESL classes from 1PM to 2PM, through December;

On Wednesdays, Toddler Story Time at 10:30 AM for children age 4 and under;

Friday mornings at 10:00 AM, Movie Time.

Monday afternoon and Thursday evening book clubs.

Holiday closings for the rest of the year: Wednesday, November 11th the library will be closed for Veterans Day. On Wednesday, Nov. 25th the Library will close early at 4:30 PM, and will remain closed Thursday and Friday, November 26th and 27th for the Thanksgiving holiday. In December, the Library will be closed on Wednesday, Thursday, and Friday, December 24th and 25th and 26th for the Christmas holidays. The library will also be closed on Thursday, December 31st. The book drop box is always open for your convenience.

SCHOOL BOARD LIAISON: Councilman Mathieu *NO REPORT*

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON: Council President Nierstedt
Announced the Tree Lighting is November 28th at 5:00 p.m. at Borough Hall.

UNION COUNTY AIR TRAFFIC NOISE ADVISORY BOARD REPRESENTATIVE:
Councilman Mathieu, *NO REPORT*

ADMINISTRATIVE REVIEW COMMITTEE: Councilwoman Todisco, *NO REPORT*

HISTORICAL COMMITTEE: Councilwoman Todisco, *NO REPORT*

OFFICERS REPORTS:

Len Di Stefano, Zoning Code Enforcement Officer monthly report for October 2015

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

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. 15-286

WHEREAS Local Public contract law requires that bids be awarded by the Governing Body within 60 days of receipt of bids, except that the proposals of any vendors who consent to it, may, at the request of the contracting unit, be held for consideration for a longer period as may be agreed.

THEREFORE, 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 request an extension of award for the bids received on October 14, 2015 for the Replacement of 8" Sanitary Sewer on Center Street, South of Willow Avenue and hereby authorize her to request an extension in writing from the three lowest bidders for the purpose of amending Bond Ordinance 15-16 to include additional funding.

RESOLUTION NO. 15-287

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Mayor and Municipal Clerk to sign the grant application for:

Community Development Block Grant "Year 42"

Senior Citizen Program	\$ 25,000.00
Senior Citizen Transportation	\$ 12,000.00
Senior Citizen Handyman Program	\$ 10,000.00

RESOLUTION NO. 15-288

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Mayor and Municipal Clerk to sign the agreement with the County of Union for the following.

Traffic Signal Agreement – South Avenue and Center Street

RESOLUTION NO. 15-289

"BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$10,000 FOR THE UNDERTAKING OF SEWER IMPROVEMENTS IN, BY AND FOR THE BOROUGH OF GARWOOD, IN THE COUNTY OF UNION, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS."

heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 24th day of November, 2015, at 7:15 P.M., or as soon thereafter as the matter can be reached, at the regular meeting place of the Borough Council, and that at such time and place all persons interested be given an opportunity to be heard concerning said ordinance, and that the Municipal Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

RESOLUTION NO. 15-290

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union State of New Jersey hereby authorizes the Municipal Clerk to sign the proposal from Prime Point LLC, 2 Springside Road, Mt. Holly, NJ 08060 for the 2015 ACA Reporting Services. Cost not to exceed \$4,620.00.

RESOLUTION NO. 15-291

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby approve the CFO/Treasurer to issue check for refund on the following property.

REFUND:

<u>PROPERTY OWNER & ADDRESS</u>	<u>BLK/LOT</u>	<u>AMOUNT</u>
Garwood Realty, Inc. 443 North Ave., Garwood, NJ	112/6	\$39,573.85

EXPLANATION: This refund reflects a successful tax court appeal for the years 2011 thru 2015.

Per attached, a check for \$19, 786.92 should be made payable to Michael A.Vespasiano, Attorney Trust Account. The balance of the refund (\$19, 786.93) will be applied to pay a portion of the 1st quarter 2016 taxes.

RESOLUTION NO. 15-292

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby authorizes the Municipal Clerk to sign the Maintenance Agreements with:

S.B.P. Industries
1301 New Market Avenue
South Plainfield, NJ 07080

For Annual Generator Maintenance Contract for (2) service calls annually at a cost as follows:

Straight Time: \$ 95.00/Hr.
Time and a half \$142.50/Hr.
Double Time \$190.00/Hr.
Mileage: \$ 1.00/Mi
Waste removal: \$ 10.00
Contract Term: January 1, 2016 to December 31, 2016
Model: Generac
SN: 3150484
Location: DPW Building – 15 South Avenue
Model: GM 60-02
Location: Municipal Building – 403 South Avenue
Model: Generac 091OS
Location Firehouse – 415 South Avenue

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt. Consent agenda was adopted.

RESOLUTIONS DELETED OR REMOVED FROM THE CONSENT AGENDA:

RESOLUTION NO. 15-293

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey hereby set the date for the Reorganization meeting of the Mayor and Council for 2016 for Monday, January 4, 2016 at 7:00 p.m., in the Council Chambers of the Municipal Building, 403 South Avenue, Garwood.

Motion: Action: Adopt Resolution No. 15-293 **Moved by** Council President Nierstedt, **Seconded by** Councilman Petruzzelli

Vote: Motion carried by roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt.

Resolution No. 15-293 was adopted.

RESOLUTION NO. 15-294

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 Council of the Borough of Garwood posted in accordance with law a request for proposals and received proposals on October 7, 2015, 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:

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

That said Contractor shall receive fees not to exceed \$45,925.00 for 2015 Statutory Audit, \$2,650.00 for 2015 Financial/Debt Statement including 2016 Municipal Budget, and \$425.00 per Preparation of Supplement Debt Statements, \$1,100.00 Borough's Deferred Compensation Plan, and telephone consultation as needed for no charge which are included in proposal dated October 5, 2015; 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.

Motion: Action: Adopt Resolution No. 15-294 **Moved by** Council President Nierstedt, **Seconded by** Councilman Petruzzelli

Vote: Motion carried by roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt.

Resolution No. 15-294 was adopted.

RESOLUTION NO. 15-295

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey that the Municipal Clerk be and is hereby authorized to prepare a Request for Proposals to solicit proposals from qualified firms for professional services for a Labor Attorney for the purpose of negotiating the Teamsters Local #11 Contract.

Motion: Action: Adopt Resolution No. 15-295 **Moved by** Councilwoman Todisco, **Seconded by** Councilwoman Kearney

Vote: Motion carried by roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt.

Resolution No. 15-295 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.

Capital Acct: \$1,195.14

Dog Tax Acct: \$700.00

Trust Acct: \$695.99

Current Acct: \$1,689,608.23

Sports & Recreation Acct: \$7,200.00

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5)

Yes: Councilwoman Kearney, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt. Payment of Claims was adopted.

ADJOURNMENT

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, NOVEMBER 24, 2015**, 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, ON ORDINANCE NO. 15-22, 15-23 AND 15-24, ON: TUESDAY, NOVEMBER 24, 2015, AT 7:15 P.M. OR SOON THERE AFTER.

Motion: Action: At 7:45 p.m., adjourn, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco.

CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood