

BOROUGH of GARWOOD

Regular MINUTES of the COUNCIL MEETING December 08, 2015

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 7:28 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 Martin, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt.

Also Present: Borough Administrator/Clerk Ariemma, Borough Attorney Robert Renaud.

MINUTES:

Regular Meeting of the Mayor and Council held on November 24, 2015.

Executive Session of the Mayor and Council held on November 24, 2015.

Workshop Session of the Mayor and Council held on November 24, 2015.

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

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 11/30/15, RE: Daily Update
- 2) **N.J.D.E.P. – 12/02/2015, RE: Press Release concerning the upcoming Old World Christmas Events at Allaire State Park**

All received and filed.

ORDINANCES:

NONE

COUNCIL STANDING COMMITTEE REPORTS AND OTHER REPORTS:

POLICE: Chr. Councilwoman Kearney

On November 12 members of the Police Department conducted a crime Awareness and Prevention talk at the Point. The event is part of the Department's Community Policing program and was well attended. Topics included how residents should react to various alarm activations and how the Police and Fire Departments respond to alarms. In addition we spoke about Fraud including phone and door to door scams, Investment solicitation, ID Theft and home security. Residents of the Point were also encouraged to sign up for the Departments Silver Alert Program as well as the UC First Alert and Nixle emergency notification systems to receive critical information during any emergency situation. The program was well received.

Chief Underhill was informed today that Officer Andrew Horan will be leaving to accept a position with the Berkeley Heights Police Department. His resignation will be effective Dec 31, 2015. Officer Horan has personally thanked chief Underhill for the opportunities afforded him while in our service noting that his departure is strictly economic. On behalf of the rank and file of the Police Department, we wish him all the best.

PUBLIC HEALTH: Council President Nierstedt

Mentioned the Board of Health will not be meeting by the end of the year to adopt an ordinance that was introduced last April. He stated he was disappointed and hopes it will be adopted at the second meeting of 2016.

STREETS AND ROADS/ECOLOGY: Councilwoman Todisco, Chr.

Thank you, Mayor. Leaf season is winding down. Bagged or containerized leaves on the North side will be picked up for the remainder of this week. The South Side pickup is complete as per the schedule. In addition to leaf pickup, the DPW has continued its regular duties of garbage pickup, maintenance of Borough properties, white goods pickup, treating reoccurring sewer lines, clearing debris from the tops of stormwater drainage inlets, and more. The Borough Hall parking lot and mulch beds were cleared of leaves and debris prior to the Holiday Tree Lighting ceremony. The DPW also placed and picked up barricades for the 5K race two weekends ago. Holiday decorations were completely put up on the Center Street underpass and utility poles throughout the downtown prior to the Thanksgiving weekend as I anticipated they would be in my report at the last Council meeting. Repair work was done to the backup garbage truck in South Plainfield, which caused the Borough to need to use regular garbage trucks to pick up leaves to ensure the pickup continued to be done. On another equipment matter, inspections and preventative maintenance have continued to be performed on all snow removal and deicing equipment. Finally, I am pleased to announce that the installation of residential permit parking signs has begun per the passage of the ordinance. I want to thank the DPW for all their hard work on the various jobs I mentioned tonight.

On tonight's Consent Agenda, the Streets and Roads Committee recommends Resolutions 15-311 and 15-312 establishing the bulk waste pickup program for 2016. Due to a slightly larger cost to Waste Management for permits per their bid and an increase in the tipping fee, the Committee recommends a fee of \$90 per permit. This figure of \$90 was rounded down from the estimated actual cost of \$91.71 for 2016. We also agreed to continue to provide two pickup dates. One will follow the annual Borough yard sale and be set for the week of June 27th. The fall would be set for the week of October 17th. That's all for my report, Mayor.

FIRE: Council President Nierstedt, Chr.

The Fire Department had 16 incidents this month with 240 man hours. Sunday night was the Annual Awards dinner. Jimmy Krupa and Michael Tharaldsen received the 20 yr. award, Rod VanNatta and Robert Lawrence received the 45 yr. award and Pat DiFabio received the 65 yr. award. The men put in a lot of time and hard work and it is appreciated. Santa will be doing his ride through Garwood next Sunday starting on the Southside at noon and working his way through the town.

FINANCE: Councilman Petruzzelli, Chr.

Thank you Mayor. The Finance Committee has asked the CFO to prepare an analysis of the budget to date and we are at 93% of 2015 budget has been spent. Previous years have been at 94% & 95%. That is all for my report.

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

LAWS AND LICENSES: Councilman Martin, Chr. *NO REPORT*

RECREATION: Councilwoman Todisco Chr.

Thank you, Mayor. The children's ceramics activity held in October was a success with about 30 children attending. Ceramics for both children and adults will be December 16th, with the children's taking place after school and the adults' in the evening. The next meeting of the Recreation Commission will be next week on December 16th.

COMMITTEE ON AGING: Councilwoman Kearney, *NO REPORT*

LIBRARY, MAYOR'S REPRESENTATIVE: Councilman Petruzzelli *NO REPORT*

SCHOOL BOARD LIAISON: Councilman Mathieu *NO REPORT*

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON: Council President Nierstedt
Thanked everyone for volunteering. Wished everyone a Merry Christmas and Happy New Year.

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

ADMINISTRATIVE REVIEW COMMITTEE: Councilwoman Todisco, *NO REPORT*

HISTORICAL COMMITTEE: Councilwoman Todisco
Next meeting Tuesday, December 15th

OFFICERS REPORTS:

Len Di Stefano, Zoning Code Enforcement Officer monthly report for November 2015
Motion: Action: Approve, **Moved by** Councilwoman Todisco, **Seconded by** Council President Nierstedt.

PUBLIC COMMENT:

Bruce Paterson, 325 Willow Avenue asked about Resolution 15-09 concerning the amount for Labor Attorney.

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. 15-306

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorizes the Mayor and Borough Administrator/Clerk to sign a contract to provide professional animal control services to the Borough of Garwood:

WITH: Animal Control Solutions, LLC
2 Marshall Drive
Flemington, NJ 08822
COST: \$7,800.00 (Annually)
TERM: 2 year contract
January 1, 2016 to December 31, 2017

RESOLUTION NO. 15-307

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 sign the yearly service maintenance contract for closed circuit television surveillance system in the Municipal Building at an annual cost of \$1,615.80 with:

RFP Solutions, Inc.
10-F Greenwood Avenue
West Deptford, NJ 08096

TERM: January 1, 2016 – December 31, 2016

RESOLUTION NO. 15-308

WHEREAS, by the Council of the Borough of Garwood, County of Union, State of New Jersey, are required to comply with N.J.A.C. 17:24 concerning Emergency Medical Dispatching; and

WHEREAS, The Monmouth Ocean Hospital Services Corporation, Inc., (MONOC) a non-profit New Jersey Hospital Cooperative located at 4806 Megill Road, Neptune, NJ 07753, submitted a quote for service commencing January 1, 2016 to December 31, 2017; and

WHEREAS in consideration of the services rendered by MONOC, the Borough shall pay to MONOC the sum of \$9.36 per incident, billed quarterly for all call screening activity; and

BE IT RESOLVED, by the Council of the Borough of Garwood hereby award the contract for Emergency Medical Dispatching to The Monmouth Ocean Hospital Services Corporation, Inc., (MONOC) a non-profit New Jersey Hospital Cooperative located at 4806 Megill Road, Neptune, NJ 07753.

NOW, THEREFORE BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorize the Municipal Clerk to sign a contract for the above service commencing on January 1, 2016 to December 31, 2017.

RESOLUTION NO. 15-309

WHEREAS, the Mayor and Council of the Borough of Garwood desire to contract for Professional Labor Attorney Services to provide Legal Counsel and other legal services to the Borough specifically related to the contract negotiations for the Teamsters Local #11; and

WHEREAS, the Mayor and Council of the Borough of Garwood posted in accordance with law and received proposals on November 12, 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 Matthew Giacobbe, Esq., of Cleary, Giacobbe, Alfieri, Jacobs, LLC, 169 Ramapo Valley Road, Upper Level 105, Oakland, NJ 07436, for the provision of professional labor attorney services for the Borough of Garwood; and

That said Contractor shall receive fees not to exceed \$10,000 in accordance with the 2015/2016 Municipal Budgets in accordance with the proposal dated November 25, 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.

RESOLUTION NO. 15-310

WHEREAS, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby directs the transfers of 2015 budget appropriations be and they are hereby made:

2015 Budget Transfer #2				
Resolution #15-310				
FROM:	Department	Account Name	Account Number	Amount
	Streets & Roads	S&W	5-01-26-290-100-0100	10,000.00
	Salary Adjustment	Payroll	5-01-30-425-100-0100	4,585.00
				14,585.00
TO:				
	Streets & Roads	Shared Service-Fanwood	5-01-26-290-200-0700	4,700.00
	Building & Grounds	Contractual Services	5-01-26-310-200-0320	5,300.00
	Municipal Clerk	S&W	5-01-20-120-100-0100	1,600.00
	Police	S&W	5-01-25-240-100-0100	2,200.00
	Admin & Exec	S&W	5-01-20-100-100-0100	785.00
			Total	14,585.00

RESOLUTION NO. 15-311

WHEREAS, the Borough of Garwood advertised for bids for a contract for User Fee Based Residential Cleanup Program of Type 13 Solid Waste collection services; and

WHEREAS, bids were received on December 1, 2015, at 11:00 a.m., at Borough Hall as follows; and

BIDDER	Load and Transport fee Year 1	Load and Transport fee Year 2	Load and Transport fee Year 3
Waste Management of NJ, Inc.	\$49.95 per permit	\$51.95 per permit	\$53.95 per permit

WHEREAS, Waste Management of New Jersey, Inc., 107 Silvia Street, Ewing, NJ 08628, was the only bidder, submitting a responsible bid for a 3 year contract commencing January 1, 2016 to December 31, 2018;

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Garwood that the aforementioned contract be and the same hereby is awarded to Waste Management of New Jersey, Inc. in accordance with the bidding documents and the aforementioned bid submitted; and

BE IT FURTHER RESOLVED, that the Mayor and Borough Clerk be and are hereby authorized to execute the contract in accordance with the foregoing in the form prepared or approved of by the Borough Attorney.

RESOLUTION NO. 15-312

BE IT RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, in accordance with Borough Code, Chapter 99-12.1-B,C, hereby set forth the following:

1. The bulk pickup program will be held twice in 2016. Spring pick up will be held on Monday, June 27, 2016 and run for as many days as necessary to complete the program in accordance with the number of permits sold. Fall pick up will be held on Monday, October 17, 2016 and run for as many days as necessary to complete the program in accordance with the number of permits sold.
2. The bulk permit program fee for 2016 is hereby set at \$90.00 per permit, per household for the disposal of up to 750 lbs. of bulk type waste

BE IT FURTHER RESOLVED by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby authorize the Borough Administrator/Clerk to proceed to implement the above accordingly.

RESOLUTION NO. 15-313

WHEREAS, the Northeast Corridor is the busiest rail line in the Western Hemisphere, playing an essential role in the regional economy as a vital link for millions of residents, workers and visitors, and

WHEREAS, the Northeast Corridor is crucial to transporting New Jersey residents, business people and tourists between Washington, D.C., Boston via key regional stations at Philadelphia 30th Street Station, Trenton Transit Center, Newark Airport, Newark Penn Station and New York Penn Station, and

WHEREAS, the Hudson River tunnels carry 200,000 Amtrak and NJ Transit trail passengers in and out of New York City each weekday, representing a tripling of ridership since 1990, and

WHEREAS, current and projected demand for both Amtrak and NJ Transit exceed the capacity of the existing infrastructure between Newark and New York City, and

WHEREAS, the Northeast Corridor requires very significant repairs and upgrades along the two track stretch between Newark and New York City, including aging bridges and 100 year old tunnels under the Hudson River, and

WHEREAS, outmoded infrastructure, particularly the Hudson River tunnels and the Portal Bridge over the Hackensack River, is causing frequent, extensive delays along the Northeast Corridor, and

WHEREAS, the Hudson River tunnels flooded for the first time in their 100 year history during Superstorm Sandy, leaving behind salt that is eating away at the reinforcing steel and concrete along with electrical and signal systems. Amtrak has announced that each of the Hudson River tunnel tubes will need to be closed for a year or more at a time within the next 15 to 20 years to conduct extensive repairs, and

WHEREAS, if new tunnels are not yet in place, the closures of the existing tunnels will reduce train traffic by an estimated 75% at peak times, forcing tens of thousands of riders to fine alternatives means of travel in and out of Manhattan, and causing huge disruptions for all who cross the Hudson, whether by train, bus, ferry of car, and

WHEREAS, preserving and expanding rail capacity is critical to giving the metropolitan region's trillion dollar economy a chance to grow and keep pace with global cities that are investing far more in their transit infrastructure, and

WHEREAS, the Gateway program proposed by Amtrak, estimated to cost \$20 billion, would build two new Hudson River tunnel tubes and several bridges, expand Penn Station, and add two new tracks between Newark and New York, thus doubling trans-Hudson rail capacity.

NOW THEREFORE, BE IT RESOLVED, that the governments of the states of New Jersey and New York must work together with federal government to assign a lead entity to shepherd the Gateway Trans-Hudson Tunnel project, and determine the funding strategy to design and build the project with all haste and expediency.

NOW THEREFORE, BE IT RESOLVED, that the Borough of Garwood does urge that the governments of New York and New Jersey to agree on a plan to fund the design, engineering and construction of the Gateway Project.

RESOLUTION NO. 15-314

RESOLUTION AUTHORIZING THE PROCESSING OF STATE TAX COURT JUDGMENT

NOW, THEREFORE BE IT RESOLVED that the following State Tax Court Judgment be processed as noted below:

Block	Lot	Year	Credit	Property Owner
501	1.05	2010	\$11,911.50	Home Depot#6903
Total Credit:			\$11,911.50	

The total tax appeal credit will be refunded per the stipulation of settlement.

Make Check Payable to:

Garippa, Lotz & Giannuario, P.C.

c/o Gregory Schaffer, Esq.

Garippa, Lotz & Giannuario, P.C.

66 Park Street

Montclair, NJ 07042

BE IT FURTHER RESOLVED, that this tax court judgment be processed between the 45th and 60th day from the date of judgment.

Motion: Action: Adopt consent agenda, **Moved by** Council President Nierstedt, **Seconded by** Councilwoman Todisco

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

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

RESOLUTIONS DELETED OR REMOVED FROM THE CONSENT AGENDA:

RESOLUTION NO. 15-315

CLOSED SESSION RESOLUTION AUTHORIZING AN EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL 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.

Motion: Action: Adopt Resolution 15-315, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Petruzzelli

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Kearney, Councilman Martin, Councilman Mathieu, Councilman Petruzzelli, Councilwoman Todisco and Council President Nierstedt. Resolution 15-315 was adopted.

At 7:41 p.m., a motion was made by Councilwoman Todisco, seconded by Councilman Petruzzelli to enter executive session.

At 7:48 p.m., a motion was made by Council President Nierstedt, seconded by Councilman Petruzzelli to resume the regular session.

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: \$170,641.81

Trust Acct: \$412.00

Dog Tax Acct: \$940.40

Current Acct: \$794,180.86

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6)

Yes: Councilwoman Kearney, Councilman Martin, 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, DECEMBER 22 2015**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

Motion: Action: At 7:50 p.m., adjourn, **Moved by** Council President Nierstedt, **Seconded by** Councilman Martin.

CHRISTINA M. ARIEMMA, Municipal Clerk
Borough of Garwood