

BOROUGH of GARWOOD

Regular MINUTES of the COUNCIL MEETING December 23, 2014

The Regular Meeting of the Mayor and Council was held in Council Chambers and called to order at 7:48 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 Mathieu, Councilman Nierstedt, Councilman Petruzzelli, Councilwoman Todisco.

Also Present: Borough Administrator/Clerk Christina M. Ariemma and Borough Attorney Robert Renaud.

Councilman Martin was excused.

MINUTES:

Regular Meeting of the Mayor and Council held on December 9, 2014.

Workshop Session of the Mayor and Council held on December 9, 2014.

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

COMMUNICATIONS:

- 1) **NEW JERSEY STATE LEAGUE OF MUNICIPALITIES –**
 - a. Mayor's Advisory –
 - i. 12/11/14, RE: Senate Transportation Committee Takes Testimony from League Leaders
 - ii. 12/11/14. RE: Budgeting for the Elected Official
 - iii. 12/11/14, RE: 99th Conference Follow Up 20 Resolutions Approved
 - iv. 12/11/14, RE: 23rd Annual Mayor's Legislative Day
 - v. 12/12/14, RE: Municipal Leaders Thank Senate President Sweeney
 - vi. 12/16/14, RE: Weekly Policy Update
 - vii. 12/18/14, RE: I. NJLM's 2015 State Legislative Priorities II. Budgeting for the Elected Official
 - viii. 12/18/14, RE: Legislative Alert

RECEIVED AND FILED
- 2) **THE BOROUGH OF ROSELLE PARK –** 12/9/14, RE: Resolution 237-14
RECEIVED AND FILED
- 3) **RAHWAY VALLEY SEWERAGE AUTHORITY –** 12/09/14, RE: RVSA Meeting Notice
RECEIVED AND FILED
- 4) **GARWOOD PLANNING BOARD –** 12/11/14, RE: Minutes of the meeting held on November 12, 2014
RECEIVED AND FILED

ORDINANCES:

Public Hearing on Ordinance 14-16 as advertised in the Westfield Leader on December 11, 2014

ADOPTION:

Municipal Clerk to read Ordinance 14-16 by title only:

ORDINANCE NO. 14-16

AN ORDINANCE TO AMEND §30-14 (GROUP MEDICAL INSURANCE) IN ARTICLE II (EMPLOYEE COMPENSATION AND BENEFITS) IN CHAPTER 30 (PERSONNEL POLICIES) OF THE CODE OF THE BOROUGH OF GARWOOD TO AMEND SUBSECTION B (STATEMENT OF POLICY) TO REFLECT THE PROVISIONS OF L.2011, C. 78, AND TO REPEAL SUBSECTION C (STIPEND ON WAIVER OF GROUP MEDICAL INSURANCE COVERAGE) TO REPEAL THE STIPEND FOR WAIVER OF GROUP MEDICAL INSURANCE COVERAGE.

WHEREAS, the Department of Community Affairs, Division of Local Government Services has promulgated a Best Practices Inventory for the Calendar Year 2014; and

WHEREAS, said Inventory suggests that the need to pay officers and employees money not to take a health insurance benefit they can receive from another source has largely disappeared, because the cost of premium sharing will cause officers and employees to drop coverage if alternate coverage is available; and

WHEREAS, the Mayor and Council of the Borough of Garwood concurs that these incentives are no longer necessary and desires to end the practice of paying a stipend to officers and employees who waive coverage where alternate coverage is available to them; and

WHEREAS, The Mayor and Council desires to reflect the provisions of L. 2011, c. 78, in the Article;

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

SECTION 1. §30-14 (Group Medical Insurance) in Article II (Employee Compensation and Benefits) in Chapter 30 (Personnel Policies) of the Code of the Borough of Garwood is hereby amended by amending Subsection B (Statement of Policy) to read as follows:

B. Statement of Policy:

(1) The Borough offers medical insurance to regular full-time employees and eligible dependents, provided through the State Health Benefits Program, and dental benefits, in accordance with L. 2011, c. 78. Employees are required to contribute towards health care premiums in accordance with L. 2011, c. 78, and contribute towards health care as directed by the laws of the State of New Jersey.

(2) No change.

(3) No change.

(4) No change.

(5) No change.

(6) The Borough shall provide a Dental Plan through the State Health Benefits Dental Plan. The Borough will pay 100% of the cost for a dental DPO for employee and dependents. If the employee wishes to participate in the DEP dental plan, the employee will pay 50% of the premium cost through payroll deduction.

(7) No change.

(8) No change.

(9) No change.

SECTION 2. §30-14 (Group Medical Insurance) in Article II (Employee Compensation and Benefits) in Chapter 30 (Personnel Policies) of the Code of the Borough of Garwood is hereby amended by repealing Subsection C (Stipend on Waiver of Group Medical Insurance Coverage) in its entirety.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 4. 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 5. This ordinance shall take effect upon final passage and publication in accordance with law.

List correspondence concerning Ordinance 14-16. NONE.

Does anyone present wish to be heard concerning Ordinance 14-16? NONE.

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

Motion: Action: ADOPT ORDINANCE 14-16, **Moved by** Councilwoman Todisco, **Seconded by** Council President Tarantino.

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

Yes: Council President Tarantino, Councilman Mathieu, Councilman Nierstedt, Councilman Petruzzelli, Councilwoman Todisco. Ordinance No. 14-16 was adopted.

Excused: Councilman Martin

COMMITTEE REPORTS

POLICE: Councilman Martin, Chr. **ABSENT** **NO REPORT**

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

STREETS AND ROADS/ECOLOGY: Councilman Nierstedt, Chr. **NO REPORT**

FIRE: Councilman Mathieu, Chr.

Thank you Mayor: The Fire Committee hereby approves the membership application for Matthew Rotondo of Clark. He has passed his physical and background requirements. That's all for my report Mayor

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

FINANCE: Councilwoman Todisco, Chr. **NO REPORT**

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

LAWS AND LICENSES: Council President Tarantino, Chr.

Tonight there are two applications for a Raffle Licenses.

The Laws & License Committee recommends the adoption of Resolution No. 14-316, for the application of one On-Premise **50/50** raffle License to be held on March 11, 2015, and one On-Premise 50/50 to be held on June 3, 2015, at The Westwood, 438 North Avenue Garwood, NJ, by **HSA UNION CATHOLIC REGIONAL HIGH SCHOOL**.

That is all for my report Mayor.

Motion: Action: Approve recommendation contained therein, **Moved by** Councilwoman Todisco, **Seconded by** Councilman Petruzzelli.

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

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

LIBRARY, MAYOR'S REPRESENTATIVE: Mayor Quattrocchi

The Garwood Library will be closed on Wednesday and Thursday, December 24 and 25th in recognition of the Christmas holidays. Regular hours of business will be maintained on Friday the 26th and Saturday the 27th.

The Library will also be closed on Wednesday and Thursday, December 31st and January 1st in recognition of the New Years' holiday. Regular hours of business will be maintained on Friday, January 2nd and Saturday, January 3rd. The entire Staff of the Garwood Public Library offers everyone best wishes for a happy holiday season and the best of everything in 2015!

Motion: Action: Approve, **Moved by** Councilman Nierstedt, **Seconded by** Councilman Martin

SCHOOL BOARD LIAISON: Councilwoman Todisco

Thank you, Mayor. I attended the last meeting of the Board of Education on December 16th. Students who earned all as in the 1st marking period were awarded with Honor Society certificates to start the meeting. Then, Board members Mrs. Lewis and Mrs. Greet reported on what they learned at the NJ School Boards Convention. The subjects included Anti-Bullying, Student Achievement and Labor Relations, Open Public Meetings Act, and Leadership Under Fire, which explored the impact of presidential decisions regarding education. In the Buildings and Grounds report, it was stated that the heating system was making some noise, but parts came in and that has been fixed and the chair lift is still being worked on. There was some discussion of Wi-Fi needs and costs associated with that, but the resolution was put on hold later in the meeting. Mediation between the Board of Education and the teacher's union is scheduled for February. The 8th graders did a wonderful job in the play. The PTA has a movie night scheduled for January 23rd. Later in the meeting, the Board approved the first reading of many policies, but decided to push back the second reading in order to give enough time to review them. They are also reviewing a class size policy. Lastly, the annual appreciation dinner hosted by the Education Foundation of Garwood is scheduled for April 23rd at the Westwood and more details are still to come. That's all for my report, Mayor.

Motion: Action: Approve, **Moved by** Councilman Nierstedt, **Seconded by** Council President Tarantino
Council President Tarantino asked how long have teachers been working without a contract. Councilwoman Todisco said approximately one year.

CELEBRATION OF PUBLIC EVENTS AND HOLIDAYS LIAISON: Councilman Martin
ABSENT NO REPORT

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

ATHLETIC FIELD COMPLEX PROJECT COMMITTEE REPRESENTATIVE:

Commented on the ribbon cutting ceremony and other related matters.

Motion: Action: Approve, **Moved by** Council President Tarantino, **Seconded by** Councilman Nierstedt
Councilman Nierstedt thanked Councilman Petruzzelli for his efforts in bringing the project to completion.

OFFICER'S REPORTS:

Chief of Police Bruce Underhill: monthly reports for November 2014

Treasurer/CFO Sandy Bruns: monthly report for November 2014

Municipal Court Administrator Martha Marino: monthly report for November 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. 14-306

Whereas, the Tax Collector of the Borough of Garwood had previously issued a tax sale certificate to FWDSL & Assoc., which certificate is dated July 20th, 2011, covering premises commonly known and referred to as Block 205 Lot 9 as set out on the Borough tax map then in use which certificate bears number **2011-01**.

Whereas, the owner of the property redeemed this certificate on June 11th, 2013.

Whereas, the owner of this property has indicated to the Tax Collector that he has lost or otherwise misplaced the original tax sale certificate and has duly filed the appropriate Affidavit of Loss with the Tax Collector.

Now, therefore, be it resolved by the Mayor and Council of the Borough of Garwood that the Tax Collector of the Borough be and is hereby authorized, upon receipt of the appropriately executed and notarized Loss Affidavit and the payment of a fee of \$100.00 per certificate, to issue an appropriate duplicate tax sale certificate to the said purchaser covering the certificate lost as previously described all in accordance with the requirements of Chapter 99 of Public Laws of 1997.

Be it further resolved that a copy of this Resolution and the Loss Affidavit be attached to the duplicate certificate shall be stamped or otherwise have imprinted upon it the word “Duplicate” as required by law.

RESOLUTION NO. 14-307

BE IT RESOLVED, by the Council of the Borough of Garwood, County of Union, State of New Jersey, hereby awards the Borough’s 2015 Insurance Package to Willis of New Jersey, Inc., 350 Mt. Kemble Avenue, Morristown, NJ, 07960.

RESOLUTION NO. 14-308

STATEWIDE INSURANCE FUND

RESOLUTION TO JOIN (RENEW) THE FUND

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, the Borough of Garwood (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2015** terminating on **January 1, 2018** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) as marked “Yes”:

	YES	NO
Workers’ Compensation & Employer’s Liability	x	<input type="checkbox"/>
Liability, Property, Crime-Faithful Performance and Fidelity, Inland Marine, Boiler and Machinery, Comprehensive General Liability, Auto Liability, Auto Physical Damages and Professional Liability	x	<input type="checkbox"/>
Pollution Liability	x	<input type="checkbox"/>
Umbrella	x	<input type="checkbox"/>

BE IT FURTHER RESOLVED that Christina M Ariemma is hereby appointed as the LOCAL UNIT’s Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

BE IT FURTHER RESOLVED that the LOCAL UNIT’s Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND’s Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT’s admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

RESOLUTION NO 14-309

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Borough of Garwood (hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Union and State of New Jersey, as follows:

1. Mayor and Council hereby appoints Willis of New Jersey, Inc. its local Risk Management Consultant.
2. The Mayor and Municipal Clerk be and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2015 in the form attached hereto.

COST: \$7,467.50

Service agreement includes (4) inspections of equipment and labor as per proposal submitted.

RESOLUTION NO. 14-316

BE IT RESOLVED, by the Mayor and Council of the Borough of Garwood, in the County of Union, State of New Jersey, that the license to conduct an On-Premise 50/50 Raffle, to be held on March 11, 2015, and also one on June 3, 2015, both to be held at the Westwood, 438 North Avenue, Garwood, NJ from 6:30 p.m. to 9:00 p.m., is hereby granted to HSA Union Catholic Regional High School, of Scotch Plains NJ, pursuant to Application Number RA #1029, and RA #1030.

RESOLUTION NO. 14-317

WHEREAS, the Mayor and Council of the Borough of Garwood, County of Union, State of New Jersey, hereby directs the transfers of 2014 budget appropriations be and they are hereby made:

2014 Budget Transfer #2				
Resolution #14-317				
FROM:	Department	Account Name	Account Number	Amount
	Sewer System	Sewer Maintenance	10-14-1-3000-2-1120	450.00
	OEM	Directors Expense	10-14-1-1750-2-0935	300.00
	State Unemployment	Insurance	10-14-1-5304-2-2071	1,250.00
				<u>2,000.00</u>
TO:				
	Buildings & Grounds	Repairs & Contractual Svc	10-14-1-0400-2-0320	2,000.00
			Total	<u>2,000.00</u>

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

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

Yes: Council President Tarantino, Councilman Mathieu, Councilman Nierstedt, Councilman Petruzzelli, Councilwoman Todisco. Consent Agenda was adopted.

Excused: Councilman Martin

RESOLUTIONS DELETED OR REMOVED FROM THE CONSENT AGENDA:

NEW BUSINESS:

Any new business the Mayor and Council may have:

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 Nierstedt

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

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

Excused: Councilman Martin

Mayor Quattrocchi read a statement.

ADJOURNMENT

The Re-organization Meeting of the Mayor and Council will be held on, **FRIDAY, JANUARY 2, 2015**, in Council Chambers at 7:15 p.m.

The Regular Meeting of the Mayor and Council will be held on, **TUESDAY, JANUARY 13, 2015**, in Council Chambers at 7:15 p.m. Workshop Session to start at 7:00 p.m.

Motion: Action: At 8:22 p.m., adjourn, **Moved by** Council President Tarantino, **Seconded by** Councilwoman Todisco.

CHRISTINA M. ARIEMMA, Municipal Clerk
 Borough of Garwood