

A Regular Meeting of the City Council was held Tuesday, January 3, 2012 at 8:30 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Frank J. Calandriello presided. City Clerk Andrew J. Pavlica announced that the meeting was being held in accordance with provisions of the Open Public Meetings Act and that adequate notice was provided by mail and fax to the official City newspapers and to other interested parties and by posting the meeting notice on the bulletin boards in City Hall.

Councilmembers Present: Tana M. Raymond, Joseph Delaney, Louis G. Aloia, and Frank J. Calandriello

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, Labor Counsel Joseph Randazzo, City Engineer Kevin J. Boswell, Interim Chief Financial Officer Roy Riggitano, Superintendent of Public Works Sam Garofalo and Police Chief Kevin Amos

REPORTS OF OFFICERS

Councilmember Delaney moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held earlier this evening. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 4, Vacancy 1

RESOLUTIONS

Resolution No. 12-1

WHEREAS, Fire Company No. 5 has advised that they have accepted Shaun Dabal of 118 Pacific Avenue, Garfield, New Jersey 07026, as a regular active member, effective November 1, 2011, NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 5 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-2

WHEREAS, Fire Company No. 5 advises that Kevin Bolcar, of 42 Market Street, has served as an active member of the Garfield Fire Department for at least twenty-one years and that he is entitled to a twenty-one year badge, and

WHEREAS, the records in the Office of the City Clerk indicate that he has served for a period on twenty-one years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 5 is hereby approved and that the proper officers are hereby authorized to issue a twenty-one year badge to the above named individual.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-3

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2012 described in application, duly filed:

Detour	1 Pool Table	\$	75.00
437 Lanza Avenue	1 Juke Box		50.00
Garfield, NJ 07026		\$	125.00

Regular Meeting January 3, 2012, Continued

RESOLUTIONS

BJ Polonia 126 Ray Street Garfield, NJ 07026	1 Pool Table	\$ 75.00
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		\$ 75.00

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-4

WHEREAS, the City of Garfield provides a Life Insurance Benefit in the amount of \$2,000.00 to City employees and certain volunteers, and

WHEREAS, the City currently procures this coverage through Prudential Insurance and the annual premium costs have proven to be much more than the payout over the years, and

WHEREAS, it is the recommendation of City Manager Thomas J. Duch and Interim Chief Financial Officer Roy Riggitano that this \$2,000.00 life insurance benefit should be self-funded, since prior claims history shows it is cost efficient for the City to change to this procedure,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen, State of New Jersey that the proper officers are hereby authorized to effectuate that the Life Insurance Benefit of \$2,000.00 to City employees and certain volunteers, be self funded by the City of Garfield.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-5

BE IT RESOLVED by the City Council of the City of Garfield that the Tax Collector is hereby authorized to carry out the following directives for the year 2012:

1. Charge 8% interest per annum on the first \$1,500.00 of delinquency and 18% per annum on any amount in excess of \$1,500.00.
2. Charge 18% interest on tax title liens as per R.S. 54:4-67.
3. Allow a grace period of ten days before charging interest, as provided by R.S. 54:4-67, except that if the office of the Tax Collector is closed on the tenth day following the due date for a tax payment, then the grace period shall be extended to include the first business day thereafter.
4. Allow no discount for pre-payment of taxes.
5. Charge an additional end of year penalty of 6% as provided by R.S. 54:4-67 on all delinquencies of unpaid taxes, interest, and other municipal charges, when the total exceeds \$10,000.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-6

A RESOLUTION – AUTHORIZING SETTLEMENT OF TAX APPEAL

PROPERTY OWNER: Safeguard Property, LLC
ADDRESS: 182 Belmont Avenue
LOT: 7
BLOCK: 88.01

Regular Meeting January 3, 2012, Continued

RESOLUTIONS

TAX COURT DOCKET NO:004931-2007, 000687-2008, 000275-2009,
000881-2010, 002355-2011

	Original Assessment 2007	Reduced/Settlement Assessment 2007
Land	\$265,700.00	
Improvements	\$2,734,300.00	
TOTAL	\$3,000,000.00	WITHDRAWN

	Original Assessment 2008	Reduced/Settlement Assessment 2008
Land	\$265,700.00	
Improvements	\$2,734,300.00	
TOTAL	\$3,000,000.00	WITHDRAWN

	Original Assessment 2009	Reduced/Settlement Assessment 2009
Land	\$265,700.00	\$265,700.00
Improvements	\$2,734,300.00	\$1,934,300.00
TOTAL	\$3,000,000.00	\$2,200,000.00

	Original Assessment 2010	Reduced/Settlement Assessment 2010
Land	\$265,700.00	\$265,700.00
Improvements	\$2,734,300.00	\$2,007,300.00
TOTAL	\$3,000,000.00	\$2,273,000.00

	Original Assessment 2011	Reduced/Settlement Assessment 2011
Land	\$750,000.00	\$750,000.00
Improvements	\$4,750,000.00	\$4,250,000.00
TOTAL	\$5,500,000.00	\$5,000,000.00

	Original Assessment 2012	Reduced/Settlement Assessment 2012
Land	\$750,000.00	\$750,000.00
Improvements	\$4,750,000.00	\$4,000,000.00
TOTAL	\$5,500,000.00	\$4,750,000.00

WHEREAS, a real property tax appeal has been filed in connection with the above referenced property; and
 WHEREAS, the within tax appeal has been reviewed by the Tax Assessor, City Attorney as well as the Municipality's Appeal Appraisal Expert. (if applicable); and
 WHEREAS, all professionals have agreed that it would be in the best interest of the Municipality to enter into the settlement described above.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

RESOLUTIONS

A settlement of the above referenced real property tax appeal be and is hereby authorized

The settlement shall be on the terms and conditions described above.

The Municipal attorney is hereby authorized and directed to execute any documents including a Stipulation of Settlement which may be necessary in order to effectuate the provisions of this resolution.

The Tax Assessor is hereby authorized and directed to amend the records of the Municipality to reflect the above referenced settlement.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the City Attorney and the City Tax Assessor.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-7

Resolution: Establishing Amendment to Budget Appropriations for 2012

WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the adoption of the 2012 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, said total temporary appropriations are \$7,952,937.88 inclusive of said resolution.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that the temporary appropriations, as of January 1, 2012, be made and a certified copy of this resolution be transmitted to the City Chief Financial Officer for his records.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-8

RESOLUTION GRANTING A CONTRACT TO OAK HILL CONSTRUCTION AND DEVELOPMENT, LLC FOR THE DEMOLITION OF THE FORMER SALT STORAGE FACILITY AND POLICE PISTOL RANGE

WHEREAS, the rear wall of the former salt storage facility and police pistol range failed thereby requiring the shutdown of both facilities, and;

WHEREAS, the salt storage facility was determined to be functionally obsolete and a new facility was constructed elsewhere at the DPW complex, and;

WHEREAS, a need remains to demolish the failed sections of the structure, and;

WHEREAS, the DPW Superintendent has solicited quotations for the demolition and disposal of the failed building sections, and;

WHEREAS, the lowest quotation was received from Oak Hill Construction and Development Group, LLC in accordance with their proposal dated 12/17/11 in an amount of \$27,696.00 which also provides the City may be entitled to a credit of \$5,000.00 if they supply dumpsters for the disposal of the debris,

NOW THEREFORE BE IT RESOLVED, Oak Hill Construction and Development Group LLC is hereby awarded a contract pursuant to their proposal dated 12/17/11 for a fee not to exceed \$27,696.00.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Joseph Delaney

Regular Meeting January 3, 2012, Continued

CITIZENS AND TAXPAYERS

Mr. Ciro Desclafai, 47 Orchard Street, spoke on the City being given a Safety Award by the Automobile Association of America. He spoke on pedestrian safety issues. He complained about people riding bicycles who do not adhere to the law.

COUNCILMEMBER COMMENTS

Councilmember Raymond wished everyone a Happy New Year. She remarked that she was happy to see the newspaper article in the Record and in the Herald-News that out of the seventy towns in Bergen County, Garfield's taxes were analyzed to be the second lowest in the County.

Councilmember Delaney wished everyone a Happy New Year.

Councilmember Aloia said that he agrees with Councilmember Raymond and said that the four Councilmembers working together not only did not lay off people, but the City put on four new cops.

Mayor Calandriello commented on the article in the Record and the Herald-News and remarked that the average property tax paid by homeowners in the article was \$6,700, but in Garfield it was \$6,458. He wished everyone a Happy New Year. He said that last year was very challenging and this year will be challenging, too. He said that he looks forward to 2012.

CLOSED SESSION

Resolution No. 12-9

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a meeting in certain circumstances, and

WHEREAS, the City Council is of the opinion that such circumstances now exist,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a "Closed Session" is hereby called at 8:50 P.M. Tuesday, January 3, 2012, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Collective bargaining agreements including the negotiation of the terms and thereof with employees or representatives of employees of the public body: (PBA Local No. 46, White Collar and Blue Collar collective bargaining negotiations).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (protestors of the police shooting of December 10, 2011, will gather for two hours in Columbus Park on Saturday, January 8, 2012).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege: (DPW Employee and Fire Chief Kenneth Robertson accompanying PEOSHA Inspector to all five Fire Houses during work hours).
- * Matters involving the employment, appointment, termination of employment terms and conditions of employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (background check of people hired under the FEMA Grant Disaster Relief Employment Program; five DPW employees to obtain CDL Truck Drivers License; DPW Employee David Gonzales being given a D.W.I. summons; former DPW employee Brett Anastos, who resigned and applied for disability, request for reinstatement; DPW employees returning from Workers Comp).

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Tana M. Raymond

EXIT OF DPW SUPERINTENDENT GAROFALO
AND POLICE CHIEF AMOS

At 9:20 PM, Superintendent of Public Works Sam Garofalo left the meeting during Closed Session. At 9:55 PM, Police Chief Kevin Amos left the meeting during Closed Session. It was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 10:05 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 4, Vacancy 1

Andrew J. Pavlica, CITY CLERK