

A Regular Meeting of the City Council was held Tuesday, October 9, 2012 at 8:30 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Joseph Delaney 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: Frank J. Calandriello, Louis G. Aloia, Tana M. Raymond, Glenn A. Mati and Joseph Delaney

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen, Robert Ferrarro of the Law Firm of Bruno and Ferraro (for City Attorney John Bruno), City Engineer Kevin J. Boswell and Interim Chief Financial Officer Roy Riggitano

#### REPORTS OF OFFICERS

Councilmember Raymond 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,  
Abstain 1 – Mayor Delaney

#### RESOLUTIONS

Resolution No. 12-324

WHEREAS, the Garfield Boys & Girls Club “Delaney’s Deputies” Baseball Team came in First Place Undeclared with 9 wins and 1 tie for the 2012 Championship Season, and

WHEREAS, the team is comprised of Derek Pena, Victor Pena, Kyle Demeester, Jaden Guzman, Virgil Crespo, Michael Tirado, Adrian Vargas, David Garcia, Giancarlo Rosario, David Paglione, and Aaron Ponce under the direction of their coaches; Josie DeJesus, Kevin Nolasco, Amel Cajevic, Anthony Zanca and Mike Tirado and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the 2012 Garfield Boys and Girls Club Delaney’s Deputies team,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Garfield Boys and Girls Club Delaney’s Deputies, on their Undeclared Championship 2012 Season.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No, 12-325

WHEREAS, the Garfield Girls Softball League Ditto Services “Killer Bees” Junior Division team are the 2012 City Champs, for the fourth year in a row, and

WHEREAS, the team is comprised of Andrea Cossio, Amber Bak Beltre, Hannah Ponce, Salma Jasser, Tamira Barragan, Aysen Yilmaz, Hailey Guzman, Brielle Toone, C’arah Falone, Shelby Juarez, Emily Sanabria under the direction of their coaches Michelle Nayda, Pat Nayda and Pat Kavinski; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the 2012 Garfield Girls Softball League Ditto Service “Killer Bees” Junior Division team,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Garfield Girls Softball League Ditto Service “Killer Bees” Junior Division, on becoming the 2012 City Champs.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

RESOLUTIONS

Resolution No. 12-326

WHEREAS, the Garfield Girls Softball League Dabals Senior Division are the 1st Place Team in the League for the year 2012 and are the 2012 City Champs, and

WHEREAS, the team is comprised of Kristen Nagy, Rebecca Soares, Alexis Dudek, Kaitlyn Smith, Brianna Ramos, Megan Jones, Alysea Incorvaia, Brianna Incorvaia, Nikita Pate, Danielle Rosa, Allison Smith, Brittany Hicswa, under the direction of their coaches Gerard Rienzi, Barbara Geisler and Stephanie Rienzi; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the 2012 Garfield Girls Softball League Dabals Senior Division team,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Garfield Girls Softball League Dabals Senior Division team on finishing in 1st Place and on becoming the City Champs in 2012.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 12-327

WHEREAS, Fire Company No. 2 has advised that they have accepted Trevor Messina of 160 Hartmann Avenue, Garfield, New Jersey 07026, as a Junior Member, effective May 7, 2012,

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. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 12-328

WHEREAS, Fire Company No. 4 has advised that they have accepted Sebastian Zuniga of 311 Outwater Lane, Garfield, New Jersey 07026, as a Junior Member, effective February 10, 2012,

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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 12-329

A RESOLUTION TO CONFIRM ENDORCEMENT OF COMMUNITY DEVELOPMENT PROJECT FOR THE 2013 CDBG ROAD IMPROVEMENT PROJECT FOR THE 2013 CDBG ROAD IMPROVEMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$168,000.00 has been proposed by the Mayor and Council for the 2013 CDBG Road Improvement Project in the municipality of City of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

RESOLUTIONS

Resolution No. 12-330

A RESOLUTION TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT FOR THE PIERRE AVENUE ROAD IMPROVEMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$474,000.00 has been proposed by the Mayor and Council for the Pierre Avenue Road Improvement Project in the municipality of City of Garfield; and

WHEREAS pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 12-331

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$25,244.00 has been proposed by Children's Aid and Family Services for the Eldercare Expansion Project at Hackensack and Garfield Senior Centers in the City of Garfield, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development Block Grant funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield, Bergen County, and;

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditures of the aforesaid Community Development Funds,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey hereby confirms endorsement of the aforesaid project, and;

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 12-332

BE IT RESOLVED by the Mayor and Council of the City of Garfield that application is made to the NJ Department of Transportation, Local Aid Infrastructure Trust Program for:

River Drive Pedestrian Safety Project

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the City of Garfield for the stated project(s).

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 12-333

A Resolution Authorizing the City Engineer to Advertise for Bids for the Replacement of a Sanitary Sewer Pump Station Within the Borough of Elmwood Park.

RESOLUTIONS

WHEREAS, a Sanitary Sewer Pump Station exists within the Borough of Elmwood, on River Road, and;

WHEREAS, the County of Bergen has agreed to fund the cost of upgrading this sanitary sewer pump station as a pass through expense through the City of Garfield as part of its agreement to fund the River Drive Roadway Improvement Project.

NOW THEREFORE BE IT RESOLVED, the City of Garfield hereby authorizes the public advertisement for the receipt of bids in connection with this improvement on the condition that the City bears no liability for any unreimbursed costs from either the County of Bergen or the Borough of Elmwood Park, and;

BE IT FURTHER RESOLVED, the City Attorney is hereby authorized to draft an inter-local agreement with the Borough of Elmwood Park guaranteeing the payment of all monies to the City in connection with this project.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Frank J. Calandriello

Resolution No. 12-334

A Resolution Authorizing Change Order No. 11 in Connection with the River Drive Improvement Project, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to English Paving Co. in the original contract amount of \$7,544,462.52, and;

WHEREAS, Change Order No. 11 is necessary to adjust As-Built quantities and to compensate for extra work due to various unforeseen conditions encountered.

NOW THEREFORE BE IT RESOLVED, Change Order No.11 in the total amount of \$21,616.50 is hereby approved.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Joseph Delaney

Resolution No. 12-335

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a 9:00 P.M. curfew is hereby established for the nights of October 30, 2012 and October 31, 2012 for all individuals under eighteen years of age, unless they are escorted by an adult, and

BE IT RESOLVED that the Police Department is hereby authorized to enforce this curfew, and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to immediately forward a certified and exact copy of this approved resolution to the Police Chief.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Frank J. Calandriello

BILLS AND CLAIMS

Resolution No. 12-336

RESOLVED by the City Council of the City of Garfield that the following bills No. 1539 to 1540 covering Dog Trust Account And Trust Other Account totaling \$40,843.60, and the Current Fund totaling \$3,981,317.08 and the Current Water Fund totaling \$6,651.57 and the General Capital Fund totaling \$165,244.29 and the Water Capital Fund totaling \$7,330.40 per attached Computer Lists, be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations, and

BILLS AND CLAIMS

BE IT FURTHER RESOLVED that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the Ratification List, which includes eleven (11) items prior to the meeting, be ratified.

See

The

Following

Pages \_\_\_\_\_

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2635

The following entitled ordinance was introduced at a Regular Meeting held September 25, 2012; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO ADOPT THE REDEVELOPMENT PLAN  
FOR THE C-MOR PROPERTY/JEWELL STREET REDEVELOPMENT AREA  
PREPARED BY BURGIS ASSOCIATES, INC. DATED SEPTEMBER 7, 2012

City Clerk Pavlica read the ordinance by title.

Mayor Delaney declared a public hearing on same and asked if there were any objections.

There being none, Mayor Delaney declared the public hearing closed.

Councilmember Mati moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5

CITIZENS AND TAXPAYERS

Mr. Ciro Disclafani, 47 Orchard Street, spoke on Urban Revitalization and Redevelopment and spoke on the need for sufficient public transportation.

Ms. Hope Van Daveer, 153 Palisade Avenue, spoke on her children being charged \$1.50 to be bussed one way to school by New Jersey Transit and she questioned the fare rate.

Mr. Reginald Buggs, 315 Mac Arthur Avenue, spoke and asked questions concerning Police Chief Kevin Amos. He advocated that Chief Amos be dismissed and he gave reasons for his dismissal.

Mr. Ciro Disclafani, was again recognized and he spoke on "Growing Garfield", a program sponsored by the City Health Department to be held on Friday, October 12, 2012 from 6:00 PM to 8:00 PM.

City Manager Thomas J. Duch reported that he has temporarily appointed Casimir Sondej as Acting Municipal Court Judge for the City of Garfield. He spoke on the untimely passing of City Municipal Court Judge Dennis Maycher this past weekend.

COUNCILMEMBER COMMENTS

Councilmember Calandriello said that when Walmart came into town, it was understood that they would make Garfield residents a priority when hiring employees. He spoke on the City Redevelopment.

Councilmember Aloia spoke about having outstanding programs in this town for the youth. He said that there are different and new issues and problems. He also spoke on the City Redevelopment.

Deputy Mayor Raymond spoke on the new grocery store on Midland Avenue. She said that the officials of School No. 7 did a comparison study with the other schools and there is no peak for asthmatics or stomach issues in School No. 7 vs. the other schools. She spoke on the passing of Stewart Walters, a frequent attendee at Council Meetings.

COUNCILMEMBER COMMENTS

Councilmember Mati said that he is working on transportation issues and Redevelopment. He said that City Officials are pushing for these things because there is a desire for the City to look better.

Mayor Delaney said that he sits up here and hears a lot of negative things. He said that there are over 30,000 people in this town and most are happy with this town. He said that Garfield is a good place to live and he said that there is a lot of good stuff going on in this town.

CLOSED SESSION

Resolution No. 12-337

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 9:50 P.M. on Tuesday, October 9, 2012, to discuss the following as outlined in N.J.S.A. 10:4-12:

- \* 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; (White Collar Department Head Salary Ordinance).

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 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

SHORT RECESS, RETURN TO ORDER AND  
EXIT OF CITY ENGINEER BOSWELL

After the City Council voted to go into Closed Session, a short recess was called to move the meeting down the hall to the Conference Room. At 10:00 PM, Mayor Delaney called the meeting to order in Closed Session, and all City Officials were present as before the recess with the exception of City Engineer Kevin J. Boswell. It was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session, at 10:25 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 5

