

A Regular Meeting of the City Council was held Tuesday, July 24, 2012 at 8:55 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, City Attorney John Bruno, Special Labor Counsel John Lavin, City Engineer Kevin J. Boswell, 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 Mati duly seconded the motion.

On call of roll, Ayes 5

COMMUNICATIONS/APPOINTMENTS

City Clerk Andrew J. Pavlica reported that in a letter to him dated today from Mayor Joseph Delaney, the Mayor appointed Ms. Neida Colon, 92 Willard Street, to the Library Board of Trustees as an Ex-Officio Member, to succeed Ms. Leane Surma, 22 Steinberg Avenue, effective immediately, to serve at the Pleasure of the Mayor.

RESOLUTIONS

Resolution No. 12-247

WHEREAS, the Housing Authority of Garfield opened Belmont Gardens located at 377 Midland Avenue, thirty years ago in 1982, and

WHEREAS, three of the original tenants of the Belmont Gardens apartment complex are still residents after all these years, and

WHEREAS, Bernadine Matthews in Apartment 3-D, and Mario and Theresa Raffo in Apartment 1-U, have been residents since Belmont Gardens opened in 1982, and

WHEREAS, the City Council is desirous of publicly recognizing the remaining original tenants, NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Bernadine Matthews and Mario and Theresa Raffo are hereby CONGRATULATED on their 30TH ANNIVERSARY as residents of Belmont Gardens and on being the remaining original tenants after all these years.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 12-248

WHEREAS, Robert Cochrane, was appointed to the Zoning Board of Adjustment pursuant to Resolution No. 08-14, adopted by the City Council at a Regular Meeting held January 8, 2008, and

WHEREAS, his term of office expired December 31, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Robert Cochrane of 72 Manner Avenue is hereby appointed to the Zoning Board of Adjustment as a Regular Member, effective immediately, to succeed himself, for the four year term, said term to expire December 31, 2015.

On call of roll, Ayes 3, Nays 2-
Councilmembers Calandriello and Aloia

(Sgd) Tana M. Raymond
Glenn A. Mati

RESOLUTIONS

Resolution No. 12-249

WHEREAS, Joseph Dymarczyk was appointed as the Second Alternate of the Zoning Board of Adjustment pursuant to Resolution No. 11-101, and

WHEREAS, his term of office expired December 31, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that James Kovacs of 60 Bogart Avenue, is hereby appointed Second Alternate of the Zoning Board of Adjustment, effective immediately, to succeed Joseph Dymarczyk, for the two year term, said term to expire December 31, 2013.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 12-250

RESOLUTION - AUTHORIZING ROAD CLOSURES

WHEREAS, the Calvary Baptist Church of North Jersey at Garfield located at 217-245 Passaic Street has requested permission to host a 2010 Multicultural Festival on Saturday, August 11th, 2012 between the hours of 11:00 AM and 6:00 PM; and

WHEREAS, this Festival has taken place on prior years and the City Council has agreed to continue this tradition by allowing the closure of certain streets; and

WHEREAS, the Calvary Baptist Church of New Jersey at Garfield has indicated that no alcoholic beverages will be sold at this event and have agreed to comply with all reasonable requirements of all applicable municipal agencies with regard to the conduct of this event

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

1. The City Council hereby provides approval for the 2012 Multicultural Festival to be conducted by the Calvary Baptist Church of New Jersey on August 11th, 2012 from 11:00 AM to 6:00 PM.
2. The City Council hereby approves the closure of Westminster Place at Garfield Avenue and Westminster Place to Passaic Street – Naples Place at Farnham Avenue.
3. There shall be no alcoholic beverages sold at the event and the Calvary Baptist Church shall be required to comply with all requirements of the Garfield Police Department and Department of Public Works
4. The applicant shall also be required to secure a parade or special event permit in accordance with the requirements of local ordinance.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Calvary Baptist Church of North Jersey, the City Attorney, Garfield Police Department and the Department of Public Works.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 12-251

RESOLUTION AUTHORIZING STREET CLOSURES FOR MOUNT VIRGIN FESTA ITALIANA

WHEREAS, Our Lady of Mount Virgin Parish, located at 188 MacArthur Avenue, Garfield, New Jersey has, for several years, sponsored its Festa Italiana in honor of Our Lady of Mount Virgin; and

WHEREAS, the Governing Body has, in the past, granted approval to Our Lady of Mount Virgin Parish to close certain streets during the time period within which the feast was going to take place; and

WHEREAS, the Festa Italiana has been conducted, in the past, with great success but the experience of the past several years has resulted in careful consideration of certain conditions which shall be imposed upon the approval for this year; and

WHEREAS, the Parish has now requested permission to conduct its annual Festa Italiana from Thursday, August 9, 2012 through Sunday, August 12, 2012 ; and

WHEREAS, Chapter 106 of the Code of the City of Garfield provides charitable organizations with the authority to conduct such activities with whatever reasonable conditions and approvals are required; and

Regular Meeting July 24, 2012, Continued

RESOLUTIONS

WHEREAS, the Governing Body has reviewed the requests received from Our Lady of Mount Virgin Parish and has heard a presentation of representatives of the Parish and subsequent meetings with the members of the Parish and City Officials and has determined that it would be in the best interests of the City to once again grants such approval with certain conditions.

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

1. Our Lady of Mount Virgin parish is hereby granted approval to conduct its annual Festa Italiana commencing Thursday, August 9, 2012 through Sunday, August 12, 2012; and
2. The following street closures shall be permitted:
 - a. Frederick Street from Harrison Avenue to MacArthur avenue;
 - b. MacArthur Avenue from Frederick Street to Charles Street;
 - c. Charles Street from Harrison Avenue to MacArthur Avenue.
3. The street closures shall commence on Wednesday, August 8, 2012 at 8:00 AM and shall end no later than 11:59 PM on Sunday, August 12, 2012 however, there shall be no parking on said streets commencing on Wednesday, August 8, 2012 at 8:00 AM.
1. Our Lady of Mount Virgin Parish and the Feast Committee shall take any reasonable steps and precautions necessary to protect the health, safety and welfare of the residents of the city of Garfield and shall, additionally, take any reasonable precautions which are available to them in order to minimize any adverse effects on parking and traffic congestion in the area.
5. The Parish shall provide, to the City Manager, prior to commencement of the Feast, a Certificate of Insurance which shall name the City of Garfield as well as its agencies, departments and officials as additional insured for liability purposes.
6. The Police and Ambulance Corps will be assigned an area where a mobile command center will be located.
7. The sponsoring organization shall be fully responsible for the “proofing” of individuals who purchase beer and wine and the organization shall also be responsible for determining the age of individuals who access the segregated area within which beer and wine sales will take place. The Police Department shall assign a Police Officer to the area who will attempt to insure that no alcoholic beverages are consumed in any area other than the segregated area described in the Resolution.
8. Some of the food stands will also be moved to the interior of the church parking lot.
9. In the area where the streets are closed, regulated access will be instituted with a checkpoint to gain entrance to the feast area.
10. A 16 foot emergency lane will be maintained on the westerly side of MacArthur Avenue.
11. There shall be no rap or hip hop bands or rap/hip hop DJs permitted.
12. Sale of alcoholic beverages will stop one (1) hour before the Festival closes for the night.
13. A representative of the Parish shall contact resident homeowners on MacArthur Avenue in order to attempt to address any other concerns that they may have.
14. The parish will offer residents on MacArthur Avenue the right to park in a lot used by the church and owned by Dr. LaBarbera in order to minimize any inconvenience that may be caused.

RESOLUTIONS

15. The site plan shall be in the form attached hereto.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the Our Lady of Mount Virgin parish, the Chief of Police of the City of Garfield, the Department of Public Works for the City of Garfield, the Fire Official for the City of Garfield, Fire Chief Kenneth Robertson and the City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 12-252

WHEREAS, the City Council of the City of Garfield, County of Bergen, State of New Jersey recognizes that abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW THEREFORE, BE IT RESOLVED by the City of Garfield, County of Bergen, State of New Jersey hereby recognizes the following:

1. The City Council of the City of Garfield does hereby authorize submission of an application for the Municipal Alliance grant for calendar year 2013 in the amount of \$15,279.00.
2. The City Council of the City of Garfield Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 12-253

A Resolution Authorizing Change Order No. 3 in Connection with the 2011 CDBG Roadway Improvement Program

WHEREAS, Granada Construction Co. was awarded a contract in connection with the 2011 CDBG Road Program, and;

WHEREAS, Change Order No. 3 is necessary in order to adjust As-Built quantities due to field conditions encountered and for final closeout of this project.

NOW THEREFORE BE IT RESOLVED, Change Order No. 3 for a reduction in the contract amount of \$32,981.85 is hereby approved.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond
Glenn A. Mati

BILLS AND CLAIMS

Resolution No. 12-254

RESOLVED by the City Council of the City of Garfield that the following bill No. 1526 to 1531 covering Dog Trust Account, Police ICE Trust Account, Trust Other and Community Policing Trust Fund totaling \$78,940.37, the Current Fund totaling \$272,431.25 and the Water Fund totaling \$321,554.27 and the General Capital Fund totaling \$10,876.00 and the Water Capital Fund totaling \$17,157.84 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 fifteen (15) items prior to the meeting be ratified.

See

The

Following

Pages _____

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2632

The following entitled ordinance was introduced at a Regular Meeting held June 19, 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:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW
LOADER BACKHOE FOR THE USE OF THE DPW IN, BY AND FOR THE CITY OF
GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE
THE SUM OF \$110,000.00 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT,
TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND
TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION
NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”.

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 Aloia 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 Calandriello duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2633

The following entitled ordinance was introduced at a Regular Meeting held July 10, 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:

BOND ORDINANCE TO AUTHORIZE THE 2012 JOINT
CITY OF GARFIELD/GARFIELD BOARD OF EDUCATION ROAD AND SCHOOL
INFRASTRUCTURE IMPROVEMENTS PROGRAM IN, BY AND FOR THE CITY OF
GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE
THE SUM OF \$1,150,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT,
TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND
TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION
OF THE ISSUANCE OF SUCH BONDS

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 Aloia 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 Calandriello duly seconded the motion.

On call of roll, Ayes 5

CITIZENS AND TAXPAYERS

Mr. Reginald Buggs, 315 Mac Arthur Avenue, asked questions concerning the appointment of a constable.

Mr. Ciro Disclafani, 47 Orchard Street spoke on the Loaves and Fishes Interfaith Food Pantry. He spoke on his conversation with Neil Norrell of the EPA concerning the Chromium Contamination in the First Ward and if it can leak into the City Water System. He spoke on pedestrian safety and the City river walk along River Drive and in the new park. He spoke on the City Redevelopment Agency and the proposed projects.

Mr. Nate Disclafani, 136 Morris Avenue, spoke on the storm water drainage hardship on the City owned abandoned Railroad Property along the Garfield High School Stadium.

Mr. John Easom, 103 Gaston Avenue, spoke on the Friends Albanian Coffee Shop and on crime in Garfield.

Mr. John Caravella, 4 Center Court, spoke on the City Sound System.

Mr. Wayne Harper, 324 Malcolm Avenue, spoke on resident parking around the Plauderville Train Station.

Ms. Sharon Slater, 209 Market Street, said that she was impressed with the new City River Walk and was concerned with needing a Police presence there and pedestrian safety. She spoke on modernizing the Council Chamber. She spoke on the City Redevelopment Agency. She spoke on train crossings in town.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the concern that the Redevelopment on Passaic Street might take business away from downtown Passaic Street. He spoke on the South Garfield Redevelopment Plan. He spoke on pedestrian safety in town. He spoke on the City Redevelopment Agency and the proposed redevelopment at the south end of Walnut Street. He spoke on the Garfield Junior Boilermakers football team winning a championship. He spoke on the need to remove an overgrown tree at the intersection of Midland Avenue and Commerce Street.

Councilmember Aloia spoke on the slow demise of small businesses. He is excited that a McDonald's is planned to be located in Garfield. He spoke on pedestrian safety and cross walks. He spoke on the testing of the City Water showing that there is no detectable chromium in the City's drinking water. He spoke on the proposed Redevelopment at the south end of Walnut Street.

Deputy Mayor Raymond spoke on the Fig Leaf leaving Garfield and small businesses leaving town. She spoke on a Marshall's coming into town and the City changing. She spoke on the Mayor and Council not being included in the Little League Services that were held on Saturday, July 21st and, she wants the President of the Organization notified that all should be treated equally. She asked questions and spoke on Mayor Calandriello's appointment of Dr. Donna Koch in June 2012. She spoke about drugs in Garfield and in Twentieth Century Field.

Councilmember Mati spoke on Redevelopment encouraging businesses to come into the City. He spoke on small businesses losing business. He spoke on the proposed Redevelopment at the intersection of Outwater Lane and River Drive. He spoke on crime in Garfield.

Mayor Delaney spoke on Garfield being mentioned in a newspaper article in The Record regarding pension reform. He spoke on the City Redevelopment. He spoke on the upcoming meeting on Thursday night with Loaves and Fishes. He mentioned that National Night Out is being held in Garfield on August 7, 2012 at 20th Century Field.

Regular Meeting July 24, 2012

ADJOURNMENT

At 10:20 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

Andrew J. Pavlica, CITY CLERK

