

A Regular Meeting of the City Council was held Tuesday, September 25, 2012 at 7:10 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 Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen, Robert Ferrarro of the Law Firm of Bruno and Ferraro (for City Attorney John Bruno) and City Engineer Representative Bernard Mirandi (for City Engineer Kevin J. Boswell)

REPORTS OF OFFICERS

Councilmember Raymond moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held last night. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 12-309

WHEREAS, Fire Company No. 4 has advised that they have accepted Roger O. Daprino of 50 Cottage Place, Garfield, New Jersey 07026, as a regular active member, effective September 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. 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. 12-310

WHEREAS, Fire Company No. 4 has advised that they have accepted John C. Soltys of 44 Divison Avenue, Garfield, New Jersey 07026, as a regular active member, effective September 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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution 12-311

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$20,000.00 has been proposed by North Hudson Community Action Health Center for the purchase of dental equipment in the municipality 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,

RESOLUTIONS

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. 12-312

A RESOLUTION ENDORSING THE FILING OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR PERVIOUS CONCRETE PAVEMENT REHABILITATION OF THE PARKING LOT

WHEREAS, a Bergen County Community Development Grant of \$130,000.00 has been proposed by the Garfield YMCA for pervious concrete pavement rehabilitation of the parking lot located at 33 Outwater Lane, 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 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. 12-313

A RESOLUTION ENDORSING THE FILING OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN CONNECTION WITH THE BOYS AND GIRLS CLUB OF GARFIELD TEEN INITIATIVE

WHEREAS, A Bergen County Community Development Grant of \$51,400.00 has been proposed by the Boys and Girls Club of Garfield, located at 490 Midland Avenue for their Teen Initiative;

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 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) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-314

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$75,000.00 has been proposed by Boys & Girls Club of Garfield for the interior renovation and upgrades project at 490 Midland Avenue 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

RESOLUTIONS

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) Joseph Delaney
Louis G. Aloia

Resolution No. 12-315

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Farnham Avenue Improvement project.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Garfield formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Garfield City-000267 to the New Jersey Department of Transportation on behalf of the City of Garfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Garfield, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Joseph Delaney

Resolution No. 12-316

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE
SUBURBAN ESSEX MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the City of Garfield is a member of the Suburban Essex Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2012 unless earlier renewed by agreement between the Governing Body and the Fund; and

WHEREAS, the board desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The City of Garfield agrees to renew its membership in the Suburban Essex Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Suburban Essex Municipal Joint Insurance Fund evidencing the board's intention to renew its membership.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 12-317

RESOLUTION AMENDING CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, a Resolution No. 11-292, was adopted by the City Council of the City of Garfield held on June 13, 2011, which engaged the services of Arthur R. Thibault, Jr. of the law firm of Apruzzese, McDermott, Mastro & Murphy as Special Council of the City of Garfield in connection

RESOLUTIONS

with the Garfield PBA Local No. 46 grievance PERC Docket No. 2011-397 at a rate of \$165.00 per hour up to a maximum of \$7,500.00.

WHEREAS, there is a need to authorize additional fees for their services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, county of Bergen, State of New Jersey, that Arthur Thibault, Jr. Esq. of the Law Firm of Apruzzese, McDermott, Mastro & Murphy, Liberty Corner, New Jersey to amend the aforementioned Resolution for a total fee not to exceed \$10,000.00.

On call of roll, Ayes 4,
Abstain 1 – Councilmember Calandriello

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 12-318

RESOLUTION AWARDDING CONTRACT FOR STREET SWEEPING OF STREETS IN THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY

WHEREAS, the City of Garfield previously published a notice for bids for Street Sweeping of Streets in the City of Garfield pursuant to resolution of the City Council; and

WHEREAS, pursuant to the aforesaid Resolution, August 21, 2012 at 10:00 a.m. was established for the submission of bids and the opening thereof; and

WHEREAS, the advertisement for the solicitation of bids was published and provided in accordance with the requirements of New Jersey Law more than sixty (60) days prior to the date for submission of bids; and

WHEREAS, a total of four (4) prospective bidders received bid packages in response to the advertisement for bids, as follows:

Company

DLS Contracting Inc.
633 Franklin Avenue, Suite 170
Nutley, NJ 07110

Reilly Sweeping Inc.
748-B Lincoln Blvd.
Middlesex, NJ 08846

NJ Sweeping & Maintenance Co, Inc.
P. O. Box 91
Fair Lawn, NJ 07410

Cristi Cleaning Services
77 Trinity Place
Hackensack, NJ 07601

WHEREAS, at ten o'clock a.m. on Friday, August 21, 2012, a total of two (2) bids were received, as follows:

NJ Sweeping & Maintenance Co, Inc.
P. O. Box 91
Fair Lawn, NJ 07410
\$9,533.33 per month (\$114,399.96 per year)

Cristi Cleaning Services
77 Trinity Place
Hackensack, NJ 07601
\$8,668.13 per month (\$104,017.56 per year)

WHEREAS, the City Attorney together with the Superintendent of the Department of Public Works met and reviewed each of the bids submitted by the two (2) bidders listed above in an effort to

RESOLUTIONS

determine whether each of the bidders was in compliance with the bid specifications and the requirements of law; and

WHEREAS, as a result of the foregoing, the City Attorney and the Superintendent of the Department of Public Works have recommended that the contracts be awarded to the lowest bidder, Cristi Cleaning Services, as described above,

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. A contract for street sweeping services for the City of Garfield, for a period of one (1) year, in accordance with the bid specifications and bids submitted be and is hereby awarded to Cristi Cleaning Services, 77 Trinity Place, Hackensack, New Jersey on their bid in the amount of \$104,017.56 for the total of the one (1) year term of said contract;
2. The award of the aforesaid contract is contingent upon certification, by the Chief Financial Office of the City of Garfield, that sufficient funds exist for this purpose;
3. The contract to be awarded herein to Cristi Cleaning Services shall be in strict compliance with the bid specifications, bid submitted and the requirements of law;
4. The successful bidder described above shall be required to execute an agreement with the City of Garfield in the form prepared or approved by the City Attorney and the Superintendent of the Department of Public Works;
5. The Mayor and the City Clerk are hereby authorized to execute any such contracts on behalf of the City of Garfield.

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 City Attorney, the Superintendent of the Department of Public Works, Chief Financial Officer of the City of Garfield, the City Manager, Cristi Cleaning Services, and all unsuccessful bidders.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-319

RESOLUTION AUTHORIZING SETTLEMENT OF LAWSUIT WITH NORTH JERSEY MEDIA GROUP

WHEREAS, there exists litigation between the North Jersey Media Group and the City of Garfield, in the Bergen County Superior Court, Law Division under Docket No. BER-L-1274-12, and

WHEREAS, as part of the above litigation, there is an award of legal fees to the plaintiff, North Jersey Media Group; and

WHEREAS, the portion of the fees reasonably related to the successful portion of the plaintiff's case is \$5,190.00,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, that the City is authorized to make payment to the North Jersey Media Group in settlement of the above referenced award for legal fees.

On call of roll, Ayes 4,
Abstain 1 – Councilmember Mati

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 12-320

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to over paid taxes for the year 2012.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of taxes for the purpose of noting her records and for mailing to the property owner.

RESOLUTIONS

BLOCK	LOT	OWNER	REASON	AMOUNT
81	34	Bankunited Mortgage Company c/o LERETA, LLC	O/P	\$1,559.35
203.04	7	Bankunited Mortgage Company c/o LERETA, LLC	O/P	\$1,350.84

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 12-321

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to Tax Court Judgment for the year 2010.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
80	12	Three B Holding Co. Inc. c/o John R. Lloyd, Esq. Nowell Amoroso Klein Bierman, P.A.	TCJ	\$1,766.52
203.04	108.01	Randazzo, Anthony & Dawn Marie c/o John R. Lloyd, Esq. Nowell Amoroso Klein Bierman, P.A.	TCJ	\$1,051.50
212	36	Randazzo, Anthony & Dawn Marie c/o John R. Lloyd, Esq. Nowell Amoroso Klein Bierman, P.A.	TCJ	\$1,051.50

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 12-322

RESOLVED by the City Council of the City of Garfield that the following bill No. 1538 covering Dog Trust Account totaling \$2,500.00, and the Current Fund totaling \$496,369.09 and the Current Fund Reserve \$56.25 and the Current Water Fund totaling \$103,226.21 and the General Capital Fund totaling \$148,442.90 and the Water Capital Fund totaling \$4,275.00 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

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 eight (8) items prior to the meeting, be ratified.

See

The
Following

Pages _____
for Bills and Claims

ORDINANCES

Councilmember Mati introduced in writing the following ordinance entitled:

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

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this ordinance entitled: "AN ORDINANCE TO ADOPT THE REDEVELOPMENT PLAN FOR THE C-MOR PROPERTY/JEWELL STREET REDEVELOPMENT AREA PRPARED BY BURGIS ASSOCIATES, INC. DATED SEPTEMBER 7, 2012 do now pass on first reading and remain on filed with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held Tuesday, October 9, 2012 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Aloia, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5.

CITIZENS AND TAXPAYERS

Mr. David Jamenez, 231 Harrison Avenue, said that he is very concerned with the EC Electroplating building located at the intersection of Clark Street and Lincoln Place. He spoke about the DEP Investigation of the Curcio Scrap Metal yard off Midland Avenue in Saddle Brook.

Ms. Claudia Cortez, 147 Malcolm Avenue, asked questions about cancer screenings.

Ms. Jasmine Carbucca, 104 Gaston Avenue, said that she is concerned about the EC Electroplating plant being demolished in October.

Mr. Victor Urbanez, 90 Passaic Street, spoke on the City coming up with a plan and he advocated transferring kids from School No. 7 to another school while the E.C. Electroplating building is being demolished.

Mr. Reginald Buggs, 315 MacArthur Avenue, said that there should be standard operating procedure for disasters. He spoke on the dissemination of information, and the use of all the protocols, including loud speakers on cars. He said that the City Council should consider a bigger venue for holding meetings and should invest in a wireless microphone. He questioned how much power or jurisdiction the City has over children.

Ms. Nilda Onativa, 182 Cambridge Avenue, spoke on the DEP Investigation of old Fire House No. Three located on Willard Street.

Mr. Miguel Reyes, of URGENT, said that during the recent Council Election, the Council should be commended on how great they promoted themselves. He said that he wants to see the same effort in getting the word out about the chromium. He spoke about the City Website.

Ms. Hope Vandermere, 153 Palisade Avenue, complained about property maintenance issues concerning the corner store at the intersection of Palisade Avenue and Commerce Street.

Mr. Miguel Reyes, was again recognized and he complained about property maintenance issues on Passaic Street.

CITIZENS AND TAXPAYERS

Mr. Ciro Disclafani, 47 Orchard Street, spoke on the inconvenience he is experiencing in connection with PSE&G currently replacing the gas main on Orchard Street between Belmont Avenue and Van Winkle Avenue. He spoke on walking along River Drive with Councilmember Mati and County Officials. He said that he wants more crosswalks on River Drive and Midland Avenue. He spoke on property maintenance issues and handicapped access. He complained about street trees being too low. He spoke about getting a skate park and he said he wants laws regulating bicycles in 20th Century Field. He said that there is not enough recreational opportunities for kids in Garfield.

Ms. Lisa Logan, 143 Grand Street, spoke on kids skating. She spoke on the ditch by the Middle School off Lanza Avenue near Fleisher's Brook. She said that she would rather have the kids in the park rather than the ditch.

Ms. Jo Rienzi, 395 Mac Arthur Avenue, spoke on kids playing out in the street. She said that she thinks they should play in the School No. 7 parking lot. She thanked the Council for giving Loaves & Fishes the use of the old Fire House No. Four on the corner of Semel Avenue and Ray Street. She said that she hopes to be in by Thanksgiving and Christmas. She said that she is requesting the back of Fire House No. Four and having the Ambulance and Historical Society moved from that location.

Ms. Marge Paladino, 22 Farnham Avenue, spoke on people helping the Food Pantry.

Ms. Mary Blauvelt, 151 Orchard Street, spoke on the Food Pantry and said that she is so excited about the new location. She thanked each and every City Official for making this happen.

Mr. Ciro Disclafani, was again recognized and he spoke on the enforcement of laws regarding curbing your dog. He suggested passing an ordinance requiring that cyclists ride in the street.

Mr. Reginald Buggs, was again recognized and he suggested amending the political campaign sign ordinance.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the sign ordinance and how it should be modified. He complimented the Redevelopment Agency and the Planning Board and spoke on the Ordinance introduced tonight concerning the Redevelopment of the C-Mor Shade/old Samuel Hird Woolen Mill Property bordered by Jewell Street, Outwater Lane, River Drive and Columbus Avenue.

Councilmember Aloia said that the Redevelopment on River Drive is phenomenal. He spoke on curbing your dog, on amending the sign ordinance and on the food pantry.

Deputy Mayor Raymond spoke on addressing the sign ordinance and on enforcement. She said that skate park liability insurance is phenomenal, and the taxpayers could never afford the insurance. She said that Garfield was approved for additional Fire House generators.

Councilmember Mati said that officials are trying to act as responsible as possible in regard to the Chromium cleanup. He said that the Environmental Protection Agency wants the public to feel as comfortable and secure as possible. He said that he followed every rule during the election and at the next election, which was a Congressional Election, they put whatever size sign they wanted and that was not fair. He suggested the establishment of a Parking Authority which would help free up police for other concerns. He said that if the citizens and the Council work together, problems can be rectified.

Regular Meeting September 25, 2012, Continued

COUNCILMEMBER COMMENTS

Mayor Delaney said that he was impressed with all the parents who attended Back to School Night. He said that he wants the Redevelopment to be more aggressive. He said that McDonalds will soon be in town. He spoke on the Redevelopment of the C-Mor Shade Property. He spoke on the proposed parking enforcement authority. He spoke on proposed amendments to the Political Sign Ordinance. He spoke on the proposed relocation of the Loaves and Fishes Interfaith Food Pantry.

ADJOURNMENT

At 9:50 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