

A Work Session of the City Council was held on Monday, December 3, 2012 at 7:10 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Deputy Mayor Tana M. Raymond presided. City Clerk Andrew J. Pavlica announced that the Work Session 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: Louis G. Aloia, Tana M. Raymond and Glenn A. Mati
Councilmembers Absent: Frank J. Calandriello and Joseph Delaney
Also Present: City Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen, City Attorney Representative Robert Ferraro of the Law Firm of Bruno and Ferraro (for City Attorney John Bruno), Labor Counsel John Lavin, Interim Chief Financial Officer Roy Riggitano, City Engineer Kevin J. Boswell, Superintendent of Public Works Sam Garofalo, Emergency Management Coordinator Michael Marsh and Police Chief Kevin Amos

GARFIELD VOLUNTEER FIRE DEPARTMENT

The City Council and Cabinet met with Assistant Fire Chief John Kopacz concerning the arrival of a new Fire Truck for Fire Company Number Four, expected to arrive within the next month.

PAY TO PLAY REGULATIONS

The City Council and Cabinet discussed Pay to Play Regulations.

ARRIVAL OF COUNCILMEMBER CALANDRIELLO AND MAYOR DELANEY

At 7:20 PM, Councilmember Frank J. Calandriello joined the Work Session. Mayor Joseph Delaney also joined the Work Session at this time, assumed his seat at the head of the Conference Room table and chaired the Work Session from this point forward. It was duly noted for the record.

CLOSED SESSION

Resolution No. 12-435

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 7:25 P.M. Monday, December 3, 2012, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (Proposed hiring of new police officers and proposed promotions of police officers).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Proposed relocation of the Police Station to 340 Outwater Lane).
- * 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; (proposed hiring of new police officers and proposed promotions of police officers).

CLOSED SESSION

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) Tana M. Raymond
Louis G. Aloia

ANNUAL REPORT OF GARFIELD'S MEMBERSHIP IN THE
SUBURBAN ESSEX JOINT INSURANCE FUND

After the City Council came out of Closed Session at 8:15 PM, the City Council and Cabinet met with City Insurance Risk Manager Frank Covelli of Professional Insurance Associates, 429 Hackensack Avenue, Carlstadt, New Jersey 07072 concerning the Annual Report of the Suburban Essex Joint Insurance Fund including recent JIF/MEL Developments involving EPL/POL Alternative Deductibles and Co-Insurance, Loss Control Plan, Cyber Liability Coverage, EJIF Grant for Underground Pipe Testing Enhanced Online Safety Training and Fast Track to Safety and a Synopsis of Coverages provided to the City of Garfield including: Property and Building Contents; Extra Expense; Valuable Papers and EDP Media; Flood Coverage; Earthquake; Boiler and Machinery; Deductibles; Physical Damage, Auto Fleet and Mobile Equipment; Auto Physical Damage Reimbursement for Emergency Service Volunteers; Automobile Liability; General Liability; Law Enforcement Professional Liability; Employee Benefits Liability; the \$20,000.00 Limit of Liability which is layered as follows: the first \$200,000 covered by the Suburban Essex Municipal Joint Insurance Fund (J.I.F.) and the rest (\$19,800,000) covered by the Municipal Excess Liability Fund (MEL); Terrorism coverage; the limits of the Excess Liability Policy; Environmental Liability; Public Officials Liability; Employment Practices Liability; Crime Coverages; Faithful Performance and Employee Dishonesty Bond; Excess Public Official Bond; Workers Compensation; Environmental Liability Coverage provided through the EJIF; Public Officials Bonds and other Insurance Coverages provided by P.I.A., Inc. rather than the J.I.F.

CLOSED SESSION

Resolution No. 12-436

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 8:40 P.M. Monday, December 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; (labor topics of concern with PBA Local No. 46 Representatives Pedro Gongora, Everett Garnto, Gregory Drelich, Claire Follari and Attorney Michael Bukosky).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (labor topics of concern with PBA Local No. 46 Representatives).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Police Lieutenant Anthony Blackfeld vs. the City; Pedro Gongora demand to be promoted to Police Sergeant).

CLOSED SESSION

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) Louis G. Aloia
Tana M. Raymond

EXIT OF POLICE CHIEF AMOS

Immediately after the City Council voted to go into Closed Session, Police Chief Kevin J. Amos left the Work Session and he objected to being asked to leave the Work Session. It was duly noted for the record.

OPEN SESSION

At 8:55 PM, the City Council came out of Closed Session because it appeared that representatives of PBA Local No. 46 were about to talk about specific individuals when they were not provided "Rice Notices" prior to the Work Session. In open session, representatives of PBA Local No. 46 advised that they would not speak specifically about any individuals, but would speak in general terms about topics.

CLOSED SESSION

Resolution No. 12-437

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 9:00 P.M. Monday, December 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; (labor topics of concern with PBA Local No. 46 Representatives Pedro Gongora, Everett Garnto, Gregory Drelich, Claire Follari and Attorney Michael Bukosky).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (labor topics of concern with PBA Local No. 46 Representatives).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Police Lieutenant Anthony Blackfeld vs. the City; Pedro Gongora demand to be promoted to Police Sergeant).

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) Louis G. Aloia
Tana M. Raymond

Work Session December 3, 2012, Continued

ARRIVAL OF CITY MANAGER DUCH

At 9:25 PM, City Manager Thomas J. Duch joined the Work Session during Closed Session and it was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 11:15 PM, there being no further business, Councilmember Calandriello moved to adjourn the Work Session. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK