

A Work Session of the City Council was held on Monday, September 10, 2012 at 6:40 PM in the Cafetorium in the Garfield Middle School, 175 Lanza Avenue, Garfield, NJ 07026.

Mayor Joseph Delaney 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: Tana M. Raymond, Glenn A. Mati and Joseph Delaney  
Councilmembers Absent: Louis G. Aloia and Frank J. Calandriello  
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen, City Engineer Representative Bernard Mirandi (for City Engineer Kevin J. Boswell), Superintendent of Public Works Sam Garofalo, Police Chief Kevin Amos, Police Captain Raymond Kovach, Police Traffic Lieutenant Ronald Polonkay, Emergency Management Coordinator Michael Marsh, Health Department Physician Ronald Riggolosi, Public Health Nurse Darleen Revielle, Sanitarian Mary Giresi, Board of Education Members, Tony Lio, Salvatore Benanti, Richard Giacomarro, Charles Nucifora, Jeffrey Stewart, Anthony "Tom" Barckett, Board of Education Attorney Amy Leftkowitz, Board Administrator Thomas Egan and State Monitor Dr. Lester Richens

#### CHROMIUM CONTAMINATION

Representatives of the U.S. Environmental Protection Agency including EPA On – Scene Coordinator Neil Norrell, EPA Public Affairs Officer Sophia Kelly, EPA Risk Assessor Michael Sivak, EPA Remedial Project Manager Rich Puvogel and EPA Public Affairs Officer Pat Seppi conducted an informational hearing and took questions from the audience concerning the cleanup of the chromium contamination from EC Electroplating located at the intersection of Clark Street and Lincoln Place.

#### EXIT OF MAYOR DELANEY

At 7:05 PM, Mayor Joseph Delaney left the Work Session and it was duly noted for the record.

#### RELOCATION AND CONTINUATION OF WORK SESSION

At 7:50 PM, the remaining Councilmembers left the Middle School to resume the Work Session at City Hall.

A Work Session of the City Council was held on Monday, September 10, 2012 at 8:45 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Deputy Mayor Tana 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: Frank J. Calandriello, Glenn A. Mati and Tana Raymond  
Councilmembers Absent: Louis G. Aloia and Joseph Delaney  
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Robert Ferraro, Esq. of Bruno and Ferraro, (for City Attorney John Bruno), Special Litigation/Labor Counsel John Lavin, City Engineer Kevin J. Boswell, Bernard Mirandi of Boswell Engineering, Superintendent of Public Works Sam Garofalo and Interim Chief Financial Officer Roy Riggitano

#### PROPOSED RELAY FOR LIFE

The City Council and Cabinet met with Ms. Jeanne Cassiano, Mr. Robert Metzger and other individuals concerning a proposed Relay for Life for the Township of Saddle Brook, the Borough of

PROPOSED RELAY FOR LIFE

Lodi and the City of Garfield to be held on May 18, 2013 thru May 19, 2013 at the Little League Turf Field in Belmont Oval located at 60 Spring Street, Garfield.

ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet discussed the Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-052-014, from JDMJ Entertainment, LLC (Pocket License) to 279 Passaic Street, LLC, (Larry Preschel, 907 Prince Street, Teaneck, NJ 07666 – who will own 50% of the shares of the corporation and Jeffrey Raglievch, 23 Rustion Way, Freehold, NJ 07728 – who will own 50% of the shares of the corporation) for licensed premises to be located at 279 Passaic Street, Garfield, NJ 07026.

Applicant Larry Preschel and his Attorney Arthur Linderman were present.

RECESS

At 9:20 PM, a motion was made by Councilmember Mati to take a short recess. The motion was duly seconded by Councilmember Calandriello.

On call of roll, Ayes 3, Absent 2 –  
Councilmembers Aloia and Delaney

RETURN TO ORDER AND RETURN OF POLICE CHIEF AMOS

At 10:05 PM, the Work Session was again called to order by Deputy Mayor Raymond in the Conference Room and all City Officials were present as before the recess. Police Chief Kevin Amos was now present. It was duly noted for the record.

BEST PRACTICES WORK SHEET

The City Council and Cabinet discussed the Best Practices Work Sheet.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. Various grant projects

City Engineer Kevin J. Boswell reported on the following:

1. The written Report of the City Engineer dated September 10, 2012.

City Manager Thomas J. Duch reported on the following:

2. The Bergen County Board of Chosen Freeholders “Access for all Summit” to be held Saturday, September 22, 2012 regarding citizens with disabilities.
3. The proposed relocation of the Loaves and Fishes Interfaith Food Pantry to old Fire House No. Four located at the intersection of Ray Street and Semel Avenue.

City Attorney Representative Robert Ferraro reported on the following:

1. The proposed resolution awarding a contract for Solid Waste and Recycling.

Work Session September 10, 2012, Continued

RETURN OF MAYOR DELANEY

At 10:40 PM, Mayor Joseph Delaney rejoined the Work Session, 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.

RECYCLING

The City Council and Cabinet met with Jerry Torino from Advanced Recycling concerning his recycling bid submitted July 27, 2012.

REPORTS OF OFFICERS

City Attorney Representative Robert Ferraro reported on the following:

2. North Jersey Media Services vs. the City of Garfield Lawsuit and the negotiations concerning payment of legal fees.

CLOSED SESSION

Resolution No. 12-280

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 10:50 P.M. Monday, September 10, 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; (possible need to bring information to the Prosecutors Office or State Attorney General's Office concerning the Police Department and Police Chief).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Recycling bids received on July 27, 2012; Ellen Heine vs City of Garfield; various City Tax Appeals; mediation concerning English Paving Dispute).
- \* 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 progressive discipline policy for Police Department; proposed elimination of the position of Police Chief and Deputy Police Chief and creation of position of Police Director).

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,  
Absent 1 – Councilmember Aloia

(Sgd) Frank J. Calandriello  
Glenn A. Mati

EXIT OF POLICE CHIEF AMOS

Immediately after the City Council voted to go into Closed Session, Police Chief Kevin Amos left the Work Session. It was duly noted for the record.

Work Session September 10, 2012, Continued

EXIT OF VARIOUS OFFICIALS

At 11:35 PM, Interim Chief Financial Officer Roy Riggitano, Superintendent of Public Works Sam Garofalo, Deputy City Clerk Diane Rosolen and City Engineer Kevin J. Bowell left the Work Session. It was duly noted for the record.

ADJOURNMENT

At 12:05 AM, there being no further business, the Work Session was adjourned.

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Andrew J. Pavlica, CITY CLERK