

A Special Meeting of the City Council was held Thursday, September 29, 2011 at 6:40 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Frank J. Calandriello 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: Tana M. Raymond, Louis G. Aloia, and Frank J. Calandriello  
Councilmembers Absent: Joseph Delaney and Stanley J. Moskal  
City Officials Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Labor Counsel Joseph Randazzo, City Engineer Kevin J. Boswell, Superintendent of Public Works Sam Garofalo, Police Chief Kevin Amos and Emergency Management Coordinator Michael Marsh

#### DPW SALT SHED

The City Council and Cabinet met with Superintendent of Public Works Sam Garofalo concerning the proposed construction of a new Salt Shed on Beech Street in the yard of the Department of Public Works located at 413 Midland Avenue to replace the one which collapsed again on or about August 23, 2011.

#### ARRIVAL OF COUNCILMEMBER DELANEY

At 6:50 PM, Councilmember Joseph Delaney joined the Work Session and it was duly noted for the record.

#### REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The last day for property owners to file a claim with FEMA is October 31, 2011.
2. The provisions of the Pension and Health Benefits Reform effective October 1, 2011.
3. The proposed application for the Safe Routes to Schools Grant.
4. The request by PBA Local No. 46 to commence collective bargaining negotiations.
5. The Botany Street, Bloomingdale Avenue and Bogart Avenue Repaving Program.
6. The invitation to the Garfield Mayor and Council from the Wallington Pulaski Memorial Association to attend the presentation of flowers at the monument of General Casimir Pulaski on Saturday, October 1, 2011 at 5:00 PM.
7. The Pulaski Day Parade scheduled to be held in Garfield this coming Sunday, October 2, 2011.
8. The proposed creation of the "Friends of the Garfield Free Public Library" and the proposed donation of \$100.00 from 30 individuals to restore the Christmas Tree Lighting event at the Garfield Free Public Library at 500 Midland Avenue.
9. The landscaping planting to be performed by the Bergen County Environmental Council tomorrow at Dahnert's Lake County Park.
10. The ribbon cutting ceremony of the new Plauderville Train Station Park and Ride facility between Midland Avenue and Outwater Lane scheduled to be held Friday, October 7, 2011 at 10:30 AM.
11. The follow-up visit by representatives of the City Building Department to 181 Chestnut Street resulted in a discovery that an over hang by the side door of the house did not tie the drainage lines into the underground drainage system and seepage pit, and the property owner has been advised to do so by the Building Department.

REPORTS OF OFFICERS

12. He and Mayor Calandriello will be making presentations before the Office of Business Advocacy, which used to be the Office of Smart Growth, in Lawrenceville, New Jersey on Thursday, October 6, 2011, concerning the proposal of the Coremark Group, LLC for the Redevelopment of 7 Jewell Street.
13. The list of 30 classmates that the Reunion Committee of the Garfield High School Class of 1963 of whom the committee is trying to locate.
14. The bus transportation assistance the City has agreed to provide to seniors wishing to attend the Mass for the Anointing of the Sick at Most Holy Name RC Church at 99 Marsellus Place.
15. The Pre-Construction Meeting to be held Wednesday, October 5, 2011 in the Conference Room in City Hall for the 2011 CDBG Road Program.
16. Police Detective Robert Ridarick has put in for his retirement effective December 1, 2011.
17. Every three years, the Green Acres Program inspects parkland acquired and/or developed with the assistance of Green Acres funds and they will be in the City of Garfield the week of October 3, 2011.
18. The City has once again received the annual Emergency Management Assistance Award in the amount of \$5,000.00.
19. The sink hole in the street in front of 84 Irving Place.
20. The inspection by the Department of Public Works of the sanitary sewer lines in the Garwood Court area of the City.
21. Stormwater drainage to Schley Street allegedly from the old Eastern Overall/Sketchley Services site.
22. The US Congress has now passed the temporary spending bill, so FEMA and other important programs are now funded.
23. A public hearing concerning the performance of P.S.E. & G. during Hurricane Irene is scheduled to be held Monday, October 24, 2011 in Mahwah, New Jersey.

RESOLUTIONS

Resolution No. 11-311

BE IT RESOLVED, that the Mayor and Council of the City of Garfield wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$415,915.00 in 2011 Community Development Block for Barrier Free Curb Cuts/Road Resurfacing; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes the City Manager Thomas J. Duch/Mayor Frank J. Calandriello to be a signatory to the aforesaid grant agreements;

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize City Manager Thomas J. Duch/Mayor Frank J. Calandriello to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that the City of Garfield is liable for any funds not spent in accordance with the Grant Agreement; and that the liability of the Mayor and Council is in accordance with HUD requirements.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney  
Tana M. Raymond

RESOLUTIONS

Resolution No. 11-312

A RESOLUTION – AUTHORIZING SETTLEMENT OF TAX APPEAL

PROPERTY OWNER: Edward Adam Kulig  
ADDRESS: 183 Outwater Lane  
LOT: 21  
BLOCK: 42  
TAX COURT DOCKET NO: 018744-2010

	Original Assessment 2010	Reduced/Settlement Assessment 2010
Land	\$126,000.00	\$126,000.00
Improvements	\$221,500.00	\$174,000.00
TOTAL	\$347,500.00	\$300,000.00

WHEREAS, a real property tax appeal has been filed in connection with the above referenced property; and

WHEREAS, the within tax appeal has been reviewed by the Tax Assessor, Township Attorney as well as the Municipality’s Appeal Appraisal Expert. (if applicable); and

WHEREAS, all professionals have agreed that it would be in the best interest of the Municipality to enter into the settlement described above.

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

1. A settlement of the above referenced real property tax appeal be and is hereby authorized
2. The settlement shall be on the terms and conditions described above.
3. The Municipal attorney is hereby authorized and directed to execute any documents including a Stipulation of Settlement which may be necessary in order to effectuate the provisions of this resolution.
4. The Tax Assessor is hereby authorized and directed to amend the records of the Municipality to reflect the above referenced settlement.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the City Attorney and the City Tax Assessor.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 11-313

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from Altura Construction Co., Inc., P.O. Box 160, Garfield, New Jersey for 98 Hudson Street, Block 34.01/Lot 27 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 04/19/2011, said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney  
Tana M. Raymond

CLOSED SESSION

Resolution No. 11-314

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 7:45 P.M. Thursday, September 29, 2011, 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; (meeting with Emergency Management Coordinator Michael Marsh re: the City’s claim to FEMA regarding loses associated with hurricane Irene which struck Garfield August 27-28, 2011; proposed construction of a new salt shed to replace the one which collapsed in the DPW yard located at 413 Midland Avenue).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (meeting with Police Chief Kevin Amos re: proposed Police Chief contract; proposed redevelopment agreement of the block bounded by Outwater Lane, River Drive, Columbus Avenue and Jewell Street)

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 Moskal

(Sgd) Tana M. Raymond  
Louis G. Aloia

SHORT RECESS AND RETURN TO ORDER

Immediately after the City Council voted to go into Closed Session a short recess was called. At 7:50 PM, Mayor Calandriello again called the meeting to order in Closed Session and all City Officials were present as before the recess. It was duly noted for the record.

EXIT OF VARIOUS CITY OFFICIALS

At 7:55 PM, Emergency Management Coordinator Michael Marsh left the meeting; at 8:20 PM, Superintendent of Public Works Sam Garofalo left the meeting; at 9:05 PM, Councilmember Joseph Delaney left the meeting; and at 9:45 PM, Police Chief Kevin Amos left the meeting. It was duly noted for the record.

Special Meeting September 29, 2011, Continued

ADJOURNMENT

After the City Council came out of Closed Session at 10:05 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 3, Absent 2 -  
Councilmembers Delaney and Moskal

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Andrew J. Pavlica, CITY CLERK