

A Special Meeting of the City Council was held Monday, November 29, 2010 at 6:20 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: Louis G. Aloia and Frank J. Calandriello
Stanley J. Moskal was present through telephone communication
Councilmembers Absent: Tana M. Raymond and Joseph Delaney
Also Present: City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo and
Special Counsel Joseph Randazzo

ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet conducted a Disciplinary Hearing of Plenary Retail Consumption License of No 0221-33-049-005 held by Ever Wide, Inc., t/a Nice Food Restaurant, 237 Palisade Avenue, Garfield, New Jersey 07026

The license holder Pan Shoushin was present along with his attorney, Anthony Randazzo, Esq., with law offices located at 246 Edison Street, Clifton, New Jersey 07013.

The following charges were read and the license holder entered a guilty plea on all fifteen charges and accepted the recommended five month suspension of the license from noon Monday, December 6, 2010 to noon on Friday, May 6, 2011; along with a \$2,500.00 monetary penalty to be paid within thirty days:

- CHARGE NO. 1 January 5, 2009
Offer of sale or sale after the legal hours for sale
N.J.A.C.13:2-38.1 or 38.2
- CHARGE NO. 2 January 17, 2009
Sale to Minor
N.J.A.C.13:2023.1(a)
N.J.A.C.13:2-23.1(a)
- CHARGE NO.3 June 3, 2010
Allowing off premises consumption and Failure to maintain employee
worksheet
N.J.S.A.33:1-12
N.J.S.A.33:1-31(h)
N.J.A.C.13:2-23.13(a) (3)
- CHARGE NO.4 June 10, 2010
Offer for sale or sale after legal hours for sale and failure to maintain employee
list
N.J.A.C.13:2-38.1 or 38.2
N.J.A.C.13:2-23.12(a) (3)
- CHARGE NO.5 June 19, 2010
Offer for sale or sale after legal hours for sale
N.J.A.C.13:2-38.1 or 38.2
- CHARGE NO. 6 July 10, 2010
Allowing premises to be operated as a nuisance
N.J.A.C.13:2-23.6(a)(3)
- CHARGE NO. 7 August 14, 2009
Sale to person under legal age and sale after legal hours for sale
N.J.A.C.13:2-23.1(a)
N.J.A.C.13:2-38.1 or 38.2

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- CHARGE NO. 8 August 26, 2009
Sale after legal hours for sale
N.J.A.C.13:2-38.1 or 38.2
- CHARGE NO. 9 October 5, 2009
Sale after legal hours for sale and sale to minor
N.J.A.C.13.2-38.1 or 38.2
N.J.A.C.13:2-23.1(a)
- CHARGE NO. 10 November 20, 2009
Sale after legal hours for sale
N.J.A.C.13:2-38.1 or 38.2
- CHARGE NO. 11 November 29, 2009
Sale after legal hours for sale
N.J.A.C.13:2-38.1 or 38.2
- CHARGE NO. 12 November 25, 2009
Sale after legal hours for sale
N.J.A.C.13:2-38.1 or 38.2
- CHARGE NO. 13 November 29, 2009
Sale after legal hours for sale
N.J.A.C.13:2-38.1 or 38.2
- CHARGE NO.14 December 5, 2009
Vehicle without proper insignia and sale beyond licensed premises
N.J.A.C.13:2-20.4(a)
N.J.S.A.33:1.12
- CHARGE NO. 15 December 23, 2009
Violation of suspension order and prohibited activity during suspension period
N.J.S.A.33:1-31
N.J.A.C.13-2-23-27

ARRIVAL OF POLICE CHIEF AMOS

At 6:40 PM, Police Chief Kevin Amos joined the Special Meeting and it was duly noted for the record.

MOTION TO SUSPEND THE LICENSE

Councilmember Aloia moved to accept the guilty plea of all fifteen charges by the license holder of Plenary Retail Consumption License No. 0221-33-049-005, Ever Wide, Inc., t/a Nice Food Restaurant, 237 Palisade Avenue, Garfield, and the imposition of a 5 month suspension of the license from noon, Monday, December 6, 2010 to noon, Friday, May 6, 2011, along with a \$2,500.00 monetary penalty to be paid within thirty days. Councilmember Moskal duly seconded the motion.

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

RESOLUTIONS

Resolution No. 10-360

WHEREAS, the Boys and Girls Club of Garfield will be hosting their Annual Holiday Gala on Wednesday, December 8, 2010 at the Venetian Restaurant located at 546 River Drive in Garfield, and
WHEREAS, Thomas Rabolli will be honored with an Achievement Award and Thomas Duch, Esq. will be honored with a Service Award, both for the Wall of Champions, and

RESOLUTIONS

WHEREAS, the Mayor and City Council are desirous of publicly recognizing these two fine individuals on their much-deserved honor,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to Thomas Rabolli for his Achievement Award and Thomas Duch, Esq. for his Service Award and for being added to the Wall of Champions by the Boys and Girls Club of Garfield.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 10-361

WHEREAS, a vacancy exists on the Garfield Housing Authority; and

WHEREAS, this vacancy may be filled by the Mayor and Council of the City of Garfield in accordance with the provisions of state law; and

WHEREAS, COUNCILMAN LOUIS G. ALOIA possesses the qualifications for appointment as a commissioner of the Garfield Housing Authority; and

WHEREAS, COUNCILMAN LOUIS G. ALOIA has previously served as a commissioner; and

WHEREAS, the Mayor and council have determined that it would be in the best interest of the City of Garfield to, once again, appoint LOUIS G. ALOIA to the Garfield Housing Authority for a full five (5) year term.

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

COUNCILMAN LOUIS G. ALOIA be and is hereby appointed Commissioner on the Garfield Housing Authority.

This appointment shall take place immediately upon the adoption of the within resolution and shall be for a statutory term of five (5) years.

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 Garfield Housing Authority, Councilman Louis G. Aloia and the office of the City Attorney, Joseph J. Rotolo, Esq.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

ADJOURNMENT

At 6:50 PM, there being no further business, Councilmember Aloia moved to adjourn the meeting. Councilmember Moskal duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK