

A Work Session of the City Council was held Tuesday, February 9, 2010 at 6:10 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Frank J. Calandriello 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: Joseph Delaney, Louis G. Aloia and Frank J. Calandriello  
Councilmembers Absent: Tana M. Raymond and Stanley J. Moskal  
Also Present: City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo and Labor Counsel Joseph Randazzo

#### BERGEN ARTS AND SCIENCES CHARTER SCHOOL

The City Council and Cabinet met with Nihat Guvercin, the Principal of the Bergen Arts and Sciences Charter School located at 200 Mac Arthur Avenue; Mehmet Secilmus, the Board of Education President of the BASCS; and parents and students of the BASCS concerning recent competitive academic achievements of the children of the school. A resolution was read which was scheduled for adoption at the Regular Meeting to be held later this evening.

#### SHORT RECESS, CHANGE OF VENUE, RETURN TO ORDER AND ARRIVAL OF VARIOUS CITY OFFICIALS

At 6:20 PM, a recess was called to move the Work Session down the hall to the Conference Room. At 6:35 PM, Mayor Calandriello again called the Work Session to order and all City Officials were present as before the recess, in addition to Councilmember Tana M. Raymond, City Manager Thomas J. Duch, Police Chief Kevin Amos, Fire Official Gerald Walis, Superintendent of Public Works Sam Garofalo and Interim Chief Financial Officer Roy Riggitano. It was duly noted for the record.

#### ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet discussed the Person to Person and Place to Place Transfer Application of Plenary Retail Consumption License No. 0221-33-069-13 from NJCRY Enterprises, LLC, located at 149 Van Winkle Avenue, Garfield, NJ 07026 (Manuel A. Silva, 257 ½ Walnut Street, 2<sup>nd</sup> Floor, Newark, New Jersey 07105, and Fernando Lavador, 6 Sussex Place, Jackson, New Jersey 08527, who each owns 50% of the shares of the Corporation) to Bergen Heritage Management, LLC, (Giovanni LoGrasso, with 100% of the shares of the corporation) t/a The Bar BQ Grill, 517 River Drive, Garfield, New Jersey 07026 and the need to amend Chapter 73-5 of the City Code which prohibits liquor licenses within 1,000 feet of each other, otherwise the Place to Place transfer would not be permitted pursuant to City Ordinance.

#### PAY TO PLAY APPOINTMENTS

The City Council and Cabinet discussed Pay to Play appointments and the Request for Qualifications received January 22, 2010.

#### ARRIVAL OF CITY ENGINEER BOSWELL

At 7:00 PM, City Engineer Kevin J. Boswell 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 proposed resolution concerning the NJDEP Diversion Request.
2. A proposed resolution concerning Interest Arbitration Reform.
3. Senate Bill S-1 which amends the Fair Housing Act and abolishes the Council on Affordable Housing.

REPORTS OF OFFICERS

4. City Wellfield Evaluation results and the January 13, 2010 meeting concerning the Well Field held at Boswell Engineering in South Hackensack, New Jersey.
5. The proposal to increase the yield of water from Well No. 5.
6. The proposed resolution in opposition of Senate Bill No. S-458 which would consolidate the Tax Collector, Tax Assessor, Health Services and Animal Control Services to the County.
7. The meeting he has been conducting with essential City Personnel in preparation for the snow storm forecast to hit Garfield tonight and tomorrow, and the proposed Reverse 9-1-1 message to be sent out to City residents.
8. The new Recreation Bus which the City just took possession and which the City purchased with a Community Development grant.
9. The proposed new H.A.R.P. Contract with Hackensack University Medical Center.
10. The Community Forestry Management Plan for 2011-2015.
11. He has provided the Office of Congressman Steve Rothman with a list of at least eight proposed City of Garfield projects for consideration in the FY2011 Congressional Appropriations request.

City Engineer Kevin J. Boswell reported on the following:

1. The written Report of the City Engineer dated February 9, 2010.

Interim Chief Financial Officer Roy Riggitano reported on the following:

1. Proposed Municipal Budget, CAP Law and Pension proposals from the State.

City Manager Duch reported on the following:

12. Proposed lighting for the proposed riverfront park along the Passaic River.
13. Proposed night hours for the renewal of the Resident Parking Sticker Program.

CLOSED SESSION

Resolution No. 10-39

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 8:10 PM on Tuesday, February 9, 2010, 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; (White Collar collective bargaining negotiations).
- \* Matters involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds; (negotiations with the County of Bergen for compensation in connection with the taking of City-owned land due to the River Drive widening and realignment project).

CLOSED SESSION

- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (proposed contract with Police Chief Kevin Amos; professional engineering fees to City Engineer Kevin Boswell in connection with the Riverfront Park project).
- \* 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; (animal control services with Lisa DeLaurentis).

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) Joseph Delaney  
Tana M. Raymond

ADJOURNMENT

After the City Council came out of Closed Session at 8:50 PM, the Work Session was adjourned.

---

Andrew J. Pavlica, CITY CLERK