

A Work Session of the City Council was held on Monday, August 9, 2010 at 6:50 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 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, Louis G. Aloia, Stanley J. Moskal and Frank J. Calandriello

Councilmembers Absent: Joseph Delaney

Also Present: City Clerk/Deputy City Manager Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Kevin J. Boswell, Fire Official Gerald Walis, Police Chief Kevin Amos and Interim Chief Financial Officer Roy Riggitano

#### ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet discussed the Person to Person Transfer Application of Plenary Retail Distribution License No. 0221-44-063-002, from Mary & Joseph Tofilski, Ronald & Theresa Pelikan, 76 Jewel Street to Ronald & Theresa Pelikan, 76 Jewel Street, (Ronald and Theresa Pelikan, 228 Hillside Avenue, Saddle Brook, NJ 07662, who will each own 50% of the shares of the partnership), t/a Hy Spirits Wine and Liquor.

Attorney Henry C. Walentowicz of the Law Firm of Celentano, Stadtmauer and Walentowicz, LLP, 1035 Route 46 East, Clifton, NJ 07015, was present, representing the applicant. Also present was applicant Ronald Pelikan.

The City Council and Cabinet discussed the application for re-issuance of Plenary Retail Consumption License No. 0221-33-028-002, held by Mary Godina and Jane M. Piascik, 224 Cedar Street, Garfield to the Estate of Mary Godina (Dennis Yackovetsky, Executor, 362 Cornell Street, Wyckoff, NJ 07481) for the 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011 License terms, which on June 10, 2010, pursuant to NJSA 33:1-12.18, the Director of the Division of Alcoholic Beverage Control issued a Special Ruling allowing the license to be revived beginning with 2001.

#### REPORTS OF OFFICERS

City Clerk/Deputy City Manager Andrew J. Pavlica reported on the following:

1. Community Development Grant Application endorsement requests from Benda-Roehrich VFW Post No.2867 located at 340 Outwater Lane.
2. The need to find a location for a proposed new Police Station.
3. The scheduled grand opening ceremony of the new Walmart Store off Passaic Street on Wednesday, August 18, 2010 at 7:00 AM.
4. The proposed presentation of \$1,000.00 checks to various City organizations from Walmart on Sunday, August 15, 2010 at 8:00 PM.
5. The proposed "Opt Out" Ordinance concerning employee Health Benefits coverage.
6. The proposed resolution to authorize the City Manager to adjust disputed Sewer Bills.
7. The proposed resolution concerning the Elmwood Park Building Department assuming conflict resolution status for Garfield Building Department matters.
8. The proposed resolution concerning Binding Arbitration Reform and the 2% CAP.
9. The need to appoint an Alternate Prosecutor pursuant to NJSA 2B:25-4a, as outlined in a letter dated July 30, 2010, from Bergen County Prosecutor John L. Molinelli to Mayor Frank J. Calandriello.

REPORTS OF OFFICERS

10. The need to address the condition of the small wall at Fire House No. One located at 97 Midland Avenue.
11. The latest check to the City dated July 15, 2010 from Green Sky Industries for recycling materials is \$6,915.39.
12. The deep appreciation and sincere thanks from City Manager Duch for those who expressed sympathy to him and his family on the recent passing of his mother-in-law, Elizabeth "Betty" LaPorte, and for those who expressed concern after the recent back surgery of his mother, Helen Duch.
13. The Handicapped Parking space application filed by Ms. Carla Almoboyed of 55 Passaic Street.
14. The Kalama Chemical Environmental cleanup.
15. The Redevelopment Audit Report submitted by City Auditor Dieter Lerch.

Interim Chief Financial Officer Roy Riggitano reported on the following:

1. The proposed Amendment of the 2010 City Budget at the next Council Meeting.

City Engineer Kevin J. Boswell reported on the following:

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

CLOSED SESSION

Resolution No. 10-237

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 8:00 P.M. on Monday, August 9, 2010, 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 public auction of the old Harrison Avenue Water Tank site and installation of a flag pole monopole on the other parcel; ambulance services; County Prosecutor investigation re: outstanding bills owed by the Junior Boilermakers Football program; vehicles recently parking in front of Mayor and Councilmembers homes possibly as intimidation).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (tax payments owed by the Housing Authority of the City of Garfield).
- \* 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; (need to appoint Alternate Municipal Prosecutor).

Work Session August 9, 2010, Continued

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 4,  
Absent 1 – Councilmember Delaney

(Sgd) Tana M. Raymond  
Louis G. Aloia

ADJOURNMENT

At 8:55 PM, there being no further business, the Work Session was adjourned.

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Andrew J. Pavlica, CITY CLERK