

A Work Session of the City Council was held Tuesday, October 27, 2009 at 6:00 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, Joseph Delaney, Louis G. Aloia, and Frank J. Calandriello

Councilmembers Absent: Stanley J. Moskal

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, Labor Counsel Joseph Randazzo, Superintendent of Public Works Sam Garofalo and Police Chief Kevin Amos

ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet briefly discussed the disciplinary hearing of Plenary Retail Consumption License No. 0221-33-049-005, held by Ever Wide, Inc., (Pan Shoushian, 3694 Kennedy Blvd., Jersey City, NJ 07317 with 100% of the shares of the corporation), t/a Nice Food Restaurant, for licensed premises located at 237 Palisade Avenue.

ARRIVAL OF VARIOUS CITY OFFICIALS

At 6:10 PM, Deputy Mayor Staley J. Moskal, Emergency Management Coordinator Michael Marsh, City Engineer Kevin J. Boswell, Building Inspector Frederick Krowl and Fire Official Gerald Walis joined the Work Session and it was duly noted for the record.

ANNUAL REPORT OF GARFIELD'S MEMBERSHIP IN THE SUBURBAN ESSEX JOINT INSURANCE FUND

The City Council and Cabinet met with City Insurance Risk Manager Frank Covelli, the Public Entities Department Manager of Professional Insurance Associates, 429 Hackensack Avenue, Carlstadt, NJ 07072, who gave the Annual Report of Garfield's Membership in the Suburban Essex Joint Insurance Fund, including recent JIF/MEL Developments involving Public Officials/Employment Practices Liability/2009 Update Requirements from the JIF/MEL and a Synopsis of Coverages provided to the City of Garfield including: Property and Building Contents; Extra Expense; Valuable Papers and EDP Media; Flood Coverage; Earthquake; Boiler and Machinery; Deductibles; Physical Damage, Auto Fleet and Mobile Equipment; Auto Physical Damage Reimbursement for Emergency Service Volunteers; Automobile Liability; General Liability; Law Enforcement Professional Liability; Employee Benefits Liability; the \$20,000,000 Limit of Liability which is layered as follows: the first \$200,000 covered by the Suburban Essex Municipal Joint Insurance Fund (J.I.F.) and the rest (\$19,800,000) covered by the Municipal Excess Liability Fund (MEL); Terrorism Coverage; the limits of the Excess Liability Policy; Environmental Liability; Public Officials Liability; Employment Practices Liability; Crime Coverages; Faithful Performance and Employee Dishonesty Bond; Excess Public Official Bond; Workers Compensation; Environmental Liability Coverage provided through the EJIF; Public Officials Bonds and other Insurance Coverages provided by P.I.A., Inc. rather than the J.I.F. Also mentioned were Statutory Bond Coverages, MEL Safety Institute Alcohol Drug Testing for Commercial Driver's License (CDL) Operators and a 2009 Update on Public Officials/Employment Practices Liability.

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PROPOSED RESTAURANT ROW

The City Council and Cabinet discussed a proposed ordinance to allow plenary retail consumption licenses to be relocated within 1,000 feet of each other along River Drive from Belmont Avenue north to the Elmwood Park border.

UR ENERGY PROPOSAL

The City Council and Cabinet met with Mr. Robert Leonardo, Energy Consultant with UR Energy, 91 Clinton Road, Suite 2-D, Fairfield, NJ 07004, concerning an Executive Summary of their proposed Energy Efficient Lighting upgrade.

ACQUISITION OF EMERGENCY VEHICLES

The City Council and Cabinet met with Police Chief Kevin Amos and Emergency Management Coordinator Michael Marsh concerning the acquisition and cost to the City of a command Bus and an Emergency Vehicle secured through the Port Authority of New York and New Jersey.

RECESS, INSPECTION OF VEHICLES, RETURN TO ORDER AND
ARRIVAL OF INTERIM CFO RIGGITANO

At 7:20 PM, a recess was called to allow the Mayor and City Council to inspect the new emergency vehicles parked in the back of City Hall. At 7:40 PM, Mayor Calandriello again called the Work Session to order and all City Officials were present as before the recess, and Interim Chief Financial Officer Roy Riggitano was now in attendance. It was duly noted for the record.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The retirement luncheon for Water Superintendent Michael Sferruzzo scheduled to be held Friday, October 30, 2009 from noon to 2:30 PM at the Garfield Recreation Center located at 466 Midland Avenue.
2. The Head Start ribbon cutting ceremony scheduled to be held Thursday, October 29, 2009 at the H.E.L.P. Center located at 535 Midland Avenue.
3. Request for Qualifications proposals in regard to the City-wide Revaluation.
4. The meeting he had today with representatives of Saint Mary's Hospital concerning possible cooperative efforts between the hospital and the City.
5. The letter he recently sent to Superintendent of Schools Nicholas Perrapato concerning the COPS in Schools Program and requesting more money this year for the City from the School System.
6. The real estate deal between a church and American Legion Post No. 255 for their property located at 163 Cedar Street has fallen through and perhaps this is an opportunity for the Board of Education to take over half the property and the City take over the other half.
7. The letter that Mayor Calandriello received from a parent of a student concerning their request to the School System for bus transportation reimbursement.

CLOSED SESSION

Resolution No. 09-354

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 7:54 PM on Tuesday, October 27, 2009, 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; (transfer of ownership of land at 783 River Drive from the Passaic River Coalition to the City for use as part of a Riverfront Park).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (request for payroll records of former City Attorney/Labor Counsel Dennis Oury by US Attorney's Office; investigation of theft in connection with LOSAP program allegedly involving firefighter Barry Homyack).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (settlement with Police Officer Marrigi Lopez to return to duty; settlement of Allison Schenk-Obiyo vs. City lawsuit re: handicapped parking space; white collar collective bargaining negotiations; payroll deduction for private employee life insurance coverage; proposed police chief contract).

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 5

(Sgd) Louis G. Aloia
Joseph Delaney

REPORTS OF OFFICERS

After the City Council came out of Closed Session at 8:45 PM, City Engineer Kevin J. Boswell reported on the following:

1. The written Report of the City Engineer dated October 27, 2009.

City Manager Thomas J. Duch reported on the following:

8. The execution of the deeds of the Riverfront Park property.
9. The DOT grant in the amount of \$204,098.00 for the Palisade Avenue Roadway Improvement.
10. The proposed resolution concerning Green Acres grants funding.
11. The rules of conduct signs which will be posted at City Recreation facilities.

Work Session October 27, 2009, Continued

ADJOURNMENT

At 9:00 PM, there being no further business, Councilmember Moskal moved to adjourn the Work Session. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK