

A Work Session of the City Council was held Wednesday, November 7, 2007 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 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 board in City Hall.

Councilmembers Present: Louis G. Aloia, Joseph Delaney and Frank J. Calandriello
Councilmembers Absent: James Krone and Stanley J. Moskal
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Kevin J. Boswell, Superintendent of Public Works Sam Garofalo, Interim Chief Financial Officer Roy Riggitano. Police Chief Robert Andrezzi and Deputy Police Chief Kevin Amos

ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet discussed the Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-002-003 from Belmont Spirits Emporium, Inc. to Apple Food Service of Garfield, LLC, (Edward W. Doherty, 10 Ridge Crest Road, Saddle River, NJ 07458 who will own 99.1% of the shares of the corporation and William A. Johnsen, 84 Bay Point Harbour, Point Pleasant, NJ 08742 who will own .9% of the shares of the corporation), t/a Applebee's Neighborhood Grill & Bar

Attorney John B. Hall, with Law Offices located at One Riverfront Plaza, Fourth Floor, Newark, NJ 07102 was present representing the applicant.

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

The City Council and Cabinet met with City 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 Municipal Joint Insurance Fund including recent JIF/MEL Developments involving Public Officials/Employment Practices Liability/2006 Update Requirements from the JIF/MEL, Crossing Guard Safety Project, MEL Safety Institute, Coverage for Municipal Prosecutors, EJIF Recent Developments: Coverage for Non-Scheduled Underground Storage Tanks, Stormwater Management, Web Based Training; 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; 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 – Learning Management System, the Crossing Guard Safety Program and a 2007 Update on Public Officials/Employment Practices Liability.

CLOSED SESSION

Resolution No. 07-413

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,

CLOSED SESSION

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 6:20 PM on Wednesday, November 7, 2007, 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).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (City Insurance Risk Manager Frank Covelli Re: Suburban Essex Joint Insurance Fund Annual Report).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Subpoena of Police Lieutenant Ronald Polonkay in the Gronostajski and Gronostajski vs. Ricciardi Lawsuit; Records Requests from Ben Maddaloni; Progress of Phase I of the Water System Master Plan and Concerns About Meeting the Projected Completion Date).
- * 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; (Police Detective/Investigator Keith Kopacz Request to Be Assigned As A Sergeant With a Reduction in Pay; Employee Health Benefits Coverage).

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 3, Absent 2 –
Councilmembers Krone and Moskal

(Sgd) Louis G. Aloia
Joseph Delaney

EXIT AND RETURN OF VARIOUS CITY OFFICIALS

At 6:35 PM, Interim Chief Financial Officer Roy Riggitano, City Engineer Kevin J. Boswell and Superintendent of Public Works Sam Garofalo left the Work Session during Closed Session. At 7:05 PM, Police Chief Robert Andrezzi and Deputy Police Chief Kevin Amos left the Work Session during Closed Session. At 7:25 PM, Interim Chief Financial Officer Riggitano returned to the Work Session during Closed Session. At 7:50 PM, City Engineer Kevin J. Boswell, Superintendent of Public Works Sam Garofalo and Police Chief Robert Andrezzi returned to the Work Session during Closed Session. It was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 8:05 PM, there being no further business, Councilmember Delaney moved to adjourn the Work Session. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 3, Absent 2 –
Councilmembers Krone and Moskal

Andrew J. Pavlica, CITY CLERK