

A Regular Meeting of the City Council was held Tuesday, February 26, 2013 at 7:20 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Joseph Delaney 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, Tana M. Raymond, Glenn A. Mati and Joseph Delaney

Councilmembers Absent: Frank J. Calandriello

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen, City Attorney Representative Robert Ferraro of the Law Firm of Bruno and Ferraro (for City Attorney John Bruno), City Engineer Kevin J. Boswell and Rob Haag of the Auditing Firm of Lerch, Vinci and Higgins

#### REPORTS OF OFFICERS

Councilmember Raymond moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held earlier this evening. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

#### INTRODUCTION OF 2013 MUNICIPAL BUDGET

See

the

following

pages numbered \_\_\_\_\_

for

RESOLUTIONS

Resolution No. 13-65

WHEREAS, Aleksandra Zieba will celebrate her 100th Birthday on Sunday, March 3, 2013, and WHEREAS, her family and friends will hold a birthday party in her honor on March 9, 2013 at The Venetian Restaurant located at 546 River Drive, Garfield, and WHEREAS, the City Council is desirous of joining the chorus of those extending birthday greetings to her and of those acknowledging this outstanding human achievement,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that upon the occasion of her Hundredth Birthday on March 3, 2013, Aleksandra Zieba is hereby honored for her exemplary and inspiring long life and offered sincere best wishes for continued good health and happiness.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 13-66

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2013 described in application, duly filed:

Craft Beer, LLC 142 Outwater Lane Garfield, NJ 07026	1 Juke Box	\$ 75.00
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		\$ 75.00
KATS Unlimited LLC 133 Monroe Street Garfield, NJ 07026	1 Pool Table 1 Juke Box	\$ 75.00 50.00
		<hr/>
		\$ 125.00
Detour 437 Lanza Avenue Garfield, NJ 07026	1 Pool Table 1 Juke Box	\$ 75.00 50.00
		<hr/>
		\$ 125.00

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-67

WHEREAS, Fire Company No. 2 advises that Ruben Paz-Julca, of 33 Division Avenue, Garfield, New Jersey has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and WHEREAS, the records in the City Clerk’s Office indicate that he has served for a period of seven years,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 2 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen’s Certificate to the above named individual.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

RESOLUTIONS

Resolution No. 13-68

WHEREAS, Fire Company No. 4 has advised that they have accepted the resignation of Sebastian Zuniga of 311 Outwater Lane, Garfield, NJ as a junior member, effective November 12, 2012, NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-69

WHEREAS, Anthony Shupenko, was appointed to the Zoning Board of Adjustment as a Regular Member pursuant to Resolution No. 09-8, adopted by the City Council at a Regular Meeting held January 13, 2009, and

WHEREAS, his term of office expired December 31, 2012,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Paul Houlis, 41 Schley Street, Garfield, New Jersey, is hereby appointed as a Regular Member of the Zoning Board of Adjustment, effective January 1, 2013 to succeed Anthony Shupenko for the full four year term, said term to expire December 31, 2016.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-70

WHEREAS, Zoning Board of Adjustment First Alternate Paul Houlis has been appointed as a Regular Member of the Zoning Board of Adjustment,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Gerald Wich, 28 Pleasant Avenue, is hereby appointed as the First Alternate of the Zoning Board of Adjustment, effective immediately, to succeed Paul Houlis for the unexpired term, said term to expire December 31, 2013.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-71

WHEREAS, Zoning Board of Adjustment Third Alternate Gerald Wich has been appointed as a the First Alternate of the Zoning Board of Adjustment,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Romi Herrera, of 158 Main Street, is hereby appointed as the Third Alternate of the Zoning Board of Adjustment, effective immediately, to succeed Gerald Wich, for the two year term, said term to expire December 31, 2014.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-72

RESOLUTION – ENTER INTO A SHARED SERVICES MUTUAL AID AGREEMENT FOR THE CRITICAL INCIDENT TASK FORCE

WHEREAS, a Critical Incident Command and Communications Task Force has been formed to provide the skills and equipment necessary to better manage a disaster or major emergency; and

WHEREAS, this task force will be comprised of five municipalities, the Borough of Paramus, the Borough of Fair Lawn, the Village of Ridgewood, the City of Garfield and the Borough of River Edge; and

RESOLUTIONS

WHEREAS, the goals of the task force include: to share command and communications vehicles, equipment, and manpower from each agency to form an integrated mobile operations center possessing the technology and trained personnel to manage a critical incident, to standardize equipment and purchase cooperatively; and

WHEREAS, this plan will provide a uniform procedure for the seamless transition of mutual aid between participating municipalities in the event of an emergency; and

WHEREAS, the Mayor and Council of the City of Garfield hereby endorses the policies set forth by the Task Force and is in favor of the City participation in a Mutual Aid Plan and Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that it endorses the concept of a Share Services Mutual Aid Agreement with the Borough of Paramus, the Borough of Fair Lawn, the Village of Ridgewood and the Borough of River Edge for the purposes proposed by the Critical Incident Command and Communications Task force and urges the early completion of a draft mutual aid agreement for final consideration and approval; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that a Certified copy of this approved resolution be forwarded by the City Clerk, to the Bergen County Division of Emergency Management, the Borough of Paramus, the Borough of Fair Lawn, the Village of Ridgewood and the Borough of River Edge.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-73

WHEREAS the City of Garfield wishes to prevent sale or distribution of alcohol and tobacco to under-aged children, and

WHEREAS the Mayor and Council have received complaints about such conduct,

NOW THEREFORE BE IT RESOLVED that the City of Garfield approves the distribution of the attached flier. Distribution shall be made by the Garfield Police Department and such City Employees as the City Manager may designate. Distribution shall be made to all commercial enterprises within the City and to any other person or entity to which the City Manager or his designee may deem appropriate.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-74

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2009.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
2.01	1.01	Hubschman & Roman Attorneys for 75 River Road, LLC	TCJ	\$ 8,187.90
77.01	9	325 Midland Avenue, LLC	TCJ	1,040.39
88.01	11	325 Midland Avenue, LLC	TCJ	4,591.61

On call of roll, Ayes 3,  
Abstain 1- Councilmember Mati,  
Absent 1 - Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

RESOLUTIONS

Resolution No. 13-75

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2010.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
2.01	1.01	Hubschman & Roman Attorneys for 75 River Road, LLC	TCJ	\$ 8,407.79

On call of roll, Ayes 3,  
Abstain 1- Councilmember Mati,  
Absent 1 - Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-76

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2011.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
27	1	John R. Lloyd, Esq., Nowell Amoroso Klein Bierman, P.A.	TCJ	1,332.32
76.02	25	Winnie, Banta Hetherington ,Basralian And Kahn Trust Account	TCJ	22,883.95
77.01	9	325 Midland Avenue, LLC	TCJ	43.52
78	3	Gary Zalarick, Esq.	TCJ	1,728.87
88.01	11	325 Midland Avenue, LLC	TCJ	2,667.05
156	33	The Irwin Law Firm Attorney Trust Account	TCJ	628.68

On call of roll, Ayes 3,  
Abstain 1- Councilmember Mati,  
Absent 1 - Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 13-77

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2012.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

RESOLUTIONS

BLOCK	LOT	OWNER	REASON	AMOUNT
76.02	25	Winnie, Banta, Hetherington, Basralian And Kahn Trust Account	TCJ	23,290.90
77.01	9	325 Midland Avenue, LLC	TCJ	585.72
88.01	11	325 Midland Avenue, LLC	TCJ	4,634.06

On call of roll, Ayes 4, (Sgd) Louis G. Aloia  
 Absent 1 – Councilmember Calandriello Tana M. Raymond

Resolution 13-78

WHEREAS the Receiver of Sewer reports that she has received a request from the following property owners for a refund due to over paid sewer for the year 2013.  
 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Sewer for the purpose of noting her records and for mailing to the property owner.

SEWER ACCT #	OWNER	REASON	AMOUNT
4-13-43	Korczak, Zdzislaw & Teresa	O/P	\$215.00
1-4-197	Turco, Grace	O/P	\$330.00
1-3-130	Nizborski, Dawid	O/P	\$82.50

On call of roll, Ayes 4, (Sgd) Louis G. Aloia  
 Absent 1 – Councilmember Calandriello Tana M. Raymond

Resolution No. 13-79

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to over paid taxes for the year 2013.  
 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
135.01	24	Riccelli, Dominick & Rosalie	O/P	\$387.91

On call of roll, Ayes 4, (Sgd) Louis G. Aloia  
 Absent 1 – Councilmember Calandriello Tana M. Raymond

Resolution No. 13-80

WHEREAS, legislation has been introduced to reform and modernize the Open Public Meetings Act (S-2511); and  
 WHEREAS, the Mayor and Council of the City of Garfield agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

RESOLUTIONS

WHEREAS, the changes, however, proposed in S-2511 will not only be a cost driver for local and State government but make government less effective; and

WHEREAS, S-2511 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process; and

WHEREAS, S-2511 creates a new definition of subcommittees that expands subcommittees to be overly inclusive; and

WHEREAS, subcommittees would be required to provide public notice of subcommittee meetings, if the governing body determines them to be open; and

WHEREAS, subcommittees would be required to submit at least one report to the governing body detailing the number of meetings, names of members of the committee and a concise statement of the matters discussed. The governing body would be required to establish a schedule of when the subcommittee reports shall be filed; and

WHEREAS, subcommittees do not commit the governing body to action or expend public funds; and

WHEREAS, the requirements for subcommittees meetings would, among other things, necessitate additional administrative support for all subcommittees as well as increased legal advertising cost; and

WHEREAS, the new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and

WHEREAS, the new requirement that the public be allowed to speak for a minimum of three minutes, at the start of the public meeting, without the ability of the public body to limit the length of the public comment could disrupt public meetings, lead to filibustering and prevent the governing body from conducting business; and

WHEREAS, the provisions of S-2511 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

WHEREAS, the totality of the new requirements of S-2511 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

WHEREAS, the provisions of S-2511 continue to exempt the Legislature from the requirements placed on municipalities; and

WHEREAS, while we appreciate Senator Weinberg's efforts to address our concerns, we must continue to oppose the amendments to the Open Public Meeting Act as the changes proposed in S-2511 will not only be a cost driver for local and State government but make government less effective;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield, for reasons stated above, does hereby oppose S-2511, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills, and

BE IT FURTHER RESOLVED that the Mayor and Council of the City of Garfield does hereby strongly urge the Legislature, in the interest of transparency and openness, to remove the various exceptions in the Open Public Meetings Law that apply to the Legislature. The rules that the legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials; and

BE IT FURTHER RESOLVED that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, the legislators of the City of Garfield, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

On call of roll, Ayes 3,  
Abstain 1- Mayor Delaney  
Absent 1 -Councilmember Calandriello

(Sgd) Louis G. Aloia  
Tana M. Raymond

RESOLUTIONS

Resolution No. 13-81

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the following individual is hereby appointed to the Garfield Historical Society Advisory Board pursuant to Chapter 49-111 et. seq. of the Code of the City of Garfield and NJSA 40:81-13:

Anthony Shupenko III, 2 Garden Court North, Garfield

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to forward a CERTIFIED copy of this approved resolution to the appointee and City Historian Elizabeth Gray.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Tana M. Raymond  
Glenn A. Mati

Resolution No. 13-82

WHEREAS the City of Garfield wishes to enter into a contract for the sale of its recyclable materials; and  
WHEREAS the Mayor and Council have received proposals from Atlantic Coast Fibers and Green Sky Industries, which proposals are for a three year period; and  
WHEREAS, this contract may be awarded without competitive bidding; and  
WHEREAS, the proposal from Atlantic Coast Fibers is the most beneficial to the City;  
NOW THEREFORE BE IT RESOLVED that the Mayor and Council City of Garfield hereby authorize the City Manager to enter into an agreement with Atlantic Coast Fibers for a three year period on such other terms as he shall deem appropriate.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

(Sgd) Glenn A. Mati  
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 13-83

RESOLVED by the City Council of the City of Garfield that the following bills No. 1571 through 1572 covering Escrow Developers Trust and Trust Other, totaling \$44,924.96 and the Current Fund Reserve totaling \$34,803.83 and the Current Fund totaling \$144,011.95 and the Current Water Fund totaling \$71,953.98 and the General Capital Fund totaling \$12,676.99 and the Water Capital Fund totaling \$2,325.00 per attached Computer Lists, be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations, and  
BE IT FURTHER RESOLVED that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the Ratification List, which includes eleven (11) items prior to the meeting be ratified.

See

The

Following

ORDINANCES

Ordinance No. 2641

The following entitled ordinance was introduced at a Regular Meeting held February 26, 2013; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO CREATE AN ECONOMIC DEVELOPMENT  
ADVISORY COMMITTEE IN THE CITY OF GARFIELD  
CHAPTER FIVE  
ARTICLE IV  
ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

City Clerk Pavlica read the ordinance by title.

Mayor Delaney declared a public hearing on same and asked if there were any objections.

Ciro Disclafani, 47 Orchard Street, asked questions concerning the ordinance.

There being no further objections, Mayor Delaney declared the public hearing closed.

Councilmember Raymond moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4, Absent 1 – Councilmember Calandriello

Ordinance No. 2642

The following entitled ordinance was introduced at a Regular Meeting held February 26, 2013; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO CREATE AN EVENT PLANNING AND RECREATION  
ADVISORY COMMITTEE IN THE CITY OF GARFIELD AND TO REPEAL  
CHAPTER FIVE  
ARTICLE V  
EVENT PLANNING AND RECREATION ADVISORY COMMITTEE

City Clerk Pavlica read the ordinance by title.

Mayor Delaney declared a public hearing on same and asked if there were any objections.

There being none, Mayor Delaney declared the public hearing closed.

Councilmember Raymond moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4, Absent 1 – Councilmember Calandriello

Ordinance No. 2643

The following entitled ordinance was introduced at a Regular Meeting held February 26, 2013; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

ORDINANCES

AN ORDINANCE TO AMEND AND REVISE 48-18D (1) OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "MEMBERSHIP," TO REMOVE PROVISIONS REQUIRING MEMBERS OF THE SPECIAL POLICE UNIT TO BE CITIZENS OF THE CITY OF GARFIELD

City Clerk Pavlica read the ordinance by title.

Mayor Delaney declared a public hearing on same and asked if there were any objections.

There being none, Mayor Delaney declared the public hearing closed.

Councilmember Raymond moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4, Absent 1 – Councilmember Calandriello

Ordinance No. 2644

The following entitled ordinance was introduced at a Regular Meeting held February 26, 2013; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND AND REVISE 48-1 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "DEPARTMENT ESTABLISHED, PERSONNEL" TO ADD THE POSITION OF SPECIAL POLICE OFFICERS

City Clerk Pavlica read the ordinance by title.

Mayor Delaney declared a public hearing on same and asked if there were any objections.

There being none, Mayor Delaney declared the public hearing closed.

Councilmember Raymond moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4, Absent 1 – Councilmember Calandriello

Ordinance No. 2645

The following entitled ordinance was introduced at a Regular Meeting held February 26, 2013; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND AND REVISE 128-4 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FEES"

City Clerk Pavlica read the ordinance by title.

Mayor Delaney declared a public hearing on same and asked if there were any objections.

There being none, Mayor Delaney declared the public hearing closed.

ORDINANCES

Councilmember Raymond moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4, Absent 1 – Councilmember Calandriello

Councilmember Mati introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE CHAPTER 278 OF THE CITY  
CODE OF THE CITY OF GARFIELD ENTITLED “SMOKING”

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “AN ORDINANCE TO AMEND AND REVISE CHAPTER 278 OF THE CITY CODE OF THE CITY OF GARFIELD ENTITLED “SMOKING” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held March 12, 2013 at 7:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Raymond, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Calandriello.

Councilmember Mati introduced in writing the following ordinance entitled:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK”, do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held March 12, 2013 at 7:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Raymond, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Calandriello.

CITIZENS AND TAXPAYERS

Mr. Ciro Disclafani, 47 Orchard Street, spoke on pedestrian safety and advocated the creation of an advisory board concerning public safety. He said that he witnessed a transgression of justice at the Little Falls Municipal Court. He spoke on how Wayne Harper was being treated by the Court

CITIZENS AND TAXPAYERS

which is hearing the matter regarding him being cited for harassment by the Bergen County Prosecutor's Office in connection with the Malik Williams investigation. He said that final summation is scheduled for March 6, 2013.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that he cannot see why there should not be another Advisory Board. He praised Ciro Disclafani's passion for improving the conditions and safety of the town. He spoke on the ordinance introduced tonight which will prohibit smoking in public parks. He spoke on the good character of Wayne Harper. He said that he advocates the employment of citizens in our City, yet he has to vote in favor of an ordinance not restricting where someone lives, so the Garfield Police Department can be accredited.

Deputy Mayor Raymond said that creating a Pedestrian Safety Board will raise awareness. She said that Coach Wayne Harpers reputation and good character speaks for itself. She said that by October 2013, Well 1A at the intersection of Midland Avenue and Outwater Lane, should be up and running which is expected to help the City produce 85% of our own water. She said that every gallon of water the City can produce on its own is one less gallon that the City needs to purchase from the Passaic Valley Water Commission at a higher rate. She said with every new development coming into town, there will be a lot of stores coming up and City Officials should meet and encourage the store owners and managers to hire Garfield people. She advocated the drafting of a letter to be signed by the City Council in favor of Wayne Harper. She said that the City will not spend money to appeal a decision handed down by the State Public Employment Relations Commission Hearing Examiner regarding an unfair practice charge PBA Local No. 46 had filed against the City following a March 24, 2011 meeting between union leaders and the Police Chief. She said that a newspaper article said that the Chief intends to appeal the decision, but she will not use taxpayers money to pay for that appeal.

Councilmember Mati said that he concurs with the comments about the PBA decision and he said that the City should not appeal the decision of the Public Employment Relations Commission. He spoke on the ordinance concerning Special Police Officers. He spoke about enforcement of pedestrian and traffic regulations. He said that Wayne Harper has excellent character but the Judge hearing the case was not allowing character witnesses. He said that the City was going through a difficult time and Wayne Harper is a passionate guy. He said that he feels for him and believes that the County Prosecutor was being petty in charging him on a harassment charge. He said that Coach Harper worked hard and got a degree late in life to be able to work with kids. He said that he hopes that the charges are dropped so that Coach Harper can move on to the things he cares about most.

Mayor Delaney said that Wayne Harper dedicates a lot of time to the children of Garfield and that Coach Harper is a great guy. He spoke on Romi Herrera being appointed tonight to the Zoning Board of Adjustment. He spoke on quality of life issues and the ordinance establishing Smoke Free Parks in Garfield. He spoke on the need for increased Property Maintenance enforcement in Garfield. He spoke on the establishment of Advisory Committees. He spoke on a proposed Multi-Cultural Event in a City park.

ADJOURNMENT

At 8:15 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Calandriello

