

A Regular Meeting of the City Council was held Tuesday, March 26, 2013 at 8:45 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: Frank J. Calandriello, Louis G. Aloia, Tana M. Raymond, Glenn A. Mati and Joseph Delaney

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

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 Aloia duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 13-103

RESOLUTION – AUTHORIZING APPOINTMENT OF GRANTS CONSULTANT

WHEREAS, the Mayor and Council believe that it would be in the best interests of the City of Garfield to retain a Grants Consultant in connection with the procurement of Grants, low interest loans and passive economic benefits for specific projects within the City of Garfield, all of which shall be at the direction of the City Manager;

WHEREAS, the Mayor and Council have received a presentation from Millennium Strategies; and
WHEREAS, this company possesses the qualifications, experience and background which would best serve the City of Garfield as a grants consultant; and

WHEREAS, a Contract may be awarded without the necessity of public bidding in accordance with the provisions of N.J.S.A. 40A:11-5(m) for this purpose; and

WHEREAS, the award of a Contract is contingent upon certification by the Chief Financial Officer that sufficient funds exist for this purpose.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

1. Millennium Strategies, be and is hereby appointed as a Grant Consultant for the City of Garfield in connection the procurement of Grants, low interest loans and passive economic benefits for specific projects within the City of Garfield as may be specifically directed by the City Manager.
2. The City of Garfield will pay Millennium Strategies 1,500.00 per month retainer toward their billing rate \$95.00 per hour for grant writing services to be determined by the City Manager.
3. Millennium Strategies will bill the City of Garfield monthly.
4. The contract may be terminated at any time by the City of Garfield with 30 days prior notice.
5. Millennium Strategies will only work on such grants as specifically directed by the Garfield City Manager.

RESOLUTIONS

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Millennium Strategies, the City Attorney, and the Chief Financial Officer of the City of Garfield.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 13-104

A Resolution Authorizing Change Order No. 5 & Final in Connection with the Lanza Avenue Improvements, Midland Avenue Sidewalk Improvements and Passaic Street Streetscape

WHEREAS, English Paving was awarded a contract in connection with the improvement of Lanza Avenue, as well as sidewalk repairs on Midland Avenue and Passaic Street, and;

WHEREAS, the as-built quantities resulted in a decrease in the contract amount of \$72,470.69.

NOW THEREFORE BE IT RESOLVED, Change Order No. 5 and Final for a reduction in the contract amount of \$72,470.69.

NOW THEREFORE BE IT RESOLVED, Change Order No. 5 and Final for a reduction in the contract amount of \$72,470.69 is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 13-105

WHEREAS the Receiver of Sewer Collections reports that she has received a request from the following property owner for a refund due to an Overpayment 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 Sewer Collections for the purpose of noting her records and for mailing to the property owner.

| Account # | OWNER | REASON | AMOUNT |
|-----------|--------------|--------|-----------|
| 1-1-16 | Jafar, Najib | O//P | \$ 255.00 |

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 13-106

RESOLVED by the City Council of the City of Garfield that the following bills No. 1575 through 1579 covering Trust Other, Escrow Developers Trust Account and Dog Trust Fund, totaling \$111,954.07 and the Current Fund Reserve totaling \$21,862.99 and the Current Fund totaling \$4,979,488.07 and the Current Water Fund totaling \$99,136.34 and the General Capital Fund totaling \$10,956.00 and the Water Capital Fund totaling \$31,215.00 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 twenty one (21) items prior to the meeting be ratified.

See The Following

Pages _____

ORDINANCES

Ordinance No. 2648

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, March 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:

ORDINANCE TO AMEND AND REVISE CHAPTER 242 AND CHAPTER 287
OF THE CITY CODE 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 Mati 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 Aloia duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2649

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, March 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 A PEDESTRIAN AND PUBLIC SAFETY ADVISORY
COMMITTEE IN THE CITY OF GARFIELD
CHAPTER FIVE ARTICLE VI
PEDESTRIAN SAFETY 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.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on the ordinance.

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

Councilmember Mati 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 Aloia duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2650

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, March 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 ARTICLE II CHAPTER 188
OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ZONING BOARD OF
ADJUSTMENT," MORE PARTICULARLY CHAPTER 188-19.B THEREOF, ENTITLED
"APPEALS AND APPLICATIONS," TO ADD PROVISIONS REGARDING THE
BOARD'S ABILITY TO WAIVE APPLICATION REQUIREMENTS

ORDINANCES

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 Mati 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 Aloia duly seconded the motion.

On call of roll, Ayes 5

Councilmember Mati introduced in writing the following ordinance entitled:

AN ORDINANCE CREATING THE POSITION OF
FIRE AND POLICE PHYSICIAN

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “AN ORDINANCE CREATING THE POSITION OF FIRE AND POLICE PHYSICIAN”, 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 April 9, 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 3, Abstain 2 – Councilmembers Calandriello and Aloia.

CITIZENS AND TAXPAYERS

Ms. Joyce Uram, 37 Schley Street, asked questions regarding the proposed new Police Station.

Mr. Miguel Reyes, 91 Passaic Street, spoke on the proposed new Police Station. He thanked City Manager Duch for meeting with URGENT and for taking very serious their proposals and for implementing a City Gun Buy Back Program.

Mr. John Petrovics, said that he was a City Employee. He said that he heard that the City will hold a Memorial Day Parade and Fourth of July Fireworks this year and he questioned who will be sponsoring these events.

Mr. Ciro Disclafani, 47 Orchard Street, suggested a Laser Light Show and Concert rather than Fireworks. He said that it would not be as dangerous and would be more spectacular.

COUNCILMEMBER COMMENTS

Councilmember Calandriello said that he was absent from the first meeting when the Budget was discussed and introduced. He wished everyone a Happy Easter and said that it is a great time of year when the weather is getting warmer.

COUNCILMEMBER COMMENTS

Councilmember Aloia spoke on the proposed new Police Station, its proposed location, and the financial impact on the taxpayers. He said that we should continue to embrace the safety of the Police and he spoke on the Gun Buy Back Program. He said that there is something aesthetically special about the Fireworks. He wished everyone a Happy Easter.

Deputy Mayor Raymond said that she would like City Water and Facilities Manager Willard Bierwas to be put on the agenda for one of the April Work Sessions concerning the Water System and Water Billing. She spoke on attempting to resolve Blue Collar Collective Bargaining Negotiations.

Councilmember Mati thanked URGENT for being so active regarding the Gun Buyback Program. He wished everyone a Happy Easter and a Happy and Healthy Holiday. He said that a new Police Station will change the mindset of the Police and the community in a positive way. He thanked Tony Lio, Nick Milevski and Edward Puzio for their service on the Board of Education.

Mayor Delaney spoke about property on Mac Arthur Avenue. He spoke on the Gun Buy Back Program and he spoke on the proposed construction of the new City Police Station. He said that there is something special about a fireworks show. He thanked Tony Lio for taking time away from his family to do a thankless job on the Board of Education. He wished everyone a Happy Easter and he wished City Clerk Drew Pavlica a Happy Birthday.

ADJOURNMENT

At 9:30 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK