

A Regular Meeting of the City Council was held Tuesday, April 9, 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 Ferraro of the Law Firm of Bruno and Ferraro (for City Attorney John Bruno), City Auditor Dieter Lerch 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 last night. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 4,  
Abstain 1 – Councilmember Aloia

#### PUBLIC HEARING ON THE 2013 MUNICIPAL BUDGET

Mayor Delaney declared a public hearing on the 2013 Municipal Budget and asked if there were anyone present to speak for or against the introduced Budget or had any questions or comments regarding the same.

There being no one desirous of speaking on the 2013 Municipal Budget, Mayor Delaney declared the public hearing closed.

#### ADOPTION OF THE 2012 MUNICIPAL BUDGET

Resolution No. 13-108

See

the

following pages\_\_\_\_\_

for

the

Adoption of 2013 Municipal Budget

RESOLUTIONS

Resolution No. 13-109

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the following are appointed to the Emergency Management Council:

|                   |                                |
|-------------------|--------------------------------|
| Michael Marsh     | OEM Coordinator                |
| Sam Garofalo      | Deputy Coordinator             |
| John Keating      | Asst. Coordinator              |
| Ronald Polonkay   | Asst. Coordinator – PD Traffic |
| Joseph Delaney    | Mayor                          |
| Kenneth Robertson | Department of Public Works     |
| Mary Giresi       | Health Inspector               |
| Kevin Amos        | Police Department              |
| John Kopacz       | Fire Department                |
| Alan Tani         | Fire Department – HazMat       |
| Thomas Duch       | City Manager                   |
| Robert Pavlick    | Red Cross                      |
| Arthur Higgins    | HUMC EMS                       |

On call of roll, Ayes 4,  
Abstain 1 – Councilmember Mati

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 13-110

WHEREAS, there are numerous white and blue collar disciplinary matters currently pending that require a hearing; and

WHEREAS, the City Manager is authorized and empowered by State Law and local ordinance to delegate his authority to preside over disciplinary hearings; and

WHEREAS, in the City's best interest to appoint a neutral and experienced hearing officer to preside over the white and blue collar disciplinary hearings; and

WHEREAS, upon the recommendation of the City's Special Litigation and Labor Counsel and the City Manager, the City wishes to appoint the Hon. Robert R. Guida, J.S.C. (Ret.) as hearing officer for certain pending white and blue collar disciplinary matters; and

WHEREAS, the City has evaluated the anticipated amount of work that the hearing officer will amount to less than \$17,500.00;

WHEREAS, acting as a hearing officer in discipline matters constitutes legal services as defined by the New Jersey Local Public Contracts Law and is therefore exempt from public bidding requirements but a copy of this resolution will be published in in the City's official newspapers;

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the City Manager is hereby authorized to enter into a professional services contract with the Hon. Robert R. Guida, J.S.C. (Ret.). as discussed herein where he shall be authorized act as hearing officer for certain white or blue collar disciplinary matters pending in the City; and

BE IT FURTHER RESOLVED, that the Hon. Robert R. Guida, J.S.C. (Ret.). shall be compensated \$300.00 per hour, to be billed by the tenth of an hour; for his services as hearing officer; and

BE IT FURTHER RESOLVED, the City Clerk shall cause to be published notice of the award of the Professional Services Contract as required by the New Jersey Local Public Contracts Law.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Joseph Delaney

Resolution No. 13-111

RESOLUTION AUTHORIZING ENTRY INTO AN INDEMNITY AND HOLD HARMLESS AGREEMENT WITH THE BOROUGH OF HASBROUCK HEIGHTS IN CONNECTION WITH THE EXCHANGE OF MUNICIPAL EQUIPMENT

WHEREAS, the Police Department of the Borough of Hasbrouck Heights and the City of Garfield seek to enter into a confidential agreement for the mutual loan of equipment.

WHEREAS, the respective municipalities seek to enter into an indemnity and hold harmless agreement with each other in respect to such exchange, and

RESOLUTIONS

WHEREAS, the proposed mutual loan of equipment is in the best interests of the City of Garfield, NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen and State of New Jersey, that there is hereby authorized the entry into a confidential indemnity and hold harmless agreement with the Borough of Hasbrouck Heights in connection with the proposed confidential arrangement for the mutual loan of equipment, and BE IT FURTHER RESOLVED that the Mayor and the Clerk be and they are hereby authorized and directed to execute the same and cause its delivery in due course.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 13-112

AUTHORIZE SHARED SERVICE AGREEMENT BETWEEN BOROUGH OF ELMWOOD PARK & CITY OF GARFIELD CONSTRUCTION OF KIPP AVENUE PUMPING STATION

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:65-1, et seq., the “Uniform Shared Services and Consolidation Act” local units may share services; and

WHEREAS, Municipalities through the State of New Jersey have been encouraged to enter into such shared services agreements in order to consolidate services and preserve economic resources; and

WHEREAS, the Borough of Elmwood Park and the City of Garfield have engaged in various discussions regarding the sharing of the Construction of Kipp Avenue Pumping Station; and

WHEREAS, the Borough of Elmwood Park and the City of Garfield believe that it would be in the best interests of the Municipalities to share the services of the construction of the Kipp Avenue Pumping Station; and

WHEREAS, it is the intent of this resolution to authorize an agreement for the sharing of such services to extend from March 21, 2013 to August 1, 2013 in order to complete the construction of the Kipp Avenue Pumping Station.

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

1. A Shared Services Agreement with the Borough of Elmwood Park be and is hereby authorized.
2. This agreement shall be in the form annexed hereto or in such other form as approved by the Mayor and Council after consultation with the City Attorney.
3. The agreement shall be in compliance with and this resolution shall be in furtherance of the provisions of the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq.
4. This contract shall be for a period commencing on March 21, 2013 through August 1, 2013.

NOW THEREFORE BE IT FURTHER RESOLVED that the Municipal Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the Borough of Elmwood Park, Municipal Engineer Boswell McClave, the City Attorney John J. Bruno, Jr. and the State of New Jersey Department of Community Affairs.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 13-113

Bergen County Law Enforcement Mutual Aid

WHEREAS, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

RESOLUTIONS

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A.40A:14-156, N.J.S.A.40A:14-156.1, N.J.S.A.40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

WHEREAS, it is the desire of the Mayor and Council of the City of Garfield to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield that the Police Department of the City of Garfield, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

On call of roll, Ayes 4,  
Abstain 1 – Councilmember Mati

(Sgd) Tana M. Raymond  
Joseph Delaney

Resolution No. 13-114

A RESOLUTION SUPPORTING PSE&G'S ENERGY STRONG PROGRAM

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

WHEREAS, the State of New Jersey has experienced a series of extreme weather events over the last two years, including but not limited to: Hurricane Irene, the October 2011 snowstorm, Superstorm Sandy and an accompanying Nor'easter;

WHEREAS, the City of Garfield was impacted by said extreme weather events, including but not limited to: losing power to over 90% of the City for several days, damage occurred to the following City Properties; old GVAC Building, Roof and Interior damage, Police Pistol Range Roof, fencing around water works property on Blvd in Elmwood Park as well as, damage to well house #2 due to fallen tree on electrical service to wellhouse.

WHEREAS, Public Service Electric and Gas Company (PSE&G) provides the City of Garfield electric and/or gas service;

WHEREAS, said extreme weather events severely damaged PSE&G infrastructure, including but not limited to; flooded electrical substations due to storm surges, downed power lines and poles due to high winds and fallen trees, and the destruction of gas meters due to contact with water.

WHEREAS, said damages to PSE&G infrastructure contributed to the City of Garfield said impacts;

WHEREAS, the New Jersey Board of Public Utilities (BPU) issued an order on January 23, 2013 directing the State's electric and gas utilities, including PSE&G, to implement certain recommendations in the areas of: "Preparedness efforts", "Communications", "Restoration and response", "Post event", and "Underlying infrastructure issues";

WHEREAS, PSE&G submitted an infrastructure filing on February 20, 2013 entitled "Energy Strong";

WHEREAS, "Energy Strong" proposes an investment of \$3.9B worth of infrastructure projects over a 10-year period to enhance PSE&G's electrical and gas system, including but not limited to: fortifying electrical stations, replacing and modernizing cast iron gas mains, deploying smart grid technologies, improving pole distribution systems, creating more redundancies, undergrounding of electricity lines, and protecting gas metering stations;

WHEREAS, the City of Garfield would benefit from the proposed investments in the "Energy Strong" filing;

RESOLUTIONS

NOW, THEREFORE, BE IT RESOLVED, that the City of Garfield formally declares its support for PSE&G's "Energy Strong" program.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 13-115

A RESOLUTION AUTHORIZING THE CITY OF GARFIELD TO PERMIT THE SOLAR PROJECT TO CONTINUE AT THE DEPARTMENT OF PUBLIC WORKS FACILITY AT 413 MIDLAND AVENUE

WHEREAS, the City had originally entered into a Power Purchase Agreement with Amberjack Solar Energy for the provision of solar voltaic systems on twelve of its municipal buildings; and WHEREAS, a portion of this work involved roof replacement at the Department of Public Works facility prior to the City putting the project on hold, and

WHEREAS, Amberjack Solar Energy installed a new roof on portion of the Department of Public Works facility prior to the City putting the project on hold, and

WHEREAS, the City has decided to forego moving ahead with the project in its totality and instead wishes to proceed only with the solar installations at the Department of Public Works facility, and

WHEREAS, the City wishes to pay the amount on outstanding work in association with the roof replacement, totaling \$62,240;

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Garfield hereby authorizes payment for the aforementioned portion of the project to Amberjack Solar Energy. Furthermore, Amberjack Solar Energy will complete the installation of solar panels at the Department of Public Works facility and will provide the reduced electrical rates in accordance with the original terms of the Power Purchase Agreement.

On call of roll, Ayes 4,  
Nay 1 – Councilmember Aloia

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 13-116

A Resolution Authorizing Payment to the City Engineer in Connection with Charges Incurred With the Reactivation of Well 8R.

WHEREAS, Resolution No. 11-261 initially authorized engineering services in the amount of \$10,000 for the reactivation of Well 8R, and;

WHEREAS, An Ordinance was adopted providing for engineering charges, as well as other improvements to Well 8R in order to place this well back into service, and;

WHEREAS, Additional engineering charges were necessary in order to secure NJDEP approval and further that this well is currently back in service and operating, and;

WHEREAS, Additional charges in the amount of \$25,575.85 were incurred, and;

WHEREAS, A remaining balance of \$22,000 currently remains in the aforementioned Bonding Ordinance.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized payment in the amount of \$22,000 and will issue a credit in the amount of \$3,575.85 so that additional bonding to cover these charges will not be necessary.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 13-117

WHEREAS, 222 Outwater Lane, LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 128, Lot 38, commonly known as 222 Outwater Lane, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011, bearing Docket No. 009550-2011; and

WHEREAS, Robert Mc Nerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Tesser & Cohen, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011 as follows:

RESOLUTIONS

| Year                        | Land         | Improvements | Total          |
|-----------------------------|--------------|--------------|----------------|
| 2011<br>Original Assessment | \$167,200.00 | \$993,700.00 | \$1,160,900.00 |

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

| Year               | Land         | Improvements | Total          |
|--------------------|--------------|--------------|----------------|
| 2011<br>Settlement | \$167,200.00 | \$932,800.00 | \$1,100,000.00 |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and  
 BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 4,  
 Abstain 1 – Councilmember Mati

(Sgd) Tana M. Raymond  
 Joseph Delaney

Resolution No. 13-118

WHEREAS, Garfield Properties LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 149.02, Lot 44, commonly known as 77 Prospect Street, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2012, bearing Docket No. 004394-2012; and  
 WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Tesser & Cohen, have recommended that the appeal be settled; and  
 WHEREAS, said property was assessed for the year(s) 2012 as follows:

| Year                        | Land         | Improvements | Total          |
|-----------------------------|--------------|--------------|----------------|
| 2012<br>Original Assessment | \$420,000.00 | \$682,300.00 | \$1,102,300.00 |

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

| Year               | Land         | Improvements | Total          |
|--------------------|--------------|--------------|----------------|
| 2012<br>Settlement | \$420,000.00 | \$630,000.00 | \$1,050,000.00 |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and  
 BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
 Tana M. Raymond

Resolution No. 13-119

WHEREAS, Somerset Realty Corp., is the owner of real property known on the Tax Map of the City of Garfield as Block 2.02, Lot 10, commonly known as 1 River Drive, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011 and 2012, bearing Docket No. 017769-2011 and 000309-2012; and  
 WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Tesser & Cohen, have recommended that the appeal be settled; and

RESOLUTIONS

WHEREAS, said property was assessed for the year(s) 2011 and 2012 as follows:

| Year                        | Land        | Improvements | Total       |
|-----------------------------|-------------|--------------|-------------|
| 2011<br>Original Assessment | \$11,200.00 | \$0.00       | \$11,200.00 |
| 2012<br>Original Assessment | \$11,200.00 | \$0.00       | \$11,200.00 |

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

| Year               | Land        | Improvements | Total       |
|--------------------|-------------|--------------|-------------|
| 2011<br>Settlement | \$11,200.00 | \$0.00       | \$11,200.00 |
| 2012<br>Settlement | \$11,200.00 | \$0.00       | \$11,200.00 |
| 2013<br>Settlement | \$11,200.00 | \$0.00       | \$11,200.00 |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 13-120

WHEREAS, Somerset Realty Corp., is the owner of real property known on the Tax Map of the City of Garfield as Block 2.01, Lot 1.02, commonly known as 49 River Drive, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011 and 2012, bearing Docket No. 017769-2011 and 000309-2012; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Tesser & Cohen, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011 and 2012 as follows:

| Year                        | Land           | Improvements   | Total          |
|-----------------------------|----------------|----------------|----------------|
| 2011<br>Original Assessment | \$2,523,800.00 | \$4,845,300.00 | \$7,369,100.00 |
| 2012<br>Original Assessment | \$2,523,800.00 | \$4,845,300.00 | \$7,369,100.00 |

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

| Year               | Land           | Improvements   | Total          |
|--------------------|----------------|----------------|----------------|
| 2011<br>Settlement | \$2,523,800.00 | \$4,465,000.00 | \$6,988,800.00 |
| 2012<br>Settlement | \$2,523,800.00 | \$4,365,000.00 | \$6,888,800.00 |
| 2013<br>Settlement | \$2,523,800.00 | \$4,365,000.00 | \$6,888,800.00 |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

RESOLUTIONS

BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Joseph Delaney

Resolution No. 13-121

WHEREAS, Robert Benanti, INC., is the owner of real property known on the Tax Map of the City of Garfield as Block 144, Lot 14, commonly known as 625 Midland Ave, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2010, 2011 and 2012, bearing Docket No.019974-2010, 018186-2011, 018412-2012; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Tesser & Cohen, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2010, 2011 and 2012 as follows:

| Year                        | Land         | Improvements | Total        |
|-----------------------------|--------------|--------------|--------------|
| 2010<br>Original Assessment | \$230,000.00 | \$221,900.00 | \$451,900.00 |
| 2011<br>Original Assessment | \$465,100.00 | \$340,700.00 | \$796,800.00 |
| 2012<br>Original Assessment | \$465,100.00 | \$340,700.00 | \$796,800.00 |

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

| Year               | Land         | Improvements | Total        |
|--------------------|--------------|--------------|--------------|
| 2010<br>Settlement | \$230,000.00 | \$135,000.00 | \$365,000.00 |
| 2011<br>Settlement | Withdrawn    | Withdrawn    | Withdrawn    |
| 2012<br>Settlement | \$465,100.00 | \$258,900.00 | \$715,000.00 |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Joseph Delaney

Resolution No. 13-122

WHEREAS, 860 River Drive INC. is the owner of real property known on the Tax Map of the City of Garfield as Block 201, Lot 20, commonly known as 872 River Drive, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011 and 2012, bearing Docket No. 008984-2011 and 004543-2012; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Tesser & Cohen, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011 and 2012 as follows:

| Year                        | Land        | Improvements   | Total          |
|-----------------------------|-------------|----------------|----------------|
| 2011<br>Original Assessment | \$560,00.00 | \$1,180,000.00 | \$1,740,000.00 |
| 2012<br>Original Assessment | \$560,00.00 | \$1,180,000.00 | \$1,740,000.00 |

RESOLUTIONS

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

| Year            | Land      | Improvements | Total     |
|-----------------|-----------|--------------|-----------|
| 2011 Settlement | Withdrawn | Withdrawn    | Withdrawn |
| 2012 Settlement | Withdrawn | Withdrawn    | Withdrawn |
| 2013 Settlement | Withdrawn | Withdrawn    | Withdrawn |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and  
BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 13-123

RESOLVED by the City Council of the City of Garfield that the following bills No. 1580 through 1581 covering Dedicated Penalty Trust Fire Department and Dog Trust Fund, totaling \$528.20 and the Current Fund Reserve totaling \$1,635.00 and the Current Fund totaling \$972,628.34 and the Current Water Fund totaling \$1,283.10 and the General Capital Fund totaling \$10,367.12 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

Pages \_\_\_\_\_

for

Bill

And

Claims

ORDINANCES

Ordinance No. 2651

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 CREATING THE POSITION OF  
FIRE AND POLICE PHYSICIAN

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 Raymond duly seconded the motion.

On call of roll, Ayes 3, Nays 2 –  
Councilmembers Calandriello and Aloia

Councilmember Raymond introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 5 ARTICLE III OF  
THE CITY CODE OF THE CITY OF GARFIELD  
ENTITLED “ENVIRONMENTAL COMMISSION”

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 5 ARTICLE III OF THE CITY CODE OF THE CITY OF GARFIELD ENTITLED ENVIRONMENTAL COMMISSION”, 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 23, 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 Aloia, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

Councilmember Raymond introduced in writing the following ordinance entitled:

ORDINANCE REGULATING THE PLACEMENT AND USE  
OF CHARITABLE CLOTHING BINS

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this ordinance entitled: “ORDINANCE REGULATING THE PLACEMENT AND USE OF CHARITABLE CLOTHING BINS”, 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 23, 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.

ORDINANCES

The motion, duly seconded by Councilmember Aloia, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on various items:

1. The Freddie Porter Scholarship Fund Beefsteak Fundraiser to be held Friday, May 3, 2013 at 7:00 PM at the Frank B. Calandriello Senior Center located at 480 Midland Avenue.
2. The old Fire Truck of Fire Company No. Four has been successfully tested and he is working with a sales broker from Pennsylvania in order to get the best price from the sale of the truck.
3. The Memorandum issued to the Water Department regarding the need to make water line repairs to streets before paving takes place as part of the 2013 Roadway Improvement Project. PSE&G was also contacted requesting any underground work be performed before paving.
4. The beefsteak fundraiser in memory of Karen Calandriello, a librarian at the Garfield Free Public Library and the Garfield Middle School, scheduled to be held Saturday, May 11, 2013 with the proceeds benefitting the Garfield Library.
5. The presentation by Dennis Serritella for the proposed creation of the Assistant Recreation Director position to improve recreational opportunities with the City Recreation Department, School System, YMCA, Boys and Girls Club and other organizations.
6. The City of Garfield Office of Emergency Management has again met the criteria as set forth by the United States Department of Commerce National Weather Service New York Office to be recognized as a Storm Ready Community. The City was originally certified in 2010 and is now certified until 2016. In addition to showing that the City is prepared to respond to any weather emergency, having this designation helps the City meet its requirements to Community Rated Flood Programs which ultimately helps City residents lower their flood insurance premiums.
7. Citizens interested in serving on various City Boards have been forwarding their interest in writing to the City Clerk's Office.
8. The Redevelopment Agreement with HP Garfield for the redevelopment of 950 River Drive has been amended to include an additional \$500,000 for a total contribution of \$4 million towards the construction of a new Police Station.
9. The City Gun Buy Back Program to be held Saturday, April 13, 2013 from 1:00 PM to 5:00 PM at Mount Virgin Roman Catholic Church on Mac Arthur Avenue.

CITIZENS AND TAXPAYERS

Ms. Margo Palitino, 22 Farnham Avenue, spoke on the services provided by the Loaves & Fishes Interfaith Food Pantry. She said that the Pantry is now a non-profit 501 C3 organization. She said that the City promised them the use of Old Fire House No. Four located at the corner of Ray Street and Semel Avenue, but they have not moved in there, yet.

CITIZENS AND TAXPAYERS

Mr. Miguel Reyes, 91 Passaic Street, a member of URGENT, spoke on how Council Meetings are conducted and the procedure for adoption of Ordinances. He spoke on the City Physician Ordinance. He spoke on the City tax increase and the assessment and values of City homes. He spoke on City Tax Appeals.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on the Ordinance creating the position of Fire and Police Physician. He also questioned if there are any nonfunctioning pipelines running through Garfield.

Mr. John Easom, 103 Gaston Avenue, spoke on the Ordinance creating the position of Fire and Police Physician. He spoke on people who walk their dogs in the park when there are signs that say "No Dogs Allowed".

Mr. Reginald Buggs, 315 Mac Arthur Avenue, spoke on how Council Meeting are conducted.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on his request as a Councilmember for information concerning an investigation of an alcoholic beverage control matter. He spoke on the Gun Buy Back Program to be held this Saturday, April 13, 2013 from 1:00 PM to 5:00 PM at Mount Virgin Roman Catholic Church.

Councilmember Aloia spoke on dialogue and the procedure of Council meetings.

Deputy Mayor Raymond said that she would personally like to see the Council Meetings televised. She spoke on the City Physician Ordinance and spoke on the Health Department Physician. She spoke on the location of the Loaves and Fishes Interfaith Food Pantry. She announced that all volunteers interested in serving on City Boards should see the City Clerk. She spoke on the 2013 Roadway Improvement Program and the paving of streets. She thanked URGENT for their help and their idea for the Gun Buy Back Program.

Councilmember Mati spoke on the Gun Buy Back Program and how URGENT has really evolved. He spoke on the budget and said there are no layoffs or furloughs and there is money in the budget to hire more Police and DPW workers. He complimented the DPW on doing such a great job this past winter with snow removal. He spoke on the appointment procedure for the City Physician position.

Mayor Delaney addressed the DPW workers in the audience and said that they are present at this meeting because they want their collective bargaining contract settled. He said that they deserve a lot of credit for the great job they did with the snow plowing during the winter. He spoke on the format of City Council Meetings. He spoke on the legal opinions of the City Attorney concerning the ABC matter. He said that the Garfield Little League will have their Opening Day Ceremony this Friday April 12, 2013 at 6:00 PM. He spoke on the Municipal Budget.

ADJOURNMENT

At 9:55 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