

A Regular Meeting of the City Council was held Tuesday, October 15, 2013 at 8:10 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, City Attorney Representative Robert Ferraro of the Law Firm of Bruno and Ferraro (for City Attorney John J. Bruno) and City Engineer Kevin J. Boswell

### MINUTES

Councilmember Mati moved to approve the Minutes of the following meetings:

Work	Session	-	July	9,	2013
Regular	Meeting	-	July	9,	2013
Work	Session	-	July	23,	2013
Regular	Meeting	-	July	23,	2013
Work	Session	-	August	20,	2013
Regular	Meeting	-	August	20,	2013
Work	Session	-	September	10,	2013
Regular	Session	-	September	10,	2013
Special	Meeting	-	September	17,	2013
Work	Session	-	September	24,	2013
Regular	Meeting	-	September	24,	2013

Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

### REPORTS OF OFFICERS

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

On call of roll, Ayes 5

### PROCLAMATION

City Clerk Andrew J. Pavlica read the following Proclamation which was then presented to City Manager Thomas J. Duch by Mayor Joseph Delaney:

WHEREAS, on Thursday, October 3, 2013, Mayor Joseph Delaney and City Manager Thomas J. Duch were having a working lunch at the BBQ Grill located at 519 River Drive in Garfield, and

WHEREAS, during their lunch meeting, Mayor Delaney's air passages became blocked, he started choking, could not breath, and started to turn blue, and

WHEREAS, City Manager Duch immediately responded and performed the Heimlich Maneuver on Mayor Delaney and dislodged the pieces of chicken that were stuck in the Mayor's passage ways, and

WHEREAS, it is altogether fitting and proper to publicly acknowledge and recognize the actions of City Manager Duch in which he demonstrated an exemplary and uncommon concern for the life of another,

PROCLAMATION

NOW THEREFORE, I, JOSEPH DELANEY, MAYOR of the City of Garfield, Bergen County, New Jersey, do hereby publicly THANK and COMMEND CITY MANAGER THOMAS J. DUCH for his quick thinking, compassionate, heroic actions to diligently render assistance, without reserve or hesitation, to save the life of another fellow human being, on October 3, 2013, and BE IT RESOLVED that a copy of this COMMENDATION be spread upon the Minutes of the City of Garfield and be included in the personnel jacket of City Manager Thomas J. Duch.

In witness whereof I have hereunto set my hand and caused the Seal of the City of Garfield, Bergen County, New Jersey to be affixed this 15th day of October 2013.

Joseph Delaney, MAYOR

ATTEST: Andrew J. Pavlica, CITY CLERK

RESOLUTIONS

Resolution No. 13-312

WHEREAS, Ayana Bell has been named Garfield High School Student of the Month for September 2013, and

WHEREAS, she has excelled in the classroom earning slightly over a 3.9 grade point average while being involved in several school activities, and

WHEREAS, she currently serves as captain of the girls' varsity tennis team where she has competed as their number one player for the past two seasons, and

WHEREAS, in addition to sports, Ayana has dedicated many hours to school and community projects,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that AYANA BELL is hereby CONGRATULATED on being named GARFIELD HIGH SCHOOL STUDENT OF THE MONTH for September 2013.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 13-312 was presented to Ayana Bell.

Resolution No. 13-313

WHEREAS, an application has been filed for a Person to Person Transfer and a Place to Place Transfer of Plenary Retail Consumption License No. 0221-33-008-007, from Daniel R. Murphy, 407 Handcock Street, Bay St. Louis, MI 39520, who owns 100% of the shares of the Corporation) to Garfield's Brick Oven Pizzeria and Ice Cream, LLC (Francesco Brusco, 417 Oakdene Avenue, Cliffside Park, New Jersey 07010 – who will own 50% of the license, and Diana Brusco, 417 Oakdene Avenue, Cliffside Park, New Jersey 07010 – who will own 50% of the license, to be located at 149 Van Winkle Avenue, and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business, and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing, and

WHEREAS, a "Tax Clearance - Transfer Certificate" has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective October 16, 2013, the transfer of the aforesaid

Regular Meeting October 15, 2013, Continued

RESOLUTIONS

Plenary Retail Consumption License, to Garfield's Brick Oven Pizzeria and Ice Cream, LLC, (Francesco Brusco, 417 Oakdene Avenue, Cliffside Park, New Jersey 07010 – who will own 50% of the license, and Diana Brusco, 417 Oakdene Avenue, Cliffside Park, New Jersey 07010 – who will own 50% of the license, to be located at 149 Van Winkle Avenue and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Garfield's Brick Oven Pizzeria and Ice Cream, LLC, effective October 16, 2013",

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, live entertainment or discotheque be used in connection with this license; (A fee of \$90.00 was collected for the City of Garfield and \$200.00 was collected for the State of New Jersey in connection with the person to person license transfer, and a fee of \$90.00 was collected for the City of Garfield in connection with the place to place license transfer).

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Frank J. Calandriello

Resolution No. 13-314

WHEREAS, Edward Puzio was appointed as a Commissioner of the Housing Authority of the City of Garfield pursuant to Resolution No. 11-112, adopted by the City Council at a meeting held March 7, 2011, and

WHEREAS, his term of office expires October 17, 2013,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Edward Puzio of 535 Mac Donald is hereby appointed as a Commissioner of the Housing Authority of the City of Garfield effective October 17, 2013, to succeed himself, for a full five year term, said term to expire October 17, 2018.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 13-315

WHEREAS, a Special Garfield School System Referendum Election has been scheduled for Tuesday, December 10, 2013,

NOW THEREFORE BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey that the December 10, 2013 Work Session and Regular Meeting of the City of Council is hereby rescheduled to Monday, December 9, 2013, with the Work Session commencing at 6:00 PM in the Conference Room in City Hall and the Regular Meeting commencing at 8:00 PM in the Council Chamber in City Hall.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 13-316

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a 9:00 P.M. curfew is hereby established for the nights of October 30, 2013 and October 31, 2013 for all individuals under eighteen years of age, unless they are escorted by an adult, and

BE IT FURTHER RESOLVED, that pursuant to Chapter 119-5 F. of the City Code, those students returning from the Garfield High School Student Government Great Gatsby themed Halloween Dance being held Wednesday, October 30, 2013 from 6:00PM to 10:00 PM in the New Gym are hereby exempt from this curfew, provided they comply with the requirement that they have in their possession a written communication indicating the time and place of the activity from which they have departed, and

BE IT FURTHER RESOLVED that the Police Department is hereby authorized to enforce this curfew, and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to immediately forward a certified and exact copy of this approved resolution to the Police Chief.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Louis G. Aloia

Regular Meeting October 15, 2013, Continued

RESOLUTIONS

Resolution No. 13-317

WHEREAS, a Bergen County Community Development Unprogrammed Funds of \$22,500.00 has been proposed by the Garfield YMCA for repair of natatorium structural deficiencies of the Garfield Boys and Girls Club located at 490 Midland Ave, and;

WHEREAS, pursuant to the State Interlocal Services Act, Community Development Funds may not be spent in a municipality without authorization by the Governing Body, and;

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditures of the aforesaid Community Development Funds,

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Garfield, Bergen County, New Jersey hereby confirms endorsement of the aforesaid project, and;

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the Aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 13-318

A Resolution Awarding a Contract to John Laiosa Electrical Contractors to Upgrade an Electric Service and Equipment at Well 1A Pump Station.

WHEREAS, the City of Garfield is upgrading the Well 1A Pump Station, and;

WHEREAS, three quotations were solicited in connection with the installation of a 400 amp, 3 phase, 480 volt electrical service, and;

WHEREAS, the lowest quotation was submitted by John Laiosa Electrical Contractors in the amount of \$20,128.00.

NOW THEREFORE BE IT RESOLVED, John Laiosa Electrical Contractors is hereby awarded a contract to install said electrical service in the low bid amount of \$20,128.00.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Frank J. Calandriello

Resolution No. 13-319

A Resolution Authorizing Change Order No. 13 in Connection With the River Drive Improvement Project, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to English Paving Co. in the original contract amount of \$7,544,462.52, and;

WHEREAS, Change Order No. 13 is necessary in order to adjust to As Built quantities.

NOW THEREFORE BE IT RESOLVED, Change Order No. 13 for a net zero (0) change in the contract amount is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 13-320

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from Z&J Properties, 465 US Highway 46 West, Kenil, NJ 07847, for 12 Washington Place, Block 11 Lot 37 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 08/28/12 said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

NOW THEREFORE BE IT RESOLVED, BY THE City Council of the City of Garfield that these monies be refunded to the above named claimant.

Regular Meeting October 15, 2013, Continued

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Frank J. Calandriello

Resolution No. 13-321

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from Engineering and Land Planning Associates, 54 Old Highway 22 Suite 300, Clinton, New Jersey for 199 Mac Arthur Avenue Block 94 Lot 32 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 12/02/12 said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

NOW THEREFORE BE IT RESOLVED, BY THE City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Frank J. Calandriello

Resolution No. 13-322

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
72.02	17	DKFDR, LLC	O/P	\$1,662.11

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 13-311

RESOLVED by the City Council of the City of Garfield that the following bills No. 1621 thru No. 1622 covering, Dog Trust and Trust Other totaling \$25,597.35 and the Current Fund totaling \$2,952,584.90, Current Water Fund totaling \$497,400.15 and the General Capital Fund totaling \$56,700.09 and the Water Capital Fund \$25,046.51 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 \_\_\_\_\_  
for Bills And Claims

Regular Meeting October 15, 2013, Continued

ORDINANCES

Ordinance No. 2672

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, September 17, 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 FIX THE SALARY, WAGES AND COMPENSATION  
OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD,  
BERGEN COUNTY, NEW JERSEY

City Clerk Pavlica read the ordinance by title.

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

Mr. John Easom, 103 Gaston Avenue and Mr. Ciro Disclafani, 47 Orchard Street, both spoke in favor of the ordinance.

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

Councilmember Aloia 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 Calandriello duly seconded the motion.

On call of roll, Ayes 5

CITIZENS AND TAXPAYERS

Mr. Angel Quilles, Commander of the Garfield VFW Post No. 2867, 340 Outwater Lane, spoke and asked questions concerning the proposed location of a new Police Station, perhaps at the current site of the VFW.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on pedestrian safety. He spoke on the failure of the City Council to act on his ideas and on how the Council treats the public.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the referendum to be held December 10, 2013 for the Garfield High School Stadium Improvements which will cost millions of dollars. He spoke about the new Police Pistol Range and congratulated them on the job they did which he said is state of the art. He spoke on the popularity and expansion of the Garfield Junior Boilermakers football program into four teams: the Mighty Mites, the Intermediates, the Juniors and the Seniors. He also spoke about the Boys and Girls Club Beefsteak Fundraiser being held this Friday night, October 18, 2013.

Councilmember Aloia said that County Clerk John Hogan did a nice job in his presentation regarding the elections. He spoke on election costs and ballot designs. He spoke about moving non-partisan elections from May to the November ballot and he spoke on Pedestrian Safety issues.

Councilmember Raymond thanked the VFW members for coming tonight. She said that she is anxious to get the police station going. She said that the Garfield Animal Rescue Foundation (GARF) is having a garage sale in November. She said the County Clerk gave a wonderful presentation on saving money by consolidating elections.

Councilmember Mati said that County Clerk Hogan had a very good presentation. He said that veterans serve all over the World to give people the right to vote without complaint. He said that

when people do not exercise that right because they are too lazy, the elections should not be moved to make it more accommodating. He said that is not how to look at it. He said that maybe it can be looked at financially, but not more convenient. He spoke on the condition of Firemen and how they

Regular Meeting October 15, 2013, Continued

#### COUNCILMEMBER COMMENTS

Need better care. He suggested maybe a contest to get people into shape. He spoke on an event being held on November 11, 2013 involving Blue Star Children which are kids whose parents, brothers or sisters are serving in the military.

Mayor Delaney spoke about Veteran's Day Events organized by the City Health Department and Meals without a Mission which is a great organization on Harrison Avenue. He spoke on various events being held in town. He spoke on the need to move elections to November to save money. He spoke on how he saw police doing radar and cell phone checks. He spoke about the Relay for Life that was held October 4<sup>th</sup> thru 5<sup>th</sup>, 2013, the Pulaski Day Parade which was held on October 6<sup>th</sup>, the Garfield Boys and Girls Club Beefsteak to be held this Friday night October 18, 2013 and the Garfield High School Halloween Dance to be held on October 30, 2013. He spoke about the walking tour he did last year and he said that he should go to the Houses of Worship this time. He spoke on the new and improved Pistol Range.

#### ADJOURNMENT

At 9:20 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

On call of roll, Ayes 5

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Andrew J. Pavlica, CITY CLERK