

A Regular Meeting of the City Council was held Tuesday, October 29, 2013 at 8:25 PM in the Conference Room 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 representative Bernard Mirandi (for 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 4, Abstain 1 – Councilmember Calandriello

RESOLUTIONS

Resolution No. 13-325

Correction of Resolution 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's Il Piacere, LLC (Daniel R. Murphy, 407 Hancock Street, Bay St. Louis, MS 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 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, and to 149 Van Winkle Avenue",

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).

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-326

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Manuel Bonilla of 9 Burnett Court, as an active member, effective October 7, 2013.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-327

WHEREAS, Fire Company No. 2 has advised that they have expelled Christopher Kopp of 234 Lincoln Place as an active member effective October 7, 2013,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby accepted.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-328

WHEREAS, Fire Company No. 2 has advised that they have expelled Michael Sanchez of 234 Lincoln Place as an active member effective October 7, 2013,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby accepted.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-329

WHEREAS, Fire Company No. 4 advises that John Petrovics of 8 Meadowbrook Lane, Goshen, NY, has served as an active member of the Garfield Fire Department for at least twenty-one years and that he is entitled to a twenty-one year badge, and

WHEREAS, the records in the Office of the City Clerk indicate that he has served for a period of twenty-one 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. 4 is hereby approved and that the proper officers are hereby authorized to issue a twenty-one year badge to the above named individual.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-330

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Dylan Rust of 116 Hartmann Avenue, Garfield, NJ as an active member, effective May 7, 2013.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 5 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

RESOLUTIONS

Resolution No. 13-331

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Patrick Connolly Jr. of 46 Hartmann Avenue, Garfield, NJ as an active member, effective May 7, 2013.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 5 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-332

A Resolution Authorizing Change Order No. 4 & Final in Connection With The 2012 Joint Road Improvement Program, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to Smith Soudy Asphalt Construction Co. in the original contract amount of \$1,039,480.00, and;

WHEREAS, Change Order No. 4 is necessary in order to adjust Final As-Built quantities for closeout of the project.

NOW THEREFORE BE IT RESOLVED, Change Order No. 4 & Final for a reduction in the contract amount of \$9,096.03 is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-333

A Resolution Authorizing The Payment of Various Invoices From M2 Associates, Inc. In Connection With Services Performed For The Reactivation of Wells 1, 2 and 1A, City of Garfield.

WHEREAS, M2 Associates, Inc. has performed services for the City of Garfield pursuant to the request of Williard Bierwas, Licensed Water Operator, and;

WHEREAS, analysis and testing services were necessary in order to reactivate these wells.

NOW THEREFORE BE IT RESOLVED, M2 Associates, Inc. is hereby authorized payment in a total amount of \$16,384.50.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-334

A Resolution Authorizing Payment to Water Works Supply Company, Inc. For Parts Supplied for the Interior Piping at Well 1A, City of Garfield.

WHEREAS, Water Works Supply Company, Inc. has supplied the parts necessary for the reactivation of Well 1A for the City of Garfield pursuant to the request of Williard Bierwas, Licensed Water Operator, and;

WHEREAS, these parts were necessary in order to reactivate Well 1A.

NOW THEREFORE BE IT RESOLVED, Water Works Supply Company, Inc. is hereby authorized payment in a total amount of \$4,647.11.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 13-335

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to County Board Judgment 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 overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

Regular Meeting October 29, 2013, Continued

RESOLUTIONS

BLOCK	LOT	OWNER	REASON	AMOUNT
203.02	12	Pavkovich, Walter	CBJ	\$ 252.20

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No.

See

the

following pages _____

for

Capital

Budget

Amendment

RESOLUTIONS

Resolution No. 13-336

WHEREAS, the City of Garfield has received a quote from Horizon Blue Cross Blue Shield of New Jersey for health benefits for the period from January 1, 2014 through December 31, 2014; and

WHEREAS the proposal represents the best value for the City

NOW THEREFORE BE IT RESOLVED that the attached proposal be accepted (subject to a \$2,500.00 reduction in the broker's commission) and the City Manager is authorized to erect any and all documents reasonably required to effectuate the said renewal.

On call of roll, Ayes 4,
Abstain 1 - Councilmember Calandriello

(Sgd) Joseph Delaney
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 13-337

RESOLVED by the City Council of the City of Garfield that the following bills No. 1623 thru No. 1632 covering, Dog Trust and Trust Other totaling \$256,383.92 and the Current Fund totaling 609,346.25, Current Water Fund totaling \$73,915.88 and the General Capital Fund totaling \$378,134.52 and the Water Capital Fund \$1,200.00 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 _____

For

Bills

And

Claims

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$325,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: "BOND ORDINANCE TO AUTHORIZE SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$325,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS" 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 November 12, 2013 at 8:00 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 Mati, 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 Mati introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO 20TH CENTURY FIELD (PHASE II) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,455,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO 20TH CENTURY FIELD (PHASE II) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,455,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS" 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 November 12, 2013 at 8:00 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 defeated by the following vote on first reading: Ayes 2, Nay 1 – Councilmember Aloia, Abstain 2 – Councilmembers Calandriello and Mati

ORDINANCE DEFEATED

CITIZENS AND TAXPAYERS

Ms. Jo Rienzi, 395 Mac Arthur Avenue, spoke and asked questions on the Loaves and Fishes Interfaith Food Pantry.

Mr. Rafael Herrera, 190 Lanza Avenue, asked questions concerning who is responsible for the maintenance of the public sidewalk in front of his house.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the Special Events Committee. He said that the Trunk or Treat event held at 20th Century Field tonight was a great success. He spoke about the Garfield Junior Boilermakers Mighty Mites having an undefeated season and he said that all levels of the football program are in the playoffs. He congratulated Mr. Jeff De Vito, the Garfield High School Varsity Football Coach, for doing a tremendous job with the high school team. He said that the Boys and Girls Club had a successful beefsteak fundraiser last Friday.

Councilmember Aloia spoke about the Garfield Junior Boilermakers Mighty Mites and all the coaches and parents involved with the program who he said are doing an outstanding job. He offered congratulations to tonight's successful Trunk or Treat Program. He wished everyone a Happy Halloween.

Councilmember Raymond said that the Garfield Animal Rescue Foundation (GARF) is having a monster garage sale on November 23, 2013 from 11:00 AM to 5:00 PM at the Nutrition Center located at 480 Midland Avenue.

Councilmember Mati said that a lot of good things are going on with our kids in the schools and with our sports programs. He said that he is proud of our football team and that it is a real positive thing. He said that he hopes the kids will be safe and the parents will stay with them. He said that Fire Company No. One is selling tickets for their pancake breakfast scheduled to be held on December 8, 2013 at the Nutrition Center.

Mayor Delaney spoke about the pancake breakfast he attended this past Saturday for the Freddie Porter Memorial Scholarship Fund. He said that New Jersey Cares was painting the Senior Center and the Garfield Boys and Girls Club. He attended a meeting at MET LIFE Stadium with City Manager Duch for when the Super Bowl is in New Jersey this coming February and how it will benefit Garfield. He said that he attended a seminar at Rutgers University regarding Safe Streets and Redevelopment and how it can help Garfield. He said that the Events Committee did a great job with the Trunk or Treat Event this evening. He said that the whole City was working together and that Fire Company No. 3 opened up their Fire House for the Trunk or Treat Event tonight. He reminded everyone that Tuesday, November 5th is Election Day.

ADJOURNMENT

At 9:15 PM, there being no further business, Councilmember Mati moved to adjourn the meeting. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5