

A Work Session of the City Council was held on Monday, February 25, 2013 at 7:10 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 Work Session 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, City Attorney Representative Robert Ferraro of the Law Firm of Bruno and Ferraro (for City Attorney John Bruno), City Engineer Kevin J. Boswell, Superintendent of Public Works Sam Garofalo and Fire Official Gerald Walis

#### DRUG FREE COMMITTEES (DFC) PROGRAM

The City Council and Cabinet met with Samantha Harries, the Assistant Director of New Business Development of the Center for Alcohol and Drug Resources, 241 Main Street, Suite 600, Hackensack, New Jersey 07601 concerning informal City support for a grant of \$125,000 a year for five years with a 100% cash or in kind match through the Childrens Aid and Family Services.

#### ARRIVAL OF CITY AUDITOR LERCH

At 7:25 PM, City Auditor Dieter Lerch joined the Work Session and it was duly noted for the record.

#### TOBACCO FREE FOR A HEALTHY NEW JERSEY

The City Council and Cabinet met with Community Tobacco Program Coordinator Albert J. Ferrara, Jr. of the Bergen County Department of Health Services, 327 East Ridgewood Avenue, Paramus, New Jersey 07652 and Tobacco Free For a Healthy New Jersey Coordinator Cindy Meckem of the Center For Prevention and Counseling, 61 Spring Street, 3<sup>rd</sup> Floor, Newton, New Jersey 07860, concerning their request to establish smoke free parks and playgrounds in the City of Garfield.

#### CLOSED SESSION

Resolution No. 13-62

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a meeting in certain circumstances, and

WHEREAS, the City Council is of the opinion that such circumstances now exist,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a "Closed Session" is hereby called at 8:00 P.M. Monday, February 25, 2013, to discuss the following as outlined in N.J.S.A. 10:4-12:

- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (meeting with Garfield Redevelopment Agency Attorney Christos Diktas concerning the proposal from Developer of Record George Capodagli of the Eastern Overall/Sketchley Services property located at the south end of Walnut Street and the east end of Schley Street to construct a Rehabilitation Center for Veterans and Disabled and a possible lawsuit concerning this matter).

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

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

(Sgd) Louis G. Aloia  
Glenn A. Mati

2013 MUNICIPAL BUDGET

After the City Council came out of Closed Session at 8:30 PM, the City Council and Cabinet discussed the 2013 Municipal Budget.

EXIT OF CITY AUDITOR LERCH

At 8:50 pm, City Auditor Dieter Lerch left the Work Session and it was duly noted for the record.

PROPOSED RECYCLING CONTRACT WITH  
ATLANTIC COAST FIBERS

The City Council and Cabinet discussed a proposed Recycling Contract with Atlantic Coast Fibers.

PROPOSED RESIDENT PARKING AROUND  
THE GARFIELD TRAIN STATION

The City Council and Cabinet discussed proposed Resident Parking around the Garfield Train Station between Passaic Street and Somerset Street.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The Garfield Police Department Year End Report.
2. The City Gun Buy Back Program will be held Saturday, April 13, 2013 between 1:00 PM and 5:00 PM at the Saint Joseph Center at Mount Virgin Roman Catholic Church at 188 Mac Arthur Avenue
3. The City has received notice that Shirley Williams, the mother of Malik Williams, who was killed December 11, 2012, is suing the City.
4. The proposed cleanup of the Passaic River up to the Dundee Dam.
5. The proposed settlement of the Occidental vs. City lawsuit.
6. The Wet Down for the new ladder truck of Fire Company No. Four is scheduled to be held Saturday, June 15, 2013.
7. The Loaves and Fishes Interfaith Food Pantry is now a tax exempt 501 C 3 organization.
8. The City Shade Tree Program.
9. The Bergen County Bus Rapid Transit Study.
10. The rental space available on the top floor of 70 Outwater Lane.
11. When the new Salt Shed was installed at the end of Beech Street, the fence on one side of the property was removed which resulted in a complaint from the neighbor.
12. The Community Forestry Tree Accomplishment Annual Report.
13. The online filing of the Retiree Drug Subsidy will result in the City receiving \$50,383.00.

REPORTS OF OFFICERS

14. The PBA Local No. 46 Circus Fundraiser with the Cole Brothers Circus of the Stars will be held at the Garfield High School Fields off Semel Avenue from May 30, 2013 to June 2, 2013.
15. The City was victorious in the James Mazzer vs. the City lawsuit involving the City Sewer Ordinance.

City Engineer Kevin J. Boswell reported on the following:

1. The written Report of the City Engineer dated February 25, 2013.

CLOSED SESSION

Resolution No. 13-63

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a meeting in certain circumstances, and

WHEREAS, the City Council is of the opinion that such circumstances now exist,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a "Closed Session" is hereby called at : P.M. Monday, February 25, 2013, to discuss the following as outlined in N.J.S.A. 10:4-12:

- Matters involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds; (Benda-Roerich VFW Post No. 2867 site at 340 Outwater Lane as a possible site for a Police Station).
- \* Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (Fire Official Gerald Walis recommendation to designate specific enforcement officials of property maintenance ordinances and other ordinances; Police Officer Mariggi Lopez allegedly crashing into four parked cars).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Housing Authority of Garfield vs. City re: Sewer Fee ordinance not applicable to the Housing Authority; decision by the State Public Employment Relations Commission re: unfair labor practice charge PBA Local No. 46 filed against the City following a March 24, 2011 meeting between union leaders and the Police Chief).
- \* Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (customer service performance of employees in the Building Department).

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

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

(Sgd) Tana M. Raymond  
Glenn A. Mati

Work Session February 25, 2013, Continued

ADJOURNMENT

After the City Council came out of Closed Session at 10:30 PM, there being no further business, Councilmember Mati moved to adjourn the Work Session. Councilmember Aloia duly seconded the motion.

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

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Andrew J. Pavlica, CITY CLERK