

A Regular Meeting of the City Council was held Tuesday, January 28, 2014 at 8:35 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

#### 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

#### COMMUNICATIONS/APPOINTMENTS

City Clerk Andrew J. Pavlica reported that in a letter to him from City Manager Thomas J. Duch dated January 28, 2014, he appointed Joseph Delaney, 15 Garden Court North, Garfield, NJ as the City Manager's appointment to Community Development to succeed himself for a term to expire June 30, 2014.

#### RESOLUTIONS

Resolution No. 14-31

WHEREAS, on Thursday, January 16, 2014, William Capozzi of Garfield, was driving in his car in Passaic, heading to the Shop Rite Supermarket on Eighth Street, when he saw two youths grappling with a 66 year old woman as they tried to grab her handbag, and

WHEREAS, William Capozzi made a split second decision to chase the two teenagers who had just pummeled the Garfield woman to the ground, and

WHEREAS, the woman had fought back and managed to hold onto her bag and Capozzi, with his car windows down, gave chase with his car as the youths fled, and

WHEREAS, the teens turned the corner onto Ninth Street and after a brief chase up the one-way street, Capozzi jumped out of the car and grabbed one of the teens and pinned him to the hood of the car until police arrived, while the other youth fled down the street, and

WHEREAS, the Passaic Police, soon learned the whereabouts of the second suspect and arrested the boy at an apartment on Ninth Street, and

WHEREAS, the 66 year old Garfield woman declined medical treatment at the scene and the Police called Capozzi a "good Samaritan" – someone who rushed to the aid of a stranger without thinking about the danger to himself,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that WILLIAM CAPOZZI is hereby publicly recognized and commended for his courageous acts of January 16, 2014, given beyond measure and without regard to personal safety in which he demonstrated an exemplary and uncommon concern for the life and property of others.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 14-31 was presented to William Capozzi.

A representative of Congressman William Pascrell presented a letter from the Congressman to Mr. William Capozzi.

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Resolution No. 14-32

WHEREAS, Nicole Abudeye has been named Garfield High School Student of the Month for January 2014, and

WHEREAS, Nicole has been described as “dependable” by her Guidance Counselor and T. I. Advisor and have said that Nicole has been observed taking on tremendous amounts of responsibility and handling it better than perhaps any other student with which they worked, and

WHEREAS, Nicole dedicates endless hours to her church, tutors a 4th grade student once a week, manages the track teams, handles several key responsibilities for the T.I. Group, all this while maintaining a straight “A” average during her senior year,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that NICOLE ABUDEYE is hereby CONGRATULATED on being named GARFIELD HIGH SCHOOL STUDENT OF THE MONTH for January 2014.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 14-32 was presented to Nicole Abudeye.

Resolution No. 14-33

WHEREAS, Fire Company No. 3 has advised that they have accepted Joseph Petta of 8 Garwood Court North, Garfield, New Jersey 07026, as a regular active member, effective January 6, 2014,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-34

WHEREAS, Fire Company No. 4 has advised that they have accepted Delgis P. Cauto of 33 Blakely Place, Garfield, New Jersey 07026, as a regular active member, effective January 10, 2014,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 4 with respect to the above matter is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-35

WHEREAS, Fire Company No. 4 has advised that they have accepted Wojciech Tomczyk of 42 Wessington Avenue, Garfield, New Jersey 07026, as a regular active member, effective January 10, 2014,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 4 with respect to the above matter is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-36

WHEREAS, Community Development requires the City of Garfield to have two representatives to Bergen County Community Development, and

WHEREAS, one representative is to be approved by the City Manager and the other representative is to be appointed by the City Council, and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that City Manager Thomas J. Duch is hereby appointed as a Representative of

RESOLUTIONS

the City of Garfield to Bergen County Community Development, effective immediately for a term to expire June 30, 2014.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-37

WHEREAS, Cathy J. Darra, 98 Wessington Avenue, who is the holder of a Disabled Person I.D. Card No. P1228856, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the east curb line of Wessington Avenue commencing 400 feet north of the intersection of Wessington Avenue & Belmont Avenue, and run an additional 25 north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-38

WHEREAS, Amy Gagner, 134 Division Avenue, who is the holder of a Disabled Person I.D. Card No. P561992, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the south curb line of Division Avenue commencing 122 feet east of the intersection of Division Avenue & Jewell Street, and run an additional 25 east from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-39

WHEREAS, Aleida Marroquin, 15 Orchard Street, who is the holder of a Disabled Person I.D. Card No. P1170261, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the west curb line of Orchard Street commencing 175 feet north of the intersection of Orchard Street & VanWinkle Avenue, and run an additional 25 north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-40

WHEREAS, Lucinia Quintana, 61 Marsellus Place, who is the holder of a Disabled Person I.D. Card No. P1083639, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the west curb line of Marsellus Place commencing 305 feet south of the intersection of Marsellus Place & Passaic Street, and run an additional 25 south from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-41

WHEREAS, Justino Santana, 80 Ray Street, who is the holder of a Disabled Person I.D. Card No. P833803, has filed application for a handicapped parking sign to be placed at his address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the east curb line of Ray Street commencing 35 feet north of the intersection of Ray Street & Columbus Avenue, and run an additional 25 north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-42

WHEREAS, Eugene Umstead Jr, 122 Palisade Avenue, who is the holder of a Disabled Person I.D. Card No. P1163670, has filed application for a handicapped parking sign to be placed at his address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the east curb line of Palisade Avenue commencing 35 feet north of the intersection of Palisade Avenue & Hudson Street, and run an additional 25 feet north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-43

WHEREAS, Eileen Van Houten, 22 Cottage Place, who is the holder of a Disabled Person I.D. Card No. P1028228, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the south curb line of Cottage Place commencing 250 feet east of the intersection of Cottage Place & River Drive, and run an additional 25 east from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

RESOLUTIONS

Resolution No. 14-44

WHEREAS, Karen Weinberg, 124 Union Avenue, who is the holder of a Disabled Person I.D. Card No. P1101337, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the south curb line of Union Avenue commencing 25 feet east of the intersection of Union Avenue & Williams Street, and run an additional 25 feet east from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-45

WHEREAS, James K. Williams, 114 Pierre Avenue, who is the holder of a Disabled Person I.D. Card No. P1129760, has filed application for a handicapped parking sign to be placed at his address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the east curb line of Pierre Avenue commencing 130 feet north of the intersection of Pierre Avenue & Willard Street, and run an additional 25 north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-46

RESOLUTION ESTABLISHING AN EVALUATION COMMITTEE TO ASSESS THE PAY TO PLAY PROPOSALS SENT TO THE CITY OF GARFIELD REGARDING MUNICIPAL POSITIONS

Whereas, there have been numerous Pay to Play Proposals sent to the City of Garfield regarding Municipal Positions; and

Whereas, it is in the best interest of the City of Garfield to establish a qualified evaluation committee to judge the strengths and weaknesses of the proposals; and

Whereas, City Attorney Robert A. Ferraro Esq., City Clerk Andrew Pavlica and Chief Financial Officer Roy Riggitano have the necessary qualification to serve on the aforementioned committee; and

Now, Therefore, Be It Resolved, by the City Council of the City of Garfield, Bergen County, New Jersey, hereby establishes a committee consisting of City Attorney Robert A. Ferraro Esq., City Clerk Andrew Pavlica and Chief Financial Officer Roy Riggitano for the purpose of evaluating Pay to Play Proposals sent to the City of Garfield regarding Municipal Positions and to present their evaluations to the Mayor and City Council.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-47

WHEREAS, Resolution No. 13-22 was adopted granting a towing license to Belfi's Auto and Truck Repair, Inc. of 208 Palisade Avenue, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

RESOLUTIONS

WHEREAS, the latest one year term of the license has expired, and  
WHEREAS, Belfi's Auto and Truck Repair, Inc. has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and  
WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify Belfi's Auto and Truck Repair, Inc. of 208 Palisade Avenue, Garfield, New Jersey that it has received a 2014 Towing License pursuant to the City Code, and  
FURTHER RESOLVED that Belfi's Auto and Truck Repair, Inc. shall comply with all the pre-conditions and requirements of the towing license.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-48

WHEREAS, Resolution No. 13-23 was adopted granting a towing license to Bob's Automotive of 619 Midland Avenue, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and  
WHEREAS, the latest one year term of the license has expired, and  
WHEREAS, Bob's Automotive has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and  
WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify Bob's Automotive of 619 Midland Avenue, Garfield, New Jersey that it has received a 2014 Towing License pursuant to the City Code, and  
FURTHER RESOLVED that Bob's Automotive shall comply with all the pre-conditions and requirements of the towing license.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-49

WHEREAS, Resolution No. 13-24 was adopted granting a towing license to Dabal's Service Station of 181 Prospect Street, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and  
WHEREAS, the latest one year term of the license has expired, and  
WHEREAS, Dabal's Service Station has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and  
WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify Dabal's Service Station of 181 Prospect Street, Garfield, New Jersey that it has received a 2014 Towing License pursuant to the City Code, and  
FURTHER RESOLVED that Dabal's Service Station shall comply with all the pre-conditions and requirements of the towing license.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

RESOLUTIONS

Resolution No. 14-50

WHEREAS, Resolution No. 13-25 was adopted granting a towing license to David's Auto Body of 70 Lincoln Place, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

WHEREAS, the latest one year term of the license has expired, and

WHEREAS, David's Auto Body has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and

WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify David's Auto Body of 70 Lincoln Place, Garfield, New Jersey that it has received a 2014 Towing License pursuant to the City Code, and

FURTHER RESOLVED that David's Auto Body shall comply with all the pre-conditions and requirements of the towing license.

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

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-51

WHEREAS, The Recycling Enhancement Act P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that the City of Garfield hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2013 in the amount of \$43,654.02. Documentation supporting this submission is available at 111 Outwater Lane, Garfield, New Jersey 07026 and shall be maintained for no less than five years from this date.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-52

TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102 has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2014 will memorialize the commitment of this municipality to recycling and to

RESOLUTIONS

indicate the assent of the Garfield City Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the City of Garfield, Bergen County, New Jersey, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates City Recycling Coordinator Sam Garofalo to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-53

A Resolution Authorizing Change Order No. 1 & Final in Connection With Farnham Avenue Improvements, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to Smith Soudy Asphalt Construction Co. in the original contract amount of \$194,427.45, and;

WHEREAS, Change Order No. 1 is necessary in order to adjust Final As-Built quantities for closeout of the project.

NOW THEREFORE BE IT RESOLVED, Change Order No.1 & Final for a reduction in the contract amount of \$30,979.82 is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

Resolution No. 14-54

A Resolution Authorizing Progress Payment #1 to John Mastriana For Work Performed at Garfield Fire House No. 1, City of Garfield.

WHEREAS, Garfield Fire Company No. 1 has experienced serious damage due to the infiltration of rain water through improperly sealed joints within the brick work, and;

WHEREAS, this repair is necessary to address an emerging condition which will create further damage to the interior of the premises.

NOW THEREFORE BE IT RESOLVED, John Mastriana is hereby authorized a progress payment in a total amount of \$3,000.00.

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

(Sgd) Tana M. Raymond  
Louis G. Aloia

Resolution No. 14-55

A Resolution Authorizing Payment To M2 Associates, Inc. for Services Performed In Connection With The Garfield Water Allocation Permit for Well 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, these services were necessary in connection with USEPA sampling, plan for aquifer testing, arsenic treatment and preliminary analysis of test results.

NOW THEREFORE BE IT RESOLVED, M2 Associates, Inc. is hereby authorized payment in a total amount of \$6,406.50.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Tana M. Raymond

RESOLUTIONS

Resolution No. 14-56

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2010.

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.

BLOCK	LOT	OWNER	REASON	AMOUNT
119.03	52	Schley Crossing, LLC	TCJ	\$5,501.45

On call of roll, Ayes 4, (Sgd) Tana M. Raymond  
 Abstain 1 – Councilmember Calandriello Louis G. Aloia

Resolution No. 14-57

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2011.

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.

BLOCK	LOT	OWNER	REASON	AMOUNT
119.03	52	Schley Crossing, LLC	TCJ	\$4,836.00

On call of roll, Ayes 4, (Sgd) Tana M. Raymond  
 Abstain 1 – Councilmember Calandriello Louis G. Aloia

Resolution No. 14-58

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

BLOCK	LOT	OWNER	REASON	AMOUNT
119.03	52	Schley Crossing, LLC	TCJ	\$4,922.00

On call of roll, Ayes 4, (Sgd) Tana M. Raymond  
 Abstain 1 – Councilmember Calandriello Louis G. Aloia

Resolution No. 14-59

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2014.

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.

BLOCK	LOT	OWNER	REASON	AMOUNT
133	1	Coremark Garfield LLC	O/P	\$11,970.00

On call of roll, Ayes 5 (Sgd) Glenn A. Mati  
 Tana M. Raymond

RESOLUTIONS

Resolution No. 14-60

A Resolution Authorizing the City Engineer to Perform Engineering, Design and Construction Inspection Services in Connection with 20<sup>th</sup> Century Field, City of Garfield

WHEREAS, the City of Garfield has received grants totaling \$583,531.00 for improvements to 20<sup>th</sup> Century Field, and;

WHEREAS, bid documents need to be prepared for public bidding, and;

WHEREAS, design and inspection services are also required.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to perform engineering, design and construction inspection services for a fee not to exceed \$145,000.00.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Glenn A. Mati

BILLS AND CLAIMS

Resolution No. 14-61

RESOLVED by the City Council of the City of Garfield that the following bills No. 1661 to 1662 covering, Trust Other, totaling \$44,722.53 and the Current Reserve Fund totaling \$272,210.80, Current Fund totaling \$474,026.34, and the Current Water Fund Reserve totaling \$82,418.70, Current Water Fund totaling \$2,187.70 and the General Capital Fund totaling \$32,928.89 and the Water Capital Fund \$4,763.63 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 eight (8) items prior to the meeting be ratified.

See

The

Following Pages Numbered \_\_\_\_\_

For

Bills

And

Claims

ORDINANCES

Councilmember Mati introduced in writing the following ordinance entitled:

ORDINANCE REGULATING THE LOCATION OF  
TOBACCO RETAIL ESTABLISHMENTS

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “ORDINANCE REGULATING THE LOCATION OF TOBACCO RETAIL ESTABLISHMENTS” 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 March 11, 2014 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 adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5.

CITIZENS AND TAXPAYERS

Ms. Danielle Grabowski, 67 Krakow Street, said that she was concerned about the removal of the basketball courts with a parking lot in Twentieth Century Field. She said that the water from the basketball courts is on higher ground than her property and water runoff goes into her yard. She said that she is concerned that a parking lot will allow runoff of oil, gasoline, grease, garbage, etc. onto her property. She said that a lot of people hang out at the parking lot on Emmanuel Street, making noise and leaving garbage. She said that putting a parking lot next to her house could place a hang out closer to her home. She said that she is concerned that the City plans on removing something for recreation and replacing it with a parking lot. She suggested, as a pediatric nurse, a community garden, instead, at that location, to encourage people to eat healthy.

Mr. Mario Norcia, 508 Outwater Lane, spoke on the heat provided in the apartments of the Housing Authority. He spoke on the Mayor pledging to seed grass seed around his property in the spring. He spoke on Deputy Mayor Raymond accusing the school system of placing misinformation in flyers sent out prior to the School Capital Budget Referendum held on December 10, 2013.

Mr. David Znutas, 142 Wessington Avenue, spoke on a cat colony in his neighborhood.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the First Ward Study. He publicly commented on Chris Diktas’ service to Garfield and he, Chris Diktas, Joe Rutch, Lou Aloia and former City Manager Joseph Miggiaccio went down to Trenton and secured Redevelopment Agency designation for the City of Garfield. He spoke on hopefully getting out of the recession. He told everyone to enjoy the first Super Bowl in New Jersey and that if they have tickets, bundle up, but he will be in front of the TV.

Councilmember Aloia spoke on the issue John Easom brought up at the last meeting regarding Fire Company No. Three and the firefighters speeding up Gaston Avenue to the fire house. He spoke on improvements to Twentieth Century Field.

Councilmember Raymond spoke on the Garfield Animal Rescue Foundation and their attempt to control cat colonies and skunks and raccoons and other animals having distemper. She said that she is very confident in the changes being made to the Redevelopment Agency.

Councilmember Mati spoke about the improvements to Twentieth Century Field and seeking input from so many people and he wanting to make it livable for all the neighbors. He spoke about the great surprise he had this Christmas. He said that his son Ryan, who is in the US Navy and serving

COUNCILMEMBER COMMENTS

in Japan, and whom he has not seen in 16 months, surprised him with a visit on Christmas Eve. He said that it was the best Christmas ever and very exciting for his family.

Mayor Delaney spoke on improvements to Twentieth Century Field. He proposed the relocation of the basketball courts from the end of Emmanuel Street to behind Fire House No. Three on Gaston Avenue. He thanked City Manager Thomas Duch for taking over as Administrator of the Garfield Redevelopment Agency. He spoke on the Redevelopment Agency moving forward.

ADJOURNMENT

At 10:00 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

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Andrew J. Pavlica, CITY CLERK