

A Regular Meeting of the City Council was held Tuesday, February 11, 2014 at 8:25 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Deputy Mayor Tana Raymond 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 and Glenn A. Mati
Councilmember Present: (via telephone speaker phone) Joseph Delaney
Also Present: 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 Mati 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 – Mayor Delaney

RESOLUTIONS

Resolution No. 14-63

WHEREAS, the Saint Anthony Society of Garfield, New Jersey will be holding their 48th Annual Dinner-Dance to honor Casimiro Benanti of the Men's Society, Santa Scimeca of the Women's Auxiliary and Francesca D'Amico of the Young Adult Society, and
WHEREAS, this gala event will be held Saturday, February 15, 2014 at the Venetian Restaurant located at 546 River Drive in Garfield, and
WHEREAS, the City Council is desirous of publicly acknowledging these three well-deserving honorees upon the occasion of their recognitions at the Saint Anthony Society Dinner-Dance,
NOW THEREFORE BY RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CASIMIRO BENANTI, SANTA SCIMECA and FRANCESCA D' AMICO are all hereby publicly CONGRATULATED on their much deserved honors bestowed upon them by the Saint Anthony Society of Garfield.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 14-64

WHEREAS, Fire Company No. 1 has advised that they have accepted Ricardo Alas of 50 Midland Avenue, Garfield, New Jersey 07026, as a regular active member, effective January 29, 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. 1 with respect to the above matter, is hereby approved.

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

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 14-65

WHEREAS, Fire Company No. 1 has advised that they have accepted Robinson Morales Jr., of 27 Irving Place, Garfield, New Jersey 07026, as a regular active member, effective January 29, 2014,

RESOLUTIONS

Resolution No. 14-70

WHEREAS, Suds City Laundromat, 228 Palisade Avenue has filed an application for a laundromat license for the year 2014, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Suds City Laundromat for the year 2014.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 14-71

WHEREAS, 4W Concern Holdings LLC, 18 Plauderville Avenue has filed an application for a laundromat license for the year 2014, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to 4W Concern Holdings LLC Laundromat for the year 2014.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 14-72

RISK MANAGEMENT CONSULTANT

WHEREAS, the City of Garfield is a member of the Suburban Essex Municipal Joint Insurance Fund; and

WHEREAS, the bylaws of said Funds require that each member municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws and the attached risk consultant management agreement; and

WHEREAS, the bylaws indicate a minimum fee equal to six percent (6%) of the Municipal assessment which expenditure represents reasonable compensation for the services required and which is included in the City's annual JIF assessment; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey does hereby appoint Frank Covelli of Professional Insurance Associates, Inc., 429 Hackensack Street, Carlstadt, NJ 07072 as its Risk Management Consultant in accordance with the Fund's bylaws and the attached risk consultant management agreement; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published pursuant to NJSA 40A:11-5(1)(a)(i).

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 14-73

WHEREAS, the City of Garfield is a member of the Suburban Essex Municipal Joint Insurance Fund; and

WHEREAS, as a member in this fund, the City of Garfield must appoint a Fund Commissioner and an Alternate to represent the City on all matters before the Fund; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, county of Bergen and State of New Jersey that City Manager Thomas J. Duch is hereby appointed as J.I.F. Fund Commissioner and Andrew J. Pavlica, City Clerk be and is hereby appointed as Alternate J.I.F. Fund Commissioner for the City of Garfield of the Suburban Essex Municipal Joint Insurance Fund for the year 2014.

RESOLUTIONS

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward a copy of this approved Resolution to the Suburban Essex Municipal Joint Insurance Fund, Risk Management Consultant and to the Office of the City Manager.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 14-74

RESOLUTION MAKING CERTAIN PROFESSIONAL APPOINTMENTS PURSUANT TO THE NEW JERSEY LOCAL UNIT PAY TO PLAY LAW

Whereas, pursuant to the a previously adopted resolution, the qualified evaluation committee has determined that it would be in the best interests of the City to make certain professional appointments pursuant to a “Fair and Open Process” pursuant to the provisions of the new Jersey Local Pay to Play Law; and

Whereas, a legal notice and statement of criteria for submission of qualifications were prepared and issued by the City which solicited submissions by the various professionals no later than January 24, 2014; and

Whereas, pursuant to the aforesaid notice statements of professional qualifications were, in fact submitted; and

Whereas, contracts with these professional may be entered into by the City of Garfield without the necessity of competitive bidding since these contracts are professional services which are exempt from competitive bidding pursuant to N.J.S.A. 40A-11-5(1); and

Now, Therefore, Be It Resolved, by the City Council of the City of Garfield, Bergen County, New Jersey,

1. Dieter Lerch of the firm Lerch, Vinci and Higgins, LLP is hereby appointed as City Auditor for the City of Garfield with compensation to be determined pursuant to the applicable salary Ordinance or pursuant to separate Resolutions.
2. Steven L. Rogut of the firm Rogut McCarthy Troy, LLC is hereby appointed as Bond Counsel for the City of Garfield with compensation to be determined pursuant to the applicable salary Ordinance or pursuant to separate Resolutions.
3. Frank Covelli of Professional Insurance Associates, Inc. is hereby appointed Risk Management Consultant for the City of Garfield.
4. Robert McNerney of McNerney Appraisal Services Corp. is hereby appointed City Tax Appraiser for the City of Garfield in connection defending tax appeals.
5. Edward Acari of the firm Acari Iovino Architects, PC is hereby appointed as City Architect for the City of Garfield for a fee to be determined based on each individual project awarded.
6. Burgis Associates, Inc. is hereby appointed as City Planner for the City of Garfield with compensation to be determined pursuant to separate Resolutions.
7. Capital Alternatives Corporation, GLD Associates and Millennium Strategies are hereby appointed as Grant Consultants for the City of Garfield with compensation to be determined in accordance with separate agreement to be established with the City Manager.
8. Unilateral Computer and A.A. Tech are hereby appointed as Computer IT Consultants for the City of Garfield with separate agreement to be established with the City Manager.

Now, Therefore, Be It Resolved, that the appointments shall be for a period of one (1) year and each appointment is subject to confirmation by the Chief Financial Officer that sufficient funds exist for the purposes.

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 14-75

A RESOLUTION TO AFFIRM THE CITY OF GARFIELD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME IN CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of City of Garfield to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of City of Garfield has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the City Council, City of Garfield, County of Bergen, State of New Jersey that:

Section 1: No official, employee, appointee or volunteer of the City by whatever title known, or any entity that is in any way a part of the City shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City's business or using the facilities or property of the City.

Section 2: The prohibitions and requirements of this Resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City to provide services that otherwise could be performed by the City.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this Resolution using the current definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The City Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The City Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the City as well as all other entities subject to this Resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this Resolution.

Section 7: The City Manager shall establish a system to monitor compliance and shall report at least annually to the Governing Body the results of the monitoring.

Section 8: At least annually, the City Manager shall cause a summary of this Resolution and the procedures established pursuant to this resolution to be communicated within the City. This communication shall include a statement from the Governing Body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City's web site.

RESOLUTIONS

Section 9: This Resolution shall take effect immediately.

Section 10: A copy of this Resolution shall be published in the official newspaper of the City in order for the public to be made aware of this policy and the City's commitment to the implementation and enforcement of this policy.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 14-76

A Resolution Authorizing PSE&G to Rotate the Curbside Lighting Along River Drive 180° Between Outwater Lane and The Elmwood Park Municipal Boundary.

WHEREAS, the City of Garfield executed an agreement with PSE&G to install curbside lighting between Outwater Lane and the Elmwood Park Municipal Boundary, and;

WHEREAS, the governing body wishes to rotate this lighting 180° to redirect the light fixtures over the sidewalk areas, and;

NOW THEREFORE BE IT RESOLVED, that Boswell Engineering is directed to discuss a resolution of this light rotation with PSE&G.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 14-77

A Resolution Authorizing Emergency Sanitary Sewer Repair Work on Irving Place, City of Garfield.

WHEREAS, a section of 8" sanitary sewer became clogged requiring an emergency sanitary sewer repair, and;

WHEREAS, proposals were solicited from Colonnelli Brothers, Inc., J.R. Haftek Co., Inc. and Reivax Contracting Corp., and;

WHEREAS, the lowest quotation was submitted by Reivax Contracting Corp. for a combination of work resulting in the replacement of 125 L.F. of piping and a new manhole in the amount of \$28,000.00, and;

WHEREAS, during the performance of the work an additional 45 L.F. of piping required replacement resulting in an additional cost of \$7650.00.

NOW THEREFORE BE IT RESOLVED, Reivax Contracting Corp. is hereby authorized to undertake said emergency for a total fee not to exceed \$35,650.00

BE IT FURTHER RESOLVED, the City Engineer is hereby authorized to coordinate the submission of quotations, inspect the work being performed and prepare payment requisitions for a fee not to exceed \$4,000.00.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 14-78

Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014 – June 2019

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the City Council of the City of Garfield, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED by the City of Garfield, County of Bergen, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Garfield Municipal Alliance grant for the fiscal year 2014 in the amount of:

DEDR	15,279
Cash Match	3,819
In-Kind	11,459

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Frank J. Calandriello

Resolution No. 14-79

RESOLVED by the City Council of the City of Garfield that the Chief Financial Officer shall and is hereby authorized to make the following transfers as per instructions from the Chief Financial Officer:

Account Name	Account Number	Transfer From	Transfer To
Attorney/Legal Services	3-01-20-155-155-020		30,282.52
Horizon BCBS of NJ	3-01-23-225-225-001	45,282.52	
Street Lighting	3-01-31-435-435-280		15,000.00
		<u>45,282.52</u>	<u>45,282.52</u>

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Glenn A. Mati

BILLS AND CLAIMS

Resolution No. 14-80

RESOLVED by the City Council of the City of Garfield that the following bills No. 1663 to 1668 covering, Trust Other, Building Dedicated Trust, Dog Trust Fund totaling \$73,937.55 and the Current Reserve Fund totaling \$62,122.28, Current Fund totaling \$3,365,861.53, and the Current Water Fund Reserve totaling \$27,249.96, Current Water Fund totaling \$21,921.98 and the General Capital Fund totaling \$94,151.00 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 seven (7) 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:

AN ORDINANCE TO AMEND AND REVISE CHAPTER 242-2 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "AMENDMENTS"

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: "AN ORDINANCE TO AMEND AND REVISE CHAPTER 242-2 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "AMENDMENTS" 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 February 25, 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 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.

END OF TELEPHONE COMMUNICATIONS

At 8:40 PM, Mayor Delaney ended telephone communications. It was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. John Easom, 103 Gaston Avenue, asked questions and spoke on the Ordinance concerning the sale of tobacco products on Route 46.

Ms. Christine Korsak, 185 Chestnut Street, spoke and asked questions on her water bill. She spoke about problems with dogs in her neighborhood. She complained about parking issues in her neighborhood. She said that she wants a handicapped parking space in front of her house. She said that when her neighbors have their air conditioners in their window, she cannot get into her driveway.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the City trying to control pit bulls and dog advocates made it clear that a municipality cannot be breed specific. He spoke on the Junior Boilermaker Football Organization Awards Dinner to be held on February 21, 2014 at Michele's Restaurant located at 32 Passaic Street. He wished everyone a "Happy Valentine's Day". He spoke about the expected snow storm forecast for Thursday. He said that Garfield is a congested city and it is tough parking in the town especially during a snowstorm.

Councilmember Aloia wished everyone a Happy Valentine's Day. He said the DPW did a darn good job of getting the snow off the street. He spoke on the proposed curtailing of garbage pickup during a snow storm. He again wished everyone a "Happy Valentine's Day" and said that if our hearts are warm, maybe the snow will melt.

Councilmember Mati said the City will be putting out a reverse 911 call to the public concerning the upcoming snow storm. He spoke on the effort of the DPW to remove the snow. He said that cooperation is needed from everyone. He concluded by wishing everyone a "Happy Valentine's Day".

Councilmember Raymond said the DPW did a fantastic job after the last snow storm. She spoke with Nancy Kutsup of the Planning & Events Committee and she would like to bring back the Memorial Day Parade. She wished everyone a "Happy Valentine's Day".

Regular Meeting February 11, 2014, Continued

ADJOURNMENT

At 9:25 PM, there being no further business, Councilmember Mati moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 – Mayor Delaney

Andrew J. Pavlica, CITY CLERK