

A Regular Meeting of the City Council was held Monday, April 21, 2014 at 8:30 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 moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held earlier this evening. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 14-191

WHEREAS, the Garfield High School Boys Basketball Team finished the 2013-2014 season with a 20-8 won-loss record, and the team won the Frank M. Dawson Memorial Holiday Tournament this past year, and

WHEREAS, to clinch the League title with a 14-2 League Record, the Team won three exciting overtime games in a row, and

WHEREAS, the team qualified for the Bergen County Tournament and the New Jersey State Tournament, and

WHEREAS, the team is comprised of Ned Bakic, Marlin Batista, Haris Becirovic, Travis Bennett, Kevin Buron, Taariq Cheatom, David Dolci, Anthony Gonzales, Juan Henao, Aveon Irving, Persio Lora, Nick Marquez, Mike Reyes, Ricky Reyes, Alex Victorino, under the capable direction of Assistant Coaches Jack Lo Bue, Nate Disclafani and Tom Reynolds and Head Coach Chris Storms, and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the Garfield High School Boys Basketball Team,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Garfield High School Boys Basketball Team on their successful 2013-2014 season.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, CERTIFIED copies of Resolution No. 14-191 were presented to representatives of the Garfield High School Boys Basketball Team.

Resolution No. 14-192

WHEREAS, Garfield High School Boys Basketball Coach Chris Storms was named New Jersey Interscholastic Conference Coach of the Year, and

WHEREAS, he led his team to a 20-8 won-loss record, and the team won the Frank M. Dawson Memorial Holiday Tournament this past year, and to clinch the League Title with a 14-2 League Record, the Team won three exciting overtime games in a row, and

RESOLUTIONS

WHEREAS, he coached the team to qualify for the Bergen County Tournament and the New Jersey State Tournament,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Garfield High School Basketball Coach Chris Storms is hereby CONGRATULATED for his keen competitive spirit and steadfast dedication to excellence as demonstrated in his being named as NJIC Coach of the Year.

On call of roll, Ayes 5 (Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 14-192 was presented to Garfield High School Basketball Coach Chris Storms.

Resolution No. 14-193

WHEREAS, Gabriella Kramer has been named Garfield High School Student of the Month for March 2014, and
WHEREAS, Gabriella has been described as “one of the most dependable and cooperative” students at Garfield High School who strives for success in all of her classes and is also very outgoing, creative, very organized and readily on task, and
WHEREAS, Gabriella participates in many sports including Soccer and Softball and is an active member of the Botany Club, Student Government and Spirit Club and shows dedication to her community by volunteering with the Passaic River Cleanup and decorating the Garfield Public Library for the holidays,
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that GABRIELLA KRAMER is hereby CONGRATULATED on being named GARFIELD HIGH SCHOOL STUDENT OF THE MONTH for March 2014.

On call of roll, Ayes 5 (Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 14-193 was presented to Gabriella Kramer

Resolution No. 14-194

WHEREAS, Anna Kapolka has been named Garfield High School Student of the Month for April 2014, and
WHEREAS, Anna has been described as “a true leader both mentally, continually encouraging all members of the team no matter what age or ability they have, and physically, leading by example by going above and beyond the daily workouts in order to make herself a better athlete”, and
WHEREAS, Anna also takes time from her busy schedule to tutor her fellow classmates in Math, English and Science and finds a lot of different ways to give back to her community by volunteering at the Garfield Public Library, Passaic River Cleanup and delivering Thanksgiving dinners to the less fortunate in our community,
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that ANNA KAPOLKA is hereby CONGRATULATED on being named GARFIELD HIGH SCHOOL STUDENT OF THE MONTH for April 2014.

On call of roll, Ayes 5 (Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 14-194 was presented to Anna Kapolka.

Resolution No. 14-195

WHEREAS, Elizabeth Gray was appointed Garfield City Historian in 1989, and
WHEREAS, “Liz” Gray graduated from William Paterson University with a BA in Sociology and an MA in Social Sciences and has been a part time professor at William Paterson University, Kean

RESOLUTIONS

University, Fairleigh Dickenson University, Felician College and Passaic and Bergen County Community Colleges, and

WHEREAS, "Liz" also spent 17 years as a Social Studies teacher at Garfield High School, retired in 2012, and now serves on the Garfield Board of Education, and

WHEREAS, she has served on the staffs of New Jersey Senators Gabriel Ambrosio and Paul Sarlo, and on the staffs of New Jersey Assemblymen Richard Vistotcky and Fred Scalera, and

WHEREAS, She has been the Director of Professional Services for Easter Seals, an Executive Board Member of the Garfield Chamber of Commerce, the Legislative Chair for the Garfield Federation of Teachers, as well as having served as their Committee Political Education Chair, has served as the Affirmative Action Representative for Garfield High School for many years, served as a Vice President for the New Jersey American Federation of Teachers K-12, as well as their COPE Co-Chair, graduated from Rutgers University United Labor School and, to date, is one of the Vice Presidents of the Bergen County Central Trades and Labor Council,

WHEREAS, she has two sons, David and Martin, and two grandchildren, Cassidy and Jesse, NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Elizabeth Gray is hereby CONGRATULATED on her TWENTY-FIVE YEARS OF SERVICE as Garfield City Historian and thanked for always having a desire to serve our Community and taking such a strong interest in the lives of the students, parents, citizens and taxpayers of our City.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 14-195 was presented to Elizabeth Gray.

Resolution No. 14-196

WHEREAS, the Garfield Boys and Girls Club Senior Basketball Division Robinson Trucking Team has gone undefeated 10-0 for the 2014 season, and

WHEREAS, the team is comprised of Danielle Basualdo, Elija Beltrean, Salma Jasser, Isaiah Jefferson, Trevor Logan, Josue Matias, Antoni Milevski, Giovanni Potente, Julian Rosado, Jonathon Saravia, Jake Smith and Matthew Stoeski under the direction of their Outstanding Head Coach Glenn "GJ" Robinson and his Outstanding Assistant Coaches Wilmer Gomez and Fess Logan; and WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the Robinson Trucking Basketball Team,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Robinson Trucking Team on their Senior Division Championship.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, CERTIFIED copies of Resolution No. 14-196 were presented to the Garfield Boys and Girls Club Senior Baseball Division Robinson Trucking Team.

Resolution No. 14-197

WHEREAS, Belmont Suds Factory Inc, 62 Belmont 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 for the year 2014.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTIONS

Resolution No. 14-198

WHEREAS, the Emergency Management Performance Grant program that provides resources to assist State and local governments to sustain and enhance all-hazards emergency management capabilities. States have the opportunity to use EMPG funds to further strengthen their ability to support emergency management activities while simultaneously addressing issues of national concern as identified in the National Priorities of the National Preparedness Guidelines; and WHEREAS, the FEMA Grant would allow for Federal funding in the amount of \$5,000.00; and WHEREAS, the FEMA Grant agreement would require a City's match of \$5,000.00; and NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, County of Bergen that it hereby authorized the appropriated Borough officials to submit the FEMA Grant Application to provide for funding of the Office of Emergency Management Coordinator's salary.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 14-199

A Resolution Authorizing Payment to Key-Tech For Providing Asphalt Coring and Testing Services For The Farnham Avenue Road Improvement Project, City of Garfield.
WHEREAS, Key-Tech has recently completed asphalt coring and testing services, and;
WHEREAS, this service was necessary in connection with the requirements of the NJDOT as part of the Local Aid funding, and;
WHEREAS, this cost will be reimbursed by NJDOT.
NOW THEREFORE BE IT RESOLVED, Key-Tech is hereby authorized payment in the total amount of \$1,415.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 14-200

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) Louis G. Aloia
Frank J. Calandriello

Resolution No. 14-201

WHEREAS, the City Treasurer of the City of Garfield has identified the following checks to be stale, and
WHEREAS, the City Treasurer has been deemed to cancel of record the following Outstanding check for Fire Prevention due to the death of Charlotte J. Taddeo
NO THEREFORE, ABE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the stale check on City of Garfield Current Account shall be treated as MRNA
Current Account #800741811

Charlotte J. Taddeo

NG Check #102

\$50.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTIONS

Resolution No. 14-202

WHEREAS, HP Garfield Investments, LLC is the owner of real property known on the Tax Map of the City of Garfield as Block 203.01, Lot 50.02, commonly known as 940 River Road, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011, bearing Docket No. 008897-2011; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, P.C., have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) as follows:

Year	Land	Improvements	Total
2011 Original Assessment	\$13,800,000.00	\$0.00	\$13,800,000.00

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

Year	Land	Improvements	Total
2011 Settlement	\$13,800,000.00	\$0.00	\$13,800,000.00

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 14-203

WHEREAS, HP Garfield Investments, LLC is the owner of real property known on the Tax Map of the City of Garfield as Block 203.01, Lot 50.04, commonly known as 940 River Road, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011, bearing Docket No. 008897-2011; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, P.C., have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) as follows:

Year	Land	Improvements	Total
2011 Original Assessment	\$3,500,000.00	\$0.00	\$3,500,000.00

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

Year	Land	Improvements	Total
2011 Settlement	\$1,650,000.00	\$0.00	\$1,650,000.00

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTIONS

Resolution No. 14-204

WHEREAS, Gemini Real Estate, LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 119.04, Lot 259.02, commonly known as 535 Midland Avenue, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2012, 2013 and 2014, bearing Docket No. 007686-2012, 001027-2013, 000000-2014; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, P.C., have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2012, 2013 and 2014 as follows:

Year	Land	Improvements	Total
2012 Original Assessment	\$570,700	\$1,281,400	\$1,852,100
2013 Original Assessment	\$570,700	\$1,281,400	\$1,852,100
2014 Original Assessment	\$570,700	\$1,281,400	\$1,852,100

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

Year	Land	Improvements	Total
2012 Settlement	\$570,700	\$929,300	\$1,500,000
2013 Settlement	\$570,700	\$929,300	\$1,500,000
2014 Settlement	\$570,700	\$879,300	\$1,450,000

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 14-205

WHEREAS, PMG New Jersey L.L.C., is the owner of real property known on the Tax Map of the City of Garfield as Block 1, Lot 1.01, commonly known as 105 River Road, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2012 and 2013, bearing Docket No. 14731-2012 and 17077-2013; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, P.C., have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) as follows:

RESOLUTIONS

Year	Land	Improvements	Total
2012 Original Assessment	\$598,500	\$250,200	\$898,700
2013 Original Assessment	\$598,500	\$250,200	\$898,700
2014 Original Assessment	\$598,500	\$126,500	\$725,000

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

Year	Land	Improvements	Total
2012 Settlement	\$598,500	\$126,500	\$725,000
2013 Settlement	\$598,500	\$126,500	\$725,000
2014 Original Assessment	\$598,500	\$126,500	\$725,000

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 14-206

WHEREAS, Martin and Sondra Rappaport 2009 Charitable Remainder Unitrust and Coremark-Garfield, LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 133, Lot 1, commonly known as 5-7 Jewell Street, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011, 2012 and 2013, bearing Docket No. 009280-2011, 002369-2012, 001504-2013; and

WHEREAS, Robert Mc Nerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, P.C., have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012 and 2013 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	\$1,671,800	\$2,298,500	\$3,970,300
2012 Original Assessment	\$1,671,800	\$2,298,500	\$3,970,300
2013 Original Assessment	\$1,671,800	\$2,298,500	\$3,970,300

NOW, THEREFORE, BE IT RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

RESOLUTIONS

Year	Land	Improvements	Total
2011 Settlement	\$1,671,800	\$400,000	\$2,071,800
2012 Settlement	\$1,671,800	\$400,000	\$2,071,800
2013 Settlement	\$1,671,800	\$400,000	\$2,071,800

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and
BE IT FURTHER RESOLVED, that the City Attorney is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

BILLS AND CLAIMS

Resolution No. 14-207

RESOLVED by the City Council of the City of Garfield that the following bill No. 1675 covering, Dog Trust Fund totaling \$2,500.00, the Current Fund Reserve totaling \$1,093.45 and the Current Fund totaling \$233,115.64 and the Current Water Fund Reserve totaling \$5,245.00, and the Current Water Fund totaling \$71,266.21 and the Water Capital Fund totaling \$825.00 and the General Capital Fund totaling \$36,622.550 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 fifteen (15) items prior to the meeting be ratified.

See

the

Following Pages Numbered _____

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2681

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, April 8, 2014; 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:

“BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO CITY HALL AND FIRE HOUSES IN, BY AND FOR THE CITY OF GARFIELD, IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$170,000 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.

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

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

Councilmember Mati 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 Aloia duly seconded the motion.

On call of roll, Ayes 5

CITIZENS AND TAXPAYERS

Mr. Robert Kramer, 463 Palisade Avenue, would like Pizza Places publicly recognized by the City Council for their participation in a Project Graduation Fundraiser. He spoke on the lack of promotion of Wednesday’s upcoming School Board Election.

Ms. Judy Frasier, 88 Prospect Street, would like the Public Service Electric and Gas Company to do an assessment of the City for where there is a need for better street lighting in town. She complained about the lack of sufficient brightness of the street lights throughout town. She complained about pot holes in town.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on School Officials allegedly not drawing attention to the upcoming School Board Election as a strategy so that voters do not go out to vote down the School Budget.

Councilmember Aloia spoke on the cost of City Street Lighting. He spoke on the despicable incident where a teenager threw a bottle at a Fire Truck responding to a fire resulting in an injury of a woman firefighter. He said that he hopes everyone had a good Easter and Passover.

Councilmember Raymond said she would like to see what needs to get done to get the teenager to pay for at least the damage to the fire truck. She said that she would like speed bumps installed on Wessington Avenue.

Councilmember Mati said that it was nice recognizing the students tonight and that it is great for the kids and that it makes him proud. He said that he hopes everyone had a good Easter and Passover. He said that he looks forward to Opening Day for the City sports leagues this weekend.

Mayor Delaney spoke on the paving of City streets this upcoming season.

Regular Meeting April 21, 2014 Continued

ADJOURNMENT

At 9:40PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK