

A Regular Meeting of the City Council was held Tuesday, May 27, 2014 at 8:20 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

Deputy Mayor Raymond 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 3, Abstain 2 –
Councilmembers Calandriello and Delaney

COMMUNICATIONS/APPOINTMENTS

City Clerk Andrew J. Pavlica reported that in a letter to him dated May 27, 2014, Mayor Joseph Delaney made the following appointment to the Garfield Free Public Library Board of Trustees:

- * Ms. Donna Miller, 76 Manner Avenue, as a Regular Member, to succeed Ms. Joan Murdock, (who has resigned from the Board), for the unexpired term, said term to expire December 17, 2017.

RESOLUTIONS

Resolution No. 14-238

WHEREAS, Garfield Roosevelt School No. 7 was a National Football League Play 60/Eat Right Grant Award Winner, and

WHEREAS, to qualify for the grant, the school must participate in the national school lunch program, and have at least 100 students log 60 minutes of activity each day for a month as part of the NFL's Play 60/Eat Right Move More child exercise and nutrition program, and

WHEREAS, Roosevelt School No. 7 was awarded \$2,000.00 to use for healthy eating and healthy activities and was visited recently by New York Jets Running Back Alex Green, and

WHEREAS, Roosevelt School No. 7 Principal Jennifer Alfonso and her staff deserved much praise for successfully participating in this program,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to all the administrators and staff of Roosevelt School No. 7 on being awarded the National Football League's Play 60/ Eat Right Grant.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, a CERTIFIED copy of Resolution No. 14-238 was presented to School No. 7 Principal Jennifer Alfonso.

RESOLUTIONS

Resolution No. 14-239

WHEREAS, George Masiuk was hired as Assistant Street Superintendent by City Manager William Boyle on May 9, 1988, and

WHEREAS, George Masiuk is retiring effective Wednesday, May 28, 2014, and the day will conclude with a Retirement Beefsteak Celebration at the Sam and Ann Sangis Recreation Center located at 466 Midland Avenue in Garfield, and

WHEREAS, the Mayor and Council are desirous of publicly offering best wishes to him on his retirement,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Assistant Street Superintendent GEORGE MASIUK is hereby CONGRATULATED and extended BEST WISHES on his retirement from a twenty-six year career of public service.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 14-240

RESOLVED by the City Council of the City of Garfield that the City Clerk is hereby authorized to issue the following licenses for the fiscal year beginning July 1, 2013 and ending June 30, 2014:

PLENARY RETAIL CONSUMPTION LICENSES

License No. 0221-33-031-006

LCJD, LLC
399 Midland Avenue

BE IT FURTHER RESOLVED that the foregoing renewals are granted on the condition that said renewal shall not constitute approval of anything at variance with the records of the City Council or any person-to-person transfer, place-to-place transfer or change of corporate structure approved prior to the passage of this resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 14-241

WHEREAS, bids were received by the City Clerk in the Conference Room in City Hall on Thursday, May 16, 2014 at 10:00 AM for the Summer Food Program conducted by the Garfield Recreation Department; and

WHEREAS, present at the bid opening was the Veronica Potenza for the Recreation Department and Deputy City Clerk, Diane Rosolen; and

WHEREAS, only one bid was received and that bid was from Maschio's Food Services, Inc., 525 E. Main Street, Chester, NJ 07930 in the amount of \$152,364.00, based on the unit price of \$2.55 per lunch, \$1.80 for Breakfast and \$.95 per P.M. Snack; and

WHEREAS, the Chief Financial Officer, has certified to the existence of funds for this expenditure since the program is funded in full by a Federal Grant administered through the New Jersey Bureau of Child Nutrition; and

WHEREAS, the bid has been reviewed and recommended for award by the Chief Financial Officer, and the appropriate City Officials; and

WHEREAS, this program is in the best interests of the health and welfare of the children qualifying for the program;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey, that a Contract for the Summer Food Service Program be and is hereby awarded to Maschio's Food Services, Inc., 525 E. Main Street, Chester, NJ 07930 in the total amount of their bid of \$152,364.00;

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and/or review the appropriate Contract documents for execution by the Mayor and City Clerk; and

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BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward certified copies of this approved Resolution to the Interim Chief Financial Officer, Roy Riggitano, the Director of the Recreation Department, Anthony Furfaro, the City Attorney and Maschio's Food Services, Inc.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Glenn A. Mati

Resolution No. 14-242

A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and

WHEREAS, the Grantee or a unit of General Local Government that directly or indirectly receives Community Development Block Grant (CDBG) funds may not sell, trade, or otherwise transfer all or any such portion of such funds to another metropolitan city, urban county, unit of general local government or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal consideration, but must use such funds for activities eligible under Title I of the Housing and Community Development Act of 1974, as amended.

WHEREAS, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 20, 2014 each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the City of Garfield and its residents to participate in said programs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home Investment Partnership Act Program for the Program Years 2015, 2016 and 2017 (July 1, 2015-June 30, 2018); and

BE IT FURTHER RESOLVED, that a copy to this resolution be forwarded to the Bergen County Division of Community Development no later than June 20, 2014.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Glenn A. Mati

Resolution No. 14-243

AUTHORIZING THE CITY OF GARFIELD TO APPLY TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR SAFE ROUTES TO SCHOOL PROGRAM FUNDING

WHEREAS, the City of Garfield, County of Bergen, State of New Jersey desires to apply to the New Jersey Department of Transportation (NJDOT) for grant funding under the Safe Routes to School Program; and

WHEREAS, the funds are provided under the Moving Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, the Garfield School Safety Project (Phase 2) meets all the criteria necessary to receive funding under the Safe Routes to School Program; and

WHEREAS, the Garfield School Safety Project (Phase 2) will promote safe walking and biking along the routes to and from school and improve the quality of life for the residents of City of Garfield; and

WHEREAS, the City of Garfield agrees to assume a commitment for maintenance of the project after construction is completed; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey authorizes the City Manager to submit a grant application to

RESOLUTIONS

the NJDOT for funding under the Safe Routes to School Program for the the Garfield School Safety Project (Phase 2), SRS-I-2014-Garfield School Safety Project (Phase 2)-00004.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Glenn A. Mati

Resolution No. 14-244

A Resolution Authorizing Change Order No. 4 in Connection with the Lanza Avenue Improvements, Midland Avenue Sidewalk Improvements and Passaic Street Streetscape.

WHEREAS, English Paving was awarded a contract in connection with the improvement of Lanza Avenue, as well as sidewalk repairs on Midland Avenue and Passaic Street, and;

WHEREAS, field conditions encountered within the project limits and as-built quantities caused an additional cost in the amount of \$9,276.36.

NOW THEREFORE BE IT RESOLVED, Change Order No. 4 in the total amount of \$9,276.36 is hereby approved.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 14-245

RESOLVED by the City Council of the City of Garfield that the following bills No. 1679 to 1680 covering, Trust Other Account totaling \$26,659.66, the Current Fund totaling \$541,399.26 and the Current Water Fund totaling \$68,053.44, and the General Capital Fund totaling \$32,233.30 and the Water Capital Fund totaling \$21,135.75 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 thirteen (13) items prior to the meeting be ratified.

See

the

Following Pages Numbered _____

For

Bills

And

Claims

ORDINANCES

Councilmember Raymond introduced in writing the following ordinance entitled:

ORDINANCE REGULATING DISORDERLY CONDUCT
IN THE CITY OF GARFIELD

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this ordinance entitled: "ORDINANCE REGULATING DISORDERLY CONDUCT IN THE CITY OF GARFIELD" 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 June 9, 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.

Councilmember Mati introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE CHAPTER 48 OF THE CITY CODE OF THE
CITY OF GARFIELD, ENTITLED "POLICE DEPARTMENT", MORE PARTICULARLY
CHAPTER 483 THEREOF, ENTITLED "ADOPTION OF MANUAL RULES AND
REGULATIONS AND PROCEDURES"

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: "AN ORDINANCE TO AMEND AND REVISE CHAPTER 48 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "POLICE DEPARTMENT", MORE PARTICULARLY CHAPTER 483 THEREOF, ENTITLED "ADOPTION OF MANUAL RULES AND REGULATIONS AND PROCEDURES" 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 June 9, 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.

Councilmember Aloia introduced in writing the following ordinance entitled:

ORDINANCE LIMITING THE TRUCK TRAFFIC ON HOBART PLACE BETWEEN BOGART
AVENUE AND MARSELLUS PLACE TO VEHICLES UNDER 7,000 POUNDS IN GROSS
WEIGHT OR 30 FEET IN LENGTH

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: "ORDINANCE LIMITING THE TRUCK TRAFFIC ON HOBART PLACE BETWEEN BOGART AVENUE AND MARSELLUS PLACE TO VEHICLES UNDER 7,000 POUNDS IN GROSS WEIGHT OR 30 FEET IN LENGTH" 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 June 9, 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.

ORDINANCES

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.

Mayor Delaney introduced in writing the following ordinance entitled:

City Clerk Pavlica read the ordinance by title.

LAND USE ORDINANCE ADOPTED BY SUMMARY BY
THE CITY OF GARFIELD, STATE OF NEW JERSEY
AN ORDINANCE TO ADOPT THE REDEVELOPMENT PLAN SKETCHLEY SITE, BLOCK
119.03, LOT 52, PREPARED BY BURGIS ASSOCIATES, INC. DATED MARCH 26, 2014

Mayor Delaney moved that this ordinance entitled: "LAND USE ORDINANCE ADOPTED BY SUMMARY BY THE CITY OF GARFIELD, STATE OF NEW JERSEY AN ORDINANCE TO ADOPT THE REDEVELOPMENT PLAN SKETCHLEY SITE, BLOCK 119.03, LOT 52, PREPARED BY BURGIS ASSOCIATES, INC. DATED MARCH 26, 2014" 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 June 9, 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 defeated by the following vote on first reading: Ayes 2, Nay 1 – Councilmember Calandriello, Abstain 2 – Councilmembers Aloia and Mati.

ORDINANCE DEFEATED

EXIT OF MAYOR DELANEY

At 8:45 PM, Mayor Joseph Delaney left the Meeting and Deputy Mayor Tana Raymond chaired the Meeting from this point forward. It was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. and Mrs. Stanley Barabasz, 1 Garden Court East, spoke on the proposed Redevelopment of the Sketchley Services/Eastern Overall site at the south end of Walnut Street. They questioned why the City would consider granting the developer a tax discount. They complained that they get water in their basement. They commented on the Development being considered as a rental property. They said that they want something nice in their neighborhood, not 40 feet high. They said that they do not want a Pilot Program where the property owners do not pay taxes. They said that the Developer should worry if the 3.15 acres is clean or not. They said that they are upset, their house is 25 feet high and the Developer wants to build 35 feet or more higher. They said that they are concerned that the quality of living in this neighborhood will go down the hill and the value of their house will go down the hill. They spoke on how the Developer should clean up the environment.

Ms. Christine Korzak, 185 Chestnut Street, spoke on property maintenance and complained about property maintenance issues concerning her neighbor. She spoke on "snow drama". She complained about her neighbor being inconsiderate when parking in her neighborhood. She spoke on being denied a handicapped parking space by the Police Department.

CITIZENS AND TAXPAYERS

Mr. Tom Luterzo, 88 Gaston Avenue, complained that there are signs in Twentieth Century Field that say no dogs or bicycles are allowed in the park and yet they are both present in the park.

Ms. Danielle Grabinski, 66 Krakow Street, spoke on how the old basketball courts at the end of Emmanuel Street, were paved over for a parking lot but it has become a volley ball practice area and soccer practice area. She said that signs posted say that parking is until 10:00 PM in Twentieth Century Field. She said that storm water is still flowing into her yard and dirt now comes into her yard. She said that in 1996, dirt was placed there to prevent water from flowing into her yard, but the dirt is not there now. She said that the cops promised to be there more frequently and yet the cops were only there three times in three months.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on dog owners not cleaning up after their pets. He complained about dog owners not keeping their dogs on a leash. He said that there should be proper signage for all these issues and people should be held accountable for their actions. He spoke on a recent application that was defeated by the Zoning Board of Adjustment. He spoke on the soccer field on top of 517 River Drive. He complained about the lack of parking for the soccer field on top of the building. He spoke on having the safety of the people in mind. He spoke on dangerous intersections such as the intersection of River Drive and Belmont Avenue and the intersection of River Drive and Botany Street and the need for crosswalks there. He requested that the speed limit be reduced on River Drive. He spoke on the need for parking restrictions on River Drive between Botany Street and Belmont Avenue. He said that pedestrians cannot walk safely in that area.

Ms. Patricia Grabinski, 66 Krakow Street, spoke on the need to redirect the lights in Twentieth Century Field.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke about the need for the City Engineer to recommend solutions. He said that the expert opinion is needed to achieve the goal. He said that at Dahnerts Lake, there is a children's area that floods all the time. He spoke on the need to improve the taste and the quality of City Drinking Water.

Councilmember Aloia spoke about the blocks in the crosswalks coming out on Harrison Avenue and Frederick Street.

Deputy Mayor Raymond spoke on attending great services on Memorial Day.

Councilmember Mati spoke on trying to improve the City. He spoke on people being in the park until 11:00 PM. He spoke on the Memorial Day Services and said that people die for the things we take for granted. He thanked all the Veterans and those who paid the ultimate sacrifice. He spoke on attending a ceremony in Arlington National Cemetery when he was in Washington, D.C.

ADJOURNMENT

At 10:10 PM, there being no further business, Councilmember Aloia moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK