

A Regular Meeting of the City Council was held Tuesday, February 10, 2015 at 8:45 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Deputy Mayor Glenn A. Mati 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, Joseph Delaney and Glenn A. Mati

Councilmembers Absent: Tana M. Raymond

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), City Engineer Kevin J. Boswell), Interim Chief Financial Officer Roy Riggitano and Bond Counsel Steve Rogut

### REPORTS OF OFFICERS

Councilmember Calandriello 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,  
Absent 1 – Mayor Raymond

### RESOLUTIONS

Resolution No. 15-30

WHEREAS, after fifteen years, Hon. Salvatore A. Ingrassia, SJWC, has announced his retirement as Supervising Judge of Compensation for the State of New Jersey, and a Retirement Reception Dinner in his honor will be held on Thursday, February 19, 2015 at the Venetian Restaurant in Garfield, and

WHEREAS, he has held the appointments to and is the former City Attorney for the City of Garfield, Attorney/Secretary for the Garfield Board of Adjustment, Attorney for the Alcohol and Beverage Control Board of the City of Garfield, and former Member of the Elmwood Park Planning Board; and

WHEREAS, his is Professionally Affiliated and Admitted to practice before the United States Supreme Court, the Federal District Court of New Jersey, the Courts of the State of New Jersey, former member of the New Jersey State Bar Association; Bergen County Bar Association; the Federal Immigration Bar Association; Member of the Chamber of Commerce of Elmwood Park, Garfield and United States Chamber of Commerce, and

WHEREAS, his Community Affiliations consist of the following: Bergen County Carrier Advancement Training Inc., Trustee, Vice President and Secretary; Unico National, Second District Governor and Secretary, Vice President and President of the Elmwood Park Chapter; Italian-American Forum of Lodi, served as President, Vice President and Secretary; Italian-American Political Action Committee, served as Vice President; Our Lady of Mount Virgin Parish, served as President and Vice President; Our Lady of Mount Virgin School Board, served as President; The Columbians, Member; Saint Anthony Society, Member, and

WHEREAS, he and his wife of thirty-seven years, Maria, have three daughters: Francine LaDuca; Maria Ingrassia – Svrcek; Christine Ingrassia-Scaduto; and a son Anthony; and three grandchildren: Damiano and Deanne La Duca and Tommaso Scaduto,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS and BEST WISHES are hereby extended to SALVATORE INGRAFFIA upon the occasion of his retirement from an

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outstanding tenure of service as Supervising Judge of Compensation for the State of New Jersey during which he has demonstrated throughout his career an exemplary measure of public-spiritedness and for which he has earned the deepest respect and admiration of many.

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

(Sgd) Glenn A. Mati  
Joseph Delaney

Resolution No. 15-31

WHEREAS, the residents of Garfield will host a Black History Celebration on Saturday, February 28, 2015 at 6:00 PM at the Garfield Free Public Library located at 500 Midland Avenue, Garfield, and

WHEREAS, the theme is “Garfield’s Families- Paving the Way” at which time, tribute will be paid to the Early Pioneers of Garfield, and

WHEREAS, the following family elders will be honored at this Celebration, all but one having been part of the Garfield Community for over 50 years: Roy Barksdale, Horace Buggs Sr., Jean Cason, John Dukes, Delores Manuel Dye, Florence Hill Elam, Laura Freeman, Sandra Freeman, Roberta Murray, Clara Logan, Deacon Heyward Manuel Sr., Christine Merritt, James Merritt, Geri Scott, Beatrice Smith, Bea Manuel Waters, Theresa Watson, Inez White and Gracie Williams, and

WHEREAS, the achievements of African-Americans are not limited to those recorded and retold in our history books, their impact is felt in communities where they are heroes who care for families, are leaders of industry, community service, classrooms, and in many other ways,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that during Black History Month, the City of Garfield hereby pays tribute to the contributions of those African-American men and women who have paved the way for all of us, with expectations for those who follow, and to continue the righteous path of making America what it should be – a Nation that is more just and more equal for all its people.

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

(Sgd) Glenn A. Mati  
Joseph Delaney

Resolution No. 15-32

WHEREAS, Fire Company No. 3 has advised that they have expelled Augustin Delvalle of 71 Gaston Avenue, Garfield as an active member effective February 2, 2015,

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

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-33

WHEREAS, Fire Company No. 4 has advised that they have expelled James Zuniga of 118 Barrington Avenue, Clifton as an active member effective February 7, 2015,

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

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-34

WHEREAS, Fire Company No. 5 has advised that they have accepted Ana C. Verdade of 16 Commerce Street, Garfield, New Jersey 07026, effective December 6, 2014,

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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. 5 with respect to the above matter, is hereby approved.

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-35

WHEREAS, Ingrid Morales, on behalf of her father, Jose Abreu, 56 Monroe Street, who is the holder of a Disabled Person I.D. Card No. P1404861, 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 Monroe Street commencing 235 feet west of the intersection of Monroe Street & Palisade Avenue, and run an additional 22 feet west 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 4,  
Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-36

WHEREAS, Revine Harris, on behalf of Clarence Jenkins, 134 Malcolm Avenue, who is the holder of a Disabled Person I.D. Card No. P1364744, 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 Malcolm Avenue commencing 62 feet north of the intersection of Malcolm Avenue & Charles 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 4,  
Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-37

WHEREAS, a fifteen (15) minute parking zone has been requested by Mr. Carlton D’Moore of Keith’s Bagel & Subs for placement at 232 Midland Avenue, for use by their customers,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a fifteen (15) minute parking zone is hereby authorized to be established along the east curb line of Midland Avenue and extend for approximately 50 feet north from the intersection of Midland Avenue and Grand Street.

BE IT FURTHER RESOLVED that a fifteen (15) minute parking zone is hereby authorized to be in effect from 6:00 AM – 1:00 PM.

FURTHER RESOLVED that the Traffic Control Division of the Police Department is hereby authorized and directed to erect an appropriate sign t the above location.

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

(Sgd) Joseph Delaney  
Glenn A. Mati

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Resolution No. 15-38

**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. All Covered 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.

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

(Sgd) Joseph Delaney  
Glenn A. Mati

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Resolution No. 15-39

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 2015 will memorialize the commitment of this municipality to recycling and to 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 4,  
Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-40

Tax Reimbursement Certification

WHEREAS, the Recycling Enhancement Act, P.I., 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 certified exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal 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 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 of Garfield that the City of Garfield hereby certifies a submission of expenditure for taxes paid pursuant to P.I. 2007, chapter 311, in 2014 in the amount of \$42,908.79. 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 4,  
Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
Glenn A. Mati

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Resolution No. 15-41

WHEREAS, the checking account known as Police ICE OT has a balance of \$0.00 and;  
WHEREAS, it is requested by the Chief Financial Officer, to close this checking account;  
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that the Chief Financial Officer and Treasurer are to close out this checking account.

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-42

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 checks which are dated prior to January, 2014.  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that all stale checks on City of Garfield Current Account shall be treated MRNA, as to the treasurer’s bank statement reconciliation:

Current Account #800741811

<u>Check #</u>	<u>Dollar Amount</u>
26091	\$ 1,979.77
26100	\$ 56.25
26178	\$ 56.25
26253	\$ 56.25
26272	\$ 56.25
26644	\$ 229.50
27340	\$ 175.00

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-43

WHEREAS, the Chief Financial Officer of the City of Garfield has identified the following checks to be stale, and  
WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks which are dated prior to July 31, 2014.  
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that all balances shall be treated as MRNA, as to the treasurer’s bank statement reconciliation:

Payroll Account 800741803

<u>Check#</u>	<u>Dollar Amount</u>
179781	\$ 37.13
2071	\$ 518.24
180144	\$ 19.08
180346	\$ 2,840.33
180347	\$ 816.23
180451	\$ 260.18
180831	\$ 260.18

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-44

A Resolution Authorizing Change Order No. 1 in Connection with the Pierre Avenue Improvement Project, City of Garfield

WHEREAS, the City of Garfield awarded a contract to John Garcia Construction Co., Inc. in the original contract amount of \$846,568.15 and;

WHEREAS, Change Order No. 1 is necessary to adjust as-built quantities within the project limits.

NOW THEREFORE BE IT RESOLVED Change Order No. 1 in the contract amount of \$157,500.00 is hereby approved.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-45

A Resolution Authorizing Change Order No. 1 in Connection with the ADA Ramps on County Roads Project, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to Concrete Construction Corp., Inc. in the original contract amount of \$281,427.45, and;

WHEREAS, Change Order No. 1 is necessary to adjust as-built quantities within the project limits.

NOW THEREFORE BE IT RESOLVED, Change Order No. 1 for a reduction in the contract amount of \$50,793.35 is hereby approved.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-46

A RESOLUTION TO CONFIRM ENDORSEMENT OF CDBG APPLICATION FOR PUMPER FIRE TRUCK, GARFIELD FIRE COMPANY NO. 3, THE CITY OF GARFIELD.

WHEREAS, a Bergen County Community Development grant of \$600,000.00 has been proposed by the City of Garfield for a pumper fire truck, Garfield Fire Company No. 3, City of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-47

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

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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;

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 2016 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 4,  
Absent 1 – Mayor Raymond

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-48

WHEREAS, BSS REALTY LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 135.01, Lot 72, commonly known as 71 Franklin Avenue, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2011, 2012, 2013, 2014 bearing Docket Nos, 005066-2011, 008653-2012, 009204-2013, 007127-2014; 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, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013, 2014 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	37,500	0	37,500
2012 Original Assessment	37,500	0	37,500
2013 Original Assessment	37,500	0	37,500
2014 Original Assessment	37,500	0	37,500

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:

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Year	Land	Improvements	Total
2011 Settlement	37,500	0	37,500
2012 Settlement	37,500	0	37,500
2013 Settlement	37,500	0	37,500
2014 Settlement	37,500	0	37,500

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 4,  
 Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
 Glenn A. Mati

Resolution No. 15-49

WHEREAS, 4W REAL ESTATE HOLDINGS LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 158, Lot 5, commonly known as 83 JEWELL STREET, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2011, 2012, 2013 and 2014 bearing Docket Nos, 018542-2011, 017718-2012, 019151-2013 and 015292-2014; 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, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013 and 2014 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	100,700	310,200	410,900
2012 Original Assessment	100,700	310,200	410,900
2013 Original Assessment	100,700	310,200	410,900
2014 Original Assessment	100,700	310,200	410,900

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	100,700	289,300	390,000
2012 Settlement	100,700	289,300	390,000
2012 Settlement	100,700	274,300	375,000
2012 Settlement	100,700	274,300	375,000

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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 4,  
Absent 1 – Mayor Raymond

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-50

WHEREAS, F BUCHMAN & A RIEDER ET ALS, is the owner of real property known on the Tax Map of the City of Garfield as Block 160, Lot 31, commonly known as 94 JEWELL STREET, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2011, 2012, 2013 and 2014 bearing Docket Nos, 017993-2011, 018263-2012, 017675-2013 and 013149-2014; 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, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013 and 2014 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	176,700	484,800	661,500
2012 Original Assessment	176,700	484,800	661,500
2013 Original Assessment	176,700	484,800	661,500
2014 Original Assessment	176,700	484,800	661,500

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	176,700	434,800	611,500
2012 Settlement	176,700	434,800	611,500
2013 Settlement	176,700	434,800	611,500
2014 Settlement	176,700	434,800	611,500

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 4,  
Absent 1 – Mayor Raymond

(Sgd) Glenn A. Mati  
Louis G. Aloia

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Resolution No. 15-51

WHEREAS, GREAT WHITE HOLDING LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 194, Lot 31, commonly known as 129 JEWELL STREET, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2011, 2012, 2013 and 2014 bearing Docket Nos, 018013-2011, 018264-2012, 017674-2013 and 013148-2014; 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, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013 and 2014 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	92,000	788,000	880,000
2012 Original Assessment	92,000	788,000	880,000
2013 Original Assessment	92,000	788,000	880,000
2014 Original Assessment	92,000	788,000	880,000

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
2011 Settlement	92,000	613,000	705,000
2012 Settlement	92,000	613,000	705,000
2013 Settlement	92,000	613,000	705,000
2014 Settlement	92,000	613,000	705,000

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 4,  
Absent 1 – Mayor Raymond

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-52

WHEREAS, BSS REALTY LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 135.01, Lot 10, commonly known as 64 Outwater Lane, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2011, 2012, 2013, 2014 bearing Docket Nos, 005066-2011, 008653-2012, 009204-2013, 007127-2014; 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, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013, 2014 as follows:

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Year	Land	Improvements	Total
2011 Original Assessment	1,092,600	2,457,900	3,550,500
2012 Original Assessment	1,092,600	2,457,900	3,550,500
2013 Original Assessment	1,092,600	2,457,900	3,550,500
2014 Original Assessment	1,092,600	2,457,900	3,550,500
2015 Original Assessment	1,092,600	2,457,900	3,550,500

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	1,092,600	1,381,700	2,474,300
2012 Settlement	1,092,600	1,381,700	2,474,300
2013 Settlement	1,092,600	1,381,700	2,474,300
2014 Settlement	1,092,600	1,381,700	2,474,300
2015 Settlement	1,092,600	1,281,700	2,374,300

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 4,  
Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-53

WHEREAS, BSS REALTY LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 139, Lot 19, commonly known as 65 Prescott Avenue, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2011, 2012, 2013, 2014 bearing Docket Nos, 005066-2011, 008653-2012, 009204-2013, 007127-2014; 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, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013, 2014 as follows:

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Year	Land	Improvements	Total
2011 Original Assessment	87,500	6,600	94,100
2012 Original Assessment	87,500	6,600	94,100
2013 Original Assessment	87,500	6,600	94,100
2014 Original Assessment	87,500	6,600	94,100

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
2011 Settlement	87,500	6,600	94,100
2012 Settlement	87,500	6,600	94,100
2013 Settlement	87,500	6,600	94,100
2014 Settlement	87,500	6,600	94,100

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 4,  
Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-54

WHEREAS, BSS REALTY LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 139, Lot 20, commonly known as 67 Prescott Avenue, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2011, 2012, 2013, 2014 bearing Docket Nos, 005066-2011, 008653-2012, 009204-2013, 007127-2014; 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, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013, 2014 as follows:

RESOLUTIONS

Year	Land	Improvements	Total
2011 Original Assessment	87,500	6,600	94,100
2012 Original Assessment	87,500	6,600	94,100
2013 Original Assessment	87,500	6,600	94,100
2014 Original Assessment	87,500	6,600	94,100

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
2011 Settlement	87,500	6,600	94,100
2012 Settlement	87,500	6,600	94,100
2013 Settlement	87,500	6,600	94,100
2014 Settlement	87,500	6,600	94,100

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 4,  
Absent 1 – Mayor Raymond

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-55

RESOLUTION OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, PRESCRIBING THE DETAILS AND BOND FORM FOR \$3,065,000 GENERAL IMPROVEMENT REFUNDING BONDS (SERIES 2015) AND \$820,000 WATER UTILITY REFUNDING BONDS (SERIES 2015), EACH ISSUE DATED FEBRUARY 25, 2015, AUTHORIZING THE ACCEPTANCE OF AN OFFER TO PURCHASE SAID BONDS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the refunding bond ordinance hereinafter described has been duly adopted and it is necessary to provide for the issuance of the refunding bonds authorized by such bond ordinance; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, in the County of Bergen, New Jersey (the "City"), as follows:

Section 1. There shall be issued at this time \$3,885,000 of the refunding bonds, consisting of \$3,065,000 General Improvement Refunding Bonds (Series 2015) and \$820,000 Water Utility Refunding Bonds (Series 2015) (individually, the "General Improvement Refunding Bonds (Series 2015)" or the "Water Utility Refunding Bonds (Series 2015)", respectively; collectively, the "Bonds"), authorized pursuant to Bond Ordinance No. 2687 adopted by the City Council of the City on August 12, 2014 (the "Bond Ordinance"). The Bonds

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are being issued to refund \$3,924,000 aggregate principal amount of the City's outstanding bonds dated July 15, 2006 consisting of (A) \$3,115,000 of General Improvement Bonds maturing from 2015 to 2018 (the "General Improvement Bonds") and (B) \$809,000 of Water Utility Bonds maturing from 2015 to 2026 (the "Water Utility Bonds", and together with the General Improvement Bonds; the "Refunded Bonds"). The proceeds of the Bonds will be used (Y) to redeem the Refunded Bonds on April 1, 2015 at the redemption price of 100% of the principal amount thereof, plus accrued interest to the redemption date, and (Z) to pay the costs of issuance of the Bonds. The City Council hereby specifically and irrevocably elects to redeem the Refunded Bonds on April 1, 2015 at a redemption price of 100% of the principal amount thereof, plus accrued interest to the date of redemption.

Section 2. (A) The General Improvement Refunding Bonds (Series 2015) shall be issued as a single issue of bonds, aggregating \$3,065,000 and consisting of an issue of bonds in the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of their maturity. Said issue shall be payable in annual installments on July 15 in each year, and shall bear interest at the rates per annum, as follows:

Year	Principal Amount	Interest Rate	Year	Principal Amount	Interest Rate
2015	\$705,000	1.00%	2017	\$825,000	4.00%
2016	695,000	2.00	2018	840,000	4.00

Said issue shall be designated "General Improvement Refunding Bonds (Series 2015)". The indebtedness evidenced by each General Improvement Refunding Bond (Series 2015) shall be deemed to have been incurred for the purpose described in the Bond Ordinance and in this resolution.

(B) The Water Utility Refunding Bonds (Series 2015) shall be issued as a single issue of bonds, aggregating \$820,000 and consisting of an issue of bonds in the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of their maturity. Said issue shall be payable in annual installments on July 15 in each year, and shall bear interest at the rates per annum, as follows:

Year	Principal Amount	Interest Rate	Year	Principal Amount	Interest Rate
2015	\$70,000	1.00%	2021	\$70,000	3.00 %
2016	70,000	2.00	2022	70,000	2.00
2017	70,000	4.00	2023	70,000	2.25
2018	70,000	4.00	2024	65,000	2.375
2019	70,000	3.00	2025	65,000	2.50
2020	65,000	3.00	2026	65,000	2.625

Said issue shall be designated "Water Utility Refunding Bonds (Series 2015)". The indebtedness evidenced by each Water Utility Refunding Bond (Series 2015) shall be deemed to have been incurred for the purpose described in the Bond Ordinance and in this resolution.

Section 3. All of the Bonds shall be dated February 25, 2015, and shall bear interest from their date until their respective maturities at the rates per annum set forth in Section 2 of this resolution. Such interest shall be payable on each January 15 and July 15, commencing July 15, 2015 (each, an "Interest Payment Date"), in each year until maturity. The Bonds shall not be subject to redemption prior to their stated maturities.

Section 4. The Bonds will be issued in fully registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity of each issue will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to

RESOLUTIONS

the rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in Section 3 of this resolution, and principal of the Bonds will be paid annually on July 15 as set forth in the maturity schedules hereinbefore stated, in immediately available funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Interest will be payable to owners of Bonds shown on the records of DTC as of the last business day of the month preceding the month in which such Interest Payment Date occurs. The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will authenticate and deliver replacement bonds in the form of fully registered certificates.

The principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 5. All of the Bonds shall be signed by the Mayor or Deputy Mayor by manual or facsimile signature and by the Interim Chief Financial Officer by manual or facsimile signature, the corporate seal of the City shall be imprinted, affixed or reproduced thereon, and such seal shall be attested by the City Clerk or Deputy City Clerk by manual or facsimile signature. The Bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 6. Each of the Bonds shall be issued in substantially the following form:

[Form of Bond]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-\_\_ \$\_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF BERGEN  
CITY OF GARFIELD

[GENERAL IMPROVEMENT] [WATER UTILITY] REFUNDING BOND  
(SERIES 2015)

INTEREST  
RATE PER  
ANNUM

MATURITY DATE

DATED DATE

CUSIP

\_\_\_\_%

JULY 15, 20\_\_

FEBRUARY 25, 2015

365856\_\_

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: -----DOLLARS

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The City of Garfield, a municipal corporation of the State of New Jersey, located in the County of Bergen (hereinafter referred to as the "City"), for value received, hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it shall mature at the INTEREST RATE PER ANNUM specified above, payable on each January 15 and July 15, commencing July 15, 2015 (each, an "Interest Payment Date"), of each year until maturity. This Bond is not subject to redemption prior to its stated maturity. The principal hereof is payable at the office of the Chief Financial Officer, City Hall, 111 Outwater Lane, Garfield, New Jersey 07026 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the last business day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination, interest rate and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to a refunding bond ordinance adopted by the City Council of the City on August 12, 2014 (Ord. No. 2687) and a resolution adopted by the City Council of the City on February 10, 2015.

The Bond Registrar/Paying Agent shall keep at its office the books of the City for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the hereinabove mentioned resolution upon the surrender hereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bonds or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution or statutes of said State.

The full faith and credit of the City are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the City has caused this Bond to be signed by its Mayor or Deputy Mayor by manual or facsimile signature and by its Interim Chief Financial Officer by manual or facsimile signature and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its City Clerk by manual or facsimile signature, and this Bond to be dated February 25, 2015.

[SEAL]  
(Deputy) Mayor

(manual or facsimile signature)

ATTEST:

(manual or facsimile signature)  
City Clerk

(manual or facsimile signature)  
Interim Chief Financial Officer

AUTHENTICATION DATE: FEBRUARY 25, 2015

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CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolution, and is one of the [General Improvement] [Water Utility] Refunding Bonds (Series 2015) dated February 25, 2015 of the City of Garfield, in the County of Bergen, State of New Jersey

Interim Chief Financial Officer,  
as Bond Registrar/Paying Agent

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_, the within Bond, and irrevocably appoints \_\_\_\_\_, attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:

Section 7. Bonds may, upon surrender thereof at the office of the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the City upon the surrender thereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar/Paying Agent shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar/Paying Agent. The City or the Bond Registrar/Paying Agent may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including interest thereon, to the extent of the sum or sums so paid.

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The City shall appoint such registrars, transfer agents, depositories or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to the then commercial standards for the timely payment of principal and interest with respect to the Bonds. The Interim Chief Financial Officer is hereby appointed registrar and paying agent for the Bonds (the "Bond Registrar/Paying Agent") subject to the right of the City Council to appoint another Bond Registrar/Paying Agent, and, as such, shall keep at the City Hall, 111 Outwater Lane, Garfield, New Jersey 07026, the books of the City for the registration, registration of transfer, exchange and payment of the Bonds.

Section 8. The Mayor or Deputy Mayor, the Interim Chief Financial Officer and the City Clerk are hereby authorized and directed to cause the Bonds to be prepared and to execute and deliver the Bonds upon payment of the purchase price therefor.

Section 9. The Contract of Purchase dated February 10, 2015 (the "Contract of Purchase") by and between the City and NW Capital Markets Inc., Hoboken, New Jersey, as underwriter (the "Underwriter"), in substantially the form submitted to the City, is hereby approved. The Bonds shall be sold and delivered to the Underwriter in the manner, at the purchase price and upon the terms and conditions set forth in the Contract of Purchase. The sale of the Bonds at private sale at such purchase price is hereby determined to be in the best interests of the City.

Section 10. The preparation of and distribution to potential purchasers of the Bonds of the Preliminary Official Statement dated February 4, 2015 (the "Preliminary Official Statement") is hereby ratified and approved. The execution of a certificate by the Interim Chief Financial Officer stating that the Preliminary Official Statement is "deemed final", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") is hereby ratified and approved. The City Council hereby states that the Preliminary Official Statement is "deemed final", as of its date, within the meaning of Rule 15c2-12.

Section 11. The preparation of an Official Statement in connection with the sale of the Bonds to be dated February 10, 2015 (the "Official Statement") is hereby approved. The Official Statement is hereby deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12.

Section 12. The execution of the Official Statement by the Interim Chief Financial Officer on behalf of the City, the distribution of same to the Underwriter and the Underwriter's subsequent distribution of the Official Statement to purchasers or prospective purchasers of the Bonds are hereby authorized.

Section 13. The Escrow Deposit Agreement to be dated February 25, 2015 (the "Escrow Deposit Agreement") by and between the City and The Bank of New York Mellon Trust Company, N.A., Woodland Park, New Jersey and Dallas, Texas, as escrow agent with respect to the Refunded Bonds, in substantially the form submitted to the City, is hereby approved.

Section 14. The City hereby agrees to undertake for the benefit of the Bondholders and the beneficial owners of the Bonds to provide certain secondary market disclosure information pursuant to Rule 15c2-12 to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format, as prescribed by the MSRB. Specifically, the City will do the following for the benefit of the holders of the Bonds and the beneficial owners thereof:

(A) Not later than seven months after the end of the City's fiscal year (presently December 31), commencing with the report for the fiscal year ending December 31, 2014, provide or cause to be provided annual financial information with respect to the City consisting of (i) audited financial statements (or unaudited financial statements if audited financial statements are not then available by the date of filing, which audited financial statements will be delivered when and if available) of the City and (ii) certain financial information and operating data consisting of (a) information concerning the City's debt, overlapping indebtedness, tax rate, levy and collection data, property valuation and fund balance of the type contained under the headings "Budget Information", "Financial Information" and "Debt Information" in Appendix A of the Official Statement and (b) the City's most recent adopted budget. The audited financial statements will be prepared in accordance with mandated

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State statutory accounting principles, as in effect from time to time. Audited financial statements if not available by the filing date will be submitted separately when available.

(B) Provide or cause to be provided in a timely manner not in excess of ten days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds:

- (1) Principal or interest payment delinquencies;
- (2) Non-payment related default, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of Bondholders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property which secures the repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the City (the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City);
- (13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and

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- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

(C) Provide or cause to be provided, in a timely manner, notice of a failure of the City to provide required annual financial information on or before the date specified above.

Section 15. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

Section 16. If the City fails to comply with the undertaking described above, any holder of the Bonds or beneficial owner thereof may pursue an action for specific performance to enforce the rights of all holders of the Bonds and beneficial owners thereof with respect to such undertaking; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds or in any liability by the City for monetary damages. All actions shall be instituted, had and maintained in the manner provided in this Section for the benefit of all holders of the Bonds and beneficial owners thereof.

Section 17. The City reserves the right to terminate its obligation to provide annual financial information and notice of material events, as set forth above, if and when the City no longer remains an "obligated person" with respect to the Bonds within the meaning of Rule 15c2-12.

Section 18. The undertaking may be amended by the City from time to time, without the consent of the holders of the Bonds or the beneficial owners thereof, in order to make modifications required in connection with a change in legal requirements, a change in law or a change in the identity, nature, type of operation or status of the City, which in the opinion of nationally recognized bond counsel complies with Rule 15c2-12 and does not, in such bond counsel's opinion, materially impair the interest of the holders of the Bonds and the beneficial owners thereof.

Section 19. The City Council hereby covenants on behalf of the City, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the City (including the Bonds) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

Section 20. The City hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. It is hereby determined and stated that (1) the Bonds are not "private activity bonds" as defined in the Code and (2) the City and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2015. The City will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the City does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 21. The Mayor or Deputy Mayor is hereby authorized to execute the Contract of Purchase and the Escrow Deposit Agreement, in substantially the forms thereof presented to the City, with such changes, variations, omissions and insertions as the Mayor or Deputy Mayor shall approve. The execution thereof by the Mayor or Deputy Mayor shall constitute conclusive evidence of such approval. The Mayor or Deputy Mayor, the Interim Chief Financial Officer and the City Clerk are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds and the refunding of the Refunded Bonds, including, without limitation, the execution and delivery of all closing documents and certificates and any agreements concerning the investment of funds to be used to redeem the Refunded Bonds.

Section 22. The Interim Chief Financial Officer is hereby authorized and directed to deliver the Bonds to the Underwriter upon receipt of the purchase price therefor.

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Section 23. It is hereby determined and stated the Bonds are being issued in accordance with the conditions set forth in N.J.S.A. 40A:2-51(c) and N.J.A.C. 5:30-2.5, which permit the issuance of refunding bonds without the prior approval of the Local Finance Board, in the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board"). The Interim Chief Financial Officer is hereby authorized to file a certificate with the Local Finance Board after the issuance of the Bonds stating that such conditions have been met and including financial information concerning the refunding and a certified copy of this resolution.

Section 24. This resolution shall take effect immediately upon its adoption.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-56

WHEREAS, Resolution No. 14-48 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 2015 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 4,  
Absent 1 – Mayor Raymond

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-57

WHEREAS, Resolution No. 14-47 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

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 2015 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.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-58

WHEREAS, Resolution No. 14-49 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 2015 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 4,  
Absent 1 – Mayor Raymond

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-59

WHEREAS, Resolution No. 14-50 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 2015 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,  
Absent 1 – Mayor Raymond

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-60

RESOLUTION AUTHORIZING CITY MANAGER THOMAS J. DUCH TO ENTER INTO THE SAFE PLACES TO PLAY SYNTHETIC GRASS FIELDS PROGRAM GRANT AGREEMENT WITH THE U.S. SOCCER FOUNDATION

WHEREAS, the City of Garfield has been awarded a Grant in the form of a product/service credit with Hellas Construction that shall be valued by the U.S. Soccer Foundation, in its sole and absolute discretion, in an amount equal to \$63,335.

RESOLUTIONS

WHEREAS, consistent with the Foundation's interests in promoting youth soccer, particularly within vulnerable communities in urban areas, the City will use the Grant to help defray the cost of the purchase of a Hellas Construction synthetic grass soccer field at 20<sup>th</sup> Century Field.

WHEREAS the Mayor and Council of City of Garfield authorizes the City Manager, Thomas J. Duch, to enter into the SAFE PLACES TO PLAY SYNTHETIC GRASS FIELDS PROGRAM GRANT AGREEMENT – FISCAL YEAR 2015 with the U.S. Soccer Foundation.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 15-61

RESOLVED by the City Council of the City of Garfield that the following bills No. 1752 to 1762 covering, Dog Trust Fund, Trust Other, Police ICE Trust Account, Building Dedicated Trust totaling \$92,028.47, the bills totaled for January 23, 2015 as follows Current Fund Reserve totaling \$200,255.08 and the Current Fund totaling \$414,130.56, and the Current Water Fund Reserve totaling \$159,667.77 and the Current Water Fund totaling \$17,789.95, and the General Capital Fund totaling \$9,494.00 and the Water Capital Fund totaling \$5,700.00 and the bills totaled for February 6, 2015 as follows: Current Fund Reserve totaling \$233,921.67 and the Current Fund totaling \$3,766,347.21 and the Current Water Fund Reserve totaling \$159,775.63 and the Current Water Fund totaling \$23,115.13 and the General Capital Fund totaling \$208,755.68 and the Water Capital Fund totaling \$5,700.00 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 twenty nine (29) items prior to the meeting be ratified.

See

the

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

For

Bills

And

Claims

ORDINANCES

Councilmember Delaney introduced in writing the following ordinance entitled:

AN ORDINANCE CONCERNING MAINTENANCE OF VACANT RESIDENTIAL  
PROPERTIES DURING FORECLOSURE

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this ordinance entitled: “AN ORDINANCE CONCERNING MAINTENANCE OF VACANT RESIDENTIAL PROPERTIES DURING FORECLOSURE” 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 24, 2015 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 Mati, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Mayor Raymond.

Councilmember Mati introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE ARTICLE V OF THE CITY CODE  
OF THE CITY OF GARFIELD ENTITLED “PERMIT PARKING ON RESIDENTIAL  
STREETS” MORE PARTICULARLY CHAPTER 226-23 THEREOF, ENTITLED  
“RESTRICTED STREETS” TO ADD PORTIONS OF WILLIAMS STREET, ALASKA  
STREET, UNION AVENUE AND DEWEY STREET

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “AN ORDINANCE TO AMEND AND REVISE ARTICLE V OF THE CITY CODE OF THE CITY OF GARFIELD ENTITLED “PERMIT PARKING ON RESIDENTIAL STREETS” MORE PARTICULARLY CHAPTER 226-23 THEREOF, ENTITLED “RESTRICTED STREETS” TO ADD PORTIONS OF WILLIAMS STREET, ALASKA STREET, UNION AVENUE AND DEWEY STREET” 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 24, 2015 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 4, Absent 1 – Mayor Raymond.

CITIZENS AND TAXPAYERS

Mr. John Easom, 103 Gaston Avenue, asked questions concerning the salt supply with the Department of Public Works. He asked questions concerning the way the Public Works plow the snow and whether the snow plow blade can be altered going down one way streets. He asked whether contractors have been hired to remove snow.

Ms. Judy Fraser, 88 Prospect Street, asked questions concerning the Resolution regarding the Recycling Tonnage Grant Application.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the snow removal program and said that he thinks the City is doing a decent job. He said that the City will not run out of salt and was advised the City is in good shape. He questioned if the City should plan to repave more roads considering that the cost of oil has dropped so low, the bids received for repaving should be lower than usual. He spoke on the City having solar panels on the DPW Garage at 413 Midland Avenue. He spoke on concentrating on a lot of the narrower streets when the City removes snow and he asked if the City has received many complaints concerning the chairs, garbage cans and other items that were used by citizens to hold shoveled out parking spaces being removed by the City and stored at the DPW Garage.

Councilmember Aloia spoke on all the pot holes that the City will have because of the snow that the City has been experiencing. He said that the DPW is doing a great job and he wished everyone a Happy Valentine's Day.

Councilmember Delaney spoke on the City jeopardizing possible Community Development grant funds if the City only puts a grant request in for a Fire Truck, which normally does not qualify for Community Development grant awards.

Councilmember Mati spoke on considering opening the Recycling Center at night once a week when the weather breaks. He said that the DPW did a good job with the plowing. He said that it is important for the citizens to keep fire hydrants clear of snow. He wished everyone a Happy Valentine's Day.

ADJOURNMENT

At 9:20 PM, there being no further business, Councilmember Calandriello moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

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

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Andrew J. Pavlica, CITY CLERK



