

A Regular Meeting of the City Council was held Tuesday, February 24, 2015 at 8:30 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Tana M. Raymond presided. City Clerk Andrew J. Pavlica announced that the meeting was being held in accordance with provisions of the Open Public Meetings Act and that adequate notice was provided by mail and fax to the official City newspapers and to other interested parties and by posting the meeting notice on the bulletin boards in City Hall.

Councilmembers Present: Frank J. Calandriello, Louis G. Aloia, Joseph Delaney, Glenn A. Mati and 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 and Interim Chief Financial Officer Roy Riggitano

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 Mati duly seconded the motion.

On call of roll, Ayes 5

INTRODUCTION OF 2015 MUNICIPAL BUDGET

See

the

following

pages numbered _____

for

Resolution No. 15-64

RESOLUTIONS

Resolution No. 15-65

WHEREAS, Garfield Recreation Director Anthony Furfaro and Teresa Noa of Spencer Savings Bank are being honored by the Garfield Rotary Club with a Beefsteak Dinner at the Royal Manor Restaurant on Midland Avenue in Garfield on Thursday, March 19, 2015, and

WHEREAS, "Tony" Furfaro is being awarded a "Walter D. Head Fellowship", named after the only New Jersey Rotarian to become International President of Rotary and one of the founders of the United Nations, and "Tess" Noa is being presented the highest award in Rotary, a "Paul Harris Fellowship", named after the founder of Rotary International, and

WHEREAS, the Mayor and City Council are desirous of publicly acknowledging these fine individuals on their justly deserved awards,

NOW THEREFORE BY RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that ANTHONY "TONY" FURFARO and TERESA "TESS" NOA are hereby CONGRATULATED on their awards from the Garfield Rotary Club and for personifying the Rotary ideal of "Service Above Self" and demonstrating the highest qualities of character and concern for our fellow human beings.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 15-66

WHEREAS, Gordon Scott Reid, residing at 225 Midland Avenue, Apartment 9A, has requested to be appointed as a constable, and he has met the requirements of C. 200, laws of 1971 (NJSA 40A:9-120 et. seq.) and he has been recommended for appointment by City Manager Thomas Duch,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Gordon Scott Reid, residing at 225 Midland Avenue Apartment 9A, Garfield, NJ is hereby appointed a constable for the year 2015.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 15-67

WHEREAS, pursuant to Section 310 of the Code of the City of Garfield municipal towing licenses are issued, on an annual basis, to towing companies who have expressed an interest in providing rotational towing services on behalf of the City of Garfield; and

WHEREAS, Mazzola Automotive Repair Center, Inc., 187-189 Midland Avenue, Garfield, N.J., has field an application for a towing license for calendar year 2015; and

WHEREAS, the City Clerk and City Attorney have reviewed the application submitted and have determined that the application complies with all the requirements of local Ordinance; and

WHEREAS, the City of Garfield Police Department has conducted the appropriate investigation of this license and has also determined that the applicant does not comply with the equipment and storage facilities requirements of the Ordinance; and

WHEREAS, Section 310-18 of the Code of the City of Garfield provides that there currently exists the maximum amount of towing licenses for the City; and

WHEREAS, there currently exists a total of four (4) licensees who have applied for and received annual towing licenses from the City Council; and

WHEREAS. The outstanding licenses currently exceed the number of licenses set forth in local ordinance since several licensees were on the rotational towing list prior to the adoption of the aforementioned limitation; and

WHEREAS, as a result of the foregoing, the application filed by Mazzola Automotive Repair Center, Inc. fails to comply with the requirements of the Ordinance and would result in the issuance of a license which further exceeded the limitation set forth in the Ordinance; and

WHEREAS, the aforesaid City Ordinance provides that applicants in excess of the specified number would be placed on a waiting list and would, thereafter, be considered for a license in the event that any existing licenses are either forfeited or revoked.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, as follows:

RESOLUTIONS

1. The application of Mazzola Automotive Repair Center, Inc. for a municipal towing license pursuant to Chapter 310 of the City code is hereby rejected;
 2. City Code which provides that no more than three (3) licenses shall be issued per year; and, additionally, it is based upon the failure of the applicant to comply with the requirements of local ordinance;
 3. The City Clerk shall place Mazzola Automotive Repair Center, Inc. on a waiting list for the issuance of a towing license in the event that one becomes available and said Mazzola Automotive Repair Center, Inc. shall be the first application considered for such a license in the event of its availability;
 4. All fees paid by Mazzola Automotive Repair Center, Inc. shall be returned to this applicant.
- BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized and directed to forward certified copies of the within Resolution to Mazzola Automotive Repair Center, Inc., as well as all other applicants, the Garfield Chief of Police and the City Attorney.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-68

WHEREAS, pursuant to Chapter 310 of the Code of the City of Garfield municipal towing licenses are issued, on an annual basis, to towing companies who have expressed an interest in providing rotational towing services on behalf of the City of Garfield; and
WHEREAS, Arrow Towing, 363 Midland Avenue, Saddle Brook, N.J., has filed an application for a towing license for calendar year 2015; and
WHEREAS, the City Clerk and City Attorney have reviewed the application submitted and have determined that the application does not comply with all the requirements of local Ordinance, pursuant to Section 310-4; and
WHEREAS, Section 310-18 of the Code of the City of Garfield provides that there currently exists the maximum amount of towing licenses for the City; and
WHEREAS, there currently exists a total of four (4) licensees who have applied for and received annual towing licenses from the City Council; and
WHEREAS, The outstanding licenses currently exceed the number of licenses set forth in local ordinance since several licensees were on the rotational towing list prior to the adoption of the aforementioned limitation; and
WHEREAS, as a result of the foregoing, the application filed by Arrow Towing fails to comply with the requirements of the Ordinance and would result in the issuance of a license which further exceeded the limitation set forth in the Ordinance; and
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, as follows:

1. The application of Arrow Towing for a municipal towing license pursuant to Chapter 310 of the City code is hereby rejected;
 2. City Code which provides that no more than three (3) licenses shall be issued per year; and, additionally, it is based upon the failure of the applicant to comply with the requirements of local ordinance;
 4. All fees paid by Arrow Towing shall be returned to this applicant.
- BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized and directed to forward certified copies of the within Resolution to Arrow Towing, as well as all other applicants, the Garfield Chief of Police and the City Attorney.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-69

RESOLUTION AUTHORIZING STREET CLOSURES FOR MOUNT VIRGIN FESTA ITALIANA
WHEREAS, Our Lady of Mount Virgin Parish, located at 188 MacArthur Avenue, Garfield, New Jersey has, for several years, sponsored its Festa Italiana in honor of Our Lady of Mount Virgin; and

RESOLUTIONS

WHEREAS, the Governing Body has, in the past, granted approval to Our Lady of Mount Virgin Parish to close certain streets during the time period within which the feast was going to take place; and

WHEREAS, the Festa Italiana has been conducted, in the past, with great success but the experience of the past several years has resulted in careful consideration of certain conditions which shall be imposed upon the approval for this year; and

WHEREAS, the Parish has now requested permission to conduct its annual Festa Italiana from Thursday, August 13, 2015 through Sunday, August 16, 2015 ; and

WHEREAS, Chapter 106 of the Code of the City of Garfield provides charitable organizations with the authority to conduct such activities with whatever reasonable conditions and approvals are required; and

WHEREAS, the Governing Body has reviewed the requests received from Our Lady of Mount Virgin Parish and has heard a presentation of representatives of the Parish and subsequent meetings with the members of the Parish and City Officials and has determined that it would be in the best interests of the City to once again grants such approval with certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, County of Bergen, and State of New Jersey as follows:

1. Our Lady of Mount Virgin parish is hereby granted approval to conduct its annual Festa Italiana commencing Thursday, August 13, 2015 through Sunday, August 16, 2015; and
2. The following street closures shall be permitted:
 - a) Frederick Street from Harrison Avenue to MacArthur avenue;
 - b) MacArthur Avenue from Frederick Street to Charles Street;
 - c) Charles Street from Harrison Avenue to MacArthur Avenue.
3. The street closures shall commence on Wednesday, August 12, 2015 at 8:00 AM and shall end no later than 11:59 PM on Sunday, August 16, 2015 however, there shall be no parking on said streets commencing on Wednesday, August 12, 2015 at 8:00 AM.
4. Our Lady of Mount Virgin Parish and the Feast Committee shall take any reasonable steps and precautions necessary to protect the health, safety and welfare of the residents of the city of Garfield and shall, additionally, take any reasonable precautions which are available to them in order to minimize any adverse effects on parking and traffic congestion in the area.
5. The Parish shall provide, to the City Manager, prior to commencement of the Feast, a Certificate of Insurance which shall name the City of Garfield as well as its agencies, departments and officials as additional insured for liability purposes.
6. The Police and Ambulance Corps will be assigned an area where a mobile command center will be located.
7. The sponsoring organization shall be fully responsible for the “proofing” of individuals who purchase beer and wine and the organization shall also be responsible for determining the age of individuals who access the segregated area within which beer and wine sales will take place. The Police Department shall assign a Police Officer to the area who will attempt to insure that no alcoholic beverages are consumed in any area other than the segregated area described in the Resolution.
8. Some of the food stands will also be moved to the interior of the church parking lot.
9. In the area where the streets are closed, regulated access will be instituted with a checkpoint to gain entrance to the feast area.
10. A 16 foot emergency lane will be maintained on the westerly side of MacArthur Avenue.
11. There shall be no rap or hip hop bands or rap/hip hop DJs permitted.

RESOLUTIONS

12. Sale of alcoholic beverages will stop one (1) hour before the Festival closes for the night.
13. A representative of the Parish shall contact resident homeowners on MacArthur Avenue in order to attempt to address any other concerns that they may have.
14. The parish will offer residents on MacArthur Avenue the right to park in a lot used by the church and owned by Dr. LaBarbera in order to minimize any inconvenience that may be caused.
15. The site plan shall be in the form attached hereto.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the Our Lady of Mount Virgin parish, the Chief of Police of the City of Garfield, the Department of Public Works for the City of Garfield, the Fire Official for the City of Garfield, Fire Chief Michael Colon and the City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 15-70

RESOLUTION – AUTHORIZING ROAD CLOSURES

WHEREAS, Blackjack Mulligan's located at 279 Passaic Street has requested permission to host a St. Paddy's Festival on Sunday, March 15, 2015 between the hours of 11:00 AM and 8:00 PM; and WHEREAS, Blackjack Mulligan's have agreed to comply with all reasonable requirements of all applicable municipal agencies with regard to the conduct of this event,

WHEREAS, Blackjack Mulligan's has indicated that no alcoholic beverages will be allowed outside at this event and have agreed to comply with all reasonable requirements of all applicable municipal agencies with regard to the conduct of this event

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

1. The City Council hereby provides approval for the 2015 St. Paddy's Festival to be conducted by Blackjack Mulligan's on March 15, 2015 from 11:00 AM to 8:00 PM.
2. The City Council hereby approves the closure of Clark Street at Passaic Street and Garfield Avenue.
3. There shall be no alcoholic beverages allowed outside at the event and Blackjack Mulligan's shall be required to comply with all requirements of the Garfield Police Department and Department of Public Works as set forth in paragraph 6.
4. The applicant shall also be required to secure a parade or special event permit in accordance with the requirements of local ordinance.
5. The applicant shall hire two police officers to supply security at both ends of the street.
6. The service of alcohol shall take place inside the building but may be consumed in the tent.
7. The applicant shall secure approvals from all necessary City Departments.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Blackjack Mulligan's, the City Attorney, Garfield Police Department and the Department of Public Works.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-71

Bergen County Law Enforcement Mutual Aid

WHEREAS, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

RESOLUTIONS

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A.40A:14-156, N.J.S.A.40A:14-156.1, N.J.S.A.40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

WHEREAS, it is the desire of the Mayor and Council of the City of Garfield to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield that the Police Department of the City of Garfield, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 15-72

A RESOLUTION TO CONFIRM ENDORSEMENT OF 2015-2016 CDBG ROAD IMPROVEMENT PROGRAM, THE CITY OF GARFIELD.

WHEREAS, a Bergen County Community Development grant of \$776,000.00 has been proposed by the City of Garfield for 2015-2016 Road Improvement Program, 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 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 15-73

A Resolution Authorizing Atlantic Environmental Solutions, Inc. (AESI) to perform up to eight (8) soil borings in the vicinity of two (2) suspected underground storage tanks (USTs).

WHEREAS, AESI is undertaking an environmental investigation regarding the property at 95 Passaic Street, Garfield, Bergen County, N.J., and;

WHEREAS, AESI has been retained by Community Housing In Partnership to perform a subsurface investigation in the vicinity of two (2) USTs at the above referenced property. AESI conducted a visual inspection of the property and noted two (2) vent pipes typical of heating oil

RESOLUTIONS

USTs at the property. One vent pipe was located adjacent to the building steps on Passaic Street. The second is located at the rear corner of the building on the Midland Avenue side of the property. AESI proposes to perform a magnetometer sweep of the sidewalk on both sides of the property to determine if USTs are still present. A subsurface investigation is also proposed to determine if former USTs located beneath the sidewalk have adversely impacted the underlying soil, and;

WHEREAS, the subsurface investigation will comprise up to four (4) soil borings in the vicinity of each UST. The borings will be advanced through the concrete sidewalk on Passaic Street using direct push drilling equipment. Each boring will be approximately 2 inches in diameter. Boring locations will be backfilled to grade and the sidewalk will be patched following completion of the investigation, and;

WHEREAS, it is suspected that the UST on the rear corner of the building is located within the asphalt driveway area, but in the event that magnetometer readings suggest a heating oil tank is located below the sidewalk on the Midland Avenue side of the property, AESI will advance four (4) borings in that area as well. The borings locations will also be patched following completion of the investigation.

NOW THEREFORE BE IT RESOLVED, AESI, on behalf of Community Housing in Partnership (BCCAP), is hereby authorized to perform the up to eight soil borings in the City Right of Way as per the attached Figure 1 – Proposed Boring Locations as prepared by Atlantic Environmental Solutions (Figure Undated).

1. AESI shall hold the City harmless from any actions concerning their operation and all appropriate permits are secured.
2. Copies of all test results shall be forwarded to the City Clerk at the time this information is transmitted to the NJDEP.
3. At the conclusion of this operation, the location shall be fully restored with either asphalt or concrete depending on location and subject to the approval of the City Engineer.
4. AESI will contact the Garfield Police Department to arrange traffic control.
5. AESI shall be responsible for the maintenance of this location until proper closure is completed.
6. GBCA will provide property owner's written consent.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 15-74

A Resolution Authorizing Additional Services In Connection With The Remedial Investigation At The Garfield DPW.

WHEREAS, Boswell McClave Engineering was authorized to prepare a Remedial Investigation (RI) in connection with the removal of Underground Storage Tanks (USTs) at the DPW, pursuant to the proposal dated August 20, 2014, and;

WHEREAS, previously existing monitoring wells were damaged since their original installation in the 1990's.

NOW THEREFORE BE IT RESOLVED, Boswell McClave Engineering and their subconsultants are hereby authorized to either repair or replace the damaged monitoring wells in accordance with NJDEP regulations pursuant to their proposal dated November 25, 2014 for a fee not to exceed \$8,300.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTIONS

Resolution No. 15-75

A Resolution Authorizing Change Order No. 2 & Final in Connection with the 2013 Road Improvement Program, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to Smith Soudy Asphalt Construction Co. Inc. and;

WHEREAS, Change Order No. 2 is necessary in order to adjust Final As-Built quantities for closeout of the project.

NOW THEREFORE BE IT RESOLVED, Change Order No. 2 and Final for a reduction in the contract amount of \$32,644.59 is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 15-76

WHEREAS, SPENCER SAVINGS BANK, SLA, is the owner of real property known on the Tax Map of the City of Garfield as Block 14.02, Lot 4.02, commonly known as 104 PASSAIC STREET, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2013, 2014 and 2015 bearing Docket Nos, 018689-2013 and 012485-2014; 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) 2013, 2014 and 2015 as follows:

Year	Land	Improvements	Total
2013 Original Assessment	97,800	642,500	740,300
2014 Original Assessment	97,800	642,500	740,300
2015 Original Assessment	97,800	642,500	740,300

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

Year	Land	Improvements	Total
2013 Settlement	97,800	589,300	687,100
2014 Settlement	97,800	589,300	687,100
2015 Settlement	97,800	514,300	612,100

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 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-77

WHEREAS, SPENCER SAVINGS BANK, SLA, is the owner of real property known on the Tax Map of the City of Garfield as Block 14.02, Lot 10, commonly known as 43 SPENCER PLACE, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2013 and 2014 bearing Docket Nos, 018689-2013 and 012485-2014; and

RESOLUTIONS

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) 2013 and 2014 as follows:

Year	Land	Improvements	Total
2013 Original Assessment	90,000	0	90,000
2014 Original Assessment	90,000	0	90,000

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
2013 Settlement	90,000	0	90,000
2014 Settlement	90,000	0	90,000

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

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

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-78

WHEREAS, SPENCER SAVINGS BANK, SLA, is the owner of real property known on the Tax Map of the City of Garfield as Block 14.02, Lot 9, commonly known as 45 SPENCER PLACE, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the years 2013 and 2014 bearing Docket Nos, 018689-2013 and 012485-2014; 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) 2013 and 2014 as follows:

Year	Land	Improvements	Total
2013 Original Assessment	90,000	7,900	97,900
2014 Original Assessment	90,000	7,900	97,900

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
2013 Settlement	90,000	7,900	97,900
2014 Settlement	90,000	7,900	97,900

RESOLUTIONS

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

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
 Tana M. Raymond

Resolution No. 15-79

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

Account Name	Account Number	Transfer From	Transfer To
Ucc Enforcement/Building Dept	4-01-22-195-195-011	\$5,000.00	
Ucc Enforcement/Building Dept	4-01-22-195-195-063		\$5,000.00
		<u>\$5,000.00</u>	<u>\$5,000.00</u>

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
 Tana M. Raymond

Resolution No. 15-80

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,
 WHEREAS, a deposit has been received from Jordan S Iliev and Natalia R. Bacheva, for 172 Chestnut Street, Block 116 Lot 3 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on February 11, 2015 said funds are being held in the Trust Other Fund, and
 WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;
 NOW THEREFORE BE IT RESOLVED, BY THE City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
 Tana M. Raymond

Resolution No. 15-81

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to over paid taxes for the year 2015.
 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
76.01	52	LERETA, LLC	O/P	\$1,649.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
 Tana M. Raymond

Resolution No. 15-82

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to over paid taxes for the year 2015.

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
78	36	Corelogic Real Estate Tax Service	O/P	\$1,391.91

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-83

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
96	16	"Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 488.44

On call of roll, Ayes 3, Abstain 2 -
Councilmembers Calandriello and Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-84

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2012.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
96	16	"Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 497.12

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-85

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2013.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
96	16	"Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 509.44

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

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 15-86

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
96	16	"Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 519.34

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-87

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
25	28	"Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 955.11

On call of roll, Ayes 3, Abstain 2 -
Councilmembers Calandriello and Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-88

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2012.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
25	28	"Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 975.10

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-89

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2013.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
25	28	"Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 996.19

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

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 15-90

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
25	28	“Law Office of Nathan P. Wolf, LLC And Vintalore, Louis	TCJ	\$ 1,015.55

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-91

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Glenn A. Mati was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor’s absence; and

WHEREAS, on Saturday, February 28, 2015, it will be necessary and appropriate to temporarily appoint Joseph Delaney as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Giovanna Viacava and Christian Galecio, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

1. Councilman Joseph Delaney be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Giovanna Viacava and Christian Galecio.
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman Joseph Delaney.

On call of roll, Ayes 4,
Nays 1 - Councilmember Calandriello

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-92

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Glenn A. Mati was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor’s absence; and

WHEREAS, on Saturday, March 14, 2015, it will be necessary and appropriate to temporarily appoint Joseph Delaney as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Ewa Sajdera and Rafal Plonka, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

RESOLUTIONS

1. Councilman Joseph Delaney be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Ewa Sajdera and Rafal Plonka.
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman Joseph Delaney.

On call of roll, Ayes 4,
Nays 1 - Councilmember Calandriello

(Sgd) Louis G. Aloia
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 15-93

RESOLVED by the City Council of the City of Garfield that the following bills No. 1763 to 1771 covering, Dog Trust Fund and Trust Other totaling \$6,186.68 the Current Fund Reserve totaling \$73,834.42 and the Current Fund totaling \$195,243.10, and the Current Water Fund Reserve totaling \$178.42 and the Current Water Fund totaling \$7,591.61, and the General Capital Fund totaling \$442,707.41 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 ten (10) items prior to the meeting be ratified.

See

The

Following Pages _____

for

Bills

And

Claims

ORDINANCES

Ordinance No. 2704

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, February 10, 2015; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE CONCERNING MAINTENANCE OF VACANT RESIDENTIAL PROPERTIES DURING FORECLOSURE

City Clerk Pavlica read the ordinance by title.

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

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

Councilmember Delaney moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Mati duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2705

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, February 10, 2015; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

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.

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

Mr. Robert Gordon, 29 Williams Street, asked questions concerning the ordinance.

There being no further questions, Mayor Raymond declared the public hearing closed.

Councilmember Mati moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Calandriello duly seconded the motion.

On call of roll, Ayes 5

Councilmember Calandriello introduced in writing the following ordinance entitled:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)

City Clerk Pavlica read the ordinance by title.

Councilmember Calandriello moved that this ordinance entitled: "ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

ORDINANCES

(N.J.S.A. 40a:4-45.14)” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held March 10, 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 5

EXIT OF COUNCILMEMBER DELANEY

At 9:00 PM, Councilmember Joseph Delaney left the Regular Meeting and it was duly noted for the record.

CITY MANAGER COMMENTS

City Manager Duch reported on the following:

1. The Celebration of Black History Month scheduled to be held at the Garfield Public Library on Saturday, February 28, 2015.
2. The Redevelopment Meeting scheduled to be held on Monday, March 2, 2015 at the Bergen County Help Center, 529-541 Midland Avenue. Pre-meeting refreshments will be at 6:30 PM and the Redevelopment Meeting will begin at 7:00 PM. There will be a presentation of the Passaic Street Redevelopment Plan.
3. The new Hair Salon Grand Opening at the LoGrasso Mall located at 515 River Drive scheduled to be held at 4:00 PM on Thursday, March 5, 2015.
4. The Federazione Siciliana Annual Gala scheduled to be held at The Venetian on Saturday, March 7, 2015 at 6:30 PM, honoring Tony Luna, the Lodi Borough Manager.

CITIZENS AND TAXPAYERS

Mr. John Easom, 103 Gaston Avenue, complained about people putting out garbage cans to hold parking spots in his neighborhood.

Mr. James Erwin, 40 Jefferson Street, Hackensack, spoke on a proposed Ordinance to prohibit the sale of tobacco products to anyone under the age of 21 years.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on people putting objects in the street to hold parking spots they cleared out of snow. He spoke on Garfield having 40 some odd bars in town and opening the door for all those bars to use the street for special events thanks to the road closure granted for Blackjack Mulligans. He spoke on how financially sound Garfield is and how the Council should try to keep taxes down as low as possible. He spoke on the Passaic River being frozen, and yet the water on the north side of Dahnert’s Lake will not freeze solid to allow for ice skating. He believes that the County should look into why Dahnert’s Lake does not totally freeze.

Councilmember Aloia spoke on people shoveling snow out of parking spaces and then putting barrels to hold their parking spots. He spoke on people shoveling snow into the street. He spoke on the proposed ordinance restricting the sale of tobacco.

Regular Meeting February 24, 2015, Continued

COUNCILMEMBER COMMENTS

Councilmember Mati spoke on the proposed ordinance to restrict the sale of tobacco. He spoke on people shoveling out parking spaces, and piling the snow between the curb and the car, resulting in cars being parked far into the street.

Mayor Raymond thanked the Council for their support on the Budget and thanked City Officials for all the hard work put into it. She spoke on the upcoming grand opening of the WaWa at the intersection of Outwater Lane and River Drive.

ADJOURNMENT

At 9:35 PM, there being no further business, Councilmember Mati moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK