

A Regular Meeting of the City Council was held Tuesday, April 14, 2015 at 8:25 PM in the Council Chamber 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), and Interim Chief Financial Officer Roy Riggitano

#### REPORTS OF OFFICERS

Councilmember Mati moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held earlier this evening. Councilmember Aloia duly seconded the motion.

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

#### RESOLUTIONS

Resolution No. 15-147

WHEREAS, the Garfield Boys and Girls Club Senior Basketball Division Aloia Team have gone undefeated for the 2015 season, and

WHEREAS, the team is comprised of Chucky Clarke, Stevie Clarke, Elijah Soto, Antonio Veskov, Ilya Veskov, Haley Garcia, Oleg Stojanov, Rashawn Mumford, Jamie Young, Joshua Rosa, David Jovceski along with their outstanding coaches, Jr. Assistant Coach Isaiah Hopkinson, Chuck Clarke, Ken Serrano, and “Coach of the Year” Terry Hopkinson; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the Aloia Basketball Team,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Aloia Basketball Team on their undefeated season and championship.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, CERTIFIED copies of Resolution No. 15-147 were presented to the Aloia Basketball Team.

Resolution No. 15-148

WHEREAS, the Garfield High School Athletic Hall of Fame Committee has proudly announced their inductees into the Hall of Fame for 2015, and

WHEREAS, the inductees were selected with consideration of athletic, civic and student activity contributions while in Garfield High School, and

WHEREAS, by their active participation in these areas, they have brought honor and pride, not only to themselves, but to the entire educational and civic community, and

WHEREAS, the Induction Ceremony will be held on Friday, May 8, 2015 at The Royal Manor located at 454 Midland Avenue in Garfield,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the following individuals are hereby publicly congratulated and recognized for their steadfast dedication to excellence as demonstrated by their induction into the Garfield High School Athletic Hall of Fame:

Cheyenne Ogletree 2005 Shanelle Cross 2005  
Ed Kropinack 1963 Carlo Indovina 1972  
Domenic Rigoglioso 1974 John W. Zahn 1982

RESOLUTIONS

Chris Kutarnia 2000

John Cocula Memorial Service Award  
Mr. Mike DiPiazza 1971

BE IT FURTHER RESOLVED that the 1998-99 Boys Basketball (19-6) BPSL Champions Garfield Holiday Tournament Champions are hereby congratulated on their Special Team Award.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 15-149

**RESOLUTION - AUTHORIZING ROAD CLOSURES**

WHEREAS, the Calvary Baptist Church of North Jersey at Garfield located at 217-245 Passaic Street has requested permission to host a 2015 Multicultural Festival on Saturday, August 8, 2015 between the hours of 11:00 AM and 6:00 PM; and

WHEREAS, this Festival has taken place on prior years and the City Council has agreed to continue this tradition by allowing the closure of certain streets; and

WHEREAS, the Calvary Baptist Church of New Jersey at Garfield has indicated that no alcoholic beverages will be sold 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 Multicultural Festival to be conducted by the Calvary Baptist Church of New Jersey on August 8, 2015 from 11:00 AM to 6:00 PM.
2. The City Council hereby approves the closure of Westminster Place at Garfield Avenue and Westminster Place to Passaic Street – Naples Place at Farnham Avenue.
3. There shall be no alcoholic beverages sold at the event and the Calvary Baptist Church shall be required to comply with all requirements of the Garfield Police Department and Department of Public Works.
4. The applicant shall also be required to secure a parade or special event permit in accordance with the requirements of local ordinance.

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 Calvary Baptist Church of North Jersey, the City Attorney, Garfield Police Department and the Department of Public Works.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-150

WHEREAS, Dora Arango, 33 Willard Street, who is the holder of a Disabled Person I.D. Card No. P1409332, has filed an 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 north curb line of Willard Street commencing 62 feet east of the intersection of Willard Street and Blakely Place and run an additional 22 feet east 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 5

(Sgd) Joseph Delaney  
Tana M. Raymond

RESOLUTIONS

Resolution No. 15-151

WHEREAS, Monique Graham, on behalf of her son, Jase Noah Ponton, 17 Orchard Street, who is the holder of a Disabled Person I.D. Card No. P1413675, has filed an 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 west curb line of Orchard Street commencing 202 feet north of the intersection of Orchard Street and Van Winkle Avenue and run an additional 22 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 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-152

WHEREAS, Letitia Rutherford, 145 Farnham Avenue, who is the holder of a Disabled Person I.D. Card No. P1411815, has filed an 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 west curb line of Farnham Avenue commencing 111 feet south of the intersection of Farnham Avenue and Frederick Street and run an additional 25 feet south 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 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-153

WHEREAS, Ana Nunez Suarez, 399 Lanza Avenue, who is the holder of a Disabled Person I.D. Card No. P1375794, has filed an 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 north curb line of Lanza Avenue commencing 252 feet west of the intersection of Lanza Avenue and Herman Street 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 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-154

RESOLUTION URGING INTERVENTION OF CONGRESSIONAL DELEGATION OF THE CLEAN-UP AND RESTORATION OF THE PASSAIC RIVER

WHEREAS the Lower Passaic River Study Area (LPRSA) - 17.4 miles of the Lower Passaic River from Dundee Dam to Newark Bay - has been designated a Superfund Site by the USEPA, is one of largest sediment sites in the nation and has been studied since 2004; and

WHEREAS the USEPA released its Focused Feasibility Study and Proposed Plan in April 2014 which recommended a bank-to-bank dredging and capping of 4.3 million cubic yards of sediment in the lower 8 miles of the Passaic River (Belleville to Newark Bay), the largest environmental dredging project in the history of the USEPA; and

RESOLUTIONS

WHEREAS the USEPA estimates the project would take five (5) years (four (4) years of dredging and one (1) year of capping); and

WHEREAS during the public comment period conducted by the USEPA (April 2014 – August 2014) a number of elected officials and key stakeholders raised a number of concerns and asked specific questions (letters from Senator Ron Rice and Assemblywoman Grace Spencer attached); and

WHEREAS the City of Garfield agrees with a number of the concerns raised and questions asked during the public comment period, specifically issues such as project approach, cost, schedule, duration, local disruption, impact on economic development, risk reduction, recontamination etc.; and

WHEREAS the USEPA has stated its intention to release a Record of Decision (ROD) relative to the Proposed Plan by the end of 2015 with the Agency's decision on the remedy for the lower 8 miles of the Passaic River; and

WHEREAS, as the process is currently configured, the City of Garfield has serious concerns that, absent intervention by members of the Congressional Delegation representing the LPRSA to urge a settlement between the USEPA and the Potential Responsible Parties (PRPs), the USEPA's ROD will be challenged in court and litigated for many years furthering delaying any meaningful restoration in the Passaic River;

THEREFORE BE IT RESOLVED that through this resolution, the City of Garfield respectfully requests that US Senator Menendez, US Senator Booker, Congressman Sires, Congressman Pascrell and Congressman Payne intervene to urge a settlement between USEPA and the PRPs that avoids further litigation, prevents further delay of clean-up efforts, and leads to immediate and meaningful restoration efforts in the Passaic River.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-155

**AUTHORIZATION FOR THE CITY OF GARFIELD TO ACCEPT A SUBGRANT MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE CITY OF HACKENSACK'S FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS.**

WHEREAS, the City of Garfield's, Office of Emergency Management Is in anticipation of sub grant funding from the NJSP/OEM EMAA process, the City of Garfield will be awaiting the pending approval of the EMPG FY'14 Federal grant funding from FEMA. The Subgrant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds, is for the purpose of enhancing the City of Garfield's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of anticipation of sub grant funding from the NJSP/OEM EMAA process, the City of Garfield will be awaiting the pending approval of the EMPG FY'14 Federal grant funding from FEMA; and

WHEREAS, the City of Garfield's Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of \$5,000.00 which the City of Garfield's Office of Emergency Management adequately satisfies through the 2014 City of Garfield's approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield here with accepts the award of the FFY14 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is requested to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$5,000.00, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of \$5,000.00 from the aforementioned grant; and

RESOLUTIONS

BE IT FURTHER RESOLVED that the like sum of \$5,000.00 is hereby appropriated under the caption FFY14 Homeland Security Emergency Management Performance Grant; and  
BE IT FURTHER RESOLVED that City Manager Thomas J. Duch, Interim Chief Financial Officer Roy Riggitano, Chief Financial Officer and Emergency Management Coordinator Michael J. Marsh are authorized to sign the appropriate subgrant award documents; and  
BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; City Manager Thomas J. Duch, Interim Chief Financial Officer Roy Riggitano and Emergency Management Coordinator Michael J. Marsh

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-156

WHEREAS the City of Garfield, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;  
WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;  
WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;  
WHEREAS a Hazard Mitigation Plan has been developed by the Mitigation Planning Committee;  
WHEREAS the Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and  
WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and  
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that:

1. The Bergen County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on April 13, 2015 by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the City of Garfield; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The City of Garfield departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to/and contingent upon budget approval, if required, which shall be at the discretion of the City of Garfield, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Glenn A. Mati

RESOLUTIONS

Resolution No. 15-157

WHEREAS, Future Sanitation, which currently holds a contract with the City of Garfield for the curbside collection of recyclables in the City of Garfield has requested that the contract be assigned under the same terms, conditions, and fees to Bella Cleaning and Carting, LLC, effective April 15, 2015; and

WHEREAS, the City Manager has reviewed the operation of Bella Cleaning and Carting, LLC and recommends approving the assignment of the contract, pending execution of a new contract and the receipt of the appropriate performance bonds and insurance certificates; and

WHEREAS, Bella Cleaning and Carting, LLC agreed to accept an assignment of all of the rights, obligations and responsibilities associated with the Contract between the City and Future Sanitation.

NOW, THEREFORE, BE IT RESOLVED that the City Manager is hereby authorized to execute any and all agreements and documents, reasonably required, to effectuate the said assignment of the contract between Future Sanitation and Bella Cleaning and Carting, LLC, subject to the execution of a new contract and submission of a performance bond and certificate of insurance.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Glenn A. Mati

Resolution No. 15-158

RESOLUTION RATIFYING SETTLEMENT AGREEMENT WITH ENGLISH PAVING, INC. FOR THE RIVER DRIVE IMPROVEMENT PROJECT

WHEREAS, the City of Garfield ("Garfield") put out for a bid a project located in the City of Garfield known as the River Drive Improvement Project (the "Project") as required by the New Jersey Local Public Contracts Law, and

WHEREAS, English Paving Company, Inc. ("English") was the lowest responsible bidder and therefore was awarded the contract for the Project; and

WHEREAS, Garfield and English have been engaged in a business relationship with English performing work as the prime contractor on the Project pursuant to a certain written agreement dated December 15, 2010; and

WHEREAS, a dispute has arisen between Garfield and English with regard to the Project; and

WHEREAS, Garfield and English wish to settle and resolve all present and future disputes arising out of the Project in a manner that will obviate the need for further litigation and will preclude the bringing of any future case, proceeding or action of any kind against each other; and

WHEREAS, Garfield and English have agreed to settle any current and future dispute for the agreed-upon sum of \$725,000.00 consisting of \$334,040.14 in contract balance and retainage held and \$390,959.86 in full and final settlement of any and all claims it has against Garfield with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED, that the City of Garfield does hereby approve that the dispute between Garfield and English be fully and finally resolved in accordance with Settlement and Release Agreement in the form annexed hereto as Exhibit A;

BE IT FURTHER RESOLVED, that the City Manager is hereby approved and directed to execute the Settlement and Release Agreement annexed hereto as Exhibit A on behalf of the City of Garfield; and be it further

BE IT FURTHER RESOLVED, that the Chief Financial Officer of the City of Garfield is hereby approved and directed to release the settlement funds of \$725,000.00 pursuant to the Settlement Agreement upon its execution.

BE IT FURTHER RESOLVED that this resolution is to take effect immediately.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Glenn A. Mati

Resolution No. 15-159

WHEREAS, Assembly Bill No. A-4325 supplementing Chapter 4 of Title 54, R.S.54:4-65 and designated the "Transparent Tax Act of 2015" is being considered for adoption by the New Jersey State Assembly; and,

WHEREAS, the amendment would permit the local jurisdiction to print separate tax bills to each taxpayer, one showing the amount of property taxes due and payable for municipal tax purposes,

RESOLUTIONS

the other shall state the amount of property taxes due and payable for county purposes, school purposes, fire district purposes, and for the purposes of any other special district on behalf of which the municipality collects property taxes; and,

WHEREAS, both bills shall include a brief tabulation showing the distribution of the total amount to be raised by taxes; and,

WHEREAS, A-4325 would require the municipal tax collector to send notice of the pro rata share, if any, of the property tax appeal refunds paid by the municipality during the tax year to the county, school districts, and fire districts for inclusion in their annual budgets;

WHEREAS, in the following tax year in which the refunds were paid, the municipal tax collector is then required to deduct the applicable pro rata share of the property tax refund from the amounts to be paid to the county, and each school and fire district; and,

WHEREAS, these amendments, if adopted, will assist the general public to understand the tax bill, the structure of the taxes, and the level of support for each agency, and will further provide a more equitable structure to share the obligation of paying approved tax appeals as the title states, creates transparency in the tax supporting local assessments.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield, County of Bergen and State of New Jersey, hereby supports Assembly Bill A-4235 amending Title 54:4-65 and urges the Legislature to approve and pass the bill for the reasons expressed herein; and,

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the members of the NJ State Assembly, the members of the NJ Senate, and the Governor of the State of NJ, the New Jersey State League of Municipalities, the Municipal Clerks' Association of New Jersey, and all Bergen County municipalities.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-160

Whereas, the Chief Financial Officer has conducted a formal Request for Proposals for the City of Garfield's banking needs and:

Whereas, a number of banking institutions within the City of Garfield responded to the request and:

Whereas, the results of the comprehensive Request for Proposals have been tabulated and attached to this resolution and;

Now Therefore Be it Resolved by the City of Garfield, Bergen County, New Jersey that the City of Garfield awards Spencer Savings Bank as the lead banking institution for the City of Garfield for a period not to exceed (3) years, commencing June 1, 2015 with the option of (2) one year extensions.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Glenn A. Mati

Resolution No. 15-161

Whereas, the Chief Financial Officer, for the City of Garfield, has received various banking proposals and,

Whereas, Investors Bank located on Outwater Lane and River Drive, Corporate Office, 101 JFK Parkway, Short Hills, New Jersey 07078,

Whereas, the Water Capital Account is being held in Community Bank of Bergen County, which the office is located outside of the City of Garfield limits, and

Now Therefore Be it Resolved, that the Treasurer is hereby authorized to transfer the Water Capital Account funds to Investors Bank.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond  
Glenn A. Mati

Resolution No. 15-162

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.

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 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
135.01	10	"BSS Garfield, LLC c/o Budd Lerner, PC"	TCJ	\$ 26,022.52
160	31	"Daniel G. Keough, Trustee"	TCJ	1,209.00
194	31	"Daniel G. Keough, Trustee"	TCJ	4,231.50

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-163

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
135.01	10	"BSS Garfield, LLC c/o Budd Lerner, PC"	TCJ	\$ 26,485.28
160	31	"Daniel G. Keough, Trustee"	TCJ	1,230.50
194	31	"Daniel G. Keough, Trustee"	TCJ	4,306.75

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-164

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
135.01	10	"BSS Garfield, LLC c/o Budd Lerner, PC"	TCJ	\$ 27,141.76
160	31	"Daniel G. Keough, Trustee"	TCJ	1,261.00
194	31	"Daniel G. Keough, Trustee"	TCJ	4,413.50

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-165

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
135.01	10	"BSS Garfield, LLC c/o Budd Lerner, PC"	TCJ	\$ 27,669.10
160	31	"Daniel G. Keough, Trustee"	TCJ	1,285.50
194	31	"Daniel G. Keough, Trustee"	TCJ	4,499.25

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

RESOLUTIONS

Resolution No. 15-166

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
14.02	4.01	'Michael I. Schneck, Trustee for GARFIELD LLC'	TCJ	\$ 3,164.85

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-167

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
203.01	50.01	Central Bergen Properties	TCJ	\$153,511.57

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-168

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
203.01	50.01	Central Bergen Properties	TCJ	\$146,397.51

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-169

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Homestead Benefit on an Exempt Property 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 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
38.02	1	Chowtavi, S. Scott & Barbara	Refund	\$ 592.61

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Tana M. Raymond

RESOLUTIONS

Resolution No. 15-170

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, April 18, 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 Marcin Kedzierawski and Mey Sanchez, 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 Marcin Kedzierawski and Mey Sanchez.
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,  
Abstain 1 – Councilmember Calandriello

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 15-171

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 Wednesday, April 22, 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 Naume Matlijoski and Jasna Krstanoska, and

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

3. Councilman Joseph Delaney be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Naume Matlijoski and Jasna Krstanoska.
4. 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.

RESOLUTIONS

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

(Sgd) Joseph Delaney  
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 15-172

RESOLVED by the City Council of the City of Garfield that the following bills No. 1782 to 1798 covering, Dog Trust Fund, Trust Other, Building Dedicated Trust, Ded Penalty Trust Fire Department and Police ICE Trust totaling \$68,395.89 the Current Fund Reserve totaling \$158,825.81 and the Current Fund totaling \$3,269,525.67, and the Current Water Fund totaling \$27,785.72, and the General Capital Fund totaling \$395,511.56 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 (20) items prior to the meeting be ratified.

See

The

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

for

Bills

And

Claims

ORDINANCES

Ordinance No. 2707

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, March 24, 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 AMENDING CHAPTER 259 OF THE CODE OF THE CITY OF GARFIELD TO PROHIBIT THE SALE OF TOBACCO AND NICOTINE DELIVERY PRODUCTS TO PERSONS UNDER THE AGE OF TWENTY-ONE (21)

City Clerk Pavlica read the ordinance by title.

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

Ms. Karen Blumenfeld, Esq., 7 Cedar Street, Suite A, Summit, New Jersey 07901, spoke in favor of the ordinance.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on enforcement of the ordinance.

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

Councilmember Aloia 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. 2708

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, March 24, 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 REPEAL CHAPTER 119 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED CURFEW

City Clerk Pavlica read the ordinance by title.

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

Mr. Michael Denistran, 104 Palisade Avenue, spoke against repeal of the curfew.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on alternatives to a curfew.

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

Councilmember Aloia 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 4,  
Nays 1 – Councilmember Delaney

Ordinance No. 2709

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, March 24, 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:

ORDINANCES

AN ORDINANCE TO AMEND AND REVISE CHAPTER 310 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED TOW TRUCKS

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 Aloia 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 4,  
Abstain 1 – Councilmember Calandriello

EXIT OF CITY MANAGER DUCH AND COUNCILMEMBER DELANEY

At 9:15 PM, City Manager Thomas J. Duch and Councilmember Joseph Delaney left the Regular Meeting. It was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. Salvatore Zuccaro, 88 Gaston Avenue, said that Arabica Coffee, located at 79 Gaston Avenue grew as a business over the years and now is too big of a business for the residential neighborhood, and where he lives, it is not a place for such a business. He complained that their trucks were taking up parking spaces in the neighborhood, sometimes too close to the corner, and said that Arabica Coffee puts traffic cones in the street to reserve spots. He also said that the odors from the business are overwhelming. He said that the business is not very accommodating. He complained about oversized Arabica Coffee trucks parking on the street in violation of Ordinance No. 1996, and without overnight residential stickers. He said that the business has become more successful and is now too big for the neighborhood.

Mr. George Leles, the owner of Arabica Coffee, said that he had purchased a building that was falling apart, which he renovated to the benefit of the neighborhood. He said that he has been a good neighbor. He said that he purchased 80 Gaston Avenue and let the elderly lady who was dying of cancer live there for rent that was below market value. He said that he would let the guy, next door to his business, come into the Arabica garage daily to drink coffee and sober up. He said that he would take care of clearing the kitchen and bathroom drains of a lady neighbor who lives across the street. He said that he donates to the Police. He said that he and his company are part of the fabric of the community. He said that he may park his vehicles at his Godfather's place at the Venetian Restaurant on River Drive. He admitted that he placed one traffic cone in front of his business in a spot that he said was an active driveway.

Mr. Ciro Disclafani, 47 Orchard Street, said that he will attend an event hosted by Heightened Independence Progress and they will be discussing the Americans with Disabilities Act. He said that on May 6<sup>th</sup> he will participate at a Freeholders Meeting on Senior issues. He asked that now that the snow is gone, is it possible to start to enforce property maintenance ordinances concerning cracked public sidewalks? He asked about City properties such as on Somerset Street near Fire House No. One. He spoke on his trip and fall at the Veterans Monument located at Marsellus Place and Harrison Avenue and he claimed it was a noncompliant crosswalk. He spoke on special gradings at street corners for barrier free curbing for handicapped access. He spoke about a neighbor on Van Winkle Avenue who has a motorized scooter chair. He spoke about shrubbery blocking sidewalks on Van Winkle Avenue. He spoke on the need to widen sidewalks. He advocated for more cross walks on County roads. He spoke on a

Regular Meeting April 14, 2015, Continued

CITIZENS AND TAXPAYERS

body shop on River Drive near Belmont Avenue who allegedly parked their vehicles in the pedestrian right of way. He alleged that the body shop parks vehicles on Orchard Street.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on missing the Little League Grand Opening. He spoke about the use of heroin in the area communities. He said that the School Board Election is coming up a week from tonight.

Councilmember Aloia proposed a Community Garden in the footprint of the old AmVets Building that was knocked down at 326 Outwater Lane and he said that he would like to base it on a program he saw from Duke Farms in Hillsborough.

Councilmember Mati spoke on community reach out and said that the Police are looking for neighborhood cooperation. He spoke on pedestrian safety and said that kids should be careful walking to sporting practices.

Mayor Raymond spoke on the Garfield Animal Rescue Foundation pancake breakfast fundraiser held this past Saturday. She said that the City will host another Shredding Day in May. She spoke on the Memorial Day Parade scheduled to be held on May 25, 2015. She said that the Special Events Committee have brought the community together for our Veterans.

ADJOURNMENT

At 10:00 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

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Andrew J. Pavlica, CITY CLERK

