

A Regular Meeting of the City Council was held Tuesday, November 10, 2015 at 9:00 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, fax and email 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 City Engineer Kevin J. Boswell

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 5

RESOLUTIONS

Resolution No. 15-438

WHEREAS, Juan H. Dubeckyj, 170 Cambridge Avenue, who is the holder of a Disabled Person I.D. Card No. P1505659, has filed application for a handicapped parking sign to be placed at his 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 Cambridge Avenue commencing 61 feet south of the intersection of Cambridge Avenue and Willard Street and run an additional 24 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) Glenn A. Mati
Tana M. Raymond

Resolution No. 15-439

WHEREAS, Nenggui Lin, owner of Blue Sky Chinese Food, 100 Jewell Street, has filed an application for a fifteen (15) minute parking space to be placed at his business, 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 "Fifteen (15) Minute Parking", located on the east curb line of Jewell Street commencing 82 feet north of the intersection of Jewell Street and Semel Avenue 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 5

(Sgd) Tana M. Raymond
Frank J. Calandriello

Resolution No. 15-440

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a

RESOLUTIONS

period of one year commencing January 1, 2016 and terminating December 31, 2016, to Mrs. Jennie Ciuppa, wife of deceased Ignatius Ciuppa, who resides at 52 Tall Oaks Drive, Wayne, NJ, pursuant to the provisions of Ordinance No. 1177 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF PENSIONS UPON THE DEATH OF ANY MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF GARFIELD FROM INJURIES IN THE PERFORMANCE OF DUTY", adopted by the City Council at a meeting held on May 25, 1955.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 15-441

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2016 and terminating December 31, 2016, to Mrs. Rose Ann Merendino, wife of deceased Joseph Merendino, who resides at 66 Davison Street, Garfield, NJ, pursuant to the provisions of Ordinance No. 1716 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF A PENSION TO THE WIDOW AND DEPENDENT OF JOSEPH MERENDINO, IN THE CITY OF GARFIELD IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY", adopted by the City Council at a meeting held on February 19, 1980.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 15-442

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2016 and terminating December 31, 2016, to Mrs. Arlin Sabat, wife of deceased Edward Sabat, who resides at 111 Falmouth Avenue, Elmwood Park, NJ, pursuant to the provisions of Ordinance No. 1177 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF PENSIONS UPON THE DEATH OF ANY MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF GARFIELD FROM INJURIES IN THE PERFORMANCE OF DUTY", adopted by the City Council at a meeting held on May 25, 1955.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 15-443

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2016 and terminating December 31, 2016, to Mrs. Linda Yondolino, wife of deceased Nicholas A. Yondolino, who resides at 71 Heritage Court, Towaco, NJ, pursuant to the provisions of Ordinance No. 1839 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF A PENSION TO THE WIDOW AND DEPENDENT OF NICHOLAS YONDOLINO, IN THE CITY OF GARFIELD IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY", adopted by the City Council at a meeting held on October 2, 1984.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 15-444

RESOLUTION APPROVING THE RETROACTIVE TAX EXEMPTION OF NEW CONCEPTS FOR LIVING, INC., BLOCK 216.04, LOT 22, 526 MACDONALD STREET, GARFIELD, NEW JERSEY

WHEREAS, New Concepts for Living, Inc. filed a tax appeal against the City of Garfield for the tax year 2013 under docket number 019253-2013; and

WHEREAS, New Concepts for living purchased the property on or about June 27, 2012 from PSCH-New Jersey, which is a non-profit corporation; and

WHEREAS, the Deed was recorded with Bergen County on November 15, 2012; and

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WHEREAS, Non-profit seller had an existing real estate property tax exemption; and
 WHEREAS, in January of 2013, New Concepts filed an application for real estate tax exemption for tax year 2013; and
 WHEREAS, the Tax Assessor of the City of Garfield issued a denial letter to New Concepts due to the late filing of the application, which was due November 1, 2012; and
 WHEREAS, New Concepts properly filed and qualified for an exemption for the tax years 2014 and 2015, leaving the only year at issue 2013.
 NOW, THEREFORE, BE IT RESOLVED, that the City of Garfield does hereby acknowledge that there was an error in the filing by New Concepts for Living;
 BE IT FURTHER RESOLVED, that New Concepts for Living shall be determined as an exempt organization for the tax year 2013;
 BE IT FURTHER RESOLVED, that the Tax Assessor shall correct its records to reflect that New Concepts for Living is exempt for tax year 2013;
 BE IT FURTHER RESOLVED, that the Tax Collector shall correct its records to reflect the adjusted tax amount as determined by the tax assessor for tax year 2013;
 BE IT FURTHER RESOLVED, that the Tax Collector shall provide a credit on the account of New Concepts for Living for any overpayment of taxes during tax year 2013;
 BE IT FURTHER RESOLVED, that the Tax Collector shall void any pending tax sale certificates;
 BE IT FURTHER RESOLVED, that this resolution is to take effect immediately.

On call of roll, Ayes 5

(Sgd) Tana M. Raymond
 Louis G. Aloia

Resolution No. 15-445

WHEREAS, Garfield Norse, LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 149.02, Lot 44, commonly known as 77 Prospect Place, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2014 and 2015 bearing Docket Nos. 008685-2014 and 002116-2015; and
 WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, P.C., have recommended that the appeal be settled; and
 WHEREAS, said property was assessed for the year(s) 2014 and 2015 as follows:

Year	Land	Improvements	Total
2013 Original Assessment	\$420,000	\$630,000	\$1,050,000
2014 Original Assessment	\$420,000	\$630,000	\$1,050,000
2015 Original Assessment	\$420,000	\$630,000	\$1,050,000
2016 Original Assessment	\$420,000	\$630,000	\$1,050,000

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	\$420,000	\$630,000	\$1,050,000
2014 Settlement	\$420,000	\$480,000	\$900,000
2015 Settlement	\$420,000	\$455,000	\$875,000
2016 Settlement	\$420,000	\$380,000	\$800,000

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) Glenn A. Mati
 Tana M. Raymond

Resolution No. 15-446

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
14.02	4.02	Saiber LLC's Attorney Trust Account	TCJ	\$ 1,341.70
109	29	Saiber LLC's Attorney Trust Account	TCJ	2,153.79
109	31	Saiber LLC's Attorney Trust Account	TCJ	2,607.75

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
 Tana M. Raymond

Resolution No. 15-447

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
14.02	4.02	Saiber LLC's Attorney Trust Account	TCJ	\$ 1,367.77
109	29	Saiber LLC's Attorney Trust Account	TCJ	2,195.63
109	31	Saiber LLC's Attorney Trust Account	TCJ	2,658.41

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
 Tana M. Raymond

Resolution No. 15-448

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
107	45	Guardian Title Services, LLC	O/P	\$1,707.00
96	1	Corelogic Real Estate Tax Service	O/P	\$1,598.14

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
 Tana M. Raymond

RESOLUTIONS

Resolution No. 15-449

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. O/E	5-01-25-241-241-001		15,000.00
Purchase of Police Vehicles	5-01-25-242-242-000		75,000.00
Police Traffic Division	5-01-25-255-255-063		35,000.00
Volunteer Fire Dept O/E	5-01-25-265-265-020		120,000.00
Fire Safety O/E	5-01-23-220-220-000		8,500.00
Accounts Payable	5-01-26-310-310-011		500.00
Building and Grounds S/W	5-01-26-310-310-063		10,000.00
Building and Grounds O/E	5-01-28-370-370-011		20,000.00
Recreation S/W	5-01-25-240-240-011		70,000.00
Police S/W	5-01-28-371-371-000		270,000.00
Memorial Day Comm O/E	4-01-31-441-441-000		4,000.00
Communications	5-01-21-185-185-063		50,000.00
Zoning Board O/E	5-01-45-937-000-000		10,000.00
Principal & Int/GSPT-Passaic River Park	5-01-21-180-180-010		26,300.00
Planning Board S/W	5-01-20-120-120-011		700.00
City Clerk S/W	5-01-20-145-145-063	10,000.00	
Revenue Administration O/E	5-01-26-290-290-063	15,000.00	
Dept. of Public Works	5-01-26-290-290-011	50,000.00	
Dept. of Public Works	5-01-30-420-420-000	50,000.00	
Celebration of Public Events	5-01-20-155-155-020	30,000.00	
Attorney/Legal Service	5-01-22-195-195-011	30,000.00	
UCC Enforcement/Building Dept.	5-01-23-225-225-001	12,000.00	
Horizon Blue Cross Blue Shield	5-01-31-455-455-000	189,300.00	
Passaic Valley Sewer Comm.	5-01-26-305-305-000	36,700.00	
Solid Waste	5-01-27-330-330-063	225,000.00	
Public Health Services O/E	5-01-31-440-440-202	10,000.00	
Telephones	5-01-45-936-000-000	20,000.00	
Princ & Int/Grn. Trust Loan	5-01-21-180-180-063	26,300.00	
Planning Board O/E		10,700.00	
		<u>715,000.00</u>	<u>715,000.00</u>

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 15-450

RESOLVED by the City Council of the City of Garfield that the following bill No. 1867 to 1872 covering, Dedicated Penalty Trust Fire Department, Dog Trust Fund, Building Dedicated Trust, Trust Other totaling \$22,270.02 and the Current Fund Reserve totaling \$36,935.00 and the Current Fund totaling \$221,907.95, and the Current Water Fund totaling \$198,389.49, and the General Capital Fund totaling \$15,680.04, and the Water Capital Fund totaling \$467.45 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

BILLS AND CLAIMS

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 six (26) items prior to the meeting be ratified.

See

the

Following Pages Numbered _____

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2723

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, October 27, 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:

ORDINANCE OF THE CITY OF GARFIELD AUTHORIZING VACATION
OF A PORTION OF EMANUEL STREET

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 no objections, Mayor Raymond declared the public hearing closed.

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

On call of roll, Ayes 5

Ordinance No. 2724

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, October 27, 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:

ORDINANCE OF THE CITY OF GARFIELD AUTHORIZING VACATION
OF A PORTION OF SHAFTO STREET

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 no objections, Mayor Raymond declared the public hearing closed.

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

On call of roll, Ayes 5

Ordinance No. 2725

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, October 27, 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:

ORDINANCE OF THE CITY OF GARFIELD AUTHORIZING VACATION
OF A PORTION OF VICTOR STREET

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 no objections, Mayor Raymond declared the public hearing closed.

ORDINANCES

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

On call of roll, Ayes 5

Councilmember Mati introduced in writing the following ordinance entitled:

**ORDINANCE TO HOLD REGULAR MUNICIPAL ELECTIONS ON THE
DAY OF GENERAL ELECTIONS**

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: "ORDINANCE TO HOLD REGULAR MUNICIPAL ELECTIONS ON THE DAY OF GENERAL ELECTIONS" 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 November 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 Delaney, 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 9:30 PM, Councilmember Joseph Delaney left the Regular Meeting and it was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. Richard Rosetti, 332 Palisade Avenue, proposed that next year the Garfield Football Team dedicate one of their games to our Veterans with each member of that starting team wearing the name of a fallen Veteran.

Mr. Richard Rigoglioso, 13 Summit Avenue, spoke against a proposed cross walk from the Middle School to Momma Mia's Pizzeria located across the street.

Mr. Anthony Erekat, 30 Pacific Avenue, spoke on handicapped parking spaces. He said that there are too many spots in town. He claimed that there are too many illegal apartments in town and he said there are too many illegal students in town. He said that the temporary parking passes issued are out of control.

COUNCILMEMBER COMMENTS

Councilmember Calandriello said that tomorrow's Veterans Day ceremony to be held at 11:00 AM at the VFW on Outwater Lane is always a great event to attend. He said that on Sunday, November 15, 2015, the Garfield Junior Boilermakers will be participating in the playoffs. He said that the Pee Wee division team, which is undefeated, will play at 12:00 noon and the Senior Division team will play at 3:00 PM. He encourages people to come out and watch some good football. He reminded everyone that the Republican Presidential Debate is on television this evening.

Councilmember Aloia reminded everyone that tomorrow is Veterans Day and he spoke on the dinner to be held tomorrow night at 6:00 PM at the VFW. He said that with regard to the Parking,

COUNCILMEMBER COMMENTS

the City really needs to do a better job of it. He spoke on motorized helicopters flying around Twentieth Century Field. He said that he would like an ordinance regulating the flying of drones prepared for consideration at an upcoming Council Meeting.

Councilmember Mati said that the Garfield High School Varsity Soccer team defeated Hawthorne today and that they are only one game away from being State Champs. He thanked the Garfield Police, Bergen County Police and Bergen County Sheriff's Department for their law enforcement assistance in regard to activities on Palisade Avenue. He said that he really appreciates it. He wished everyone a Happy Veterans Day.

Mayor Raymond said that the agencies that came in to help the City on Palisade Avenue were a great help. She said that on the walls of Hudson City Bank at 45 Outwater Lane, graffiti read "We Kill Cops" and it has since been covered over. She said that Garfield is a great place to live and the Council is going to make it better because this stuff will not be tolerated. She said that she was invited to speak before the Psychology Students at Garfield High School and one of the things they did was thank the City for trying to remove the bad kids from the streets. She said that there is a need to start televising the Council meetings. She reminded everyone that Veterans Day is tomorrow and she said that the Blue Star Kids will be there and there is a need to honor our brave warriors. She spoke on the Interfaith Thanksgiving Mass scheduled to be held at Our Lady of Mount Virgin Church at 188 Mac Arthur Avenue on November 18, 2015.

ADJOURNMENT

At 10:05 PM, there being no further business, Councilmember Aloia moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK