

A Regular Meeting of the City Council was held Tuesday, November 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, 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: Louis G. Aloia, Joseph Delaney, Glenn A. Mati and Tana M. Raymond

Councilmembers Absent: Frank J. Calandriello

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 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,  
Absent 1 – Councilmember Calandriello

### RESOLUTIONS

Resolution No. 15-452

WHEREAS, the Boys and Girls Club of Garfield will be holding their Annual Holiday Gala on Wednesday, December 16, 2015 at the Venetian Restaurant located at 546 River Drive in Garfield, and

WHEREAS, the 2015 Boys and Girls Club Wall of Champions honorees are Party City, Mayor Tana M. Raymond for the City of Garfield and Allan Tepper, Board Member of the Boys and Girls Club Board of Directors and a Special Recognition Award will be presented to Jim Miller, former Garfield Junior Boilermakers Director, and

WHEREAS, the City Council is desirous of publicly recognizing these fine individuals on their much-deserved honor,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to Party City, Mayor Tana M. Raymond and Allan Tepper for being added to the Wall of Champions by the Boys and Girls Club of Garfield and to Jim Miller on his Special Recognition Award.

On call of roll, Ayes 3,  
Abstain 1 – Mayor Raymond,  
Absent 1 – Councilmember Calandriello

(Sgd) Glenn A. Mati  
Joseph Delaney

Resolution No. 15-453

WHEREAS, the Bergen County Executive and the Board of Chosen Freeholders, along with the Bergen County Department of Health Services, supports the designation of Stigma-Free Zones in every municipality, and;

WHEREAS, at the June 2013 meeting of the Bergen County Mental Health Board, members of the Board learned from Care Plus NJ staff that the agency was working collaboratively to establish a Stigma Free Zone in Paramus, and;

WHEREAS, the members of the Mental Health Board supported the initiative and recognized that the initiative was aligned with the Board's mission to raise awareness of the disease of mental illness, and;

WHEREAS, the National Institute of Mental Health reports that 1 in 4 adults experiences mental illness in a given year and 1 in 17 adults live with a serious mental illness such as schizophrenia, major depression, or bipolar disorder; approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year, and;

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WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;  
WHEREAS, Stigma-Free Zones aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma and;  
WHEREAS, promoting awareness that there can be no “health” without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and;  
WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and;  
WHEREAS, establishing Stigma-Free Zones will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided, and;  
NOW THEREFORE BE IT RESOLVED that the City of Garfield recognizes the community needs and supports the efforts of the County of Bergen in designating Garfield as a Stigma-Free Zone.

On call of roll, Ayes 4, (Sgd) Glenn A. Mati  
Absent 1 – Councilmember Calandriello Louis G. Aloia

Resolution No. 15-454

WHEREAS, Fire Company No. 3 has advised that they have accepted the resignation of Daniel Harrison of 159 Grand Street, Garfield, New Jersey 07026, as an active member, effective November 2, 2015.  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4, (Sgd) Joseph Delaney  
Absent 1 – Councilmember Calandriello Glenn A. Mati

Resolution No. 14-455

WHEREAS, Fire Company No. 3 has advised that they have expelled Kristi Duci of 43 Spring Street, Garfield, New Jersey 07026 as an active member effective November 2, 2015,  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 3 with respect to the above matter, is hereby accepted.

On call of roll, Ayes 4, (Sgd) Joseph Delaney  
Absent 1 – Councilmember Calandriello Glenn A. Mati

Resolution No. 15-456

WHEREAS, Robert Soltys, on behalf of his daughter Danielle Soltys, 16 Lanza Avenue, who is the holder of a Disabled Person I.D. Card No. P1305094, 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 south curb line of Lanza Avenue commencing 234 feet east of the intersection of Lanza Avenue and River Drive and run an additional 21 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 4, (Sgd) Joseph Delaney  
Absent 1 – Councilmember Calandriello Glenn A. Mati

Resolution No. 15-457

WHEREAS, the NJ Department of Transportation (NJDOT) has created a Smart Growth community revitalization and redevelopment program known as the Transit Village Initiative; and

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WHEREAS, the Transit Village Initiative supports Smart Growth, revitalization and redevelopment within walking distance of transit for the purpose of increasing transit ridership, reducing automobile congestion and improving air quality in the State of New Jersey; and

WHEREAS, the NJDOT along with NJ TRANSIT, the Department of Community Affairs, the Department of Environmental Protection, the Redevelopment Authority, the Council on the Arts, Main Street New Jersey, the Economic Development Authority, the Office for Planning Advocacy and the Housing and Mortgage Finance Agency are partners in the Transit Village Initiative and make up the Transit Village Task Force; and

WHEREAS, the NJDOT may designate a Transit Village after the municipality has achieved the Transit Village Criteria established by the Transit Village Task Force; and

WHEREAS, once a municipality has been deemed a Transit Village, the Transit Village Task Force will provide that municipality with (1) a contact person in each of the state agencies that make up the Transit Village Task Force; (2) technical assistance from each agency; (3) up-to-date information on grants, loans, programs or other opportunities; (4) priority funding where feasible; and (5) access to special information meetings, educational programs and research information; and

WHEREAS, the governing body of the City of Garfield desires to apply to the NJDOT for Transit Village designation.

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Garfield, in the county of Bergen, State of New Jersey, that the City of Garfield requests to be considered for Transit Village designation; and

BE IT FURTHER RESOLVED that the governing body of the City of Garfield is committed to Smart Growth and is willing to accept meaningful growth in terms of jobs, housing and population within the transit village development district; and

BE IT FURTHER RESOLVED that the governing body of the City of Garfield hereby commits to the implementation of the compact, mixed-use, transit-supportive vision as represented in the Transit Village Statement of Qualification; and

BE IT FURTHER RESOLVED that the governing body of the City of Garfield has identified City Manager Thomas J. Duch, who is knowledgeable in municipal planning, development and/or economic issues, to be the primary contact person to the Transit Village Task Force; and

BE IT FURTHER RESOLVED that if designated a Transit Village, the governing body of the City of Garfield will commit to submitting annual updates as required by the Transit Village Task Force; and

BE IT FURTHER RESOLVED that if designated, the governing body of the City of Garfield will continuously strive to improve the quality of the transit village district; and

BE IT FURTHER RESOLVED that in the event that the Transit Village Task Force determines that a designated Transit Village is no longer acting consistently with the Transit Village program goals, the Transit Village Task Force may suspend designation and/or withhold program benefits.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-458

A RESOLUTION AWARDED A CONTRACT TO CIPRIANO ENTERPRISES, INC. IN CONNECTION WITH REQUIRED MITIGATION LANDSCAPING AT THE ELMWOOD PARK WELL FIELD

WHEREAS, the City of Garfield applied for and received certain Freshwater Wetlands Permits in connection with capital improvements performed at the booster station within the Elmwood Park Well Field, and;

WHEREAS, these permits required certain mitigation in the form of landscaping to offset the loss of existing vegetation, and;

WHEREAS, these requirements were received from the NJDEP subsequent to the bidding and award of this contract to APS Construction, and;

WHEREAS, informal quotations were solicited to undertake this work and are summarized below:

1. Cipriano Enterprises, Inc., 74 Ethel Avenue, Hawthorne, N.J.  
Amount Bid: \$11,500.00

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2. LaTorre Landscaping, Waldwick, N.J.  
Amount Bid: \$13,200.00
3. Demartini Companies, LLC, Franklin Lakes, N.J.  
Amount Bid: \$14,200.00

NOW, THEREFORE, BE IT RESOLVED, Cipriano Enterprises, Inc. is hereby awarded a contract in the amount of \$11,500.00 in accordance with their proposal dated December 5, 2013.

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-459

A Resolution Authorizing the Award of the 20th Century Field Improvements to Dakota Excavating Contractors Inc.

WHEREAS, the City of Garfield utilized NJDEP Green Acres Grant Monies to undertake certain improvements at the 20th Century Field, and;

WHEREAS, bids were received for this project on October 28, 2015, and;

WHEREAS, Dakota Excavating Contractors Inc. is the low bidder in the base bid amount of \$742,475, Alternate Bid A in the amount of \$45,750 Alternate Bid B in the amount of \$12,000 and Alternate Bid C in the amount of \$6,000.

NOW THEREFORE BE IT RESOLVED Dakota Excavating Contractors Inc. is hereby awarded a contract for the base bid and Alternate A, B and C for the total contract amount of \$806,225.00.

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

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 15-460

A Resolution Authorizing Either The Mayor or City Manager To Sign A Treatment Works Approval (TWA) Permit Application In Connection With The LQ Laundry of Garfield, LLC Project.

WHEREAS, the LQ Laundry of Garfield, LLC Project is proposed at the former Hollywood Video location at 45 Outwater Lane, and;

WHEREAS, the LQ Laundry of Garfield, LLC Project, consisting of 48 washing machines, will require a Treatment Works Approval Permit, and;

WHEREAS, a connection fee, payable to the City of Garfield, pursuant to Section No. 265.43 of the City Code mandates a connection fee in the amount of \$111,600 which shall be paid prior to the signing of a TWA Permit application, and;

WHEREAS, additional conditions as stipulated in the November 20, 2015 letter by the City Engineer shall be addressed as a condition of approval.

NOW THEREFORE BE IT RESOLVED, either the Mayor or City Manager is hereby authorized to sign the TWA Application, upon confirmation the required connection fees have been paid to the City, in connection with securing the requisite permit for this project.

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-461

RESOLUTION – AMENDING CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, a Resolution No 11-292 was adopted by the City Council of the City of Garfield held on June 13, 2011, which engaged the services of Arthur R. Thibault, Jr. of the law firm of Apruzzese, McDermott, Mastro & Murphy as Special Council of the City of Garfield in connection with the Garfield PBA Local No. 46 grievance PERC Docket No. 2011-397 at a rate of \$165.00 per hour up to a maximum of \$7,500.00.

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WHEREAS, a Resolution No 12-317 was adopted by the City Council of the City of Garfield held on September 25, 2012, which increased the maximum expenditure to \$10,000.00.

WHEREAS, there is a need to authorize additional fees for their services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, that Arthur R. Thibault, Jr. of Esq. the law firm of Apruzzese, McDermott, Mastro & Murphy, Liberty Corner, New Jersey to amend the aforementioned Resolutions for a total fee not to exceed \$16,414.02.

On call of roll, Ayes 3,  
Nays 1 – Councilmember Mati,  
Absent 1 – Councilmember Calandriello

(Sgd) Louis G. Aloia  
Joseph Delaney

Resolution No. 15-462

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    |
|-------|-----|--|--------|-----------|
| 10    | 29  | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | \$ 537.19 |
| 68    | 4   | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 186.63    |
| 74    | 9   | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 252.20    |
| 74    | 29  | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 252.20    |
| 127   | 16  | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 1,223.17  |
| 138   | 1   | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 300.12    |
| 181   | 24  | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 141.23    |

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-463

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    |
|-------|-----|--|--------|-----------|
| 10    | 29  | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | \$ 547.62 |
| 68    | 4   | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 190.25    |
| 127   | 16  | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 1,246.94  |
| 138   | 1   | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 305.95    |
| 181   | 24  | Spiotti & Esposito, P.C. – Attorney Trust Account” | TCJ    | 143.98    |

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-464

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.

Regular Meeting November 24, 2015, Continued

RESOLUTIONS

| BLOCK  | LOT | OWNER          | REASON | AMOUNT   |
|--------|-----|----------------|--------|----------|
| 180.01 | 9   | Douglas Petrie | O/P    | \$251.98 |

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

(Sgd) Joseph Delaney  
Glenn A. Mati

Resolution No. 15-465

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   |
|-------|-----|--------------------------|--------|----------|
| 88.02 | 31  | Watts, Herbert J & Cathy | O/P    | \$600.22 |

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

(Sgd) Joseph Delaney  
Glenn A. Mati

BILLS AND CLAIMS

Resolution No. 15-466

RESOLVED by the City Council of the City of Garfield that the following bill No. 1873 to 1874 covering, Dog Trust Fund and Trust Other totaling \$2800.00 and the Current Fund Reserve totaling \$36,935.00 and the Current Fund totaling \$2,353,461.04, and the Current Water Fund totaling \$319,738.10, and the General Capital Fund totaling \$31,847.30, and the Water Capital Fund totaling \$5,550.00 per attached Computer Lists, be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations, and BE IT FURTHER RESOLVED that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the Ratification List, which includes eighteen (18) items prior to the meeting be ratified.

See

the

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

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2726

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

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

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 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 Delaney duly seconded the motion.

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

Councilmember Delaney introduced in writing the following ordinance entitled:

AN ORDINANCE TO REVISE AND AMEND ORDINANCE NO. 1268 ENTITLED “AN  
ORDINANCE TO REGULATE TRAFFIC AND PARKING” IN THE CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this ordinance entitled: “AN ORDINANCE TO REVISE AND AMEND ORDINANCE NO. 1268 ENTITLED “AN ORDINANCE TO REGULATE TRAFFIC AND PARKING” IN THE CITY OF GARFIELD BERGEN COUNTY, NEW JERSEY” 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 December 8, 2015 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Mati, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Calandriello.

Councilmember Mati introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE CHAPTER 48-28 OF THE CITY CODE  
OF THE CITY OF GARFIELD, ENTITLED “RATES OF COMPENSATION;  
ADMINISTRATIVE FEE; PAYMENT FOR SERVICES,” TO CHANGE THE RATE OF  
COMPENSATION FOR OFF DUTY POLICE OFFICERS

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “AN ORDINANCE TO AMEND AND REVISE CHAPTER 48-28 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “RATES OF COMPENSATION; ADMINISTRATIVE FEE; PAYMENT FOR SERVICES,” TO

ORDINANCES

CHANGE THE RATE OF COMPENSATION FOR OFF DUTY POLICE OFFICERS ” 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 December 8, 2015 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Aloia, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Calandriello.

EXIT OF COUNCILMEMBER DELANEY

At 8:40 PM, Councilmember Joseph Delaney left the Regular Meeting and it was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. Dennis Serritella, 35 Garden Court North, asked questions concerning the Ordinance introduced this evening regarding Chapter 48-28.

Mr. Everett Garnto, 51 Jewell Street, asked questions concerning how soon a six foot fence will be installed on the WaWa Store property along Columbus Avenue. He stated that he would like to be considered for appointment to the Planning Board. He spoke on his recent appearance before the Planning Board and how it appeared that the Planning Board Chairman was not going to allow him to address the Board.

Mr. Anthony Erekat, 30 Pacific Avenue, spoke on a proposed Dog Park. He spoke on the playground in the Riverfront Park. He spoke on street parking in Garfield. He spoke on the Council granting handicapped parking spaces. He said that the taxpayers pay to have handicapped spaces erected. He claimed that people are switching cars in the handicapped parking spot when the space is for one particular car. He complained that he received a ticket for parking on River Drive. He claimed that people are abusing the system. He spoke on the “Steered Straight” Program. He said that the School Truant Officer came to his house on his kid when he was home sick from work. He said that people are receiving parking stickers for fraudulent addresses and then the children are going across the bridge over the Passaic River into the adjoining municipalities. He complained that the town is deteriorating. He would like a big Welcome to Garfield sign as you enter the town southbound on River Drive. He claimed that people are selling their temporary parking stickers at the WaWa Store. He proposed that there be a fee for the temporary parking passes. He wished everyone a Happy Thanksgiving.

Ms. Judy Frasier, 88 Prospect Street, spoke on the proposed establishment of a Gang Task Force Advisory Board.

ADJOURNMENT

At 9:30 PM, there being no further business, Councilmember Mati moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 3, Absent 2 –  
Councilmembers Calandriello and Delaney