

A Regular Meeting of the City Council was held Tuesday, February 23, 2016 at 8:35 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 Clerk Andrew J. Pavlica and City Attorney Representative Robert Ferraro of the Law Firm of Bruno and Ferraro (for City Attorney John J. Bruno)

REPORTS OF OFFICERS

Councilmember Aloia 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 4,
Absent 1 – Councilmember Delaney

PRESENTATIONS

At this time, CERTIFIED copies of Resolution No. 16-26 were presented to the Garfield High School Boys Soccer Team who are the 2015 New Jersey State Champions.

At this time, a CERTIFIED copy of Resolution No. 16-43 was presented to the family of John Pierce Logan recognizing his fight for civil rights within the City of Garfield.

ARRIVAL OF CITY ENGINEER BOSWELL

At 9:00 PM, City Engineer Kevin J. Boswell joined the Regular Meeting and it was duly noted for the record.

RESOLUTIONS

Resolution No. 16-62

WHEREAS, the Saint Anthony Society of Garfield is celebrating its 50th Anniversary with a Dinner-Dance at the Venetian Restaurant located at 546 River Drive in Garfield on Saturday, February 27, 2016, at which all the Society's Past-Presidents will be honored, and

WHEREAS, the Saint Anthony Society was founded in 1965 and began in a member's home until the property at 148 Harrison Avenue in Garfield was purchased for its headquarters, and

WHEREAS, the Saint Anthony Society has become an important religious resource within the City of Garfield and beyond, offering educational scholarships, social contact and comfort through its numerous programs helping churches, shelters and even the less-fortunate in Africa, and helping other people and other locals, and

WHEREAS, the Saint Anthony Society of Garfield President Franco Guttilla, on behalf of the Society, is welcoming many honored guests who are coming from Italy to celebrate, including the Mayor of Bolognetta, Sicily; the Police Chief of Carabinieri; Pastors and the Presidents of their Society, from Italy and

WHEREAS, the City Council is desirous of publicly recognizing this important and noteworthy anniversary of the Society which has been a moral pillar of the community for all these years,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that upon the occasion of the 50th ANNIVERSARY of the Saint Anthony Society that CONGRATULATIONS are hereby extended to its members, past and present, who recall with pride and gratitude the many milestones of the past as they prepare in faith for the blessings and challenges of the journey yet ahead.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

RESOLUTIONS

Resolution No. 16-63

WHEREAS, Fire Company No. 3 has advised that they have accepted Davis Pinto of 118 Frederick Street, Garfield, New Jersey 07026 as a regular member, effective February 1, 2016,
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-64

WHEREAS, Sal Cusmano was appointed as First Alternate of the Zoning Board of Adjustment pursuant to Resolution No. 14-511, adopted December 16, 2014, and
WHEREAS, his term of office expired January 1, 2016,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Sal Cusmano of 115 Sherman Place, is hereby appointed as the First Alternate of the Zoning Board of Adjustment, effective immediately, to succeed himself, for the two year term, said term to expire January 1, 2018.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-65

WHEREAS, John Danczak was appointed as the Second Alternate of the Zoning Board of Adjustment pursuant to Resolution No. 14-402, adopted October 7, 2014, and
WHEREAS, his term of office expired January 1, 2016,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that John Danczak of 11 Blakely Place, is hereby appointed Second Alternate of the Zoning Board of Adjustment, effective immediately, to succeed himself, for the two year term, said term to expire January 1, 2018.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-66

WHEREAS, E-Z Laundromat, 255 Midland Avenue, filed an application for a laundromat license for the year 2016, and
WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288.
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to E-Z Laundromat, for the year 2016.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-67

WHEREAS, Time to Wash, 69 River Drive, filed an application for a laundromat license for the year 2016, and
WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288.
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Time to Wash, for the year 2016.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

RESOLUTIONS

Resolution No. 16-68

WHEREAS, Sud's City Laundromat, 228 Palisade Avenue, filed an application for a laundromat license for the year 2016, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Sud's City Laundromat, for the year 2016.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-69

WHEREAS, Suds-N-Spin Laundromat, 85 Outwater Lane, filed an application for a laundromat license for the year 2016, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Suds-N-Spin, for the year 2016.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-70

WHEREAS, Elohim Laundromat, 62 Belmont Avenue, filed an application for a laundromat license for the year 2016, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Elohim Laundromat, for the year 2016.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-71

WHEREAS, Margaret A Temple, 42 Grand Street, who is the holder of a Disabled Person I.D. Card No. P1556488, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the south curb line of Grand Street commencing 62 feet west of the intersection of Grand Street and Cambridge Avenue and run an additional 20 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) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-72

Resolution Authorizing Execution of GIS Data Exchange Agreement Between The City of Garfield and County of Bergen

WHEREAS, the County of Bergen and City of Garfield (herein referred to as "Party" or "Parties") desire to enter into a GIS Data Exchange Agreement, and

WHEREAS, each of the Parties agree to exchange Geographic Information System Data, and

WHEREAS, the exchange and sharing of GIS Data serves a public purpose in that it facilitates the development of geographic information systems for the mutual aid and public safety of all of the Parties,

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers of the City of Garfield are hereby authorized and directed to execute a GIS Data Exchange Agreement with the County of Bergen.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Glenn A. Mati

Resolution No. 16-73

A Resolution Authorizing the Submittal of a Bergen County FY 2016 Community Development Block Grant (CDBG) Application.

BE IT RESOLVED, the City Manager and City Engineer are hereby authorized to submit an application for the FY 2016 CDBG program for the installation of curb and sidewalk on both sides of Outwater Lane between Palisade Avenue and the NJ Transit rail line.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-74

WHEREAS, IZET, LLC, is the owner of real property known on the Tax Map of the City of Garfield as Block 25, Lot 8, commonly known as 39 Passaic Street, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2013, bearing Docket No. 019109-2013; 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) 2013 as follows:

Year	Land	Improvements	Total
2013 Original Assessment	\$90,800	\$532,900	\$623,700

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	\$90,800	\$484,200	\$575,000

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) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-75

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 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

RESOLUTIONS

WHEREAS, the Parish has now requested permission to conduct its annual Festa Italiana from Thursday, August 11, 2016 through Sunday, August 14, 2016 ; 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 11, 2016 through Sunday, August 14, 2016; 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 10, 2016 at 8:00 AM and shall end no later than 11:59 PM on Sunday, August 14, 2016 however, there shall be no parking on said streets commencing on Wednesday, August 10, 2016 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 James Kovacs and the City Attorney.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

Resolution No. 16-76

WHEREAS, the Mayor and Council of the City of Garfield, Bergen County, New Jersey, has adopted a resolution implementing Length of Service Awards Program (LOSAP), in 2001 to Section 457 (e)(11)(13) of the Internal Service Code of 1986 and:

WHEREAS, the Chief Financial Officer has reviewed and has forwarded a certified list(s) to the Mayor and Council; certified by the Fire Department Chief(s) and to disclose all Volunteer Fire Department recipients who have met the minimum requirements to receive such funds and;

WHEREAS, a certified list containing the names of the recipients are attached to this resolution in which the auditors have recommended in the audit that this list be available for review in the form of a resolution;

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer, has certified funds are available in the 2016 appropriation, and has further audited the documents submitted by the Volunteer Fire Department and has determined that the documents meet the intent of the 2015 audit requirements.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 16-77

See

the

following pages for _____

Temporary

Capital

Budget

Regular Meeting February 23, 2016, Continued

INTRODUCTION OF 2016 MUNICIPAL BUDGET

See

the

following

pages numbered _____

for

Resolution No. 16-78

BILLS AND CLAIMS

Resolution No. 16-79

RESOLVED by the City Council of the City of Garfield that the following bill No. 1901 to 1912 covering Trust Other totaling \$32,317.01 and Dog Trust totaling \$2500.00 and the Current Fund Reserve totaling \$10,572.24, and the Current Fund totaling \$2,294,066.88 and the Current Water Reserve totaling \$1,791.46, Current Water Fund totaling \$45,949.84 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 sixteen (16) items prior to the meeting be ratified.

See

the

Following Pages Numbered _____

For

Bills

And

Claims

ORDINANCES

Councilmember Mati introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE PASSAIC RIVER DE-SNAGGING PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$430,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE PASSAIC RIVER DE-SNAGGING PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$430,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” 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 8, 2016 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 5.

Councilmember Mati introduced in writing the following ordinance entitled:

AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF 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 March 8, 2016 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 5.

Councilmember Mati introduced in writing the following ordinance entitled:

AN ORDINANCE TO EXCEED THE MUNICIPAL APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “AN ORDINANCE TO EXCEED THE MUNICIPAL APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK” do now pass on

ORDINANCES

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 8, 2016 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 5.

EXIT OF COUNCILMEMBER DELANEY

At 9:10 PM, Councilmember Joseph Delaney left the Regular Meeting and it was duly noted for the record.

CITIZENS AND TAXPAYERS

Ms. Ruth Springer, 139 Jewell Street, President of the Garfield Free Public Library Board of Trustees, asked questions concerning capital improvements to the Garfield Free Public Library Building located at 500 Midland Avenue.

Ms. Bonita Allen and Clair Logan, 316 Malcolm Avenue, both spoke on the need for the placement of a street light on a pole in their neighborhood.

Ms. Gracie Williams, 125 Gaston Avenue, spoke on the City Recycling employees and complained about the City Street Sweeper.

Mr. Everett Garnto, 51 Jewell Street, commended City Manager Duch and the entire Mayor and Council on the Municipal Budget that was introduced this evening. He commended City Engineer Kevin J. Boswell on his response and recommendations concerning the City Water from Well 1A and he commended the Mayor and City Council for shutting down Well 1A.

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the funding to the Garfield Free Public Library. He said that a \$6.7 million dollar surplus is a very good number and the City Bond Rating is very good. He said that the City is utilizing \$3 million dollars of the surplus in the Budget and is granting the taxpayers relief along with the redevelopment bringing in ratables. He spoke on the water notice that went out to the public regarding a high reading of one chemical and the immediate shut down of the Well 1A near the intersection of Outwater Lane and Midland Avenue.

Councilmember Aloia said that City water is good to drink but it could be better. He said that unfortunately when you are drawing water that brings a contaminant in, and even though it is below a level to be harmful, a notice and reverse 9-1-1 call went out with the City being over cautious.

Deputy Mayor Mati said that he likes meetings like this honoring different groups of people. He said that it is important to bring notice to people. He said that it brings honor to the City to honor people. He said that it is our chance to give thanks to you.

Mayor Raymond said that on April 12, 2016 the City will be renaming a part of a street after John Logan.

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 4,
Absent 1 – Councilmember Delaney

Andrew J. Pavlica, CITY CLERK