

A Work Session of the City Council was held on Tuesday, March 10, 2015 at 6:45 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 Work Session 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, Glenn A. Mati and Tana M. Raymond
Councilmembers Absent: Louis G. Aloia and Joseph Delaney
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 Bruno), Labor Counsel John Lavin and City Engineer Representative Bernard Mirandi (for City Engineer Kevin J. Boswell)

PROPOSED ORDINANCE TO RAISE THE AGE TO PURCHASE TOBACCO PRODUCTS

The City Council and Cabinet met with Karen Blumenthal, the Executive Director of GASP (Global Advisors Smokefree Policy), 7 Cedar Street, Suite A, Summit, New Jersey 07901, and the following individuals concerning a proposed ordinance to Prohibit the Sale of Tobacco and Nicotine Delivery Products to Persons Under the Age of Twenty – One (21) : Garfield Prevention Coalition Coordinator Eileen Fitzmaurice and Emilija Gligoroska (Co-Chair) and EPIC Members Kenneth Ramos and Justine Acevedo.

ANIMAL CONTROL OFFICER

The City Council and Cabinet briefly discussed the proposed appointment of New Jersey Animal Control and Rescue 15C Hillside Place, Lodi, New Jersey 07644, as an Animal Control Officer for the City of Garfield.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The Bergen County League of Municipalities Meeting scheduled to be held tomorrow, March 11, 2015, that he plans to attend at the Arena Diner in Hackensack.
2. The Community Development meeting scheduled to be held March 12, 2015 for grant applications at the Bergen County Administration Building in Hackensack.
3. Direct and Install is a program that has installed new interior lighting and air conditioning units in the different Fire Houses.
4. The plans being made for the 2015 Memorial Day Parade in the City. The Special Events Committee is meeting tonight to discuss this matter.
5. The lengthy communication received from the County concerning the culverts over Fleisher's Brook and if the City or the County is responsible for the maintenance and up keep of the culverts.
6. The acquisition of salt for use during snow storms.
7. Right to Know/Hazardous Communications and the need to update all the City paperwork in the City Buildings and the Fire Houses.
8. The Citizens Liaison Committee headed by Pastor Arthur Bryant and the proposed "meet and greet" event to be held Saturday, April 18, 2015 at the Garfield Boys and Girls Club located at 490 Midland Avenue.

REPORTS OF OFFICERS

Councilmember Frank J. Calandriello reported on the following:

1. Request for more of a police presence on Jewell Street in the early evening into the late evening.

City Engineer Representative Bernard Mirandi reported on the following:

1. The written Report of the City Engineer dated March 10, 2015.

City Manager Thomas J. Duch reported on the following:

9. The request for proposals solicited from the City boards for services to the City.

CLOSED SESSION

Resolution No. 15-94

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a meeting in certain circumstances, and

WHEREAS, the City Council is of the opinion that such circumstances now exist,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a "Closed Session" is hereby called at 7:25 P.M. on Tuesday, March 10, 2015 to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Collective bargaining agreements including the negotiation of the terms and thereof with employees or representatives of employees of the public body; (Blue Collar and White Collar collective bargaining negotiations).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (alleged ticket blitz by two experienced police officers who are partners on patrol; gun of retired Garfield Police Officer Gregory Drelich allegedly being stolen on February 26, 2015 from the Garfield Police Station evidence room).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Proposed settlement of English Paving vs the City lawsuit; Kipp Avenue lawsuit; proposed retirement negotiations with Police Chief Kevin Amos).
- * Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (Police Sergeant who filed a grievance claiming he acted 47 days as a Police Lieutenant; resignation of Garfield Police Officer Patrick Sajewicz).

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

On call of roll, Ayes 3, Absent 2 -
Councilmembers Aloia and Delaney

(Sgd) Glenn A. Mati
Tana M. Raymond

ARRIVAL OF COUNCILMEMBER DELANEY

At 7:55 PM, Councilmember Joseph Delaney joined the Work Session in Closed Session. It was duly noted for the record.

Work Session March 10, 2015, Continued

ADJOURNMENT

After the City Council came out of Closed Session at 8:25 PM, there being no further business, Councilmember Delaney moved to adjourn the Work Session. Councilmember Calandriello duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, March 10, 2015 at 8:30 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

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

Councilmembers Present: Frank J. Calandriello, Joseph Delaney, Glenn A. Mati and Tana M. Raymond

Councilmembers Absent: Louis G. Aloia

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 Representative Bernard Mirandi (for 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 Calandriello duly seconded the motion.

On call of roll, Ayes 3,
Abstain 1 – Councilmember Delaney,
Absent 1 – Councilmember Aloia

RESOLUTIONS

Resolution No. 15-95

WHEREAS, Frances Nicosia Nucifora will celebrate her 100th birthday on Thursday, March 26, 2015, and

WHEREAS, a birthday party in her honor will be held on Sunday, March 29, 2015 at The Venetian Restaurant located at 546 River Drive in Garfield, and

WHEREAS, the City Council is desirous of joining the chorus of those extending birthday greetings to her and of those acknowledging this outstanding human achievement,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that upon the occasion of her hundredth birthday on March 26, 2015, Frances Nicosia Nucifora, is hereby honored for her exemplary and inspiring long life and offered sincere best wishes for continued good health and happiness.

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

(Sgd) Tana M. Raymond
Glenn A. Mati

Resolution No. 15-96

WHEREAS Fire Company No. 2 has advised that they have accepted Ryan Cheski of 23 Reihl Street, Elmwood Park, New Jersey 07407, as a regular member, effective February 2, 2015.

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. 2 with respect to the above matter, is hereby approved.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-97

WHEREAS Fire Company No. 2 has advised that they have accepted Tyler J. Lewinski of 154 Lee Street, Elmwood Park, New Jersey 07407, as a regular member, effective February 2, 2015.

RESOLUTIONS

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. 2 with respect to the above matter, is hereby approved.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-98

WHEREAS Fire Company No. 2 has advised that they have accepted Hershel Rawls IV of 77 Brook Avenue D3, Passaic, New Jersey 07055, as a regular member, effective February 2, 2015.

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. 2 with respect to the above matter, is hereby approved.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-99

WHEREAS Fire Company No. 5 has advised that they have accepted Szymon Sobilo of 85 Gaston Avenue, Garfield, New Jersey 07026, as a regular member, effective December 6, 2014.

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. 2 with respect to the above matter, is hereby approved.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-100

WHEREAS, Suds City Laudromat, 228 Palisade Avenue, filed an application for a laundromat license for the year 2015, 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 for the year 2015.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-101

A Resolution Authorizing Payment to Colonnelli Bros., Inc. In Connection With An Emergency Sewer Break Repair On Banta Avenue And Davison Street, City of Garfield.

WHEREAS, Colonnelli Bros., Inc. performed an emergency sewer repair on Banta Avenue and Davison Street on February 12, 2015, and;

WHEREAS, This work was awarded without competitive bidding due to the emergent nature of the roadway dislocation.

NOW THEREFORE BE IT RESOLVED, Colonnelli Bros., Inc. is hereby authorized payment in the amount of \$5,586.30 in connection with said repair.

BE IT FURTHER RESOLVED, the City Engineer is hereby authorized to solicit quotations, inspect the repair and prepare payment requisitions for a fee not-to-exceed \$2,000.00.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-102

WHEREAS, CARMELO & CARMELA CANGIALOSI is the owner of real property known on the Tax Map of the City of Garfield as Block 216.08, Lot 170, commonly known as 401 MAC ARTHUR AVENUE in the CITY OF GARFIELD, COUNTY OF BERGEN and STATE OF NEW

RESOLUTIONS

JERSEY, has filed real property tax appeal for the year 2013 bearing Docket Nos, 019018-2013; 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, 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	139,300	269,400	408,700

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	139,300	250,700	390,000

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 4,
Absent 1 – Councilmember Aloia

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-103

WHEREAS, JAN INVESTMENTS, LLC is the owner of real property known on the Tax Map of the City of Garfield as Block 89 Lot 8, commonly known as 370 MIDLAND AVNEUE in the CITY OF GARFIELD, COUNTY OF BERGEN and STATE OF NEW JERSEY, has filed real property tax appeal for the year 2011 bearing Docket Nos, 018183-2011; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	211,200	84,400	295,600

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
2011 Settlement	211,200	68,800	280,000

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 4,
Absent 1 – Councilmember Aloia

(Sgd) Joseph Delaney
Glenn A. Mati

RESOLUTIONS

Resolution No. 15-104

WHEREAS, PAN GRAPHICS INC., is the owner of real property known on the Tax Map of the City of Garfield as Block 147.01, Lot 5, commonly known as 62 PLAUDERVILLE AVENUE in the CITY OF GARFIELD, COUNTY OF BERGEN and STATE OF NEW JERSEY, has filed real property tax appeal for the years 2011, 2012 and 2014 bearing Docket Nos, 009272-2011, 005709-2012 and 001623-2014; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Blount & Lavin, have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012 and 2014 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	937,500	711,400	1,648,900
2012 Original Assessment	937,500	711,400	1,648,900
2014 Original Assessment	937,500	711,400	1,648,900

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

Year	Land	Improvements	Total
2011 Settlement	937,500	187,500	1,125,00
2012 Settlement	937,500	187,500	1,125,00
2014 Settlement	937,500	187,500	1,125,00

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 4,
Absent 1 – Councilmember Aloia

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-105

WHEREAS, NEFTALI DE LEON AND LETISHA DE LEON is the owner of real property known on the Tax Map of the City of Garfield as Block 193, Lot 4, commonly known as 183 RAY STREET in the CITY OF GARFIELD, COUNTY OF BERGEN and STATE OF NEW JERSEY, has filed real property tax appeal for the year 2013 bearing Docket Nos, 019167-2013; 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, 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	118,800	199,600	318,400

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:

RESOLUTIONS

Year	Land	Improvements	Total
2013 Settlement	118,800	191,200	310,000

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 4,
 Absent 1 – Councilmember Aloia

(Sgd) Joseph Delaney
 Glenn A. Mati

Resolution No. 15-106

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
 WHEREAS, deposits have been received Marek and Anna Chromulak , 21 Garden Court South , Garfield, NJ 07026 Block 119.02/ Lot 14, in the amount of \$0.50 for Engineering fees on 11/23/11 and \$19.75 for Attorney fees on 11/23/11 for a total of \$20.25 said funds are being held in the Developer’s Escrow Fund, and
 WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;
 NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Joseph Delaney
 Glenn A. Mati

Resolution No. 15-107

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
 WHEREAS, deposits have been received James Ciliento, 198 Youngs Road, Mahwah , NJ 07430 for 93 Prospect Street , Garfield, NJ 07026 Block 149.02/ Lot 35&36, in the amount of \$0.00 for Engineering fees on 02/22/08 and \$252.61 for Attorney fees on 02/22/08 for a total of \$252.61 said funds are being held in the Developer’s Escrow Fund, and
 WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;
 NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Joseph Delaney
 Glenn A. Mati

Resolution No. 15-108

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
 WHEREAS, deposits have been received Valentina Delahanty 71 Belmont Avenue , Garfield, NJ 07026 Block 106/ Lot 29, in the amount of \$1,273.75 for Engineering fees on 08/25/09 and \$50.50 for Attorney fees on 08/25/09 for a total of \$1,324.25 said funds are being held in the Developer’s Escrow Fund, and
 WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;
 NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

RESOLUTIONS

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-109

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received Richard Gutierrez 63 Grand Street , Garfield, NJ 07026 Block 69/ Lot 15, in the amount of \$0.00 for Engineering fees on 04/27/11 and \$412.50 for Attorney fees on 04/27/11 for a total of \$412.50 said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-110

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received Wladyslaw and Zofia Karcz, 33 Morris Avenue , Garfield, NJ 07026 Block 153/ Lot 11 in the amount of \$0.00 for Engineering fees on 01/12/07 and \$82.02 for Attorney fees on 01/12/07 for a total of \$82.02 said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-111

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, deposits have been received Leone, Vincenzo and Carmela, P.O. Box 411 Elmwood Park, NJ 07407 , for 358 Midland Avenue , Garfield, NJ 07026 Block 89/ Lot 14, in the amount of \$493.50 for Engineering fees on 10/03/06 and \$750.00 for Attorney fees on 10/03/06 for a total of \$1,243.50 said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-112

Resolution Re: Requesting Permission for the Dedication by Rider for Affordable Housing Required by NJSA 40A:12A-3 et seq.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

RESOLUTIONS

WHEREAS, NJSA 40A:12A-3 et seq. provides for receipt of Affordable Housing Funds by the municipality to provide for the operating costs to administer this act; and,
WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from Affordable Housing Funds are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;
NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Garfield, in the County of Bergen, State of New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Affordable Housing as per NJSA 40A:12A-3 et seq.
2. The Clerk of the City of Garfield is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-113

Resolution Re: Requesting Permission for the Dedication by Rider for Donations – Acceptance of Bequests and Gift for Animal Rescue Required by NJS 40A:5-29

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA 40A:5-29 et seq. provides for receipt of Donations for Animal Rescue by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from Donations for Animal Rescue are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Donations for Animal Rescue as per NJS 40A:5-29
2. The Clerk of the City of Garfield is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-114

Resolution Re: Requesting Permission for the Dedication by Rider for Uniform Construction Code Enforcement Fees Required by NJS 50:27D-119 et seq.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJSA 50:27D-119 et seq. provides for receipt of Uniform Construction Code Enforcement Fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from Uniform Construction Code Enforcement Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

RESOLUTIONS

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Uniform Construction Code Enforcement Fees as per NJS 50:27D-119 et seq.
2. The Clerk of the City of Garfield is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-115

Resolution Re: Requesting Permission for the Dedication by Rider for Uniform Fire Safety Act Fees Required by NJS 52:27D-192 et seq.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJS 52:27D-192 et seq. provides for receipt of Uniform Fire Safety Act Fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from Uniform Fire Safety Act Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Uniform Fire Safety Act Fees as per NJS 52:27D-192 et seq.
2. The Clerk of the City of Garfield is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-116

Resolution Re: Requesting Permission for the Dedication by Rider for Municipal Court – Parking Offenses Adjudication Act (POAA) Fees pursuant to NJS 39:4-139.9

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJS 39:4-139.9 et seq. provides for receipt of Municipal Court – Parking Offenses Adjudication Act Fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from Municipal Court – Parking Offenses Adjudication Fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Municipal Court – Parking Offenses Adjudication Act.
2. The Clerk of the City of Garfield is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

RESOLUTIONS

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-117

Resolution Re: Requesting Permission for the Dedication by Rider for Public Defender Fees Required by NJS 2B:12-28

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, NJS 2B:12-28 provides for receipt of Public Defender fees by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from Public Defender fees are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Public Defenders as per NJS 2B:12-28.
2. The Clerk of the City of Garfield is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-118

Resolution Re: Requesting Permission for the Dedication by Rider for Recycling Program Funds Required by PL 1987, Chapter 102

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, PL1987, Chapter 102 provides for receipt of Recycling Program Funds by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from Recycling Program are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Recycling Program Funds as per PL1987, Chapter 102.
2. The Clerk of the City of Garfield is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-119

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.

RESOLUTIONS

BLOCK	LOT	OWNER	REASON	AMOUNT
14.02	4.01	'Michael I. Schneck, Trustee for GARFIELD LLC'	TCJ	\$ 3,306.31

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

(Sgd) Joseph Delaney
Glenn A. Mati

Resolution No. 15-120

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, October 24, 2015, it will be necessary and appropriate to temporarily appoint Louis G. Aloia as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Joseph Palast and Sandra Ramos, 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 Louis G. Aloia be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Joseph Palast and Sandra Ramos.
2. This temporary appointment shall be solely for the purpose of performance of these marriage ceremonies and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremonies 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 ceremonies 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 Louis G. Aloia and Joseph Palast and Sandra Ramos.

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

(Sgd) Joseph Delaney
Glenn A. Mati

BILLS AND CLAIMS

Resolution No. 15-121

RESOLVED by the City Council of the City of Garfield that the following bills No. 1772 to 1777 covering, Dog Trust Fund and Trust Other totaling \$54,791.05 the Current Fund Reserve totaling \$86,955.54 and the Current Fund totaling \$4,591,560.16, and the Current Water Fund Reserve totaling \$86,474.67, and the General Capital Fund totaling \$10,557.00 and the Water Capital Fund totaling \$16,870.87 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 nine (9) items prior to the meeting be ratified.

See

The

Following Pages _____
for Bills And Claims

ORDINANCES

Ordinance No. 2706

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

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

City Clerk Pavlica read the ordinance by title.

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 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 Mati duly seconded the motion.

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

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. Ciro Disclafani, 47 Orchard Street, spoke on the efforts of the Town of West Orange concerning pedestrian safety. He spoke on a recent “Road Warrior” column in the Bergen Record newspaper concerning pedestrian safety. He spoke on education and enforcement of pedestrian safety. He spoke on the need for additional signage at crosswalk intersections. He claimed he was confined in his home because of the lack of clearance of snow for pedestrians. He complained about New Jersey Transit not clearing sidewalks where the train tracks cross City streets.

Mr. John Easom, 103 Gaston Avenue, asked questions concerning the Nixle Communication System.

COUNCILMEMBER COMMENTS

Councilmember Mati spoke on the proposed ordinance prohibiting the purchase of Tobacco Products for persons under 21 years of age. He said that he is hopeful that we have seen the end of the snow this season.

Mayor Raymond spoke on the wonderful Black History Month presentations at the Garfield Free Public Library on February 28, 2015. She spoke on the Sicilian Federation dinner being held last Saturday which was a nice evening.

ADJOURNMENT

At 9:00 PM, there being no further business, Councilmember Mati moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

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