

A Work Session of the City Council was held on Tuesday, May 12, 2015 at 6:30 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 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, Louis G. Aloia, and Tana M. Raymond
Councilmembers Absent: Joseph Delaney and Glenn A. Mati
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), City Engineer Kevin J. Boswell, Bernard Mirandi of Boswell Engineering, Superintendent of Public Works Sam Garofalo and Interim Chief Financial Officer Roy Riggitano

RECYCLING CONTRACT

The City Council and Cabinet met with Ben Raabe of Bella Carting concerning the performance of his company in collecting recyclables for the City.

CLOSED SESSION

Resolution No. 15-201

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 6:35 P.M. on Tuesday, May 12, 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; (PBA Local No. 46 collective bargaining negotiations; 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; (investigation of the gun formally assigned to Police Officer Gregory Drelich which is allegedly missing or stolen from the Police Station; proposed ABC disciplinary hearing of plenary retail consumption license held by Danuta Stecyk and Stanislaw Wojdat D/B/A Bana U Cygana).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Everwide Inc. appeal of revocation of their plenary retail consumption license; proposed retirement of Police Chief Kevin Amos; proposed Kipp Avenue settlement agreement).

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 Delaney and Mati

(Sgd) Louis G. Aloia
Frank J. Calandriello

ARRIVAL OF COUNCILMEMBER DELANEY

At 7:15 PM, Councilmember Joseph Delaney joined the Work Session during Closed Session and it was duly noted for the record.

Work Session May 12, 2015, Continued

WELL 1A

After the City Council came out of Closed Session at 7:25 PM, the City Council and Cabinet discussed the reactivation of Well 1A scheduled for tomorrow, May 13, 2015 at 10:00 AM at the intersection of Midland Avenue and Outwater Lane in Columbus Park.

MERIDIA CAPODAGLI TRANSIT CROSSING RESIDENTIAL REDEVELOPMENT

The City Council and Cabinet met with Henry Szwed, Chief Operating Office of Meridia Capodagli Property, 6035 Park Avenue, West New York, New Jersey 07093, Patrick D. McClellan Civil Engineering MCB Engineering Associates, LLC, 11 Furfer Street, Totowa, New Jersey 07512 and Jose Carballo, President, Jose Carballo Architectural Group, PC, 171 Main Street, Suite 301, Hackensack, New Jersey 07601 and discussed the environmental cleanup, the proposed height of the buildings and the proposed sewer line replacement in connection with the property for the Meridia Capodagli Transit Crossing Residential Redevelopment located at the south end of Walnut Street and the east end of Schley Street.

ADJOURNMENT

At 8:05 PM, there being no further business, Councilmember Calandriello moved to adjourn the Work Session. Councilmember Delaney duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, May 12, 2015 at 8:20 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

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

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

MINUTES

Councilmember Calandriello moved to approve the Minutes of the following meetings:

Work	Session	-	March	24,	2015
Regular	Meeting	-	March	24,	2015
Work	Session	-	April	14,	2015
Regular	Meeting	-	April	14,	2015
Work	Session	-	April	28,	2015
Regular	Meeting	-	April	28,	2015

Councilmember Aloia duly seconded the motion.

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

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 Calandriello duly seconded the motion.

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

RESOLUTIONS

Resolution No. 15-202

WHEREAS, Reverend Monsignor William J. Reilly was ordained to the Roman Catholic priesthood on May 29, 1965, and is celebrating his 50th Anniversary in the Priesthood, and
WHEREAS, he has previously been assigned to Saint Bridget's Church in Newark, has served as Pastor in Sacred Heart in Lyndhurst, Assumption/All Saints in Jersey City, Holy Family in Union City, Resurrection Parish in Jersey City (in an urban evangelization project) and, presently, as Pastor in Most Holy Name Church in Garfield, and
WHEREAS, he has served parishes in transition like Our Lady of Good Counsel in Newark and Saint Leo's in Elmwood Park, and
WHEREAS, he has served as Director of Hispanic Ministry for the Archdiocese of Newark, on the Archdiocesan Incardination Board, Evangelization Committee, Presbyteral Board and is Director of Multicultural Affairs for the Archdiocese of Newark and Dean for Southwest Bergen Deanery 4 of the Archdiocese, and
WHEREAS, he has ministered to immigrant brothers and sisters in their journey to residency and citizenship and has served on the Governor's Blue Ribbon Board on Immigration, and

RESOLUTIONS

WHEREAS, he was conferred the honor of Monsignor by Saint John Paul II and has been recognized by the National Association of Hispanic Priests with the Good Shepherd Award and the College of Saint Elizabeth with the Servant Leadership Award where he served as an adjunct professor,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Reverend Monsignor William J. Reilly is hereby CONGRATULATED as he observes the 50th Anniversary of his ordination and marks a significant milestone in his exemplary ministry of love, devotion and service.

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

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 15-203

WHEREAS, Reverend Michael Guba was ordained to the Roman Catholic priesthood on May 8, 1965, and is celebrating his 50th Anniversary in the Priesthood, and

WHEREAS, he was born in 1940 in the Province of Iloilo in the Philippines and served in four parishes in the Philippines there from 1965 to 1972, and

WHEREAS, while visiting family in the United States in 1972, political upheaval in the Philippines led to him staying in the United States and he was assigned to Saint Rocco's Church in Newark from November to December 1972, and

WHEREAS, since January 1973, he has been at Our Lady of Sorrows Church in Garfield serving the needs of the parishioners and community to the present day,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Reverend Michael Guba is hereby CONGRATULATED as he observes the 50th Anniversary of his ordination and marks a significant milestone in his exemplary ministry of love, devotion and service.

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

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 15-204

WHEREAS, Fire Company No. 1 has advised that they have accepted Austin P. Fernandez of 162 Palisade Avenue, Garfield, New Jersey 07026, as a regular member, effective April 22, 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. 1 with respect to the above matter, is hereby approved.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-205

WHEREAS, Fire Company No. 2 has advised that they have accepted Rebecca Ballaskovits of 35 Ann Street, 2nd Floor, Garfield, New Jersey 07026, as a regular member, effective May 4, 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 Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-206

WHEREAS, Fire Company No. 3 has advised that they have accepted Robert DeVuyst of 510 Grace Avenue, Garfield, New Jersey 07026, as a regular member, effective April 6, 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. 3 with respect to the above matter, is hereby approved.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 15-207

WHEREAS, Laurie Ciappa-Connors, 141 Banta Avenue, who is the holder of a Disabled Person I.D. Card No. P1412197, 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 north curb line of Banta Avenue commencing 345 feet west of the intersection of Banta Avenue and Ray Street and run an additional 23 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 4,
Absent 1 – Councilmember Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-208

WHEREAS, Cherice Ritchie, on behalf of her daughter Melissa Ritchie, 9 Farnham Avenue, who is the holder of a Disabled Person I.D. Card No. P1346503, 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 north curb line of Farnham Avenue commencing 115 feet east of the intersection of Farnham Avenue and Mac Arthur Avenue and run an additional 20 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,
Absent 1 – Councilmember Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-209

WHEREAS, Frank R. Scotti, 28 Prescott Avenue, who is the holder of a Disabled Person I.D. Card No. P1405067, 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 Prescott Avenue commencing 236 feet west of the intersection of Prescott Avenue and Elm Street and run an additional 22 feet west from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-210

WHEREAS, Rosemary H. Kaminski, 18 Schley Street, who is the holder of a Disabled Person I.D. Card No. P1438414, 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 Schley Street commencing 238 feet west of the intersection of Schley Street and Rose Garden Lane and run an additional 25 feet west from that point.

RESOLUTIONS

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,
Absent 1 – Councilmember Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-211

RESOLUTION AUTHORIZING DISCIPLINARY ACTION AGAINST DANITA STECYK AND STANISLAW WOJDAT D/B/A BANIA U CYGANA

WHEREAS, the Mayor and Council of the City of Garfield, upon the recommendation and request of the Garfield Police Department, authorize the filing of disciplinary charges against Danita Stecyk and Stanislaw Wojdat d/b/a Bania U Cygana; and

WHEREAS, Plenary Retail Consumption Liquor License No. 0221-33-055-005 has been issued to Danita Stecyk and Stanislaw Wojdat d/b/a Bania U Cygana; and

WHEREAS, Said Licensee operates the premises located at 175 Jewell Street in the City of Garfield; and

WHEREAS, an incident has been reported by the Garfield Police Department that on May 10, 2015 the Licensee has sold alcoholic beverages after the legal hour in violation of a in violation of N.J.A.C. 13:2-38.1-2 and §73-17.A-B of the City Code of the City of Garfield.

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. The City Attorney is hereby authorized and directed to prepare disciplinary charges against the holder of Plenary Retail Consumption Liquor License No. 0221-33-055-005;

2. The charges to be prepared by the City Attorney shall pertain to the incident described above which occurred on May 10, 2015, wherein the Garfield Police Department reports the sale of alcoholic beverages after the legal hour.

3. The Licensee shall appear before the Garfield ABC Board, at the Garfield City Council Chambers, 111 Outwater Lane, Garfield, NJ, on June 9, 2015, at 6:00 PM, for the purpose of considering disciplinary charges against the Licensee as a result of the above referenced infractions.

4. The City Attorney shall direct that a copy of said charges be served upon the Licensee at the licensed premises and the hearing date.

5. The City Clerk shall, and is hereby authorized and directed to forward certified copies of the within Resolution to the City Attorney, the Garfield Police Department, the Licensee and the State Division of Alcohol Beverage Control.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-212

Supporting the Click It or Ticket Mobilization of May 18 – 31, 2015

Whereas, there were 556 motor vehicle fatalities in New Jersey in 2014; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of a seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide Click It or Ticket seat belt mobilization from May 18 – 31, 2015 in an effort to raise awareness and increase seat belt usage through a combination of high visibility enforcement and public education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 88% to 90%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways;

RESOLUTIONS

Therefore, be it resolved that the City of Garfield declares its support for the Click It or Ticket seat belt mobilization both locally and nationally from May 18 – 31, 2015 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-213

WHEREAS, the Mayor and Council of the City of Garfield wish to file an application with the New Jersey Department of Community Affairs (NJDCA) Recreational Opportunities For Individuals With Disabilities (ROID) FY 2016 Grant Program, which will provide funding for recreational events and activities for persons with disabilities; and

WHEREAS, the Mayor and Council of the City of Garfield have endorsed and are in support of the NJDCA ROID Grant Program and a grant application must be filed with the New Jersey Department of Community Affairs by June 1, 2015; and

WHEREAS, the Mayor and Council of the City of Garfield are desirous of obtaining a ROID Grant in an amount up to \$15,000, which requires a local cash match share of \$3,000 for a total program cost of \$18,000; and

WHEREAS, the Mayor and Council of the City of Garfield recognize and accept that the Department of Community Affairs may offer a greater or lesser amount in connection therewith:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GARFIELD THAT:

1. The Mayor and Council of the City of Garfield hereby endorse, support and authorize the filing of a New Jersey Department of Community Affairs ROID FY 2016 Grant application.
2. Upon receipt of the Grant Agreement from the New Jersey Department of Community Affairs, the signature of the Mayor, City Manager and/or any other municipal official, or their successors in said titles, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.
3. Upon receipt of the fully executed Grant Agreement from the New Jersey Department of Community Affairs, the expenditure of funds is hereby authorized pursuant to the terms of the agreement between the City of Garfield and the Department of Community Affairs.
4. A copy of this resolution shall be sent to the New Jersey Department of Community Affairs so that implementation of the grant program may be expedited.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-214

WHEREAS, Domenick DiMinni, is the owner of real property known on the Tax Map of the City of Garfield as Block 109, Lot 31, commonly known as 13 Belmont Avenue, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011, 2012, 2013 and 2014, bearing Docket No. 017727-2011, 017728-2012, 019128-2013 and 014020-2014; 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, P.C., have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013 and 2014 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	\$187,500	\$455,900	\$643,400
2012 Original Assessment	\$187,500	\$455,900	\$643,400
2013 Original Assessment	\$187,500	\$455,900	\$643,400
2014 Original Assessment	\$187,500	\$455,900	\$643,400

RESOLUTIONS

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	\$187,500	\$455,900	\$643,400
2012 Settlement	\$187,500	\$455,900	\$643,400
2013 Settlement	\$187,500	\$352,500	\$540,000
2014 Settlement	\$187,500	\$352,500	\$540,000
2015 Settlement	\$187,500	\$307,500	\$495,000
2016 Settlement	\$187,500	\$292,500	\$480,000

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 Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-215

WHEREAS, Domenick DiMinni, is the owner of real property known on the Tax Map of the City of Garfield as Block 109, Lot 29, commonly known as 15 Belmont Avenue, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2011, 2012, 2013 and 2014, bearing Docket No. 017727-2011, 017728-2012, 019128-2013 and 014020-2014; 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, P.C., have recommended that the appeal be settled; and

WHEREAS, said property was assessed for the year(s) 2011, 2012, 2013 and 2014 as follows:

Year	Land	Improvements	Total
2011 Original Assessment	\$187,500	\$257,900	\$445,400
2012 Original Assessment	\$187,500	\$257,900	\$445,400
2013 Original Assessment	\$187,500	\$257,900	\$445,400
2014 Original Assessment	\$187,500	\$257,900	\$445,400

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
2011 Settlement	\$187,500	\$257,900	\$445,400
2012 Settlement	\$187,500	\$257,900	\$445,400
2013 Settlement	\$187,500	\$172,500	\$360,000
2014 Settlement	\$187,500	\$172,500	\$360,000
2015 Settlement	\$187,500	\$142,500	\$330,000
2016 Settlement	\$187,500	\$132,500	\$320,000

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 Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-216

WHEREAS, Michael Jr. and Margaret Dishuk, are the owners of real property known on the Tax Map of the City of Garfield as Block 74, Lot 9, commonly known as 178 Cambridge Avenue, 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. 019012-2013; 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	\$76,600	\$190,700	\$267,300

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	\$76,600	\$180,700	\$257,300

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall not apply for tax years 2014 and 2015.

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 Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-217

WHEREAS, John E. and Dayana Polito, are the owners of real property known on the Tax Map of the City of Garfield as Block 74, Lot 29, commonly known as 24 Maple 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. 019020-2013; and

RESOLUTIONS

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	\$86,400	\$166,700	\$253,100

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	\$86,400	\$156,700	\$243,100

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall not apply for tax years 2014 and 2015.
 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 Mati

(Sgd) Louis G. Aloia
 Tana M. Raymond

Resolution No. 15-218

WHEREAS, Wojciech and Marta Popek, are the owners of real property known on the Tax Map of the City of Garfield as Block 138, Lot 1, commonly known as 351 Outwater Lane, 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. 019082-2013; 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	\$117,900	\$139,000	\$256,900

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
2013 Settlement	\$117,900	\$127,100	\$245,000

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall apply for tax years 2014 and 2015
 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 Mati

(Sgd) Louis G. Aloia
 Tana M. Raymond

RESOLUTIONS

Resolution No. 15-219

WHEREAS, Marta A. Popek, is the owner of real property known on the Tax Map of the City of Garfield as Block 127, Lot 16, commonly known as 254 Outwater Lane, 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. 019079-2013; 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	\$136,900	\$361,600	\$498,500

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	\$136,900	\$313,100	\$450,000

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall apply for tax years 2014 and 2015.

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 Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-220

WHEREAS, Czeslaw Podbielski and Ewa Panek, is the owner of real property known on the Tax Map of the City of Garfield as Block 68, Lot 4, commonly known as 198 Palisade Avenue, 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. 019021-2013; 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	\$100,400	\$162,000	\$262,400

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:

Year	Land	Improvements	Total
2013 Settlement	\$100,400	\$154,600	\$255,000

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall apply for tax years 2014 and 2015.

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.

RESOLUTIONS

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-221

WHEREAS, Czeslaw Podbielski and Ewa Panek, are the owners of real property known on the Tax Map of the City of Garfield as Block 10, Lot 29, commonly known as 136 River Drive, 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. 019019-2013; 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	\$112,600	\$298,700	\$411,300

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	\$112,600	\$277,400	\$390,000

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall apply for tax years 2014 and 2015.

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 Mati

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 15-222

WHEREAS, Neftali De Leon and Letisha De Leon, are the owners 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(s) 2013, bearing Docket No. 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, 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	\$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:

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

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall apply for tax years 2014 and 2015.

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 4,
 Absent 1 – Councilmember Mati

(Sgd) Louis G. Aloia
 Tana M. Raymond

Resolution No. 15-223

WHEREAS, Rodrigo C. and Zoila M. Hernandez, are the owners of real property known on the Tax Map of the City of Garfield as Block 181, Lot 24, commonly known as 148 Shaw 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. 018997-2013; 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	\$92,500	\$168,100	\$260,000

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	\$92,500	\$162,500	\$255,000

The provisions of the Freeze Act (N.J.S.A. 54:51A-8) shall apply for tax year 2014 and 2015.
 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 Mati

(Sgd) Louis G. Aloia
 Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 15-224

RESOLVED by the City Council of the City of Garfield that the following bills No. 1803 to 1810 covering, Trust Account for Contributions to Unemployment Insurance, Dog Trust Fund, Trust Other, Escrow Developers Trust totaling \$65,843.70 and the Current Fund Reserve totaling \$19,589.06 and the Current Fund totaling 3,557,614.68, and the Current Water Fund totaling \$90,622.44, and the General Capital Fund totaling \$260,056.74 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 fourteen (14) items prior to the meeting be ratified.

See the
 Following Pages Numbered _____

for Bills And Claims

ORDINANCES

Ordinance No. 2710

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, April 28, 2015; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND AND REVISE CHAPTER 339 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "SERVICE FOR NEW CONSTRUCTION"

City Clerk Pavlica read the ordinance by title.

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

Ciro Disclafani, 47 Orchard Street, asked questions concerning the ordinance.

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

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

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

Ordinance No. 2711

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, April 28, 2015; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND AND REVISE ARTICLE XVIII CHAPTER 341 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED TOW TRUCKS

City Clerk Pavlica read the ordinance by title.

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

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

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

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

Councilmember Calandriello introduced in writing the following ordinance entitled:

"BOND ORDINANCE TO AUTHORIZE THE 2015 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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.

ORDINANCES

Councilmember Calandriello moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE 2015 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,030,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, 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 May 26, 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 Mati

CITIZENS AND TAXPAYERS

Ms. Ellen Compesi, 167 Charles Street, spoke on coffee grinds that are emitted into the air by the Arabica Coffee Company located at 79 Gaston Avenue and which settle on her property and settle on her neighbor’s property.

Mr. Stanley Barabasz, 1 Garden Court East, said that when the developer of the Meridia Capodagli Schley Transit Crossing Residential Redevelopment uses the compactor/roller, the whole house vibrates and shakes and he has asked them to turn it down.

Mr. Ed Sehoic, 162 Schley Street, spoke on the sewerage backup he experienced at his house near the Redevelopment. He said that he wants the redeveloper to put new sewer lines in the area.

Mr. Salvatore Zuccaro, 88 Gaston Avenue complained about parking in his neighborhood allegedly due the Arabica Coffee Company locted at 79 Gaston Avenue.

Ms. Judy Fraser, 88 Prospect Street, spoke on the Water Protection Act.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on his appearance at a hearing at the County Offices in Hackensack on Senior Issues. He spoke on pedestrian public safety. He said that Garfield has deficient pedestrian access across County roads. He said that the Garfield YMCA is in violation of the Americans with Disabilities Act. He said that he is in full support of November Elections and said that more people need to be involved in the process.

Mr. Gregory Drelich, 137 Danna Way, Saddle Brook, spoke on applying for a gun permit.

COUNCILMEMBER COMMENTS

Councilmember Calandriello asked questions about the ordinance adopted this evening regarding Chapter 339 concerning New Construction and New Sewer Lines. He spoke on “yield to pedestrians” or “stop cones” being placed in the City intersections.

Councilmember Aloia spoke on the City Water System.

Councilmember Delaney spoke in favor of moving City Council Elections to November. He spoke on pilings being placed in the parking lot of the Price-Rite Supermarket located at 59 Outwater

COUNCILMEMBER COMMENTS

Lane as part of the PSE&G Energy Strong Improvement. He spoke on the City Roadway Improvement Program and the paving of County roads in the City. He spoke in favor of the City Plans at Outwater Lane and Midland Avenue.

Mayor Raymond said there was a lot of discussion tonight. She said that things do not happen overnight and that it is good that citizens watch over the City. She wished retired Garfield Police Officer Gregory Drelich good luck. She spoke on the neighborhood dispute concerning the Arabica Coffee Company.

ADJOURNMENT

At 9:45 PM, there being no further business, Councilmember Calandriello moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK