

A Work Session of the City Council was held on Tuesday, April 26, 2016 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, 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, Glenn A. Mati and Tana M. Raymond
Councilmembers Absent: 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) and City Engineer Kevin J. Boswell

ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet discussed the Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-059-007, from Craft Beer, LLC t/a Three Wise Monks (Brian Iarossi, 76 Caruth Avenue, Elmwood Park, New Jersey 07407 – who owns 100% of the shares of the corporation), to Outwater Lane Holdings, LLC (Christopher M. Coleman, 946 Passaic Avenue, Kearney, New Jersey 07032 who will own 50% of the shares of the corporation and Richard J. Coleman, 177 Wessington Avenue, Garfield, New Jersey 07026 who will own 50% of the shares of the corporation).

Attorney Gary Bennett, was present for the applicant, as was one of the Applicants, Chris Coleman.

PROPOSED RESTAURANT ROW ON MIDLAND AVENUE

The City Council and Cabinet discussed a proposed “Restaurant Row” Ordinance for Midland Avenue.

ARRIVAL OF COUNCILMEMBER DELANEY

At 7:05 PM, Councilmember Joseph Delaney joined the Work Session and it was duly noted for the record.

2016 MUNICIPAL BUDGET

The City Council and Cabinet discussed the 2016 Municipal Budget.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. A proposed press release concerning Property Maintenance.
2. The Garfield YMCA sponsors “Movies Under the Stars” to be held on June 17, 2016, at Belmont Oval located off Spring Street. The City is willing to co-sponsor the event with face painting and inflatables for a fee not to exceed \$1,500.00.
3. The “Access to Community Forum.”
4. The proposed Pilot Recycling Program to be tried-out during the months of June and July.
5. The \$20,000.00 tree-planting grant that the City received last year.
6. The revenue report from the Garfield Municipal Court.
7. The \$1,500.00 Safety Award which was presented to the City by the Suburban Essex Joint Insurance Fund.

REPORTS OF OFFICERS

8. The Garfield High School Academic Award Ceremony.
9. The gentleman with which he met to raise funds for Ecuador Earthquake Relief.
10. The proposed Shared Services Agreement for acquisition of gasoline and diesel fuel with the School System.
11. The recent Municipal Stormwater System Upgrade seminar that was attended by Superintendent of Public Works Sam Garofalo.

City Engineer Kevin J. Boswell reported on the following:

1. The Written Report of City Engineer dated April 26, 2016.

ARRIVAL OF CITY AUDITOR LERCH

At 7:25 PM, City Auditor Dieter Lerch joined the Work Session and it was duly noted for the record.

2016 MUNICIPAL BUDGET

The City Council and Cabinet discussed the 2016 Municipal Budget.

REPORTS OF OFFICERS

Councilmember Mati read the following statement:

“Four years ago I made a decision to run for a seat on the city council. I made that decision upon retiring from the Garfield Police Department after 34 year of service. Although I still remained an active member of the Garfield Fire Department, with at that time 38 years of service, I had a tremendous desire to continue to serve the city I have resided in all of my life. I have always loved Garfield and believed I had a lot to offer the city, especially with my background in Public Safety and emergency services.

I ran for office on my own, working alongside Tana Raymond and Joseph Delaney. Both of them were longtime friends of both myself and my family. They guided me on how to run a campaign. We still remain very close friends until today. We have worked very well together.

When I was seeking election, the first thing I told my running mates was that although we were working together, I would always remain independent in my decision-making and in the way I would vote. They agreed with my decision and supported my way of thinking. The second thing I told them was that I would never take part in any negative campaigning or literature. I have always believed that the way to get yourself elected was to highlight your knowledge and accomplishments, not by disparaging another candidate personally. I held true to both of those beliefs.

One of my goals was to prove to council members Louis Aloia and Frank Calandriello that I was truly independent in my voting and thinking. That I would vote and support any idea that would benefit the city no matter who initiated the idea. How would I be able to prove this to them? I proved it by my actions. They quickly learned that I meant what I said and so began a great working relationship.

Working together we have accomplished many great things. Prior to being elected, the city had faced many financial hardships, including the pending layoff of Police Officers and city employees. I can proudly say that because of our hard work, we not only have a large surplus but we were able to finalize our budget with a “0” percent tax increase. We accomplished this with fiscal responsibility.

REPORTS OF OFFICERS

We have done many great things together. The city's entire infrastructure has been worked on. We signed on with Public Service's "Energy Strong" program to replace many of our gas lines throughout the city. A new power line was installed across the city underground, which will help in restoring power sooner in the event of another major weather event. We have also been replacing many lead water lines to ensure the health of our residents. We also replaced many sidewalks and curbs and installed handicap ramps for the disabled. Many of our roads are being paved upon the completion of this work.

The council has worked hard through our participation on the Planning Board and Redevelopment Board to encourage new businesses. This helps develop abandoned and polluted properties and at the same time beautifies our city. It also helps to offset taxes, lifting the burden from the residents.

Several examples are the new Wawa complex and the continuous development of the Walmart complex. A new Dunkin Donuts is set to open shortly. The council has entered into an agreement where we will receive \$2.8 million dollars from a developer towards the new Police station.

Another major issue the city faced was the underground contamination in the southern end of the city caused by a plating company many years ago. The council was able to raze the factory and install new treatment wells on the property. We are continuing our efforts to obtain federal money to complete this clean up. We continue to press our state and federal representatives to obtain this money. This problem has been very personal to me as the contamination ran under my home growing up. I walked through this water in the basement of my home whenever the water table rose. Members of my family suffered cancer issues, including myself. I have often wondered if this was a possible cause.

Recently the council obtained grants to redo 20th Century Field. A new synthetic turf field is currently being installed and the other fields were updated to ensure our children have a safe and enjoyable place to play. A new fire engine is being ordered and a second large pickup truck is also on order. We have one of the finest Fire Departments in the state. The council has fully supported them by purchasing all new breathing apparatus's, which contain a GPS-locating device to help locate firefighters inside buildings. We received a federal grant to obtain new bailout devices, which were issued to each firefighter to wear. These devices are made to act as a repelling device to assist firefighter to escape fires in case of an emergency. The grant also included training in the use of these devices. These are just some of the examples of what we have accomplished.

With all this being said, I believe the council has proven their dedication to the betterment of our city through its actions and not words. It's easy to say all the things that you would do if you were elected, its another to get them done.

Therefore I am making this proposal to all of my fellow council members. I believe we are an excellent team together. Each of us brings something special to the table. And so I am inviting all of you to join me in running as a team, a United Council in the upcoming November election. I am asking you to consider this so that we can continue to accomplish the great things we have done and can do in the future. I would like each of you by my side as we campaign throughout the city.

Although I want each of you on my team, I understand some of you may wish to pursue your re-election on your own. I will be disappointed but I promise to continue to support your re-election. Thank you and I hope to hear something positive from you soon."

CLOSED SESSION

Resolution No. 16-166

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,

CLOSED SESSION

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 7:35 P.M. on Tuesday, April 26, 2016 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; (White Collar and Blue Collar collective bargaining negotiations and the filing by both units for mediation).
- * 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: (proposed extension of the probationary period of Finance Office Clerk-Typist Lori Colon for an additional 90 days and the refusal by Interim Chief Financial Officer Roy Riggitano to accept the proposed transfer of Clerk-Typist Laura Sowinski into the Finance Office).

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 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

ADJOURNMENT

After the City Council came out of Closed Session at 8:00 PM, there being no further business, Councilmember Mati moved to adjourn the Work Session. Councilmember Calandriello duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, April 26, 2016 at 8:10 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

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

Councilmembers Present: Frank J. Calandriello, Louis G. Aloia, Joseph Delaney, Glenn A. Mati and Tana M. Raymond
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Representative Robert Ferraro of the Law Firm of Bruno and Ferraro (for City Attorney John J. Bruno), City Engineer Kevin J. Boswell and City Auditor Dieter Lerch

COMMUNICATIONS/APPOINTMENTS

City Clerk Pavlica reported that in a letter to him from Mayor Raymond, dated April 22, 2016, the Mayor made the following appointment to the Garfield Free Public Library Board of Trustees:

- * Reginald Buggs, Sr., 315 Mac Arthur Avenue, as a Regular Member to succeed himself, for a full five year term commencing December 17, 2015 and expiring December 17, 2020.

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 5

RESOLUTIONS

Resolution No. 16-167
Resolution Re: Resolution to Amend 2016 Budget
WHEREAS, the local municipal budget for the year 2016 was approved on the 23rd day of February 2016, and
WHEREAS, the public hearing on said budget has been held as advertised, and
WHEREAS, it is desired to amend said approved budget,
NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Garfield, County of Bergen that the following amendments to the approved budget

Dedicated Water Utility Budget Dedicated Revenues	<u>From</u>	<u>To</u>
Rents	\$3,156,000	\$3,162,200
Total Water Utility Revenues	<u>\$3,406,000</u>	<u>\$3,412,200</u>
Appropriations for Water Utility	<u>From</u>	<u>To</u>
Debt Service		
Loan Repayment – 2004 EIT Loan	\$ 405,000	\$ 411,200
Total General Appropriations	<u>\$3,406,000</u>	<u>\$3,412,200</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2016 local municipal budget so amended.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

RESOLUTIONS

Resolution No. 16-168

Resolution Re: Requesting Permission for the Dedication by Rider for Accumulated Absence Liability Trust Fund (Terminal Pay) – NJAC 5:30-15

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, NJAC 5:30-15 provides for receipt of Accumulated Absence – Terminal Pay 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 Accumulated Absence – Terminal pay 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 Accumulated Absences – Terminal Pay in accordance with NJAC 5:30-15.
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 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-169

Resolution Re: Cancelling Reserve for Tax Appeals

WHEREAS, a reserve for tax appeals balance remains on the Current Fund Balance Sheet; and, WHEREAS, it has been determined that the amount of the reserved funds exceed the amount necessary; and,

WHEREAS, it is necessary to formally cancel said excess reserve balance from the Current Fund Balance Sheet;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Garfield, that the following reserve balance be cancelled:

<u>Grant</u>	<u>Amount</u>
Reserved for Tax Appeals	\$200,000

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

ADOPTION OF 2016 MUNICIPAL BUDGET

Resolution No. 16-170

See

the following pages _____

for
the
Adoption
of
the
2016
Municipal
Budget

RESOLUTIONS

Resolution No. 16-171

WHEREAS, an application has been filed for a Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-059-007, from Craft Beer, LLC t/a Three Wise Monks (Brian Iarossi, 76 Caruth Avenue, Elmwood Park, New Jersey 07407 - who owns 100% of the shares of the corporation), to Outwater Lane Holdings, LLC, (Christopher M. Coleman, 946 Passaic Avenue, Kearny, NJ 07032 who will own 50% of the shares of the corporation and Richard J. Coleman, 177 Wessington Avenue, Garfield, NJ 07026 who will own 50% of the shares of the corporation).

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business, and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing, and

WHEREAS, a "Tax Clearance - Transfer Certificate" has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective April 27, 2016, the transfer of the aforesaid Plenary Retail Consumption License No. 0221-33-059-007, to Outwater Lane Holdings, LLC, 142 Outwater Lane, (Christopher M. Coleman, 946 Passaic Avenue, Kearny, NJ 07032 who will own 50% of the shares of the corporation and Richard J. Coleman, 177 Wessington Avenue, Garfield, NJ 07026 who will own 50% of the shares of the corporation), effective April 27, 2016", and

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, live entertainment (other than in connection with catering facilities and the hiring of premises for affairs such as weddings and other similar events) or discotheque be used in connection with this license; (A fee of \$ 90.00 was collected for the City of Garfield and \$200.00 was collected for the State of New Jersey in connection with the license transfer).

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-172

WHEREAS, Plenary Retail Consumption License #0221-33-005-009, held by B&R Inc. t/a Brunello's has not been renewed since the 2009-2010 License term.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, that PRCL #0221-33-005-009, B& R, Inc. is hereby retired.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-173

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County New Jersey, that the following individual is hereby appointed to the Garfield Historical Society Advisory Board pursuant to Chapter 49-111 et. seq. of the Code of the City of Garfield and NJSA 40:81-13:

Stephanie Urgovitch, 102 Westminster Place, Garfield

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward a CERTIFIED copy of this approved resolution to the appointee and City Historian Christopher Shupenko.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

RESOLUTIONS

Resolution No. 16-174

WHEREAS, William Polcari, 5 Maitland Place, who is the holder of a Disabled Person I.D. Card No. P1511581, has filed application for a handicapped parking sign to be placed at his address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the west curb line of Maitland Place commencing 66 feet north of the intersection of Maitland Place and Frederick Street and run an additional 25 feet north from that point.

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

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-175

WHEREAS, Tom Pilecki, owner of Jagoda Delicatessen LLC, 178 Palisade Avenue, has filed an application for a fifteen (15) minute parking space to be placed at his business, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Fifteen (15) Minute Parking”, located on the east curb line of Palisade Avenue commencing 37 feet south of the intersection of Palisade Avenue and Grand Street and run an additional 25 feet south from that point.

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

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-176

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Public Service Electric and Gas Company is hereby authorized and requested to install a “Yellow” High Pressure Sodium Lamp on Pole Number 60143G located at 291 Palisade Avenue.

BE IT FURTHER RESOLVED that City Clerk Andrew J. Pavlica is hereby authorized and directed to forward a certified and exact copy of this approved resolution to P.S.E. & G. Co. at the following address.

Mr. Patrick Buck
P.S.E. & G. Company
325 County Avenue
Secaucus, New Jersey 07094

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-177

A RESOLUTION TO AUTHORIZE THE CITY’S CO-SPONSORSHIP IN THE UPCOMING FREDDIE PORTER SCHOLARSHI BEEFSTEAK DINNER TO BE HELD ON MAY 6, 2016

WHEREAS, the City of Garfield is a member of the Suburban Essex Joint Insurance Fund (hereinafter, the Fund) for its property and casualty coverages; and

WHEREAS, the Freddie Porter Scholarship was established in memory of Freddie Porter, a Garfield High School graduate that was killed while training with the Navy Seals in Virginia; and

WHEREAS, the news of this tragedy deeply affected both the school and community and to honor his memory and

RESOLUTIONS

Resolution No. 16-178

WHEREAS, the United States Department of Homeland Security (USDHS) has funds available through FEMA for its FY 2015 Assistance to Firefighters - Fire Prevention Grant, which provides funding for fire prevention, training and equipment; and

WHEREAS, the City of Garfield Volunteer Fire Department is in need of fire prevention and awareness supplies, fire investigation equipment and computer tablets, and other supplies in order to better serve the City of Garfield; and

WHEREAS, the Mayor and Council of the City of Garfield are in support of the USDHS Assistance to Firefighters – Fire Prevention Grant and wish to file grant applications for approximately \$60,000 in grant funding; and

WHEREAS, the City of Garfield Volunteer Fire Department meets the eligibility requirements for this USDHS FY 2013-2014 Assistance to Firefighters Grant, which requires a 5% local cash or in-kind match of \$3,000; and

WHEREAS, an application for such grant funds may not be filed nor funds spent in a municipality without authorization by the Governing Body; and

WHEREAS, the Mayor and Council of the City of Garfield endorse and support this application because of the firefighting, prevention and safety benefits for our residents, and it is in the best interests of the City of Garfield

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 FY 2015 USDHS Assistance to Firefighters – Fire Prevention Grant application.
2. The Mayor and Council of the City of Garfield hereby authorize the in-kind or cash matching funds of \$3,000.
3. Upon receipt of the Grant Agreement from the USDHS, the signature of the Mayor and any other municipal official, or their successors in said titles, which are required on the agreements and any other documents necessary in connection therewith, is hereby approved.
4. Upon receipt of the fully executed grant agreement from the USDHS, the expenditure of funds is hereby authorized pursuant to the terms of the agreement between the City of Garfield and the United States Department of Justice.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-179

WHEREAS, Aiello Realty Holding, LLC is the owner of real property known on the Tax Map of the City of Garfield as Block 192, Lot 1.01, commonly known as 167 Ray Street, in the City of Garfield, County of Bergen and State of New Jersey, AND Block 193, Lot 1, commonly known as 175 Ray Street, a parking lot that is part of the economic unit, and combined in the appeals, in the City of Garfield, County of Bergen and State of New Jersey has filed real property tax appeal for the year(s) 2013, 2014, 2015, and 2016 bearing Docket No. 007698-2013, 008984-2014, 001089-2015, and 004528-2016; 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, Lavin & Associates, P.C., have recommended that the appeal be settled; and

WHEREAS, said properties were assessed for the year(s) as follows:

Block 193, Lot 1 (Street Address- 175 Ray Street):

Year	Land	Improvements	Total
2013-2014 Original Assessment	\$48,400	\$0	\$48,400

Regular Meeting April 26, 2016, Continued

RESOLUTIONS

Block 192, Lot 1.01 (Street Address- 167 Ray Street):

Year	Land	Improvements	Total
2013-2014 Original Assessment	\$206,000	\$2,700,000	\$2,906,000
2015 Original Assessment	\$206,000	\$2,700,000	\$2,906,000
2016 Original Assessment	\$206,000	\$2,700,000	\$2,906,000

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:

Block 193, Lot 1 (Street Address- 175 Ray Street):

Year	Land	Improvements	Total
2013-2014 Settlement			WITHDRAWN

Block 192, Lot 1.01 (Street Address- 167 Ray Street):

Year	Land	Improvements	Total
2013-2014 Settlement			WITHDRAWN
2015 Settlement	\$206,000	\$2,554,000	\$2,760,000
2016 Settlement	\$206,000	\$2,394,000	\$2,600,000

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 Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-180

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, funds have been received from GarSam Ralty LLC, Garfield, New Jersey 07026 Block 84/Lot 40 in the amount of \$1087.50 for Engineering fees and \$750.00 for Attorney fees since 04/21/16 for a total amount of \$1837.50 and 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 5

(Sgd) Glenn A. Mati
Tana M. Raymond

RESOLUTIONS

Resolution No. 16-181

WHEREAS, the Chief Financial Officer of the City of Garfield has identified the following escrow/trust balances held in escrow within the Trust Accounting, and are considered as unredeemable and

WHEREAS, the Chief Financial Officer has deemed to cancel of record the following balances which are dated prior to December 31, 2015 and

Ippolito Family	279.41
Gary & Frank Paparozzi	28.85

WHEREAS, all balances shall be forwarded to the current fund and treated as Miscellaneous Revenue Not Anticipated as Computer run, and

THEREFORE BE IT RESOLVED that the Treasurer is hereby authorized to transfer funds in the amount of \$308.26 from the Escrow Trust Fund, and deposit said funds into the Current Account and credit Miscellaneous Revenue Not Anticipated.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-182

Resolution to Approve Settlement

WHEREAS, the City of Garfield (the "City") formerly employed George Masiuk ("Masiuk") as an administrative employee in the Department of Public Works and;

WHEREAS, the City and Masiuk disputed the payment due Masiuk for his prior service upon his retirement and;

WHEREAS, the City and Masiuk have agreed to adjust their differences through settlement and release in lieu of litigation and;

WHEREAS, Counsel to the City has advised that the settlement of the claims as agreed is fair and reasonable and recommends same in lieu of litigation;

NOW THEREFORE BE IT RESOLVED, that the City Council approves the form of agreement entitled Settlement Agreement and Mutual Release reviewed by counsel and presented to the City Council for the purpose of settling all claims of George Masiuk;

BE IT FURTHER RESOLVED that the City authorizes the City Manager to sign the Agreement on its behalf and to carry out the terms thereof.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Tana M. Raymond

Resolution No. 16-183

A RESOLUTION ENDORSING A FLOOD ACQUISITION PLAN TO UTILIZE AVAILABLE GRANT FUNDING TO ACQUIRE FLOOD PRONE PROPERTIES ON RIVER DRIVE BETWEEN BELMONT AVENUE AND PASSAIC STREET

WHEREAS, the Land Conservancy of New Jersey has prepared a study identifying certain properties within designated flood hazard areas as sustaining repetitive loss, and;

WHEREAS, the City of Garfield is desirous of acquiring certain flood prone properties to reduce losses and improve absorption of storm water into soil, and;

WHEREAS, the City also is desirous of extending its Riverfront Park System and Roadway Improvements,

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield hereby notes its support for said Acquisition Plan and Redevelopment of this section of the City.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 16-184

RESOLVED by the City Council of the City of Garfield that the following bills No. 1937 to 1943 covering Trust Other Fund and Dog Trust Fund totaling \$278,108.90 and the Current Fund totaling \$2,284,796.48 and the Current Water Fund totaling \$132,157.08 and the General Capital Fund totaling \$66,189.66 and Water Capital Fund \$611.21 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 twenty two (22) items prior to the meeting be ratified.

See

the

Following Pages Numbered _____

for

Bills

And

Claims

ORDINANCES

Ordinance No. 2737

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, April 12, 2016; 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:

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF AN EMERGENCY RESPONSE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, FOR THE USE OF THE POLICE DEPARTMENT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$175,000 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.

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

On call of roll, Ayes 5

Councilmember Delaney introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE NEIGHBORHOOD REVITALIZATION STREETScape AND PEDESTRIAN SAFETY PROJECT (PHASE I) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TOPAY 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 Delaney moved that this ordinance entitled: "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE NEIGHBORHOOD REVITALIZATION STREETScape AND PEDESTRIAN SAFETY PROJECT (PHASE I) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TOPAY 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 May 17, 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.

ORDINANCES

Councilmember Mati introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE DEMOLITION OF THE EXISTING POLICE STATION AND THE CONSTRUCTION ON SUCH SITE OF A NEW POLICE STATION IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$7,000,000 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.

Councilmember Mati moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE DEMOLITION OF THE EXISTING POLICE STATION AND THE CONSTRUCTION ON SUCH SITE OF A NEW POLICE STATION IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$7,000,000 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 17, 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 Mayor Raymond, 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:

BOND ORDINANCE TO AUTHORIZE SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS (PHASE II) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$575,000 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 SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS (PHASE II) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$575,000 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 May 17, 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 Mayor Raymond, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5.

ORDINANCES

Councilmember Mati introduced in writing the following ordinance entitled:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$85,000 FOR THE UNDERTAKING OF SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL 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 APPROPRIATE AN ADDITIONAL SUM OF \$85,000 FOR THE UNDERTAKING OF SCHOOL PEDESTRIAN SAFETY IMPROVEMENTS AT VARIOUS LOCATIONS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL 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 17, 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 Mayor Raymond, 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:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO LINCOLN PLACE (FROM FREDERICK STREET TO HARRISON AVENUE), IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$400,000 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 VARIOUS IMPROVEMENTS TO LINCOLN PLACE (FROM FREDERICK STREET TO HARRISON AVENUE), IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$400,000 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 May 17, 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 Mayor Raymond, 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 AMEND CHAPTER 73-5.D “DISTANCE BETWEEN LICENSED PREMISES” OF THE CITY CODE OF THE CITY OF GARFIELD

ORDINANCES

City Clerk Pavlica read the ordinance by title.

Councilmember Mati moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 73-5.D “DISTANCE BETWEEN LICENSED PREMISES” OF THE CITY CODE OF THE CITY OF GARFIELD” 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 17, 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 Mayor Raymond, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5.

Mr. Frank Puzio, President of the Pulaski Federation, spoke on 2016 Grand Marshal of the Pulaski Day Parade for the entire tri-state region of New York, New Jersey and Connecticut.

RESOLUTIONS

Resolution No. 16-185

WHEREAS, the honorable Dr. Donna M. Koch-Kapturski has been elected 2016 Grand Marshal of the Pulaski Day Parade to be held on 5th Avenue in New York City on Sunday, October 2, 2016, and

WHEREAS, Dr. Donna M. Koch-Kapturski, daughter of Polish immigrants, is a worthy role model for all citizens of Polish Heritage as demonstrated by her graduation from the Adam Mickiewicz Polish Supplementary School in Passaic, New Jersey as Valedictorian; by her participation in all of the Pulaski Day Parades; by her prior designation as Miss Polonia by the Central of Polish Organizations; by her participation in the Polish Festivals at the PNC Arts Center; and by her continuing commitment to the General Pulaski Memorial Parade Committee in the City of New York, and

WHEREAS, Dr. Donna M. Koch-Kapturski has previously served as an elected member of the Board of Education of the City of Garfield, has served on the City of Garfield Planning Board, and has recently been elected to serve on the Board of Directors of the Polish Cultural Home in Passaic, New Jersey, and

WHEREAS, Dr. Donna M. Koch-Kapturski proudly maintains her medical practice in the City of Garfield, specializing in Family Medicine and Internal Medicine while being lovingly supported by her husband Mariusz and her children Darren, Daniel, and Audrey, and

WHEREAS, Dr. Donna M. Koch-Kapturski is a credit to the City of Garfield, to her profession, to her family, and to the Polish Community at large,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS and BEST WISHES be and are hereby extended to DR. DONNA M. KOCH-KAPTURSKI on her election as Grand Marshal of the Pulaski Day Parade, at which time she will proudly lead the entire parade contingent up 5th Avenue honoring and celebrating her Polish Heritage.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time a CERTIFIED copy of Resolution No. 16-185 was presented to Dr. Donna M. Koch-Kapturski.

Presentations were made by Congressman Bill Pascrell, (presented by Joseph Delaney), the New Jersey Legislature, (presented by Assemblywoman Shavonda Sumter), County Clerk John Hogan and County Executive James J. Tedesco, III, (presented by City Manager Thomas J. Duch).

RESOLUTIONS

Dr. Koch thanked Mayor Tana Raymond, the City Council, Assemblywoman Shovanda Sumter and all the Officials who acknowledged her this evening. She said that she is humbled to be recognized and honored for her accomplishments and her involvement in the community.

She said that in the 79 year history of the Polish Day Parade, she is the 9th female individual grand marshal and the first individual female in the last 13 years elected to represent all of Polonia from the Tri State area as its Grand Marshal. She said that she is extremely proud to be receiving these awards from two other “trail blazing” women who exemplify strength, courage and leadership and who have been an inspiration to her in many ways.

She thanked Mayor Raymond for presenting her with the key to the City, several weeks ago. She said that she knows that they are not given away that frequently and without much consideration, so she certainly thanked her for making her worthy of that award.

She thanked all her friends, family and supporters who have come from near and far to honor her tonight. She said that she is looking forward to leading Garfield proudly up 5th Avenue this October 2nd in New York City.

ADJOURNMENT

At 9:10 PM, there being no further business, the meeting was adjourned.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK