

A Work Session of the City Council was held on Tuesday, August 9, 2016 at 6:35 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), Labor Counsel John Lavin, City Engineer Kevin J. Boswell, Interim Chief Financial Officer Roy Riggiano, Water and Sewer Facilities Manager Willard Bierwas and Superintendent of Public Works Sam Garofalo.

#### CITY WATER WELL 1A

The City Council and Cabinet discussed improvements to City Water Well 1A located near the intersection of Outwater Lane and Midland Avenue.

#### ARRIVAL OF COUNCILMEMBER DELANEY

At 6:50 PM, Councilmember Joseph Delaney joined the Work Session. It was duly noted for the record.

#### EXIT OF WATER AND SEWER FACILITIES MANAGER BIERWAS

At 7:00 PM, Water and Sewer Facilities Manager Willard Bierwas left the Work Session. It was duly noted for the record.

#### REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The Letter of Intent he received from the Bergen County Open Space Trust for funding of the Riverfront Park.
2. The Application to the Bergen County Open Space Trust Fund for state of the art playground equipment in Twentieth Century Field.
3. The City has an excellent Bond Rating of AA and the reason for the minus after the double A is because of the economic demographics of the people of Garfield. The Bond Sale is to be held this Thursday, August 11, 2016 concerning roughly \$7 million.
4. New landscaping at the PSE&G power station on River Drive near the intersection of Dewitt Street.
5. The bid package for Recycling Services which was advertised and is ready for pickup by potential bidders.
6. The Shared Services Agreement regarding the County-owned Street Sweeper for the City to use as a backup.
7. The agreement with Signature Place at 950 River Drive concerning reimbursement for the cost of street lights and snow removal on Autumn Drive. The main road will only be the City's responsibility, effective October 1, 2016.
8. The agreement with Developer James Demetrakis of HP Garfield, located at 950 River Drive, concerning partial funding of a new Police Station.

REPORTS OF OFFICERS

9. The proposed construction of a new Police Station, perhaps, at the intersection of Palisade Avenue and Botany Street or at or near 411 Midland Avenue.
10. The Liquor Wholesale License, given by the State of New Jersey to Kevin Cifta to operate out of 40-42 Belmont Avenue. City Code Chapter 73-5C says that these licenses must be located in an Industrial Zone and 40-42 Belmont Avenue is located in a B-1 zone.

Superintendent of Public Works Sam Garofalo reported on the following:

1. The need for various vehicles and equipment for the Department of Public Works.

EXIT OF SUPERINTENDENT OF PUBLIC WORKS GAROFALO

At 8:05 PM, Superintendent of Public Works Sam Garofalo left the Work Session. It was duly noted for the record.

CLOSED SESSION

Resolution No. 16-280

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 8:05 P.M. on Tuesday, August 9, 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; (proposed settlement of the Blue Collar unit contract; proposed Blue Collar salary ordinance; 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; (proposed ordinance allowing Garfield Volunteer Fire Fighters to reside two miles outside City of Garfield city limits; Mayor Raymond's meeting with leaders of "The Pally Boys" gang).
- \* 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; (a matter involving proposed discipline in the Police Department and Department of Public Works; proposed retirement of Recreation Director Anthony Furfaro).

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) Glenn A. Mati  
Frank J. Calandriello

Work Session August 9, 2016, Continued

ADJOURNMENT

After the City Council came out of Closed Session at 8:25 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 5

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Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, August 9, 2016 at 8:30 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) and 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 Aloia duly seconded the motion.

On call of roll, Ayes 5

#### RESOLUTIONS

Resolution No. 16-281

WHEREAS, Fire Company No. 1 advises that Danielle Mellor of 711 Midland Avenue, Garfield, New Jersey has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-282

WHEREAS, Fire Company No. 4 has advised that they have accepted the resignation of Jorge Zuniga of 311 Outwater Lane, Garfield, New Jersey 07026 as an active member, effective August 6, 2016.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-283

WHEREAS, Fire Company No. 4 has advised that they have accepted the resignation of Wojech Tomczyk of 42 Wessington Avenue, Garfield, New Jersey 07026 as an active member, effective August 6, 2016.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-284

WHEREAS, Concetta Mooney, 462 Van Bussum Avenue, who is the holder of a Disabled Person I.D. Card No. P1214796, has filed application for a handicapped parking sign to be placed at her address, and

RESOLUTIONS

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 Van Bussum Avenue commencing 313 feet west of the intersection of Van Bussum Avenue and Meyer Street and run an additional 25 feet west from that point.

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

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-285

WHEREAS, Marquise G McElhaney, on behalf of his father, Lonnie Mitchell, who reside at 30 Grand Street and who is the holder of a Disabled Person I.D. Card No. P1590618, has filed application for a handicapped parking sign to be placed at his address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the south curb line of Grand Street commencing 215 feet west of the intersection of Grand Street and Cambridge Avenue and run an additional 18 feet west from that point.

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

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-286

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 61579 located at 80 Malcolm 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  
Louis G. Aloia

Resolution No. 16-287

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the Work Session and Regular Meeting of the Garfield City Council scheduled for Tuesday, September 6, 2016 are hereby cancelled; and the Work Session is to be held Wednesday, September 7, 2016 at 6:00 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, New Jersey 07026 with the Regular Meeting scheduled to commence also on Wednesday, September 7, 2016 at 8:00 PM in the Council Chamber in City Hall.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

RESOLUTIONS

Resolution No. 16-288

State Of New Jersey  
Department Of Environmental Protection  
Green Acres Enabling Resolution

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Garfield (*name of applicant*) desires to further the public interest by obtaining funding in the amount of \$1,100,000 from the State to fund the following project(s): (*describe the project*) 20<sup>th</sup> Century Field Improvements at a cost of \$1,400,000 (*project cost*);

NOW, THEREFORE, the governing body/board resolves that Thomas J. Duch, Esq. (*title of authorized official*) or the successor to the office of City Manager (*title of authorized official*) is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE City of Garfield (*name of legal body or board*)

1. That the City Manager (*title of authorized official*) of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as 20<sup>th</sup> Century Field Improvements (*project name*);
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$ 300,000;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-289

Whereas, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold from \$36,000 to \$40,000; and

Whereas, the quotation threshold for local units with Qualified Purchasing Agents, is fifteen percent (15%) of the bid threshold, which increases the new quotation threshold from \$5,400 to \$6,000; and

Whereas, N.J.S.A. 40A:11-3 permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

Whereas, Roy Riggitano was appointed as Qualified Purchasing Agent and;

Whereas, the City of Garfield desires to take advantage of the increased bid threshold;

Now therefore be it resolved that the City Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Director of the Division of Local Government Services.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

RESOLUTIONS

Resolution No. 16-290

RESOLUTION AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT WITH CARRIER CORPORATION TO PROVIDE HVAC MAINTENANCE TO VARIOUS CITY OWNED BUILDINGS

WHEREAS the City of Garfield received the following bids to provide HVAC maintenance to Garfield City Hall, Fire Houses 1-5, Health Center, Recreation Center, Senior Center and Police Department for the period of 1 year:

Carrier Corporation, 100, Delaware Avenue, Clifton, NJ 07014 - \$12,300.00.

Reiner, 1107 River Road, Fairlawn, NJ 07410 - \$20,498.00

Air Systems Maintenance, 718 Jefferson Ave, Kenilworth, NJ 07033 - \$27,487.00

Echelen Services, 159 Meriam Ave., Newton, NJ 07860 - \$134,500.00

WHEREAS the Mayor and Council of City of Garfield authorizes the City Manager, Thomas J. Duch, to enter into an agreement with the Carrier Corporation to provide HVAC maintenance to Garfield City Hall, Fire Houses 1-5, Health Center, Recreation Center, Senior Center and Police Department

NOW, THEREFORE, BE IT RESOLVED that on the 9<sup>th</sup> day of August 2016, the City of Garfield approves the agreement with Carrier Corporation to provide to provide HVAC maintenance to Garfield City Hall, Fire Houses 1-5, Health Center, Recreation Center, Senior Center and Police Department for the period of 1 year and the price of \$12,300.00.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-291

A Resolution authorizing the award of the construction inspection services contract for the Washington Irving School #4 and James Madison School #10. This project is funded through a New Jersey Department of Transportation Grant totaling \$280,000.00.

BE IT RESOLVED, the City hereby awards the construction inspection services contract in the amount of \$59,940 to KS Engineers, P.C. for the Washington Irving School #4 and James Madison School #10.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-292

A RESOLUTION AUTHORIZING PAYMENTS TO JOHN GARCIA CONSTRUCTION COMPANY, BOSWELL McCLAVE ENGINEERING AND THE GARFIELD POLICE DEPARTMENT IN CONNECTION WITH EMERGENCY STORM DRAIN REPAIR WORK ON RIVER DRIVE.

WHEREAS, Bergen County has requested assistance from the City of Garfield to repair two (2) damaged storm drains crossing River Drive, and;

WHEREAS, Bergen County agreed to allow the City to contract with John Garcia Construction to undertake said repairs, and;

WHEREAS, Bergen County also agreed to reimburse the City for costs associated with inspection and Police traffic coordination for this repair.

NOW THEREFORE BE IT RESOLVED, the City hereby approves payments to the following parties for the amounts listed with the understanding these monies will be reimbursed in full by the County of Bergen:

John Garcia Construction Company - \$32,685.00

Boswell McClave Engineering - \$10,913.00

Garfield Police Department - \$7,687.50

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

RESOLUTIONS

Resolution No. 16-293

WHEREAS, the Interim Chief Financial Officer of the City of Garfield has recommended that the City adopt a Cash Management Plan in accordance with NJSA 40A:5-14; and  
 WHEREAS, the Governing Body concurs with this recommendation;  
 NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Garfield hereby adopt the Cash Management Plan as set forth on the attached description.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
 Louis G. Aloia

Resolution No. 16-294

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to a Tax Court Judgment for the year 2013.  
 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
113	1	Dente Pal Associates, LLC	TCJ	\$2,827.16

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
 Louis G. Aloia

Resolution No. 16-295

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to a Tax Court Judgment for the year 2014.  
 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
113	1	Dente Pal Associates, LLC	TCJ	\$ 2,882.09

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
 Louis G. Aloia

Resolution No. 16-296

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to a Tax Court Judgment for the year 2015.  
 NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
38.03	11	The Irwin Law Firm Attorney Trust Account F.B.O. Godoy, Antonia, Plaintiff	TCJ	\$723.63

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
 Louis G. Aloia

Resolution No. 16-297

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to a Tax Court Judgment for the year 2015.

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
192	1.01	John R. Lloyd, Esq c/o Chiesa, Shahinian & Giantomasi, PC	TCJ	\$ 3,855.86

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-298

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to a Tax Court Judgment for the year 2015.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
113	1	Dente Pal Associates, LLC	TCJ	\$ 3,620.81

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-299

WHEREAS, the Chief Financial Officer of the City of Garfield has identified the following checks to be stale, and

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks which are dated prior to July 31, 2015.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that all balances shall be treated as MRNA, as to the treasurer's bank statement reconciliation:

Payroll Account 800741803

<u>Check#</u>	<u>Dollar Amount</u>
182643	\$ 363.39
182715	\$ 270.74
182880	\$ 260.93
183275	\$ 103.78
183277	\$ 109.11
183970	\$ 109.41
184204	\$ 521.88

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

Resolution No. 16-300

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 Giuseppe LoGrasso, Garfield, New Jersey 07026 Block 38.02/Lot 19 in the amount of \$412.50 for Engineering Fees and \$311.25 for Attorney fees since 5/5/15 for a total amount of \$723.75 and said funds are being held in the Developer's Escrow Fund, and

RESOLUTIONS

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  
Louis G. Aloia

Resolution No. 16-301

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 Greater Bergen Community, Garfield, New Jersey 07026 Block 119.04/Lot 253.01 in the amount of \$72.50 for Engineering Fees and \$108.75 for Attorney fees since 11/2/15 for a total amount of \$181.25 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  
Louis G. Aloia

Resolution No. 16-302

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 Daniel Conte, Garfield, New Jersey 07026 Block 216.11/Lot 1,5,7 in the amount of \$300.00 for Engineering Fees and \$0.00 for Attorney fees since 06/16/15 for a total amount of \$300.00 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  
Louis G. Aloia

Resolution No. 16-303

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 CGE LLC (Guiseppe C. Randazzo), Garfield, New Jersey 07026 Block 157/Lot 35 in the amount of \$0.00 for Engineering Fees and \$1000.00 for Attorney fees since 2/24/06 for a total amount of \$1000.00 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  
Louis G. Aloia

Resolution 16-304

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

RESOLUTIONS

WHEREAS, funds have been received from Agnieszka Golonek, Garfield, New Jersey 07026 Block 201/Lot 63 in the amount of \$0.00 for Engineering Fees and \$108.75 for Attorney fees since 6/14/16 for a total amount of \$108.75 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  
Louis G. Aloia

Resolution 16-305

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 Frank D'Arrigo, Garfield, New Jersey 07026 Block 198/Lot 74 in the amount of \$497.50 for Engineering Fees and \$75.00 for Attorney fees since 7/20/15 for a total amount of \$572.50 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  
Louis G. Aloia

Resolution 16-306

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 Naume Spaseski, Garfield, New Jersey 07026 Block 198/Lot 74 in the amount of \$0.00 for Engineering Fees and \$142.50 for Attorney fees since 11/2/15 for a total amount of \$142.50 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  
Louis G. Aloia

Resolution 16-307

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 138 Farnham Ave LLC, Garfield, New Jersey 07026 Block 44/Lot 31 in the amount of \$0.00 for Engineering Fees and \$142.50 for Attorney fees since 11/2/15 for a total amount of \$142.50 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  
Louis G. Aloia

RESOLUTIONS

Resolution 16-308

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 Tomasz Nykiel, Garfield, New Jersey 07026 Block 162/Lot 36 in the amount of \$295.00 for Engineering Fees and \$75.00 for Attorney fees since 5/5/15 for a total amount of \$370.00 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  
Louis G. Aloia

Resolution 16-309

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 Robert Meehan, Garfield, New Jersey 07026 Block 7-01/Lot 24 in the amount of \$435.00 for Engineering Fees and \$277.50 for Attorney fees since 4/9/15 for a total amount of \$712.50 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  
Louis G. Aloia

Resolution 16-310

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 Florence Ymeri, Garfield, New Jersey 07026 Block 115/Lot 50 in the amount of \$0.00 for Engineering Fees and \$210.00 for Attorney fees since 5/5/15 for a total amount of \$210.00 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  
Louis G. Aloia

Resolution No. 16-311

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 Ahmad Ramzay, Garfield, New Jersey 07026 Block 139/Lot 49 in the amount of \$332.05 for Engineering Fees and \$0.00 for Attorney fees since 5/22/15 for a total amount of \$332.05 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  
Louis G. Aloia

RESOLUTIONS

Resolution No. 16-312

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 Ilija Aceski, Garfield, New Jersey 07026 Block 197/Lot 9,10,11 in the amount of \$0.00 for Engineering Fees and \$277.50 for Attorney fees since 11/19/15 for a total amount of \$277.50 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  
Louis G. Aloia

Resolution No. 16-313

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 Ilija Aceski, Garfield, New Jersey 07026 Block 197/Lot 9,10,11 in the amount of \$512.50 for Engineering Fees and \$468.75 for Attorney fees since 3/30/16 for a total amount of \$981.25 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  
Louis G. Aloia

Resolution No. 16-314

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 JMF Enterprise LLC, Garfield, New Jersey 07026 Block 45/Lot 44 in the amount of \$0.00 for Engineering Fees and \$120.25 for Attorney fees since 3/30/16 for a total amount of \$120.25 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  
Louis G. Aloia

Resolution No. 16-315

See

the

following pages\_\_\_\_\_

for

Capital

Budget

Amendment

RESOLUTIONS

Resolution No. 16-316

WHEREAS, the City of Garfield (the "City") and HP Garfield Investment LLC (the "Redeveloper") entered into a certain redevelopment agreement in or about March of 2010 (the "Redevelopment Agreement");

WHEREAS, the City and the Redeveloper amended and restated the Redevelopment Agreement on November 23, 2010 by way of the "First Amendment and Restatement of the Redevelopment Agreement";

WHEREAS, the City and the Redeveloper have renegotiated the Redevelopment Agreement in order to satisfy and comply with the New Jersey Local Public Contracts Law and the rules and regulations promulgated thereunder;

WHEREAS, the terms and more complete description of the renegotiated terms of the Redevelopment Agreement as negotiated are incorporated into the "Second Amendment and Restatement of the Redevelopment Agreement Between the City of Garfield and HP Garfield Investment, LLC.", a true form of which is annexed hereto as Exhibit A;

WHEREAS, the City Manager and Counsel to the City recommend approval of the "Second Amendment and Restatement of the Redevelopment Agreement Between the City of Garfield and HP Garfield Investment, LLC.";

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the City Council hereby approves the form of the "Second Amendment and Restatement of the Redevelopment Agreement Between the City of Garfield and HP Garfield Investment, LLC.", a true form of which is attached hereto as Exhibit A;

BE IT FURTHER RESOLVED, that the City Manager, Thomas Duch, be and is hereby authorized to execute the "Second Amendment and Restatement of the Redevelopment Agreement Between the City of Garfield and HP Garfield Investment, LLC." on behalf of the City;

BE IT FURTHER RESOLVED, that the above recital shall be deemed part of this Resolution.

On call of roll, Ayes 5

(Sgd) Glenn A. Mati  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 16-317

RESOLVED by the City Council of the City of Garfield that the following bills No. 1969 to 1978 covering Trust Other and Dog Trust and Community Policing Trust Fund totaling \$84,539.93 and the Current Fund Reserve totaling \$2,500.00 and the Current Fund totaling \$4,278,243.53 and the Current Water Fund totaling \$8,551.01 and the General Capital Fund totaling \$689,000.47 and Water Capital totaling \$57,477.50 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 forty seven (47) items prior to the meeting be ratified.

See  
the

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

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2748

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

AN ORDINANCE TO ADD ARTICLE I CHAPTER 48.1-48.5 TO THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "POLICE DEPARTMENT REORGANIZATION"

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

Ordinance No.

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

AN ORDINANCE TO AMEND CHAPTER 237 "PEDDLING, SOLICITING AND CANVASSING" OF THE CITY CODE OF THE CITY OF GARFIELD

City Clerk Pavlica read the ordinance by title.

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

Mr. Richard Derrig, 71 Herman Street, spoke on how the proposed ordinance would prevent door to door canvassing by Councilmember candidates.

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

Councilmember Calandriello moved to lay the ordinance on the table until the meeting scheduled for September 7, 2016. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2749

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, July 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 UNDERTAKING OF THE OUTWATER LANE CURB AND SIDEWALK REPLACEMENT PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$610,000 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

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:

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

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this ordinance entitled: "AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY" do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held September 7, 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 Mati, 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 Delaney introduced in writing the following ordinance entitled:

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

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this ordinance entitled: "AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY" do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held September 7, 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 Mati, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5.

REPORT OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The proposed Redevelopment plan for the First Ward around Passaic Street.
2. Old Fire House No. 3, located at 58 Willard Street, and the agreement with the EPA to fund the cleanup of the site and upon completion of that, the City will proceed with the demolition of the building.

REPORT OF OFFICERS

3. The proposed focus group regarding the odor and other nuisances from the Solid Waste Transfer Station located at 19-35 Atlantic Street and regarding the proposed First Ward Redevelopment Plan around Passaic Street.

EXIT OF CITY MANAGER DUCH

At 8:55 PM, City Manager Thomas J. Duch left the meeting and it was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. Charles Nucifora, 126 Midland Avenue, complained about trucking in and out of the Solid Waste Transfer Station located at 19-35 Atlantic Street. He spoke on Garfield UNICO celebrating their 60<sup>th</sup> Anniversary with a Dinner Gala on Friday, November 3, 2016 at the Venetian Restaurant located at 546 River Drive.

Mr. Stanley Barabasz, 1 Garden Court East, complained about the old Eastern Overall/Sketchley Services property owned by Meridian Capodagli Properties at the east end of Schley Street and the south end of Walnut Street. He complained about odors on the property and he complained about the changing of the contour of the land. He complained that his whole house shakes when the Dirt Compactor is utilized at the site.

Ms. Grace Barabasz, 1 Garden Court East, complained about the shaking of her house. She complained that the Eastern Overall/Sketchley Services property smells.

Ms. Linda Derrig, 154 Farnham Avenue, spoke about the City having a Neighborhood Watch.

Mr. Jesus Rodriguez, 149 Midland Avenue, complained about the Solid Waste Transfer Station located at 19-35 Atlantic Street. He complained about absentee landlords.

Mr. Anthony Morales, 98 Passaic Street, spoke on attending National Night Out in Twentieth Century Field. He thanked the DPW for their prompt response to his concerns. He spoke on Redevelopment in the City. He spoke on parking enforcement on Passaic Street. He complained about motorcycles, parking on sidewalks on Passaic Street. He spoke on the train trestle over Passaic Street and the many instances of accidents under the trestle.

Mr. Angel Quiles, 95 Willard Street, spoke on the need to address the demolition of old Fire House No. Three located on Willard Street and the need to advise the public on the timeline to demolish the building.

Ms. Dolores Capizzi, 105 Midland Avenue, spoke on the resolution concerning an agreement between the City of Garfield, HP Garfield Investment, LLC and the funding of a new Police Station. She complained about garbage trucks emptying trash dumpsters in the middle of the night. She spoke on trucking on Atlantic Street and Midland Avenue.

Ms. Carol Kascky, 23 Spencer Place, said her neighbors do not like her because she is trying to get her neighbors to spruce up their homes. She complained about the condition of the Hobart Place Playground.

Mr. Everett Garnto, 51 Jewell Street, complained about the WaWa store near the intersection of Columbus Avenue and Jewell Street. He complained about tractor trailer trucks parking for hours on Jewell Street. He complained about garbage not being cleaned up on the WaWa property. He complained about the smell of gasoline. He complained about the smell of the trucks that travel to and from the Solid Waste Transfer Station located at 19-35 Atlantic Street.

Ms. Nance Sabego, 153 Midland Avenue, spoke on the City DPW cutting down a tree years ago without removing the roots of the tree. She complained that the sidewalk is not even because of the roots of the tree that was cut down.

Regular Meeting August 9, 2016, Continued

COUNCILMEMBER COMMENTS

Councilmember Calandriello spoke on the poor quality of the new handicapped accessible curb cuts at intersections of County roads. He spoke on the quality of the road repaving work being done for the Public Service Electric and Gas Company. He spoke on a possible responsible party being named for the potential contamination of Well 1A. He spoke on the cheerleaders and football players who are in Twentieth Century Field for the Junior Boilermakers. He said that the Mayor's Trophy Game for the Junior Boilermakers Football Program will be held on August 20, 2016 in Elmwood Park.

Councilmember Aloia said that there is a need to get a copy of the tonnage agreement with the transfer station for the next meeting.

Councilmember Delaney spoke on how important it is to listen. He spoke on the need for every neighbor to chip in. He spoke on the need to redevelop the First Ward. He spoke on the need for a park in the First Ward. He spoke on National Night Out held on Tuesday, August 2<sup>nd</sup>.

Councilmember Mati spoke on how great it was to have so many people at tonight's meeting. He spoke on Redevelopment in the First Ward and the need to get rid of the Solid Waste Transfer Station.

Mayor Raymond spoke on the need for Redevelopment in the First Ward. She said that it is wonderful to care about your City. She spoke on illegal apartments and how up to August there is now \$86,000 in fines issued and there are 34 outstanding cases pending. She spoke on Absentee Landlords. She spoke on the Feast of Our Lady of Mount Virgin. She said that she spoke to four State Senators last week about Governor Christopher Christie's School Funding formula which would cost Garfield millions of dollars if it is implemented.

ADJOURNMENT

At 10:55 PM, there being no further business, Councilmember Mati moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

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Andrew J. Pavlica, CITY CLERK