

A Special Meeting of the City Council was held Tuesday, May 9, 2017 at 7:10 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Richard Rigoglioso 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: Louis G. Aloia, Frank J. Calandriello, Erin N. Delaney, Joseph Delaney and Richard Rigoglioso
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Christos J. Ditzas and Interim Chief Financial Officer Roy Riggitano

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The 100th Anniversary of the City Celebration.
2. The Celebration of the 50th Anniversary of the Priesthood of Father Edward Szpiech of Saint Stanislaus Kostka Roman Catholic Church.

CUTS IN THE DEFEATED 2017-2018 SCHOOL BOARD BUDGET

The City Council and Cabinet discussed proposed cuts in the 2017-2018 School Board Budget defeated at the polls during the election held April 25, 2017.

CLOSED SESSION

Resolution No. 17-180

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

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a "Closed Session" is hereby called at 7:45 P.M. on Tuesday, May 9, 2017 to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Proposed cuts in the 2017-2018 School Board Budget defeated at the polls during the election held April 25, 2017).

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) Louis G. Aloia
Frank J. Calandriello

SHORT RECESS, CHANGE OF VENUE, RETURN TO ORDER, RECUSAL OF MAYOR RIGOGLIOSO AND CUTS IN THE DEFEATED 2017-2018 SCHOOL BOARD BUDGET

After the City Council came out of Closed Session at 7:55 PM, a short recess was called to move the meeting down the hall to the second floor Council Chamber. At 8:05 PM, Mayor Rigoglioso himself from the meeting due to a potential conflict of interest, Deputy Mayor Joseph Delaney called the meeting to order and chaired the meeting from this point forward. All City Officials were present as before the recess. Also present were Board of Education Members Dr. Kenneth Conte (Board President), Frank O. Barber, Anthony Barckett, Everett Garnto, Charles Nucifora, Julio Quiles and School Business Administrator Dr. Edward Izbicki and Superintendent of Schools Nicholas Perrapato. A discussion ensued on proposed cuts in the 2017-2018 School Board Budget defeated at the polls during the election held April 25, 2017.

CLOSED SESSION

Resolution No. 17-181

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 8:45 P.M. on Tuesday, May 9, 2017 to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Meeting with Board of Education Members and School Officials concerning proposed cuts in the 2017-2018 School Board Budget defeated at the polls during the election held April 25, 2017).

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 4,
Abstain 1 – Mayor Rigoglioso

(Sgd) Erin N. Delaney
Frank J. Calandriello

SHORT RECESS, CHANGE OF VENUE AND RETURN
TO ORDER IN CLOSED SESSION

After the City Council voted to go into Closed Session, a short recess was called to move the meeting to the second floor Conference Room. At 8:55 PM, Deputy Mayor Joseph Delaney called the meeting to order in Closed Session and all City and School Officials were present as before the recess. It was duly noted for the record.

EXIT OF BOARD OF EDUCATION MEMBER CONTE

At 9:45 PM, Board of Education member Dr. Kenneth Conte left the meeting and it was duly noted for the record.

SHORT RECESS, CHANGE OF VENUE, RETURN TO ORDER AND RESOLUTIONS

After the City Council came out of Closed Session at 10:10 PM, a short recess was called to move the meeting down the hall to the second floor Council Chamber. At 10:15 PM, Deputy Mayor Joseph Delaney again called the meeting to order and all City Officials were present as before the recess. It was duly noted for the record.

Resolution No. 17-182

WHEREAS, pursuant to the provision of New Jersey Law, the proposed budget for the continued operation of the City of Garfield school district was submitted to the voters of the City of Garfield at the regular school election on April 25, 2017; and

WHEREAS, in accordance with the provisions of law, the budget submitted to the voters proposed a District Tax Levy, current expense portion, in the amount of \$28,817,951.00; and

WHEREAS, at the regular school board election on April 25, 2017, the voters of the City of Garfield rejected said proposed current expense Tax Levy; and

WHEREAS, pursuant to N.J.S.A. 18A:22-37, the municipal Governing Body received, within two (2) days after the annual school election, a copy of the proposed school budget which was defeated; and

WHEREAS, in accordance with the requirements of the aforementioned Statute, meeting was held between Governing Body and the Board of Education as well as between representatives of these two Bodies, in order to determine the amount which, in the judgment of the Bodies, is necessary to be appropriated for each item appearing in the budget; and

WHEREAS, said meeting took place on May 9, 2017; and

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WHEREAS, the Chief Financial Officer of the City of Garfield has reviewed the school board budget, in detail, and has made recommendations to the Governing Body as to recommend reductions in the said budget which, in his opinion, could be made without compromising the efforts of the school system and while allowing the Board of Education the necessary funds in order to provide a thorough and efficient education for the students in the City of Garfield school district; and

WHEREAS, the Board of Education has provided extensive documentation to the Governing Body and did, in fact, meet with the members of the Governing Body and the Administration at which time the Governing Body recommended certain actions which resulted in the Tax Levy; and

WHEREAS, the City of Garfield school district has a minimum Tax Levy in the amount of \$27,345,349.00 which has been designated by the Department of Education as the minimum Tax Levy; and

WHEREAS, pursuant to provisions of law, the Governing Body may not reduce the amount of school board current Tax Levy unless it can be determined that any reductions will not adversely affect the district's ability to provide a thorough and efficient education and maintain stability given the needs for long term planning and budgeting; and

WHEREAS, the reduction set forth in this Resolution are based upon such determination; and

WHEREAS, the Mayor and Council determined that more significant reductions in the budget were warranted and could be accomplished without detriment to the district's ability to provide a thorough and efficient education, however, they were limited by the provisions of law to the amount of reduction set forth in this Resolution.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

1. The original Tax Levy on the ballot for current expense portion of the Board of Education was \$28,817,951.00
2. The amount of reductions to the current expense of the Tax Levy shall be \$332,020.00
3. The amount of Tax Levy being certified by City of Garfield for the base, current expense shall, therefore, be \$28,485,931.00
4. Debt service in the amount requested is also approved by the Governing Body
5. The specific line item reductions which are recommended by the Mayor and Council are as follows:

NOW THEREFORE BE IT RESOLVED that the school budget, as reviewed and revised, presents sufficient funds to provide a thorough and efficient education within the district as required by law and the reductions set forth herein will not adversely affect the district's ability to provide such a thorough and efficient education and maintain stability given the need for long term planning and budgeting;

NOW THEREFORE BE IT RESOLVED that the City of Garfield Clerk is hereby authorized and directed to forward certified copies of the within Resolution no later than Tuesday, May 16, 2017, to the City of Garfield Board of Education, the Bergen County Superintendent of Schools, and the Bergen County Board of Taxation as well as to the City of Garfield Tax Assessor;

NOW THEREFORE BE IT RESOLVED that the City of Garfield Clerk is hereby directed to prepare based upon the contents of this Resolution, the necessary forms for submission to the County of Bergen, forms reasonably required in order to effectuate the provisions of the Resolution.

On call of roll, Ayes 4,
Abstain 1 – Mayor Rigoglioso

(Sgd) Erin N. Delaney
Frank J. Calandriello

RETURN OF MAYOR RIGOGLIOSO AS CHAIR
OF THE MEETING AND RESOLUTIONS

At this time, Mayor Richard Rigoglioso chaired the meeting from this point forward and the City Council acted upon the following Resolutions:

Resolution No. 17-183

WHEREAS, Garfield Rotary Club President Angela Mattina and Garfield Historical Society Member Preservationist and Author Howard Lanza, are being honored by the Garfield Rotary Club

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with a Beefsteak Dinner at the Royal Manor Restaurant on Midland Avenue in Garfield on Thursday, May 11, 2017, and

WHEREAS, during this 100th Anniversary year of the City of Garfield, “Howie” Lanza is being awarded a “Walter D. Head Fellowship”, named after the first New Jersey Rotarian to become International President of Rotary and one of the founders of the United Nations, and Angela Mattina is being presented the highest award in Rotary, a “Paul Harris Fellowship”, named after the founder of Rotary International, and

WHEREAS, the Mayor and City Council are desirous of publicly acknowledging these fine individuals on their justly deserved awards,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that ANGELA MATTINA and HOWARD LANZA are hereby CONGRATULATED on their awards from the Garfield Rotary Club and for personifying the Rotary ideal of “Service Above Self” and demonstrating the highest qualities of character and concern for our fellow human beings.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 17-184

WHEREAS, the Garfield High School Athletic Hall of Fame Committee has proudly announced their inductees into the Hall of Fame for 2017, and

WHEREAS, the inductees were selected with consideration of athletic, civic and student activity contributions while in Garfield High School, and

WHEREAS, by their active participation in these areas, they have brought honor and pride, not only to themselves, but to the entire educational and civic community, and

WHEREAS, the Induction Ceremony will be held on Friday, May 12, 2017 at The Royal Manor located at 454 Midland Avenue in Garfield,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the following individuals are hereby publicly congratulated and recognized for their steadfast dedication to excellence as demonstrated by their induction into the Garfield High School Athletic Hall of Fame:

Frankie Buenafuente 2007 Tommy Reynolds 2003

David Schratz 2003 Christina Labocki 2001

Maria Jasiak 1998 Peter Ristevski 1988

Sarah “Sally” Brown (Coach) Deceased

John Cocula Memorial Service Award

Margaret Kuizema

BE IT FURTHER RESOLVED that the 1984 and 1987 Girls Track, 1984 North Jersey Section 1, Group 2 State Champions, 1987 BPSL King Division Champions are hereby congratulated on their Special Team Award.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution 17-185

RESOLUTION OF SUPPORT FROM THE CITY OF GARFIELD TO SUBMIT AN APPLICATION AND ABIDE BY CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES (ROID) GRANT PROGRAM

WHEREAS, the City of Garfield desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000 to carry out a project to develop an inclusionary opportunity for young adults and other individuals with disabilities who wish to participate in an inclusive gardening programming in the City. City of Garfield will match this grant with \$4,000 (a 20% match of the total project cost, which will be approximately \$24,000).

NOW, THEREFORE, BE IT RESOLVED that the City Manager and City Council do hereby authorize the preparation and submission of such a grant; and,

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BE IT FURTHER RESOLVED that the City Manager and City Council do hereby recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, in this case, the City Manager and City Council do further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Garfield and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-186

A Resolution Awarding A Contract To Smith-Sondy Asphalt Construction Company for the 2017 Road Improvement Project, City of Garfield.

WHEREAS, ten (10) bids were received at City Hall at 11:00 am on May 5, 2017, and;

WHEREAS, the three (3) lowest bids for the Base Bid plus all of the Alternate Bid items are summarized below:

Clean-up, Inc.

PO Box 5098

North Bergen, NJ 07047

Base Bid	\$728,996.20*
Alternate Bid A	\$66,184.10
Alternate Bid B	\$68,522.25*
Alternate Bid C	\$99,442.40
Alternate Bid D	\$131,105.65
Total	\$1,094,250.60

*Notes corrected value (bid error)

Smith-Sondy Asphalt Construction Company

150 Anderson Avenue

Wallington, NJ 07057

Base Bid	\$730,230.45
Alternate Bid A	\$40,325.65
Alternate Bid B	\$73,116.75
Alternate Bid C	\$95,503.46
Alternate Bid D	\$122,972.05
Total	\$1,062,148.36

D & L Paving Contractors

675 Franklin Avenue

Nutley, NJ 07110

Base Bid	\$725,020.50
Alternate Bid A	\$67,856.75
Alternate Bid B	\$75,319.50
Alternate Bid C	\$104,736.00
Alternate Bid D	\$125,747.25
Total	\$1,098,680.00

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WHEREAS, the lowest Base Bid was received from D & L Paving while the lowest bidder for the combination of the Base Bid plus all of the Alternate Bid Items was Smith- Soudy Asphalt Construction Company. The funding for this project limits the maximum contract amount to \$910,000.00. The contractor who submitted the lowest combination of the Base Bid plus Alternate Bid Items below \$910,000.00 was Smith- Soudy Asphalt Construction Company for the combination of the Base Bid plus Alternate Bid Items A & B. The total contract amount for this combination of bids is \$843,672.85.

NOW THEREFORE BE IT RESOLVED, the City of Garfield hereby awards a construction contract to Smith-Soudy Asphalt Construction Company in the low bid amount of \$843,672.85 for the 2017 Road Improvement Project.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

ADJOURNMENT

At 10:20 PM, there being no further business, Councilmember Aloia moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK