

A Work Session of the City Council was held on Tuesday, May 16, 2017 at 6:50 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 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, Erin N. Delaney and Richard Rigoglioso
Councilmembers Absent: Louis G. Aloia and Joseph Delaney
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Christos J. Ditzkas, Labor Counsel John Lavin 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. 0221-33-059-008 from Outwater Lane Holdings, LLC (Christopher Coleman and Richard Coleman – a partnership – Christopher Coleman, 946 Passaic Avenue, Kearney, NJ 07032 and Richard Coleman, 177 Wessington Avenue, Garfield, NJ 07026 – who each own 50% of the shares of the corporation) to NET WRC, LLC (William Cifelli, 2 Saddle Drive, Pompton Plains, NJ 07444 – who will own 100% of the shares of the corporation) t/a The Hive Bar and Bistro, for licensed premises located at 142 Outwater Lane, Garfield, NJ 07026. Attorney Gary Zalarick, with Law Offices located at 262 Palisade Avenue, Garfield, NJ 07026, and the applicant, William Cifelli, were present.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The Ratification List for consideration at tonight's Regular Meeting.
2. The July 3, 2017 Fire Works to be held in Twentieth Century Field in connection with the 100th Anniversary of the City Celebration.
3. The Safe Routes to Schools Grant.
4. A proposed ordinance regulating drones.
5. A proposed Mobile Food Handlers permit for Clyde's Lemon Ice.
6. The two resolutions for the renewal of the three year cooperative agreement for the Bergen County Community Development grant program.
7. The proposed removal of a shade tree at or near 41 Palisade Avenue.
8. The proposed helicopter landing by a US Navy Team at 1:30 PM on Friday May 26th in the Garfield High School Stadium in conjunction with 2017 Fleet Week New York.
9. The Garfield 100th Anniversary Celebration Mud Run scheduled to be held on Saturday, May 20, 2017 in Twentieth Century Field.
10. The Postman named Jamie Alberta seeking to meet with City Manager Duch concerning the licensing of dogs in town.
11. The 65th Anniversary of the Vistula Garfield Soccer Club.
12. Mr. Ciro Vitello should be commended for "Seeing Something and Saying Something" when he noticed Fleischer's Brook behind Dewitt Street and Oak Street was very black and he immediately called the DPW to investigate if someone was dumping into the brook.
13. Housing Inspector fines year to date total \$48,231.00.
14. The Bergen County Emergency Management Shared Services Cooperative Agreement.

REPORTS OF OFFICERS

15. A Hydraulic Oil hazardous spill and cleanup which occurred recently at or near 197 Market Street.
16. The third party purchase that is in the works in regard to the proposed purchase of the Signature Place at Garfield/ HP Garfield Building Complex located at 950 River Drive.

ARRIVAL OF DEPUTY MAYOR DELANEY

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

REPORTS OF OFFICERS

17. The proposed demolition of old Fire House No. Four located at 125 Ray Street.
18. The 100th Anniversary of the City corporate sponsorships.
19. The 100th Anniversary of the City Quilt Fundraising Project.
20. The objection by PSE&G of the placement of 100th Anniversary of the City banners across City streets attached to PSE&G utility poles.
21. The proposed scanning of three years of City Manager Office records to be stored electronically and in cloud storage.

City Engineer Kevin J. Boswell reported on the following:

1. The change orders regarding the demolition of the old Police Station located at 411 Midland Avenue and the need to have asbestos abatement services performed in connection with the demolition.
2. The renovations being performed at the Garfield Free Public Library located at 500 Midland Avenue.
3. The batting cages at the Little League Field in Belmont Oval.
4. The New Jersey State Department of Transportation grants and proposed applications for Bridge Renovations in connection with Fleisher's Brook.
5. Plans and specifications for the River Drive Improvement.
6. The Garfield High School Stadium Green Acres Grant application.
7. The DPW Site Investigation at 413 Midland Avenue.
8. The proposed Hobart Place Playground acquisition and environmental cleanup along the railroad spur.
9. The Meridia/Schley Crossing Redevelopment Project at the south end of Walnut Street and the east end of Sampson Street and the sanitary sewer, storm water drainage and water line improvements.

Deputy Mayor Delaney reported on the following:

1. The change orders regarding the new Fire Truck for Fire Company No. Three.

Councilmember Calandriello reported on the following:

REPORTS OF OFFICERS

1. Whether the City has an executed contract with the Board of Education regarding the Green Acres grant application for the Garfield High School Stadium Athletic Field Improvement.

Mr. Everett Garnto, 51 Jewell Street, addressed the City Council and Cabinet regarding his medical condition. At the conclusion of his address, Mr. Garnto agreed to give up his rights to be “Rice Noticed” before the City Council voted to go into Closed Session.

CLOSED SESSION

Resolution No. 17-187

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 7:50 P.M. on Tuesday, May 16, 2017 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; (the request by PBA Local No. 46 to meet with City Manager Duch).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Property Maintenance Code Enforcer John Pinto receipt of a subpoena to testify in Superior Court in regard to an ongoing civil matter between two neighbors pertaining to property maintenance issues on Van Bussum Avenue; complaint from Denise M. Lowe of 855 Midland Avenue concerning her fine in Garfield Municipal Court regarding the placement of trash too early at the curb; complaints filed against the City by Police Officer Everett Garnto; Workers Compensation case filed by Police Officer Everett Garnto).
- * 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; (Mr. Anthony Jones of 51 Monroe Street and his complaint that he was mistreated by members of the DPW; Resolution adopted in December 2016 appointed Dr. Conte as a “Gatekeeper”).

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,
Absent 1 - Councilmember Aloia

(Sgd) Frank J. Calandriello
Joseph Delaney

ADJOURNMENT

At 8:40 PM, there being no further business, Councilmember Calandriello moved to adjourn the Work Session. Councilmember Erin Delaney duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, May 16, 2017 at 8:45 PM in the Council Chamber 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: Frank J. Calandriello, Erin N. Delaney, Joseph Delaney and Richard Rigoglioso
Councilmembers Absent: Louis G. Aloia
Also Present: City Clerk Andrew J. Pavlica, City Attorney Christos J. Diktas and City Engineer Kevin J. Boswell

REPORTS OF OFFICERS

Councilmember Joseph Delaney moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held earlier this evening. Mayor Rigoglioso duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 - Councilmember Louis Aloia

RESOLUTIONS

Resolution No. 17-188

WHEREAS, Empowering Peers and Inspiring Change (EPIC) has been mobilized to reduce underage drinking by youth, and

WHEREAS, Empowering Peers and Inspiring Change (EPIC) promotes healthy choices among youth and adults, and

WHEREAS, Empowering Peers and Inspiring Change (EPIC) can influence public policy and legislation affecting youth, adults and families, and

WHEREAS, Empowering Peers and Inspiring Change (EPIC) connects all elements of society in the struggle against underage drinking,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that all the residents of the community are asked to join us in supporting Empower Peers and Inspire Change (EPIC) as it works to reduce underage drinking,

BE IT FURTHER RESOLVED, that April is hereby recognized as Alcohol Awareness Month.

On call of roll, Ayes 4,
Absent 1 - Councilmember Louis Aloia

(Sgd) Richard Rigoglioso
Joseph Delaney

Mayor Rigoglioso presented a CERTIFIED copy of Resolution No. 17-188 to the EPIC Students.

Resolution No. 17-189

WHEREAS, an application has been filed for a Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-059-008, from Outwater Lane Holdings, LLC (Christopher Coleman and Richard Coleman a Partnership (Christopher Coleman, 946 Passaic Avenue, Kearney, NJ 07032 – who owns 50% of the shares of the Partnership, and Richard Coleman, 177 Wessington Avenue, Garfield, NJ 07026 – who owns 50% of the shares of the Partnership), to NET WRC, LLC (William Cifelli, 2 Saddle Drive, Pompton Plains, NJ 07444 – who will own 100% shares of the corporation), t/a The Hive Bar & Bistro located at 142 Outwater Lane, Garfield, NJ 07026.

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

RESOLUTIONS

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 May 17, 2017, the transfer of the aforesaid Plenary Retail Consumption License No. 0221-33-059-008 to NET WRC, LLC (William Cifelli, 2 Saddle Drive, Pompton Plains, NJ 07444 – who will own 100% shares of the corporation), t/a The Hive Bar & Bistro effective May 17, 2017”, 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 4,
Absent 1 - Councilmember Louis Aloia

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-190

WHEREAS, Father P. Szpiech is celebrating his Fiftieth Anniversary of ordination to the priesthood, and

WHEREAS, on May 27, 1967, Edward Szpiech was ordained a priest by Most Reverend Thomas A. Boland, Archbishop of Newark, and Reverend Szpiech’s first assignment as a priest was at Saint Adalbert’s Roman Catholic Church in Elizabeth, New Jersey, and

WHEREAS, on March 17, 1990, Cardinal Theodore E. McCarrick, then Archbishop of Newark, appointed Reverend Szpiech as Pastor of Saint Stanislaus Kostka Roman Catholic Church in Garfield, New Jersey, and

WHEREAS, Reverend Szpiech was honored as the 1992 Garfield Community Marshall for the Pulaski Day Parade and he serves as the Chaplain for the Garfield Police and Fire Departments, and

WHEREAS, a Celebratory Mass will be held to commemorate his Fiftieth anniversary on Sunday, June 4, 2017 at 9:15 A.M. at “Saint Stan’s” Church, and afterward Reverend Szpiech will be honored at a testimonial banquet at noon at the Royal Manor Restaurant on Midland Avenue in Garfield,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Reverend Edward P. Szpiech is hereby congratulated as he observes the Golden Jubilee of his ordination to the priesthood which marks a significant milestone in his exemplary ministry of love, devotion, and service.

On call of roll, Ayes 4,
Absent 1 - Councilmember Louis Aloia

(Sgd) Richard Rigoglioso
Joseph Delaney

Resolution No. 17-191

WHEREAS, on June 2, 2017, the Garfield Police Department is participating in the Bergen County “Chief for a Day” initiative; and

WHEREAS, the members of the Garfield Police Department play an integral role in safeguarding the rights and freedoms of the citizens of the City of Garfield; and

WHEREAS, it is important that all citizens know and understand the duties and responsibilities of law enforcement in their community; and

WHEREAS, as an honorary “Chief for a Day” Sebastian Gutierrez will learn about the inner-workings of law enforcement and explore the important work that Garfield Police Officers face on a daily basis; and

WHEREAS, it is fitting and proper that the City of Garfield along with our community observe June 2, 2017 as SEBASTIAN GUTIERREZ APPRECIATION DAY to honor his interest in law enforcement.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, on behalf of its citizens, do hereby proclaim June 2, 2017 as:

RESOLUTIONS

SEBASTIAN GUTIERREZ APPRECIATION DAY.

On call of roll, Ayes 4,
Absent 1 - Councilmember Louis Aloia

(Sgd) Richard Rigoglioso
Joseph Delaney

Resolution No. 17-192

WHEREAS, Fire Company No. 5 has advised that they have expelled Joseph Lynch of 21 Hartman Avenue, Garfield, New Jersey 07026 as an active member effective May 2, 2017,
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 5 with respect to the above matter, is hereby accepted.

On call of roll, Ayes 4,
Absent 1 - Councilmember Louis Aloia

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-193

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:

Salvatore Lagattuta, 144 Semel Avenue, Garfield, New Jersey 07026

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 4,
Absent 1 - Councilmember Louis Aloia

(Sgd) Richard Rigoglioso
Frank J. Calandriello

Resolution No. 17-194

WHEREAS, pursuant to Resolution No. 16-223, Joseph Delaney was appointed to the Garfield Redevelopment Agency for a term that expired May 13, 2017,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that pursuant to Ordinance No. 2338 codified as Chapter 56 of the Code of the City of Garfield that:

Joseph Delaney of 15 Garden Court North is hereby appointed as a Commissioner to the Garfield Redevelopment Agency, to succeed himself, for a one year term, said term to commence May 14, 2017 and expire May 13, 2018.

On call of roll, Ayes 3, Abstain 1 -
Abstain 1 - Councilmember Calandriello,
Absent 1 - Councilmember Aloia

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-195

WHEREAS, pursuant to Resolution No. 16-223, Ernest P. Rosolen was appointed to the Garfield Redevelopment Agency for a term that expired May 13, 2017,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that pursuant to Ordinance No. 2338 codified as Chapter 56 of the Code of the City of Garfield that:

Ernest P. Rosolen of 25 Pershing Street is hereby appointed as a Commissioner to the Garfield Redevelopment Agency, to succeed himself, for a one year term, said term to commence May 14, 2017 and expire May 13, 2018.

On call of roll, Ayes 4,
Absent 1 - Councilmember Louis Aloia

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-196

WHEREAS, pursuant to Resolution No. 16-221, Frank Puzio was appointed to the Garfield Redevelopment Agency to fill the vacancy created by the untimely passing of Roger Hetel for the unexpired term, said term to expire May 13, 2017, and

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that pursuant to Ordinance No. 2338 codified as Chapter 56 of the Code of the City of Garfield that:

Anna Sciacca of 261 Gaston Avenue, is hereby appointed to the Garfield Redevelopment Agency, to fill the expired term of Frank Puzio, said term to expire May 13, 2022.

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

(Sgd) Richard Rigoglioso
Erin N. Delaney

Resolution No. 17-197

WHEREAS, pursuant to Resolution No. 12-213, Peter Amadio was appointed to the Garfield Redevelopment Agency for a term that expired on May 13, 2017,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Peter Amadio of 110 Dewey Street is hereby appointed to the Garfield Redevelopment Agency, to succeed himself for a five year term, said term to expire May 13, 2022.

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

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-198

BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that John Easom, 103 Gaston Avenue, is hereby appointed to the Zoning Board of Adjustment as a Regular Member, effective immediately, to succeed Robert Meehan, who has resigned from the Board, for a term to expire January 1, 2018.

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

(Sgd) Richard Rigoglioso
Frank J. Calandriello

Resolution No. 17-199

WHEREAS, City Manager Thomas J. Duch has recommended the appointment of Richard Bolan, CFM, of 360 Concord Drive, Maywood, New Jersey 07607 as Flood Plain Manager of the City of Garfield to serve at the pleasure of the City Manager, at a salary of \$10,000 per annum and to be placed on payroll,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen, New Jersey that the appointment of Richard Bolan, CFM as Flood Plain Manager for the City of Garfield is hereby approved under the terms and conditions detailed above.

FURTHER RESOLVED that Resolution 17-116 adopted by City Council at a meeting held on March 28, 2017 is hereby rescinded.

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

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-200

WHEREAS, Omar Alkhalil, 61 Gaston Avenue, who is the holder of a Disabled Person I.D. Card No. P1804980, 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 Gaston Avenue commencing 211 feet north of the intersection of Gaston Avenue 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 4,
Absent 1 - Councilmember Aloia

(Sgd) Joseph Delaney
Richard Rigoglioso

RESOLUTIONS

Resolution No.

WHEREAS, Mr. Thomas Lemley, owner of Reliable Cart Corporation, 81 Sherman Place, has requested a loading zone at his place of business, and
WHEREAS, the Police Department has investigated this matter and recommends approval of this request.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that a Loading Zone Monday thru Saturday during the hours of 6:00 AM and 6:00 PM be established in front of Reliable Cart Corporation, located at 81 Sherman Place, on the north curb line of Grand Street commencing 63 feet west of the intersection of Sherman Place and Grand Street and continuing an additional 36 feet west from that point,

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

On call of roll, Ayes 2, Abstain 2-
Councilmember Joseph Delaney and Mayor Rigoglioso,
Absent 1 – Councilmember Aloia

(Sgd) Frank J. Calandriello
Erin N. Delaney

RESOLUTION DEFEATED

Resolution No. 17-201

A Resolution Authorizing Change Order #1 in Connection With the Acquisition of a Rescue Pumper Firetruck, for the City of Garfield Fire Department.

WHEREAS, the City of Garfield awarded a contract to Ferrara Fire Apparatus, Inc.and;

WHEREAS, Change Order #1 is necessary in order to perform required additions to the original order

NOW THEREFORE BE IT RESOLVED, Change Order #1 for an increase in the contract amount of \$38,999.00 is hereby approved.

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

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-202

A Resolution Authorizing Change Order #2 in Connection With the Acquisition of a Rescue Pumper Firetruck, for the City of Garfield Fire Department.

WHEREAS, the City of Garfield awarded a contract to Ferrara Fire Apparatus, Inc.and;

WHEREAS, Change Order #2 is necessary in order to perform required additions to the original order

NOW THEREFORE BE IT RESOLVED, Change Order #2 for an increase in the contract amount of \$349.00 is hereby approved.

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

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-203

A Resolution Authorizing Change Order #3 in Connection With the Acquisition of a Rescue Pumper Firetruck, for the City of Garfield Fire Department.

WHEREAS, the City of Garfield awarded a contract to Ferrara Fire Apparatus, Inc.and;

WHEREAS, Change Order #3 is necessary in order to perform required additions to the original order

NOW THEREFORE BE IT RESOLVED, Change Order #3 for an increase in the contract amount of \$22,151.99 is hereby approved.

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

(Sgd) Richard Rigoglioso
Frank J. Calandriello

RESOLUTIONS

Resolution No. 17-204

A Resolution Authorizing Change Order #1 to a Contract With All Pro Management in Connection With the Asbestos Abatement Work at the Former Police Station, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to All Pro Management to remove Asbestos Containing Materials (ACM's) at the former Police Station prior to demolition, and;

WHEREAS, the initial contract solicitation required a lump sum bid for areas of the building which were accessible by the City Engineer with unit prices being required for locked inaccessible areas, and;

WHEREAS, the inaccessible areas were determined to contain ACM's following the award of the contract and abandonment of the structure, and;

WHEREAS, the City Engineer has verified the bid quantities for 3 of the 4 additional work items and negotiated a unit cost for the fourth supplemental work item.

NOW THEREFORE BE IT RESOLVED, the City hereby approves Change Order #1 in the amount of \$21,405.00.

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

(Sgd) Richard Rigoglioso
Frank J. Calandriello

Resolution No. 17-205

A Resolution Authorizing the City Engineer to Prepare Bid Documents and Provide Inspection Services in Connection With 2017 Road Improvement Project, City of Garfield.

WHEREAS, the City of Garfield is implementing the 2017 Road Improvement Program, and;

WHEREAS, this improvement requires the preparation of detailed design plans and bid documents to allow for the public bidding of this improvement, as well as inspection services, and.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to prepare detailed design drawings and to provide inspection services for the 2017 Road Improvement Project for a fee not to exceed \$90,000.00.

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

(Sgd) Richard Rigoglioso
Frank J. Calandriello

Resolution No. 17-206

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 an Induction Lamp on Pole Number E61689G located on 320 Malcolm Avenue and to change the wattage on Pole Number 299G located at 338 Malcolm Avenue from 150 watts to 80 watts.

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 4,
Absent 1 - Councilmember Aloia

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-207

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 an Induction Lamp on Pole Number E61685G located on 97 Cedar Street.

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.

RESOLUTIONS

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

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

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-208

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from Mark Wallace Homes, LLC for 10 Davison Street, Block 176 Lot 4 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on January 16, 2008 said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit 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 that these monies be refunded to the above named claimant.

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

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-209

WHEREAS, the Mayor and Council of the City of Garfield, Bergen County, New Jersey, has adopted a resolution implementing Length of Service Awards Program (LOSAP), in 2001 to Section 457 (e)(11)(13) of the Internal Service Code of 1986 and:

WHEREAS, the Chief Financial Officer has reviewed and has forwarded a certified list(s) to the Mayor and Council; certified by the Fire Department Chief(s) and to disclose all Volunteer Fire Department recipients who have met the minimum requirements to receive such funds and;

WHEREAS, a certified list containing the names of the recipients are attached to this resolution in which the auditors have recommended in the audit that this list be available for review in the form of a resolution;

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer, has certified funds are available in the 2017 appropriation, and has further audited the documents submitted by the Volunteer Fire Department and has determined that the documents meet the intent of the 2016 audit requirements.

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

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 17-210

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a Refund due to Over Paid Taxes for the year 2017.

NOW THEREFORE BE ITRESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment 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
203.01	50.02 C0310	NJ Lenders Corp.	O/P	\$2,251.00Resol

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

(Sgd) Joseph Delaney
Richard Rigoglioso

RESOLUTIONS

Resolution No. 17-211

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for Tax Court Judgment on the Property 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
190	60	Bertone Piccini LLP	TCJ	\$ 8,355.75

On call of roll, Ayes 4, (Sgd) Joseph Delaney
 Absent 1 - Councilmember Aloia Richard Rigoglioso

Resolution No. 17-212

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for Tax Court Judgment on the Property for the year 2016.

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
190	60	Bertone Piccini LLP	TCJ	\$ 11,509.00

On call of roll, Ayes 4, (Sgd) Joseph Delaney
 Absent 1 - Councilmember Aloia Richard Rigoglioso

Resolution No. 17-213

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for overpayment of Disable Veteran on Exempt Property for the year 2016.

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
119.01	260	Mayoral, Reno E	Exempt	\$ 2,021.00
127	37	Van Lenten, Eugene	Exempt	3,336.18

On call of roll, Ayes 4, (Sgd) Joseph Delaney
 Absent 1 - Councilmember Aloia Richard Rigoglioso

Resolution No. 17-214

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for overpayment of Disable Veteran on Exempt Property for the year 2017.

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
127	37	Van Lenten, Eugene	Exempt	\$ 1,625.00

On call of roll, Ayes 4, (Sgd) Joseph Delaney
 Absent 1 - Councilmember Aloia Richard Rigoglioso

RESOLUTIONS

Resolution No. 17-215

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for overpayment of Homestead Rebate on Exempt Property for the year 2017. 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
119.01	260	Mayoral, Reno E	H.R.	\$ 634.74

On call of roll, Ayes 4, (Sgd) Joseph Delaney
Absent 1 - Councilmember Aloia Richard Rigoglioso

Resolution No. 17-216

A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the City of Garfield and its residents to participate in said programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021); and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.

On call of roll, Ayes 4, (Sgd) Joseph Delaney
Absent 1 - Councilmember Aloia Richard Rigoglioso

Resolution No. 17-217

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the City of Garfield and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, it is in the best interest of the Municipality of to enter into such an Agreement.

NOW THEREFORE BE IT RESOLVED by the City of Garfield that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the Home Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, and 2020 (July 1, 2018

RESOLUTIONS

– June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and
BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

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

(Sgd) Frank J. Calandriello
Richard Rigoglioso

BILLS AND CLAIMS

Resolution No. 17-218

RESOLVED by the City Council of the City of Garfield that the following bill No. 2038 to 2041 covering Dog Trust Fund, Community Policing Trust Fund and Trust Other totaling \$75,418.88 and the Current Fund Reserve totaling \$556.45 and the Current Fund totaling \$3,091,611.31 and the Water Fund totaling \$655,151.42 and Water Capital totaling \$9,033.00 and the General Capital Fund totaling \$1,096,296.30 and Trust Other totaling \$28,510.43 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 fifty eight (58) items prior to the meeting be ratified.

See

The

following pages numbered _____

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2763

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, April 11, 2017; 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 DESIGN, PERMITTING AND PROPERTY ACQUISITION PHASES OF THE RIVER DRIVE ROADWAY AND PARK IMPROVEMENT PROJECT (PHASE 2) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,200,000 TO PAY THE COST HEREOF 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 Joseph Delaney 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 Erin Delaney duly seconded the motion.

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

Ordinance No. 2764

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, April 11, 2017; 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:

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF \$6,635,000 AGGREGATE PRINCIPAL AMOUNT OF OUTSTANDING BONDS OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROPRIATING A SUM NOT EXCEEDING \$7,000,000 TO PAY THE COST THEREOF AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$7,000,000 AGGREGATE PRINCIPAL AMOUNT OF REFUNDING BONDS OF SAID CITY TO FINACNE SUCH APPROPRIATION

City Clerk Pavlica read the ordinance by title.

Councilmember Joseph Delaney 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 Erin Delaney duly seconded the motion.

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

CITIZENS AND TAXPAYERS

Mr. Irwin Wasserman, 414 Midland Avenue, said that he is the Commander of VFW Post No. 2867, and he would like to secure an 8-10 passenger van for the VFW. He spoke on the Memorial Day Service scheduled to be held on Monday, May 29, 2017 at 11:00 AM.

Mr. Angel Quiles, 95 Willard Street, spoke on the Blue Star Kids placing flags on graves of the War Veterans in two cemeteries. He spoke on the funeral of a veteran they observed before the kids left the cemetery. He spoke on the need for a van for the VFW.

CITIZENS AND TAXPAYERS

Mr. Michael Denistran, 104 Palisade Avenue, spoke on the need for people to curb their dogs and the need to increase fines to people who violate the ordinance. He spoke on the need for dogs to be kept on a leash. He spoke on the proposed Redevelopment Program in the First Ward.

Mr. Anthony Erekat, 224 Division Avenue, questioned if Board Appointments are volunteer positions. He asked for speed bumps near the schools. He said that he is concerned about the garbage in the City. He complained about illegal apartments. He spoke on Garfield being an Abbott School District. He said that Garfield's Pre-K is overflowing with students. He claimed that students live out of town. He spoke on the need to increase fines.

COUNCILMEMBER COMMENTS

Councilmember Calandriello said that the City collected about \$48,000 for penalizing owners of illegal appointments. He said that inspectors are doing their jobs and the City cannot set fines higher than what State Statute allows. He spoke on the 2017 – 2018 School Budget that was defeated at the polls on April 25, 2017. He spoke on the amount that the City Council cut in the School Budget that would not be restored by the County Superintendent of Schools. He spoke on information that was requested by Councilmembers from the School Business Administrator. He spoke on the contract for Recycling and Solid Waste Collection and the providing of pails to the public. He spoke on the request for a van for the VFW. He spoke on the cost of the Memorial Day Parade. He said that he thinks that the City should step up and help the VFW. He spoke on Commissioner Frank Puzio missing two meetings out of five meetings of the Redevelopment Agency in 2017.

Councilmember Erin Delaney said that she is in full support to what the City Council can do for the Veterans. She thanked them for placing the American flags at the Veterans Graves in the cemeteries and for their service. She spoke on the possible increase of fines and enforcement of curb your dog ordinances. She spoke on illegal apartments and a new parking system. She spoke on supporting the Board of Education Truant Officer Department.

Councilmember Joseph Delaney spoke on the proposed installation of speed bumps around schools. He spoke on Garfield being an Abbott School District and being a town of hard working people. He spoke on the need for people to curb their dogs. He spoke on honoring Veterans and teaching kids to respect those who served their Country in the military. He spoke in support of securing money for a van for the VFW. He spoke on Mayor Rigoglioso and Councilmember Erin Delaney doing a great job as Co-Chair of the City Centennial Committee. He said that he hopes all the Moms had a great Mother's Day.

Mayor Rigoglioso thanked the Veterans for their service. He spoke on the Mud Run being a fundraising event to benefit the Veterans on Saturday, May 27, 2017. He spoke on the need to enforce curb your dog regulations. He spoke on the need for speed bumps near the City Schools. He spoke on garbage being around town. He spoke on the need to put the Solid Waste and Recycling contract out for bid this year. He spoke on illegal apartments. He spoke on the need for diversity on the Redevelopment Agency and he said that he likes what Anna Sciacca brings to the position.

ADJOURNMENT

At 9:50 PM, there being no further business, Councilmember Joseph Delaney moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

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