

A Work Session of the City Council was held on Tuesday, June 13, 2017 at 6:20 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: Louis G. Aloia, Frank J. Calandriello, Erin N. Delaney and Richard Rigoglioso

Councilmembers Absent: Joseph Delaney

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Engineer Kevin J. Boswell, Interim Chief Financial Officer Roy Riggitano, Superintendent of Public Works Sam Garofalo and Pradeep Kapoor of DMR Architects

#### COMMUNITY DEVELOPMENT

The City Council and Cabinet met with David Wenegrat, the Real Estate Development and Management Officer of Greater Bergen Community Action, Inc. for a Community Development grant endorsement request for Emergency Roof Repairs to their building located at 541 Midland Avenue in the amount of \$212,808.00.

#### 2016 MUNICIPAL AUDIT

The City Council and Cabinet discussed the 2016 Municipal Audit and the 2016 Audit of the Length of Service Award Program (LOSAP) and the Corrective Action Plan for the 2016 Municipal Audit.

#### PROPOSED GASOLINE AND DIESEL FUEL BIDS AND STREET SWEEPING BIDS

The City Council and Cabinet discussed the proposed receipt of sealed bids on July 20, 2017 for Gasoline and Diesel Fuel and for Street Sweeping.

#### ARRIVAL OF LABOR COUNSEL LAVIN

At 6:45 PM, Labor Counsel John Lavin joined the Work Session. It was duly noted for the record.

#### REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. Various Environmental Awareness Grants awarded by the Bergen County Utilities Authority to Garfield School Teachers.
2. The Bergen County Planning Department issued an advisory that there should be no blue lines in support of Municipal Police in between the yellow lines in the middle of City streets.
3. The proposed summer Council meeting schedule.

#### EXIT OF SUPERINTENDENT OF PUBLIC WORKS GAROFALO

At 6:50 PM, Superintendent of Public Works Sam Garofalo left the Work Session. It was duly noted for the record.

#### CLOSED SESSION

Resolution No. 17-234

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

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

CLOSED SESSION

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a “Closed Session” is hereby called at 6:50 P.M. on Tuesday, June 13, 2017 to discuss the following as outlined in N.J.S.A. 10:4-12:

- \* Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (law enforcement costs to Police Walmart redevelopment site at 174 Passaic Street; \$2,700.00 recovery of cost to repair spray painted soccer field vandalized in Twentieth Century Field; nine field turf fields which are not wearing normally to be replaced including Belmont Oval).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (proposed award of contract from bids received May 31, 2017 for construction of a new Police Station; meeting with Interstate Waste Officials from 19-35 Atlantic Street about inclusion in the proposed first Ward Redevelopment Plan; proposed drone ordinance; \$1.94 million from Redeveloper James Demetrakis for construction of a new Police Station).
- \* Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (proposed hiring of additional people for the Department of Public Works; need for Animal Control Officer; proposed promotions in the Police Department).

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 Joseph Delaney

(Sgd) Louis G. Aloia  
Erin N. Delaney

EXIT OF PRADEEP KAPOOR OF DMR ARCHITECTS AND  
RETURN OF SUPERINTENDENT OF PUBLIC WORKS GAROFALO

At 7:10 PM, Pradeep Kapoor of DMR Architects left the Work Session and Superintendent of Public Works Sam Garofalo returned to the Work Session. It was duly noted for the record.

ARRIVAL OF DEPUTY MAYOR DELANEY AND  
REDEVELOPMENT ATTORNEY REGAN

At 7:20 PM Deputy Mayor Joseph Delaney joined the Work Session. At 7:25 PM, Redevelopment Attorney Frank Regan joined the Work Session. It was duly noted for the record.

EXIT OF MAYOR RIGOGLIOSO AND  
REDEVELOPMENT AGENCY ATTORNEY REGAN

At 7:30 PM, Mayor Richard Rigoglioso left the Work Session and Deputy Mayor Joseph Delaney chaired the Work Session from this point forward. At 7:50 PM, Redevelopment Attorney Frank Regan left the Work Session. It was duly noted for the record.

Work Session June 13, 2017, Continued

ADJOURNMENT

After the City Council came out of Closed Session at 8:10 PM, there being no further business, Councilmember Calandriello moved to adjourn the Work Session. Councilmember Aloia duly seconded the motion.

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

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Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, June 13, 2017 at 8:00 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Deputy Mayor Joseph Delaney 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 and Joseph Delaney

Councilmembers Absent: Richard Rigoglioso

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Labor Counsel John Lavin and City Engineer Kevin J. Boswell

PUBLIC HEARING ON THE 2017 BERGEN COUNTY OPEN SPACE TRUST FUND  
MUNICIPAL PROGRAM RIVERFRONT PARK EXPANSION

City Manager Duch said that the Mayor and Council have supported and endorsed an application to the Bergen County Open Space Trust. He said that the City is seeking funding this year for the Build Out of the Riverwalk Park. He said that the City is seeking a total of \$1,725,000 from the New Jersey Department of Environmental Protection Riverfront Cleanup Program which was part of the overall \$53 million settlement involving a series of companies in Newark who polluted the Passaic River and the City has successfully obtained that grant for property acquisition and for the beginnings of a Build Out of the Riverfront Park Project – Phase II which will be along River Road from Passaic Street north to the Monroe Street Bridge. He said that he and City Engineer Boswell also went before the Bergen County Open Space Trust to seek funding for acquisition. He said that the City received another \$400,000 at that time and the City went back there this year and asked for \$460,000 so that the City can defray the cost of the Build Out of the Riverwalk for Phase II. He said that the City intends to continue to aggressively pursue grant funding that may be available and that is why the City is applying to the New Jersey Department of Transportation, to Green Acres or any other source that is available. He said that the purpose of the hearing tonight is to seek public comment, if any, regarding the proposed Phase II Project. He said that the City is seeking additional funding from the Bergen County Open Space Trust and will continue to do that aggressively and he recommends that the City continue to do that each and every year.

Deputy Mayor Delaney declared a Public Hearing on the 2017 Bergen County Open Space Trust Fund Municipal Program Riverfront Park Expansion and asked if there was anyone wishing to speak for or against the Project.

There being no objections, Deputy Mayor Delaney declared the Public Hearing closed.

REPORTS OF OFFICERS

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

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

RESOLUTIONS

Resolution No. 17-235

Resolution of the City of Garfield Authorizing the Submission of a Bergen County Open Space, Recreation, Flood Plain Protection, Farmland & Historic Preservation Trust Fund (Bergen County Trust Fund) Grant Application

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

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WHEREAS, the City of Garfield desires to further the public interest by obtaining a matching grant of \$345,000 from the County Trust Fund to fund the following project: Garfield Riverwalk Expansion Park Development Project; and,

WHEREAS, the City Council of the City of Garfield (Council) has reviewed the Bergen County Trust Fund Program Statement, the County program Open Space Policy and Procedures Manual, and the open space application and instructions and desires to make an application for such a grant and provide application information and furnish such documents as may be required; and

WHEREAS, as part of the application process, the Council received held the required Public Hearing to receive public comments on the proposed park improvements in the application on June 13, 2017; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

NOW THEREFORE BE IT RESOLVED by the Mayor, City Manager, and Council of the City of Garfield hereby authorize:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of June 30, 2017, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the City of Garfield has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Mayor, City Manager, and/or City Clerk are hereby authorized to prepare, sign, and submit the said grant application. City Manager Thomas J. Duch, or his successor in said title, is authorized to be the signatory of any subsequent contracts or awards; and,
4. That the City Council of the City of Garfield is committed to providing a dollar for dollar cash match for the project; and
5. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
6. That the City Council of the City of Garfield agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
7. That this resolution shall take effect immediately.

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

(Sgd) Erin N. Delaney  
Louis G. Aloia

Resolution No. 17-236

WHEREAS, the Garfield Colored Giants baseball team was the 1949 North Jersey Semi-Professional League Champions, and

WHEREAS, the team was a force to be reckoned with on the baseball diamond, fielding segregated teams over the years in an integrated league, and

WHEREAS, according to the Garfield Black History Committee, the team was comprised of John P. Logan, Cleve Buggs, Otis Robinson, Junior Cooke, Freddie Elam, Purvis Bugg, Mike Watson, Jr., Bill Thorton, “AB” Campbell, Nelson Bros., “Pee Wee” Watson, George Fagin, “Brooks” Watson, Gene Wright, Curtis Townson and “Big Jim” McNair, with Manager John Foster and Bat Boy Pettis Johnson, Sr., and

WHEREAS, during 2017, the Centennial Year of Garfield Becoming a City, it is important to celebrate significant events in our City’s History, especially those which have made contributions to our cultural and diverse background but which binds us together in Community pride,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Saturday, June 10, 2017, is hereby PROCLAIMED as “GARFIELD COLORED GIANTS DAY” throughout the City of Garfield, in recognition of one of the City’s most historic teams which helped make Garfield re-known as the “City of Champions”.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

RESOLUTIONS

Resolution No. 17-237

RESOLVED by the City Council of the City of Garfield that the City Clerk is hereby authorized to issue the following licenses for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

CLUB LICENSES

License No. 0221-31-073-001 American Hungarian Citizens League  
t/a American Hungarian Citizen League  
21 New Schley Street

PLENARY RETAIL CONSUMPTION LICENSES

License No. 0221-33-002-005 Apple Food Service of Garfield LLC  
t/a Applebee's Neighborhood Grill & Bar  
186 Passaic Street

0221-33-004-003 Charlie Blood's, Inc.  
t/a Charlie Blood's  
147 Frederick Street

0021-33-008-008 Garfield's Brick Oven Pizzeria and Ice Cream, LLC  
t/a Garfield's Brick Oven Pizza  
149 Van Winkle Avenue

0221-33-012-004 Garfield Restaurant Corp  
t/a Déjà vu  
50 River Drive

0221-33-016-005 G&B, LLC  
t/a The Royal Manor  
454 Midland Avenue

0221-33-017-004 Timlo LLC  
t/a DP's Pub  
732 River Drive

0221-33-021-001 Garfield Elks Lodge No. 2267  
t/a Garfield Elks Lodge  
68 Lanza Avenue

0221-33-025-001 Frank Barcelona's Restaurant & Bar Inc.  
t/a Barcelona's Restaurant  
38 Harrison Avenue

0221-33-028-014 The Boiler Room, LLC  
t/a the Boiler Room  
133 Monroe Street

0221-33-030-003 Yogiji Enterprises, Inc.  
t/a Boggy's Bar & Liquors  
142 Division Avenue

0221-33-031-009 La Fortaleza Inc.  
t/a La Fortaleza, Inc.  
361 Midland Avenue

Regular Meeting June 13, 2017, Continued

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|                 |   |
|-----------------|---|
| 0221-33-033-009 | Firehouse Grill, LLC<br>t/a The Firehouse<br>42 Plauderville Avenue                                       |
| 0221-33-036-010 | Regina Restorante Pizzeria, LLC<br>t/a Rosa Italiano<br>791 Midland Avenue                                |
| 0221-33-037-005 | Smoke House LLC<br>t/a Piast Meats & Provisions<br>1 Passaic Street                                       |
| 0221-33-040-002 | Sai Dhristy, LLC<br>t/a BJ's Polonia<br>126 Ray Street  |
| 0221-33-043-004 | Michele's Catering Inc.<br>t/a Michele's<br>32 Passaic Street   |
| 0221-33-047-006 | Garfield Bar & Liquor Inc.<br>t/a Garfield Bar & Liquors<br>46 Wood Street                                |
| 0221-33-051-006 | C.P. Sunrise, LLC.<br>t/a The Midnight Sun<br>323 Semel Avenue  |
| 0221-33-053-004 | Venetian Corp<br>t/a The Venetian<br>546 River Drive  |
| 0221-33-057-004 | Detour, Inc.<br>t/a Detour<br>437 Lanza Avenue  |
| 0221-33-058-001 | Russian Orthodox Greek Catholic Church<br>t/a Russian Orthodox Greek Catholic Church<br>464 Outwater Lane |
| 0221-33-060-003 | Sportsman Tavern Inc.<br>t/a Sportsman Tavern<br>245 Outwater Lane  |
| 0221-33-062-010 | Nuve-Quinche Corporation<br>t/a Pazza Luna Pizzeria, Restaurant & Bar<br>52 Chestnut Street               |
| 0221-33-066-009 | G. F. Mazzola, Inc.<br>t/a Jack's Kicks Sports Bar and Filippo's Ristorante<br>250-252 Midland Avenue     |
| 0221-33-070-002 | Wisla, Inc.<br>t/a Wisla Center<br>73 Main Street   |



RESOLUTIONS

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 Belmont Avenue commencing 138 feet east of the intersection of Belmont Avenue and Pierre Avenue and run an additional 25 feet east from that point.

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

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-241

WHEREAS, Samantha Fisher, 108 Chestnut Street, who is the holder of a Disabled Person I.D. Card No. P1614655, has filed application for a handicapped parking sign to be placed at her address, and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the south curb line of Botany Street commencing 73 feet east of the intersection of Botany Street and Chestnut Street and run an additional 20 feet east from that point.

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

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-242

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the following are appointed to the Emergency Management Council:

- |                    |   |
|--------------------|---|
| Michael Marsh      | Emergency Management Coordinator        |
| Sam Garofalo       | Deputy Emergency Management Coordinator |
| Claire Follari     | Deputy Coordinator                      |
| Ronald Polonkay    | Assistant Coordinator                   |
| Richard Rigoglioso | Mayor                                   |
| Kenneth Robertson  | Department of Public Works              |
| Mary Giresi        | Health Inspector                        |
| Raymond Kovach     | Police Department                       |
| Edward Morano      | Fire Department                         |
| Alan Tani          | Fire Department - HazMat                |
| Thomas Duch        | City Manager                            |
| Robert Pavlick     | Red Cross                               |
| Ron Spethman       | HUMC EMS                                |
| David Pikul        | Police Department – Traffic             |
| Kristie Cattafi    | North Jersey Media Group                |

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-243

WHEREAS, most every year the City Council goes on a “Summer Schedule” for its meetings in July and August, and desires to do so again this year,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the Work Session and Regular Meetings of the City Council scheduled to be held July 25, 2017 and August 22, 2017 are hereby cancelled,

BE IT FURTHER RESOLVED that the following are the scheduled meetings of the City Council for July 2017 and August 2017 with the Work Sessions commencing at 6:00 PM in the Conference

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Room in City Hall and the Regular Meetings commencing at 8:00 PM in the Council Chamber in City Hall.

July 11, 2017  
August 8, 2017

Work Session and Regular Meeting  
Work Session and Regular Meeting

FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward a CERTIFIED and exact copy of this approved resolution to all the official City newspapers and to cause to have copies posted on the bulletin boards in City Hall and at the Garfield Free Public Library.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-244

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Joseph Delaney was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on Saturday, August 12, 2017, it will be necessary and appropriate to temporarily appoint Louis G. Aloia as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Robert Byrd and Theresa Strauch, and

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

1. Councilman Louis G. Aloia be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Robert Byrd and Theresa Strauch, and
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman Louis G. Aloia.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-245

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Joseph Delaney was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on Saturday, July 15, 2017, it will be necessary and appropriate to temporarily appoint Louis G. Aloia as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Anthony Palumbo and Cheryl Sharry, and

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

1. Councilman Louis G. Aloia be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Anthony Palumbo and Cheryl Sharry, and

RESOLUTIONS

2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman Louis G. Aloia.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-246

**RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS**

WHEREAS, a Bergen County Community Development grant of \$212,808 has been proposed by Greater Bergen Community Action, Inc. for Emergency Roof Repairs at 541 Midland Avenue, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Bergen County and the City of Garfield, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-247

BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey that the City Clerk be and hereby authorized and directed to advertise for the receipt of bids for Street Sweeping on Thursday, July 20, 2017 at 10:00 AM in the Conference Room in City Hall.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-248

BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey that the City Clerk be and hereby authorized and directed to advertise for the receipt of bids for Acquisition of Gasoline, Diesel Fuel Number 2 on Thursday, July 20, 2017 at 10:30 AM in the Conference Room in City Hall.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-249

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 IT RESOLVED 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.

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|       |     |  |        |            |
|-------|-----|--|--------|------------|
| BLOCK | LOT | OWNER  | REASON | AMOUNT     |
| 79    | 4   | Interstate 1 <sup>st</sup> Title Agency, LLC | O/P    | \$1,608.00 |

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-250

WHEREAS, Lilyan, LLC is the owner of real property known on the Tax Map of the City of Garfield as Block 144, Lot 38, commonly known as 375 Outwater Lane, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2015, bearing Docket No. 001087 - 2015; and

WHEREAS, Lilyan, LLC is the owner of real property known on the Tax Map of the City of Garfield as Block 144, Lot 47, commonly known as 14 Eberhard Lane, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2015, bearing Docket No. 001087 - 2015; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Lavin & Associates, P.C., have recommended that the appeal be settled; and

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

Block 144, Lot 38 (Street Address- 375 Outwater Lane):

| Year                        | Land      | Improvements | Total       |
|-----------------------------|-----------|--------------|-------------|
| 2015<br>Original Assessment | \$840,000 | \$1,262,000  | \$2,102,000 |

Block 144, Lot 47 (Street Address- 14 Eberhard Lane):

| Year                        | Land      | Improvements | Total     |
|-----------------------------|-----------|--------------|-----------|
| 2015<br>Original Assessment | \$126,000 | \$0          | \$126,000 |

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

Block 144, Lot 38 (Street Address- 375 Outwater Lane):

| Year               | Land      | Improvements | Total       |
|--------------------|-----------|--------------|-------------|
| 2015<br>Settlement | \$840,000 | \$1,262,000  | \$2,102,000 |

Block 144, Lot 47 (Street Address- 14 Eberhard Lane):

| Year               | Land      | Improvements | Total     |
|--------------------|-----------|--------------|-----------|
| 2015<br>Settlement | \$126,000 | \$0          | \$126,000 |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

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

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 17-251

WHEREAS, Castega Realty is the owner of real property known on the Tax Map of the City of Garfield as Block 141, Lot 21.01, commonly known as 71 Outwater Lane, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2013, 2014, 2015, and 2016, bearing Docket No. 004906 – 2013, 006113 – 2014, 007789 – 2015, and 007531 - 2016; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Lavin & Associates, P.C., have

RESOLUTIONS

recommended that the appeal be settled; and  
 WHEREAS, said properties were assessed for the year(s) as follows:  
 Block 141, Lot 21.01 (Street Address- 71 Outwater Lane):

| Year                        | Land        | Improvements | Total       |
|-----------------------------|-------------|--------------|-------------|
| 2013<br>Original Assessment | \$4,692,700 | \$2,726,700  | \$7,419,400 |
| 2014<br>Original Assessment | \$4,692,700 | \$2,726,700  | \$7,419,400 |
| 2015<br>Original Assessment | \$4,692,700 | \$2,726,700  | \$7,419,400 |
| 2016<br>Original Assessment | \$4,692,700 | \$2,726,700  | \$7,419,400 |

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax by reducing the assessments as follows:

Block 141, Lot 21.01 (Street Address- 71 Outwater Lane):

| Year               | Land        | Improvements | Total       |
|--------------------|-------------|--------------|-------------|
| 2013<br>Settlement | \$4,692,700 | \$1,807,300  | \$6,500,000 |
| 2014<br>Settlement | \$4,692,700 | \$1,807,300  | \$6,500,000 |
| 2015<br>Settlement | WITHDRAWN   |              |             |
| 2016<br>Settlement | WITHDRAWN   |              |             |

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and  
 BE IT FURTHER RESOLVED, that the City Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

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

(Sgd) Joseph Delaney  
 Erin N. Delaney

BILLS AND CLAIMS

Resolution No. 17-252  
 RESOLVED by the City Council of the City of Garfield that the following bill No. 2044 to 2045 covering Dog Trust Fund, Community Policing Trust Fund totaling \$893.00 and the Current Fund totaling \$217,763.66 and the Water Fund totaling \$5,013.79 and the General Capital Fund totaling \$287,438.64 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 twelve (12) items prior to the meeting be ratified.

See  
 the  
 following

pages numbered \_\_\_\_\_  
 for Bills and Claims

ORDINANCES

Ordinance No.

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, May 30, 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:

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY ESTABLISHING A NEW CHAPTER OF THE CITY CODE REGULATING DRONES AND UNMANNED AIRCRAFT

City Clerk Pavlica read the ordinance by title.

Councilmember Calandriello 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, Nays 4,  
Absent 1 – Mayor Rigoglioso

ORDINANCE DEFEATED

Ordinance No. 2765

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, June 13, 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:

AN ORDINANCE AMENDING ORDINANCE NO. 221 FOR FURTHER INCLUSION IN CHAPTER 325 UPON CODIFICATION OF THE CODE OF THE CITY OF GARFIELD, SPECIFICALLY, ESTABLISHING ALTERNATE SIDE OF THE STREET PARKING IN THE CITY OF GARFIELD

City Clerk Pavlica read the ordinance by title.

Deputy Mayor Joseph Delaney declared a public hearing on same and asked if there were any objections.

There being none, Deputy Mayor Joseph Delaney declared the public hearing closed.

Councilmember Erin 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 Aloia duly seconded the motion.

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

CITIZENS AND TAXPAYERS

Mr. Everett Garnto, 51 Jewell Street, said “I just wanted to come up this evening, I know for the last couple of months there’s been concern about our garbage company, how horrible they are doing regarding the collection of our garbage in the City. I just wanted to let you know if you need another reason why we need to get rid of them, it happened yesterday, 10:30 in the morning. I was coming down my driveway, walking my dog, I get on the corner of Jewell and Columbus and there is a telephone pole right at that corner and I see a male with a vest – one of the workers for the garbage company, leaning, peeing on the curb. At which time, those of you who know me know, what I did, I got a hold of him. I said what are you out of your mind, there’s a WaWa right across

CITIZENS AND TAXPAYERS

the street. Why? No one's here. No one can see. I identified myself as a Police Officer. He tried to take off. I did what I could do to put him down and get Police expedited there. Moments later, he gave me a false name. There were warrants for his arrest. The people that he worked for didn't even have his right name, so this is what is in our City picking up our garbage. I just wanted to share this if you needed any other reason to get rid of this company, that's enough."

Ms. Judy Fraser, 88 Prospect Street, presented and read a four page typed paper entitled "Operation Clean Sweep", a proposal to address litter problems in Garfield.

Mr. Michael Denistran, 104 Palisade Avenue, spoke on the pledge by certain Councilmembers to establish a new park in the First Ward, perhaps at the old Heyden/Tenneco/Kalama Chemical site bounded by Monroe Street, Cambridge Avenue, Hudson Street and River Drive at the old Fire House No. Three property on Willard Street. He spoke on children playing on the property of School No. Six located at 111 Palisade Avenue.

Ms. Carol Koshig, 23 Spencer Place, spoke on garbage and the need for garbage pails in town. She spoke on cleaning litter off the train tracks. She spoke on Walmart cleaning up their litter and shopping carts. She spoke on the need to clean up and paint the Train Trestle over Passaic Street. She said that New Jersey Transit Railroad needs to be told to clean up the Train Trestle.

Mr. Anthony Erekat, 224 Division Avenue, spoke on his children, 6 and 4 years of age. He spoke on new playground equipment in Twentieth Century Field fenced off and not available yet for children. He spoke on the bad language used by adult teams who rent the softball fields in Twentieth Century Field. He spoke on litter and garbage in town. He spoke on the need to look at a shade tree at 228 Division Avenue. He spoke on a need for the erection of a sign for a "Special Needs Child" in his neighborhood. He spoke on the number of Special Needs Children in the School System.

Mr. John Easom, 103 Gaston Avenue, expressed appreciation for the erection of a speed sign in his neighborhood. He spoke on Dog signs in Twentieth Century Field and how dogs are prohibited in the park but how the ordinance should be amended to allow dogs in the park and require the picking up after your dog. He said that at a previous meeting he spoke on companies offering to citizens to insure water lines in case their water line breaks. He requested that at the end of meetings that an announcement be made when the next meeting is because there is a need for more people to come to Council meetings to talk about Garfield and how to make Garfield great. He spoke in favor of Nixle announcements to the public concerning when the City Council meetings are scheduled.

COUNCILMEMBER COMMENTS

City Manager Duch said that he did advertise on NIXLE two meetings ago and told the Police Department to announce Council Meeting dates via NIXLE and he did not follow up. He said that he did for this meeting. He spoke on announcements of when the next scheduled Council meeting is expected to be held at the end of Council meetings. He spoke on the cleanup of trash along the train tracks by the DPW. He said that Superintendent of Public Works Sam Garofalo took photographs and responded regarding cleaning the area by the train tracks. He spoke on the proposed cleanup and Redevelopment of the old Heyden/Kalama Chemical site and the site being in a Redevelopment Zone for many years. He said that the Kalama Chemical Redevelopment site was discussed at a Conference last year at Montclair State University. He said that the Conference was attended by different State and Federal representatives from eight different agencies and we talked about what can be done to allow us to develop there. He said that there are two chemical substances on the property that will be there for years to come. He said that the property owners have spent more than \$10 million on the cleanup and they are going to continue to spend money on cleanup. He said that the City does have a person who is interested in Redeveloping the property and that company is called Paragon Redevelopment and they are located on Paragon Drive in Montvale, New Jersey. He said that they are a company that specializes in the cleanup and Redevelopment of dirty properties, so the City is lucky to have them on board. He said that they politely asked that their right to develop that property be extended again for another six months. He said that they

COUNCILMEMBER COMMENTS

continue to aggressively pursue the New Jersey Department of Environmental Protection Agency for final approvals to be able to do something with it. He said that their Redevelopment Proposal is to do a commercial development on the site with some office space on the top and they would relocate all of the monitoring wells throughout the property. He said that they would be relocated within heavily treed and shrub traffic islands so that they would not be a hazard on the site and you would not be able to walk across the traffic island because the monitoring wells would be located there. He said that there is a building on the property and that building operates 24 hours a day, 7 days a week, all year long. He said that building is cleaning every day as we work, as we sleep, as we go throughout this City. He said that building is everyday treating the ground water, treating the contamination and releasing the tested water into the storm sewer system and it is a huge project. He said that it is beyond our technical understanding. He said that it was his hope that at the Montclair State hearing we would get some fantastic answer and some kind of wizardry to help get this thing done. He said that we simply have not been able to get it done because of the extent of the contamination there, so the Redevelopment Agency is very interested in working with Mr. Shavitz as soon as that clearance comes through with the DEP. He assured everyone that the City would like to move forward and there was a proposal that came in and they talked about maybe capping it and using it as a truck depot. He said that frankly, the Redevelopment Agency did not think that a Truck Depot at the entrance of the City, over the Monroe Street Bridge, would be appropriate, so the Redevelopment Agency decided that they would rather wait even though it looks terrible, they would rather wait, and see if something better comes along. He said that the problem with the City taking over ownership of one of those properties, either that one or EC Electroplating, the environmental problem could become ours and the City cannot afford it. He said that the City simply cannot afford it, so the City cannot let it happen. He said that the City needs to let the DEP and EPA take their due course, even though it takes them a long time.

Councilmember Aloia said that he concurs with Mr. Duch. He said that as part of the original Redevelopment Agency, the charter members, that is exactly what the Agency was confronted with. He said that the issue is a really big issue. He said that it looks like it is not happening, but it is happening, unfortunately, a lot slower than we would like. He said that with regard to the trash and the name of the employees, that is something that City Officials have a right to know. He said that if the City hires contractors who have employees who are not lawful participants, City Officials have a right to know what their names are. He said that if the City hires contractors who are using people who should not be in our town, the City should know and they should not be working for us. He spoke on cleanliness in town and especially in the Passaic Street area and his meetings with area business owners concerning keeping the area clean. He spoke on the efforts to keep the town clean when the Chamber of Commerce was active. He spoke on the placement of trash and recycling containers and the businesses advertising on them. He spoke on the use of slogans to promote recycling and cleanliness. He spoke on the proposal that the City acquire property at Monroe Street and Palisade Avenue. He spoke on the proposed establishment of a park on the old Fire House No. Three property between Willard Street and Grand Street. He spoke on helping handicapped children. He spoke on the proposed relocation of a Special Needs School in part of the building of the Boys and Girls Club located at 490 Midland Avenue.

Councilmember Calandriello spoke on the redevelopment of the old Kalama Chemical property. He said that this is a big thing that has been in the works for some time for twenty some odd years. He said that back when he was the Mayor, he worked with a program called Smart Growth. He said that State Senator Paul Sarlo took the lead and helped the City tremendously with Smart Growth meetings in Trenton and even having the City host a meeting in Garfield City Hall. He said that the City needs to keep the DEP moving. He said that with that property there is a responsible party and the DEP knows who contaminated it. He said that the parent company that purchased the property is cleaning it up but it is a slow process. He said that there is a need to step on the pedal and speed it up a bit because it has been so long. He said for the Redevelopment Agency turning away a proposal for a truck stop there, that would not be good for an entrance to Garfield. He spoke on Mr. Shavitz having some pretty good ideas and giving money to the City for Redevelopment. He said that the cleanup is on the radar but City Officials have to keep pressing and pressing until something good helps that whole area. He spoke in favor of a park in the First Ward perhaps on the Fire House No. Three property located on Willard Street between Cambridge Avenue and Palisade

COUNCILMEMBER COMMENTS

Avenue. He thanked Judy Fraser for her report. He said that he will do what he can to advance green initiatives. He suggested having placards made that say “We are a business that supports Clean Communities”. He spoke on the City getting a \$30,000 grant each year for the Clean Communities Program. He spoke on businesses responding in the First Ward to keep the community clean. He spoke on the request to analyze police costs relating to the Walmart Redevelopment property located at 174 Passaic Street. He spoke on the need to clean up the Train Trestle and he said he would like a City Council resolution on the floor to NJ Transit Railroad requesting the cleanup of the Train Trestle over Passaic Street. He said that he wants signs up requesting people to slow down while driving through neighborhoods. He spoke on the placement of speed bumps throughout town. He said that he is pleased to see Phase II in the works for the River Drive Park. He said that it is a shame how slow these things take but City Officials have to keep an eye focused on the prize.

Councilmember Erin Delaney said that she appreciated Mr. Garnto bringing to the Council’s attention the Solid Waste Collectors employee incident. She said that there were troubling complaints before hearing of this troubling incident, and these issues need to be addressed sooner, rather than later. She told Judy Fraser that she loved her environmental report and for her and Carol Koshig being so proactive. She said she admires the report and loves her slogan and placard idea. She spoke on the two of them partnering with the City’s “Green Team”. She spoke on how important it is to acknowledge those businesses who do their part and contribute to the City. She spoke on the proposed First Ward Park and said that there have been plans discussed for the use of old Fire House No. Three as a park. She spoke on the Riverfront Park Phase II being an initiative in the First Ward. She said that things take time and she appreciates everyone’s patience. She said that she is not sure about the status of the Jungle Gym in Twentieth Century Field. She spoke on the cleanliness of the City and of the City parks and the performance of employees in the DPW and holding them accountable. She spoke on the scheduling of adults and children programs in the park where they do not conflict. She spoke on allowing dogs in the City parks and she spoke on the proposed dog park in the First Ward off Hobart Place.

Councilmember Joseph Delaney spoke on the performance of the Solid Waste contractor. He spoke on the Clean Communities Program. He said that Judy Fraser’s report was great. He said that for someone to take the time and effort to put it together is huge. He said that no one can take the cleanliness of the town for granted. He spoke on efforts to keep the City Clean and to support environmental initiatives. He proposed establishing a Cleanliness Committee. He spoke on Phase II of the Riverfront Park in the First Ward from the Monroe Street Bridge to the Passaic Street Bridge. He spoke on Redevelopment in the City. He spoke on garbage cans throughout the City with advertising on it. He spoke on attending the School No. Ten Kindergarten Graduation ceremony today. He spoke on being at the Garfield YMCA Fun Day in the Park last week. He spoke on the need for the installation of a rubber mat surface by the playground equipment before it is opened to the public in Twentieth Century Field. He spoke on the Special Olympics PBA Torch Run held last Friday from the front of the old Police Station at 411 Midland Avenue up Midland Avenue to Market Street at the Elmwood Park and Saddle Brook border. He spoke on dogs in City parks. He said that he would rather see kids than adults using the City parks.

Councilmember Calandriello wished a Happy Father’s Day to all the Dads this coming Sunday.

ADJOURNMENT

At 9:10 PM, there being no further business, Councilmember Erin Delaney moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

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