

A Work Session of the City Council was held on Tuesday, July 25, 2017 at 6:25 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, Joseph Delaney and Richard Rigoglioso

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Christos J. Ditzkas, City Engineer Kevin J. Boswell, Superintendent of Public Works Sam Garofalo, Interim Chief Financial Officer Roy Riggiano, Police Chief Raymond Kovach and Fire Official Gerald Walis

ALCOHOLIC BEVERAGE CONTROL

The City Council and Cabinet met with Ronald Pelikan concerning the proposed Person to Person Transfer application of Plenary Retail Distribution License No. 0221-44-063-003 held by Ronald and Theresa Pelikan, t/a Hy Spirits Wine and Liquors for licensed premises located at 76 Jewell Street, to Ronald Pelikan, (228 Hillside Avenue, Saddle Brook, NJ 07662), t/a Hy Spirits Wine and Liquors for licensed premises located at 76 Jewell Street.

AWARD OF CONTRACT FOR CONSTRUCTION OF A NEW POLICE STATION

The City Council and Cabinet discussed the proposed award of contract for the construction of a new Police Station at or near 411 Midland Avenue.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The proposed Resolution concerning the maintenance bond regarding HP Garfield, for the Redevelopment Project at 950 River Drive.
2. The proposed amendments to Resolutions No. 66-267, 66-287 and 06-397 regarding the Property upon which the Boys and Girls Club building is situated at 490 Midland Avenue to allow the use of an Auxiliary School.
3. The City Council and Cabinet met with Paula Tamburo, 4 Palisade Avenue, and Robin Duda, 37 Palisade Avenue, regarding complaints about the Barber Shop on Passaic Street near Palisade Avenue. She claimed that there are illegal dwellings in the area. She spoke about proposed amendments to the Noise Ordinance and made complaints about her neighbor and the location of a tree and she had complaints about parking in the area.
4. The Wet Down for the new Fire Truck for Fire Company No. Three scheduled to be held on Saturday, August 19, 2017 at 1:00 PM behind City Hall.
5. The Fire Department Trucks in need of repairs.
6. The Fire Department BBQ scheduled to be held on September 23, 2017.
7. The outstanding sewer liens in the City of Garfield.
8. The Bergen County Mosquito Commission is scheduled to spray along River Drive in the near future.
9. The proposed demolition of old Fire House No. Four located at 125 Ray Street at the corner of Semel Avenue.
10. The letters he has received from citizens on Somerset Street and Hepworth Place concerned with the proposed First Ward Redevelopment. They do not want to have their homes taken

REPORTS OF OFFICERS

by eminent domain but they are not in the proposed Redevelopment Zone and he will send a letter advising them of same.

11. Fire Company No. Three is looking for sponsorships for their Wet Down scheduled to be held on Saturday, August 19, 2017.
12. The 100th Anniversary Committee of the City will be hosting a Street Fair on Sunday, August 6, 2017 from 10:00 AM to 6:00 PM on Midland Avenue from Elizabeth Street to Krakow Street.
13. The VFW is hosting a Country and Western Casino Night on Friday, September 8, 2017.

Councilmember Frank Calandriello spoke on the following:

1. The proposed resolutions regarding the request for the Planning Board to determine if 141 Lanza Avenue and Columbus Park are areas in need of Redevelopment.

EXIT OF DPW SUPERINTENDENT GAROFALO
AND FIRE OFFICIAL WALIS

At 7:55 PM, Department of Public Works Superintendent Sam Garofalo and Fire Official Gerald Walis left the Work Session. It was duly noted for the record.

CLOSED SESSION

Resolution No. 17-273

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 7:55 P.M. on Tuesday, July 25, 2017 to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Matters involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds; (the proposed purchase of "the Richard Skultety Property" at 649-651 River Drive).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (proposed hiring of a new Animal Control Officer; meeting with Vincent Ascolese of Bergen County Humane Enforcement).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (proposed hiring of a new Animal Control Officer; meeting with Vincent Ascolese of Bergen County Humane Enforcement; the letter from the attorney of Police Detective Everett Garnto to bring legal action against the City).
- * 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 a new Animal Control Officer; meeting with Vincent Ascolese of Bergen County Humane Enforcement; proposed appointment of Anthony Koptyra as a Police Sergeant after Jeffrey Stewart declined the promotion; the recommendation from Police Chief Raymond Kovach that the City consider hiring laid off Bergen County Police Officers; the interest expressed by Marie Barckett and Dean McCary in serving in Government; the allegation that a DPW

Work Session July 25, 2017, Continued

CLOSED SESSION

worker is on Facebook during City time; proposed salary enhancements for various City employees).

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

EXIT OF POLICE CHIEF KOVACH

At 8:25 PM, Police Chief Kovach left the Work Session during Closed Session. It was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 8:35 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 5

Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, July 25, 2017 at 8:40 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: Louis G. Aloia, Frank J. Calandriello, Erin N. Delaney, Joseph Delaney and Richard Rigoglioso

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Christos J. Ditzkas 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 5

RESOLUTIONS

Resolution No. 17-274

WHEREAS, an application has been filed for a Person to Person Transfer of Plenary Retail Distribution License No. 0221-44-063-003, from Ronald & Theresa Pelikan, t/a Hy Spirits Wine and Liquor, 76 Jewell Street to Ronald Pelikan, (228 Hillside Avenue, Saddle Brook, NJ 07662), t/a Hy Spirits Wine and Liquor, 76 Jewell Street, Garfield, NJ 07026, and

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

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

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

WHEREAS, 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 July 26, 2017, Person to Person Transfer of the aforesaid Plenary Retail Distribution License No. 0221-44-063-003, Ronald Pelikan, (228 Hillside Avenue, Saddle Brook, NJ 07662, who will own 100% of the shares of the partnership), t/a Hy Spirits Wine and Liquor, 76 Jewell Street, Garfield, NJ 07026 and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Ronald Pelikan, effective July 26, 2017",

(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 Person to Person Transfer).

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-275

WHEREAS, Fire Company No. 2 has advised that they have accepted Erick A. Roque of 159 East Clifton Avenue, Clifton, New Jersey as a regular member, effective June 6, 2017,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 2 with respect to the above matter, is hereby approved.

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

(Sgd) Erin N. Delaney
Joseph Delaney

RESOLUTIONS

Resolution No. 17-276

WHEREAS, Fire Company No. 3 has advised that they have accepted Manuel Kllomollari of 134 Pacific Avenue, Garfield, New Jersey 07026 as a regular member, effective July 10, 2017, NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-277

WHEREAS, Fire Company No. 1 has advised that they have accepted the resignation of Trevor Messina of 160 Hartmann Avenue, Garfield, New Jersey 07026 as an active member, effective May 24, 2017. NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-278

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of David Neilley of 205 Cambridge Avenue, Garfield, New Jersey 07026 as an active member, effective June 13, 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 approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-279

WHEREAS, Fire Company No. 2 advises that James Kovacs Sr. of 226 Banta Avenue, Garfield, New Jersey 07026 has served as an active member of the Garfield Fire Department for at least twenty-one years and that he is entitled to a twenty-one year badge, and WHEREAS, the records in the Office of the City Clerk indicate that he has served for a period of twenty-one years, NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 2 is hereby approved and that the proper officers are hereby authorized to issue a twenty-one year badge to the above named individual.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-280

WHEREAS, Duane L. Ingala, 104 Prospect Street, who is the holder of a Disabled Person I.D. Card No. P1819096, 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 east curb line of Prospect Street commencing 59 feet south of the intersection of Prospect Street and Semel Avenue and run an additional 20 feet south from that point. FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

RESOLUTIONS

Resolution No. 17-281

RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL REPRESENTATIVES TO THE BERGEN COUNTY COMMUNITY DEVELOPMENT REGIONAL COMMITTEE

WHEREAS, the City of Garfield has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the City Council appoint a representative and alternate and that the City Manager appoint a representative and alternate for the FY2017-2018 term starting July 1, 2017 and ending on June 30, 2018.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey hereby appoints City Manager Thomas J. Duch as its representative and Mayor Richard Rigoglioso as its alternate and that the City Manager hereby appoints Deputy Mayor Joseph Delaney as his representative and Councilmember Louis G. Aloia as his alternate to serve on the Community Development Regional Committee for FY 2017-2018; and

BE IT FURTHER RESOLVED that an original copy of this resolution be forwarded to the Bergen County Division of Community Development, One Bergen County Plaza, Fourth Floor, Hackensack, New Jersey 07601 for receipt no later than Friday, August 11, 2017.

On call of roll, Ayes 5

(Sgd) Erin N. Delaney
Louis G. Aloia

Resolution No. 17-282

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, August 24, 2017 at 10:00 AM in the Conference Room in City Hall.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-283

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, August 24, 2017 at 10:30 AM in the Conference Room in City Hall.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-284

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO YANNUZZI GROUP FOR THE DEMOLITION AND REMOVAL OF THE FORMER FIRE COMPANY NO. 4 FIREHOUSE

WHEREAS, the former Fire Company No. 4 Firehouse is located at 110 Semel Avenue, and;

WHEREAS, the former firehouse has remained abandoned for several years in a state of disrepair causing an imminent threat to the health and safety of the general public, and;

WHEREAS, the City Engineer has determined an emergency exists with regard to public safety due to the condition of the former Fire Company No. 4 Firehouse, and;

WHEREAS, request for proposals were solicited from three (3) contractors for the demolition and removal of the structure, and;

WHEREAS, proposals were obtained from two (2) contractors to demolish and remove the structure from the property and are summarized as follows:

1. Yannuzzi Group

135 Kinnelon Road, Suite 102

Kinnelon, NJ 07405

Proposal submitted July 21, 2017 at 11:08 am via email for an amount of \$47,600.00

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2. Sky Contracting, LLC.

1385 Valley Road
Wayne, NJ 07470

Proposal dated and submitted July 21, 2017 at 3:15 pm via email for an amount of \$54,450.00

WHEREAS, the City Engineer has reviewed the submitted proposals and has determined both proposals are responsive to the request for proposal;

NOW THEREFORE BE IT RESOLVED, the City of Garfield hereby awards an emergency contract to Yannuzzi Group in the amount of \$47,600.00 with the further understanding the City Engineer shall oversee the work and report to the City Manager with any recommendations for additional services which may be required to remove the existing structure.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-285

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PROVIDE PROFESSIONAL SERVICES IN CONNECTION WITH THE EVALUATION, PREPARATION OF BID DOCUMENTS, BID REVIEW AND CONSTRUCTION INSPECTION FOR THE DEMOLITION OF THE FORMER FIRE COMPANY NO. 4 FIREHOUSE

WHEREAS, the City of Garfield is desirous of demolishing the former Fire Company No. 4 Firehouse, and;

WHEREAS, the City Engineer has reviewed the structure and determined an emergent condition exists warranting the immediate removal of this structure in order to protect the health and safety of the General Public, and;

WHEREAS, the City Engineer has prepared a Request For Quotation (RFQ) specification to demolish the building on an emergency basis without the need for public bidding, and;

WHEREAS, 3 qualified contractors were contacted to submit quotes responsive to the RFQ which resulted in the receipt of two responsive quotations which will result in the award of a contract on an emergency basis to demolish this structure, and;

WHEREAS, the City will require further services from the City Engineer to oversee the demolition work and provide recommendations for payment to the contractor;

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to prepare the RFQ, conduct quote reviews, issue a recommendation of award and oversee the demolition work on a Time and Materials basis for a fee not-to-exceed \$6000.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-286

WHEREAS, bids were received on Tuesday May 31, 2017 at 2:00 PM in the second floor Council Chamber in Garfield City Hall for the Garfield Police Station Construction Project; and

WHEREAS, present at the bid opening were City Clerk Andrew J. Pavlica, City's Clerk Office Employee Mary Delahanty, Police Captain Ronald Polonkay, and Henry Ossi of DMR Architects of Hasbrouck Heights, New Jersey, and

WHEREAS, the following bids were received:

Two Brothers Contracting

11 Vreeland Avenue
Totowa, NJ 07512

Base Bid - \$7,509,000

Alternate 1 - \$ (8,000)

Alternate 2 - \$ (8,000)

Alternate 3 - \$100,000

Total - \$7,593,000

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Vanas Construction
249 Leonia Avenue
Bogota, NJ 07603
Base Bid - \$7,791,000
Alternate 1 - \$ (12,000)
Alternate 2 - \$ (13,000)
Alternate 3 - \$ 44,000
Total - \$7,810,000

Brahma Construction Corp.
58 Wallington Avenue – Suite B
Wallington, NJ 07057
Base Bid - \$7,693,000
Alternate 1 - \$ (13,395)
Alternate 2 - \$ (9,496)
Alternate 3 - \$ 146,547
Total - \$ 7,816,656

Mar- Bridge Enterprises
51 Grand Avenue
Matawan, NJ 07747
Base Bid - \$ 7,821,000
Alternate 1 - \$ (50,000)
Alternate 2 - \$ (12,600)
Alternate 3 - \$ 62,500
Total - \$ 7,821,000

ML Inc.
65 South Street
Passaic, NJ 07055
Base Bid - \$ 7,790,000
Alternate 1 - \$ (11,000)
Alternate 2 - \$ (8,000)
Alternate 3 - \$ 140,000
Total - \$ 7,911,000

GL Group
140 Hamburg Turnpike
Bloomingdale, NJ 07403
Base Bid - \$ 7,976,000
Alternate 1 - \$ (11,200)
Alternate 2 - \$ (8, 295)
Alternate 3 - \$ 90,000
Total - \$ 8,045,000

UniMak, LLC
82 Midland Avenue – Suite D
Saddle Brook, NJ 07663
Base Bid - \$ 7,948,000
Alternate 1 - \$ (5,000)
Alternate 2 - \$ (11,000)
Alternate 3 - \$ 168,000
Total - \$ 8,100,000

Bismark Construction group
207-209 Berkeley Avenue
Newark, NJ 07107
Base Bid - \$ 7,963,000

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Alternate 1 - \$ (13,200)
Alternate 2 - \$ (13,800)
Alternate 3 - \$ 179,500
Total - \$ 8,115,500

Belmont Construction
240 West Passaic Street
Maywood, NJ 07607
Base Bid - \$ 8,300,000
Alternate 1 - \$ (20,000)
Alternate 2 - \$ (15,000)
Alternate 3 - \$ 170,000
Total - \$ 8,435,000

WHEREAS, City Engineer Kevin Boswell and Pradeep Kapoor of DMR Architects have reviewed the Bids and recommended that the City Council award the Bid to the lowest responsible Bidder; and,

WHEREAS, Two Brothers Contracting has submitted the lowest responsible Bid in the amount of seven million five hundred and ninety three thousand dollars (\$7,593,000.00); and,

WHEREAS, the Open Public Contract Law requires the award of the Bid to the lowest responsible Bidder, Two Brothers Contracting having an address of 11 Vreeland Avenue, Totowa, NJ 07512; and,

WHEREAS, the Interim Chief Financial Officer, Roy Riggitano, has certified to the existence of sufficient funds in the appropriate accounts for this expenditure.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a contract is hereby awarded for the Construction of a New Police Station to Two Brothers Contracting for a total contract amount of seven million five hundred and ninety three thousand dollars (\$7,593,000.00).

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to forward a true and correct certified copy of this resolution to all bidders, City Manager Thomas J. Duch, Interim Chief Financial Officer Roy Riggitano, City Engineer Kevin Boswell, Pradeep Kapoor and Henry Ossi of DMR Architects, City Attorney Christos J. Diktas and Police Chief Raymond Kovach.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-287

WHEREAS, the United States Department of Justice, Office of Community Oriented Policing Services (COPS) has grant funding available to hire up to three (3) police officers in the City of Garfield through the FY 2017 COPS Hiring Program (CHP); and

WHEREAS, the City of Garfield desires to protect and further the public interest by obtaining grant funding to hire up to three (3) additional police officers to fill vacancies and replace retiring police officers; and

WHEREAS, the CHP grant will pay \$125,000 of the salaries, fringe and benefits for each of the three (3) newly hired police over a period of three (3) years, the total grant funding shall be \$375,000 and the City of Garfield shall be responsible for the balance additional money required to fund the positions; and

WHEREAS, the CHP requires the City of Garfield to retain all police officers hired pursuant to the CHP grant for a minimum of one (1) additional year after the expiration of the three years of grant funding; and

WHEREAS, if the City of Garfield does not file a FY 2017 COPS Hiring Program application it may be ineligible for the next round of grant funding; and

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

WHEREAS, authorization of this application is in the best interest of the City of Garfield:

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NOW THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF GARFIELD that it hereby authorizes the submission of an application for a United States Department of Justice, Division of Community Oriented Policing Services 2017 Hiring Program grant application in the amount of \$375,000;

BE IT FURTHER RESOLVED that upon receipt of the grant agreement from the United States Department of Justice, the signature of the Mayor and/or any other municipal official and Chief of Police, or their successors in said titles, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.

BE IT FURTHER RESOLVED that upon receipt of the fully executed grant agreement from the United States Department of Justice, the expenditure of funds is hereby authorized pursuant to the terms of the agreement between the City of Garfield and the United States Department of Justice.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-288

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY TO EXAMINE WHETHER THE PROPERTY KNOWN AS BLOCK 119.04, LOT 1, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the "City") has identified certain properties, consisting of properties located on Block 119.04, Lot 1, as delineated on the tax map attached hereto and made part of this resolution (the "Property"), to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of a given municipality to undertake a preliminary study to determine whether the Property meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the City desires that the Planning Board undertake an examination as to whether the Property, may be deemed "an area in need of redevelopment"; and

WHEREAS, the City hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area"); and

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield being the governing body thereof, that the City Planning Board is hereby directed and authorized to examine whether the lands comprising Block 119.04 Lot 1, as shown on the official tax map of the City of Garfield, should be determined "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6.

BE IT FURTHER RESOLVED THAT the City hereby states that any Non-Condensation Redevelopment Area determination shall not authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain.

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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On call of roll, Ayes 3, Nays 2 -
Councilmembers Aloia and Calandriello

(Sgd) Erin N. Delaney
Joseph Delaney

Resolution No. 17-289

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY TO EXAMINE WHETHER THE PROPERTY KNOWN AS BLOCK 203.01, LOT 50.01, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the "City") has identified certain properties, consisting of properties located on Block 203.01, Lot 50.01, as delineated on the tax map attached hereto and made part of this resolution (the "Property"), to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of a given municipality to undertake a preliminary study to determine whether the Property meets the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the City desires that the Planning Board undertake an examination as to whether the Property, may be deemed "an area in need of redevelopment"; and

WHEREAS, the City hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, including the use of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area"); and

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Condemnation Redevelopment Area determination shall authorize the municipality to exercise the power of eminent domain to acquire the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield being the governing body thereof, that the City Planning Board is hereby directed and authorized to examine whether the lands comprising Block 203.01, Lot 50.01, as shown on the official tax map of the City of Garfield, should be determined "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6.

BE IT FURTHER RESOLVED THAT the City hereby states that any Condemnation Redevelopment Area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, including the use of eminent domain.

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Condemnation Redevelopment Area determination shall authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

On call of roll, Ayes 5

(Sgd) Erin N. Delaney
Joseph Delaney

Resolution No. 17-290

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

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

WHEREAS, the City and the Redeveloper amended and restated the Redevelopment Agreement on August 14, 2016 by way of the "Second Amendment and Restatement of the Redevelopment Agreement;"

RESOLUTIONS

WHEREAS, the City and the Redeveloper amended and restated the Redevelopment Agreement on December 6, 2016 by way of the “Third Amendment and Restatement of the Redevelopment Agreement;”

WHEREAS, the Redevelopment Agreement, as amended and restated, requires the Redeveloper to provide a two (2) year Maintenance Bond for certain improvements made with a penal sum to be established by the City Engineer as a condition precedent to the issuance of a certificate of occupancy;

WHEREAS, the Redeveloper wishes to assign the responsibility of furnishing the Maintenance Bond to the contractor that performed the work, which is also the same contractor that furnished the performance bond for the project;

WHEREAS, the City Engineer has established that the penal sum for the Maintenance Bond should be \$25,000.00;

WHEREAS, the Redeveloper paid \$25,000.00 to be held in escrow pending the production of a maintenance bond acceptable to the City or two (2) years elapsed from the date of the Certificate(s) of Occupancy, whichever came first;

WHEREAS, the Redeveloper has produced a two (2) year Maintenance Bond with a penal sum of \$25,000.00; however, it identifies of the Redeveloper’s primary contractor for the Project, Daibes Brothers, Inc. as the Principal;

WHEREAS, the City has issued Certificates of Occupancy for the project;

WHEREAS, the Redeveloper has agreed to assign and Daibes Brothers, Inc. has agreed to assume, the Redeveloper’s obligation to maintain the project and issue a two (2) Year Maintenance Bond as required by the Redevelopment Agreement;

WHEREAS, the Redeveloper has asked the City to consent to and authorize the assignment and assumption of its eminence and bond obligations as set forth in Section 9.1(m) of the Redevelopment Agreement, as amended and restated;

WHEREAS, the Redeveloper has executed an assignment and assumption agreement with Daibes Brothers, Inc., a true and correct copy of which is annexed hereto as Exhibit A;

WHEREAS, the Redeveloper has asked the City to accept the maintenance bond discussed herein and attached hereto as Exhibit B; and

WHEREAS, the City Manager and Special Litigation Counsel to the City have reviewed the assignment and assumption agreement, the maintenance bond and recommend that the Mayor and Council accept them.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the City Council hereby approves the form of the Maintenance Bond attached hereto as Exhibit B;

BE IT FURTHER RESOLVED, that the City accepts and consents to the Redeveloper assigning only those obligations contained in Section 9.1(m) of the Redevelopment Agreement, as amended and Restated, to Daibes Brothers, Inc. and Daibes Brothers, Inc. assumes those obligations as set forth in the Assignment of Obligation To Maintain Improvements as set forth in Exhibit A;

BE IT FURTHER RESOLVED, that the City’s Special Litigation Counsel is hereby authorized to release the \$25,000.00 currently being held in escrow in his trust account to the Redeveloper;

BE IT FURTHER RESOLVED, that the City Manager, Thomas Duch, be and is hereby authorized to execute any document to effectuate the purpose of this Resolution;

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

On call of roll, Ayes 5

(Sgd) Erin N. Delaney
Louis G. Aloia

Resolution No. 17-291

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, The Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

RESOLUTIONS

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all the members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, Such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, All members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, That the governing body of the City of Garfield, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-292

WHEREAS the Receiver of Sewer reports that she has received a request from the following property owner for a refund due to building code change 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 Sewer for the purpose of noting her records and for mailing to the property owner.

SEWER ACCT #	OWNER	REASON	AMOUNT
1-1-208	Passaic Valley Water	O/P SEWER	\$173.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-293

A Resolution Authorizing Change Order #2 & Final in Connection With 20th Century Field Improvements Project, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to Dakota Excavating Contractors, Inc. and;
WHEREAS, Change Order #2 & Final is necessary in order to adjust as-built quantities within the project limits for project closeout.

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED, Change Order #2 & Final for a reduction in the contract amount of \$38,214.35 is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-294

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, funds have been received from Saso Blazeovski 81 Hartmann Ave, Garfield, New Jersey 07026 Block 146/Lot 41 in the amount of \$207.50 for Engineering Fees and \$75.00 for Attorney fees since 10/7/15 for a total amount of \$282.50 and said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-295

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, funds have been received from Mina Farag 240 Midland Ave, Garfield, New Jersey 07026 Block 58/Lot 12 in the amount of \$0.00 for Engineering Fees and \$75.00 for Attorney fees since 11/23/16 for a total amount of \$75.00 and said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-296

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, funds have been received from 248 Semel Ave LLC 250 Semel Ave, Garfield, New Jersey 07026 Block 166.02/Lot 10 in the amount of \$172.50 for Engineering Fees and \$75.00 for Attorney fees since 12/7/16 for a total amount of \$247.50 and said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-297

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, funds have been received from Stanislaw Serafin 247 Lanza Ave, Garfield, New Jersey 07026 Block 203.04/Lot 131 in the amount of \$0.00 for Engineering Fees and \$75.00 for Attorney fees since 12/27/16 for a total amount of \$75.00 and said funds are being held in the Developer's Escrow Fund, and

RESOLUTIONS

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

On call of roll, Ayes 5 (Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-298
WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, funds have been received from Trise Youssef 376 River Drive, Garfield, New Jersey 07026 Block 72.01/Lot 12 in the amount of \$0.00 for Engineering Fees and \$8.00 for Attorney fees since 5/3/16 for a total amount of \$8.00 and said funds are being held in the Developer’s Escrow Fund, and
WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

On call of roll, Ayes 5 (Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-299
WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, funds have been received from Alan Mruvka/218 Parking Lot Realty 218 River Drive, Garfield, New Jersey 07026 Block 27/Lot 8 in the amount of \$0.00 for Engineering Fees and \$52.00 for Attorney fees since 11/7/16 for a total amount of \$52.00 and said funds are being held in the Developer’s Escrow Fund, and
WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

On call of roll, Ayes 5 (Sgd) Louis G. Aloia
Erin N. Delaney

Resolution No. 17-300

See

the

following

numbered pages _____

for

Capital

Budget

Amendment

RESOLUTIONS

Resolution No. 17-301

WHEREAS, Robert Cochrane, residing at 72 Manner Avenue, has requested to be appointed as a constable, and he has met the requirements of C.200, laws of 1971 (NJSA 40A:9-120 et. seq.) and he has been recommended for appointment by City Manager Thomas Duch,
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Robert Cochrane, residing at 72 Manner Avenue, Garfield, New Jersey is hereby appointed a constable for the year 2017.

On call of roll, Ayes 3, Nays 2 -
Councilmember Aloia and Calandriello

(Sgd) Erin N. Delaney
Joseph Delaney

BILLS AND CLAIMS

Resolution No. 17-302

RESOLVED by the City Council of the City of Garfield that the following bill No. 2048 to 2050 covering Dedicated Penalty Trust Fire Department and Dog Trust Fund, totaling \$4049.20 and the Current Fund Reserve totaling \$10,045.00 and the Current Fund totaling \$3,477,146.42 and the Water Fund totaling \$92,996.15 and the General Capital Fund totaling \$161,916.06 and the Water Capital Fund totaling \$3,675.00 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 (50) items prior to the meeting be ratified.

See

the

following

pages numbered _____

For

Bills

and

Claims

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$1,535,000 FOR THE DEMOLITION OF THE EXISTING POLICE STATION AND THE CONSRUCTION ON SUCH SITE OF A NEW POLICE STATION IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: “BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$1,535,000 FOR THE DEMOLITION OF THE EXISTING POLICE STATION AND THE CONSRUCTION ON SUCH SITE OF A NEW POLICE STATION IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held August 8, 2017 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Erin Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5.

CITIZENS AND TAXPAYERS

Ms. Doreen Velardi, a resident of Wayne, New Jersey, said that she has been with the School District for 29 years and was the Principal of School No. 5 and now is the Principal of the Garfield Auxiliary School. She introduced the students and parents, teachers and staff of the Auxiliary School. She said that she is here to ask and tell the Council that because the School does not have the housing for the School in Clifton anymore, the Superintendent of Schools has asked for temporary housing of the School at the Boys and Girls Club located at 490 Midland Avenue for ten months. She said that the School is very, very important because the students at the school are very successful because of the staff. She said that she wanted to assure the Council that if permission is granted to use the Boys and Club that the transition will be very smooth.

Ms. Helena Rivera, 228 Division Avenue, spoke positively on how the School helped her daughter. She spoke on how her daughter had issues. She spoke on how her daughter graduated high school early and went on to college. She spoke in favor of the Auxiliary School and how they should allow the School to be located at the Boys and Girls Club for ten months.

Ms. Tana Raymond, 93 Spring Street, spoke on how the Council has an obligation to the children of this town to seek information from the proper authorities, if the City Council lacked sufficient information to make a decision tonight. She said that time is of the essence. She said that she was disappointed to hear that this matter was postponed to gather information. She complimented Mayor Rigoglioso’s recommendation of Ms. Annie Sciacca to the Redevelopment Agency. She said that she heard that the Fire Works display were great and that she watched them from her house. She said that the end of the Fire Works was ridiculous and too loud. She said that her neighbors complained about the grand finale of the City fireworks. She said that in the Spring Street area, the residents have been lighting fireworks every night. She complimented the appointment of Chris O’Reilly as the new Recreation Director. She said that she is getting calls

CITIZENS AND TAXPAYERS

about people complaining about cats. She spoke favorably on Lisa De Laurentis being the City Animal Control Officer. She said that the Garfield Animal Rescue Foundation works very well with her and that she operates a non-kill shelter. She said that she does not want to see the City go with another Animal Control Officer. She spoke on how very hard the members of the Garfield Animal Rescue Foundation work. She said that she really urges the City Manager to meet with Lisa De Laurentis so that they can continue their work.

Ms. Anna Sciacca, 261 Gaston Avenue, said that she is the Principal of the Garfield Middle School and the President of the Garfield Boys and Girls Club Board of Directors. She said that she wants to address the Auxiliary School and she said that she is quite surprised that the City Council is not trusting in the Boys and Girls Club Board of Directors. She said that she wants to address the Auxiliary School and she said that she is quite surprised that the City Council is not trusting in the Boys and Girls Club Board of Directors. She said that she understands, that the Boys and Girls Club building sits on City-owned property and she understands the Council's sense of responsibility and their interest to know exactly what is going on. She said that she also wants to speak on behalf of the Board of Directors that when this came to them it was very seriously taken. She said that the Board addressed this by getting a lot of information and forged an agreement in which the Club is protected. She said that that has all been worked out – the number of students, the maximum number of students, the insurance liability, various other issues, the security that would be there, all of this has been addressed and it has been passed by the Boys and Girls Club and she said that this was not an easy task. She said that she is very proud of that because it was not an easy undertaking because their first responsibility is to protect the Club, the interest of the Club and the Building itself that is entrusted to them. She said that that was their first priority and through it all, they came up with an agreement that they feel comfortable enough with so that they can house their students and graciously offer the Club the one year period and make sure that these students have a home. She said that the mission of the Garfield Boys and Girls Club is to serve the students and to serve kids and it is to serve the neediest kids and be a welcoming place for kids to come and to learn and not only play sports – it is much more than that. She said that the Board did open their doors to the Auxiliary School very vigilantly and not something that was done in one meeting and not something where Board Members said “sure, here is what you want”. She said that they did examine everything and did put kids first. She said that when the Council makes its decision, the Boys and Girls Club have thoroughly examined and feel comfortable with the agreement that they have. She said that it has to go through Attorney review again but they were waiting for the Council vote before they went any further with it.

A student of the Auxiliary School, who resides at 164 Belmont Avenue, spoke on how she progressed and how she plans to go to college and how the Auxiliary School brought out her full potential and helped her with her social skills and life skills.

Ms. Wanda Lowney, 141 Banta Avenue, spoke on how Lisa De Laurentis is perhaps being asked to leave as an animal control officer for the City of Garfield. She spoke on how the Garfield Animal Rescue Foundation works very closely with her. She questioned if she is being asked to step down and be replaced. She said that if Lisa De Laurentis is being considered to be replaced as the City Animal Control Officer, she wants to know why. She spoke on the services that Lisa De Laurentis provides to the City. She asked the Council to confer with the Garfield Animal Rescue Foundation for information of the Animal Control Officer.

Ms. Arlene Patire, 184 Midland Avenue, spoke on being the Truant Officer for the School System. She spoke in favor of the Auxiliary School being located in the Garfield Boys and Girls Club Building. She asked the City Council members to keep an open mind.

Ms. Lisa Powell Lane, 28 Prescott Avenue, spoke on her children being involved in the School System and her son being enrolled in the Auxiliary School for credit recovery. She spoke on how her son almost took his own life until he started to shine in the Auxiliary School program.

Ms. Jessica Oteri, 4 Passaic Street, spoke in favor of the Auxiliary School and spoke on her daughter being in the Auxiliary School. She asked everyone to have an open mind.

Regular Meeting July 25, 2017, Continued

CITIZENS AND TAXPAYERS

Mr. Thomas Maccarone, a resident of Wood Ridge, spoke on being a staff member at the Auxiliary School and on the benefits of the Auxiliary School.

Mr. Jesus Rodriguez, 149 Midland Avenue, complained about the trucks from the Solid Waste Transfer Station located at 19-35 Atlantic Street, making illegal turns onto Midland Avenue. He complained about the odor from the Transfer Station. He claimed that the Transfer Station is washing trucks and he complained about a clogged storm drain in the area.

Ms. Genevieve Anastos, 78 Dewitt Street, complained about a sidewalk in an area where an outside contractor which was hired by the County was dumping heavy stones in the area and the trucks broke up the sidewalk. She said that four slabs of concrete and part of a driveway need to be repaired in the area of 80 DeWitt Street near Oak Street and Fleisher's Brook. She asked for a street light over the foot bridge that crossed over Fleisher's Brook and she suggested the installation of solar panels that power a light. She said that teenagers hang on the foot bridge drinking and smoking marijuana and a light would discourage them from loitering there. She proposed the placement of baby swings in the Lizette Street playground. She complained about illegal apartments in her neighborhood.

Ms. Carol Koshig, 23 Spencer Place, brought a bag of garbage she said she picked up in her neighborhood. She said that she wanted a garbage pail by Most Holy Name Roman Catholic Church. She complained that there is no "doggie park" yet off Hobart Place and Marsellus Place. She complained that the train trestle over Passaic Street has not been painted yet. She said that the Walmart at 174 Passaic Street is the source of litter. She said that shopping carts are left in the neighborhood from the Walmart store. She complained that her street has not been paved.

Ms. Amy DeVito said that she lives in Cedar Grove and is an Art Teacher in the Auxiliary School. She spoke in favor of the Auxiliary School.

Ms. Joelle O'Brien, 512 Mac Arthur Avenue, and Ms. Pam Piro, 498 Mac Arthur Avenue, asked for speed bumps on Mac Arthur Avenue.

Mr. Michael Denistran, 104 Palisade Avenue, spoke in opposition of the Babe Ruth Field and Columbus Park being taken for Redevelopment.

Mr. Robert Kramer, 463 Palisade Avenue, said that open space embraces property values, not detract from it. He spoke on how he uses the Babe Ruth Field in Columbus Park at the intersection of Outwater Lane and Midland Avenue.

Mr. Jesus Rodriguez, 149 Midland Avenue, complained on how he was just "interrogated" by the Police Chief and the Superintendent of Public Works concerning his remarks at this meeting about the solid waste transfer station located at 19-35 Atlantic Street.

Mr. Sean Delahanty, 15 Spring Street, said that he is the current President of the Garfield Little League and that he wanted to thank the Governing Body for all their assistance when the League had some issues. He said that they were all straightened out and he is proud to say that the Little League is heading in the right direction. He thanked City Manager Duch who came out to see the condition of the Little League Building off of Spring Street and for addressing the issues. He thanked City Engineer Boswell for helping with the Batting Cages. He thanked the Department of Public Works who are second to none, and Superintendent of Public Works Garofalo, his staff, John Lord, and the rest of his men who do an outstanding job and they took care of the Little League. He thanked everybody for their help.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that he is not against garbage pails, he is against people who do not use garbage pails. He said there are garbage pails and recycling stations all over town. He said to put out ten more garbage pails and not educate people and get them involved and feel the community is

COUNCILMEMBER COMMENTS

theirs, does not mean that they will use them. He said that he is in favor of doing something on Passaic Street with the multiple dwellings where they have to manage their garbage better. He said that the City put all those garbage pails on Passaic Street and they put in pizza boxes and made them useless. He said that if the Transfer Station is washing trucks that is definitely a violation. He said that to Principal Velardi: he commends her for her outstanding work as an educator, but all these issues are School Board issues. He said that he has been in contact with School Board members and the matter has never been discussed at the Board of Education Meetings. He questioned how many meetings she has attended since April when the City Council told School Officials to rethink their approach to using the Garfield Boys and Girls Club. He said that the matter was brought up months ago when the City Council discussed cuts in the defeated School Budget. He said that Superintendent of Schools Nicholas Perrapato said that the School System gives the Boys and Girls Club use of a room, so now the Garfield Boys and Girls Club has to reciprocate. He said that the City Council has nothing in writing from the School Board and that nothing was ever discussed at a School Board meeting as of today. He said that he requested from Boys and Girls Club Executive Director Shane Sudol copies of the minutes of Boys and Girls Club meeting held June 28, 2017 to learn what is going on and he was told that he will not receive them until September when they are approved and that is way too late. He said that he asked Mr. Sudol about Certificates of Occupancy, certificates of insurance, the Fire Code, Health issues, the YMCA, and he could not provide answers. He asked him for a copy of the agreement and Mr. Sudol said that it was not written down yet. He said that he thinks that there are options. He suggested giving the Boys and Girls Club seventy mainstreamed students and that frees up students to put the Auxiliary Students in the School System. He said that School Officials and interested parties and the Mayor and Council should have sat down three months ago to discuss this. He questioned if anyone had contacted the Garfield YMCA which leases space at the Garfield Boys and Girls Club building because they do not seem to be aware of the details of the agreement.

Councilmember Calandriello said that in regard to Redevelopment, there are a lot of things to finish up such as the Kalama Chemical site at Monroe Street and River Drive where there are 4.3 acres and has been in the works for a long, long time. He said that it is probably one of the most contaminated properties in the City. He said that there is already a Developer that has been designated. He said that there is where the City's efforts have to be. He said that City Officials have gone down to the State Capital, Trenton, in the past and spoken to the people at the Department of Environmental Protection, where ever it has to be done. He said that to take a ball field and to Redevelop it, that is not what he is about. He said that he would never take a field from kids. He said that perhaps the City can make it better, market it better, schedule it better, but he is not about taking a field, and he never will and will fight to the end. He spoke on the thirty acres at Central Bergen Properties at 141 Lanza Avenue and he said that it is a lot of property. He said that Redevelopment is not about getting something done quickly, it is about getting it done properly, because it is going to be there for years. He said that he asks the members of the Redevelopment Agency to get it done right. He said that as for the Boys and Girls Club and everything that is going on, what is disappointing is, the urgency is there, but he questioned where is the Superintendent of Schools and the School Business Administrator. He said that the City spends more than \$100,000,000 a year educating Garfield students, and the School System cannot afford any more the \$500,000 a year rental to house the Auxiliary School in a building in Clifton. He said that there is a lot of due diligence which needs to be done and that the School Officials should be bringing the information to the City Council. He said that the urgency is on them, but they are not reacting. He said that he also serves on the Board of Directors for the Garfield Boys and Girls Club. He said that he received so many opinions from the Boys and Girls Club of America and have taken those opinions very seriously. He said that he attended the Garfield Boys and Girls Club meeting but to preserve his right as a Councilmember, he left the meeting before the discussion even started. He said that he is hoping that everyone else who was in conflict took the opinion seriously because it said that anyone who has ties to the Garfield Board of Education should not vote and should not participate. He said that at the last meeting there were some things that were said and that he and Deputy Mayor Joseph Delaney got into a bit of a disagreement. He said that he wants to present facts and the facts are there was a Recreation Director hired for \$62,500. He said that the Recreation Director happens to be the cousin and the nephew of two councilmembers. He said that

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granted, City Manager Duch does do the interview and he did make a statement that he feels the best qualified person did not get the job. He said that, however, all the Councilmembers were presented with full, extensive resumes. He said that he can read resumes and he can see qualifications. He said that there was someone with thirteen years experience in Recreation, someone who lived in town, someone who went to school for Recreation and earned a degree. He said that that were the facts. He said that what was not true, is that Mr. Delaney alleges that he has a grudge against him and his daughter. He said that that he ran two elections campaigning with Deputy Mayor Delaney. He said that Mr. Delaney said that he voted against him on the Green Team. He said that Resolution No. 17-153 shows that Mr. Calandriello voted for Mr. Delaney putting him on the Green Team. He said that Mr. Delaney's daughter was on that Resolution along with his wife. He said that if he held such a grudge, he would not support a resolution of that nature. He said that Mr. Delaney said that Mr. Calandriello was responsible for not having an office in City Hall. He said that for years, the office has always been extended to the Mayor. He said that he does oppose the creation of an office for Deputy Mayor Delaney but he is only one vote. He said that if one vote can keep Deputy Mayor Delaney from having an office, he needs to speak to his peers to find out what is the reason. He said that it is not his one vote, it is not his one position. He said that what really makes him upset is that Deputy Mayor Delaney spoke on the Council speaking on a raise for a family member of his. He said that he does not have any family members on the payroll. He said that what he may have done is deflect from the facts of what is really being done in that Mr. Duch does the hiring but he also answers to the City Council of which two of one family are on. He said that he has no family members on the payroll and that he challenges the naming of that family member or he deserves an apology. He said that what has been done, is that he has tried to defame his name and try to cover up what is really going on in this town. He said that for the record, he does not have any family on the payroll.

Councilmember Erin Delaney said that she for one is not going to hire anyone based on who they are related to or hire anyone based on who they are related to. She said that she can guarantee that her cousin is fully qualified. She said that this is who the people at the Recreation Center wanted for this position. She said that everyone on this Council thinks that City Manager Tom Duch is fully capable of his position because when everyone was sworn in on the Council on January 1st, he was reappointed as City Manager and that this was the recommendation from him to hire Christopher O'Reilly, her cousin at \$62,500. She said that she is all about transparency and she is not ashamed to say that she said that as far as whatever her Dad and Councilmember Calandriello have begrudgedly, she does not know and cannot speak to that but she does not recall Mr. Calandriello's signature on the Resolution for her Planning Board appointment. She said that if she is wrong, she will offer him an apology, but she does not recall his signature on that resolution. She said that when it comes to defaming names, she does not want to go back to campaign literature that was put out during elections when her Dad ran, and she said that her Dad has been running since she was born and to grow up in the town, seeing these things being said about your Father, it is an embarrassment and is very hurtful and she is hurt by it to this day. She said that not only literature, but other things in regard to her Dad's occupation and that it is a shame that it is all being resurfaced. She said that in regard to the Auxiliary School, she has seen and heard comments about the Council's decision to table this vote and she can assure everyone that it is not a stalling tactic. She said that she is all about transparency and she does not feel comfortable voting on something that she has no information about nor should anyone on any other elected body. She said that as Mr. Calandriello and Mr. Aloia have said, the City Council really does not have the information that should be had to make this decision. She said that most of the information she has seen was because of the parents that were here tonight, on the Garfield Parents Website, and that to her, is shameful, or the article that was published in the newspaper. She said that she was told that the Garfield Boys and Girls Club Board of Directors were diligent in gathering information, but she questioned why the City Council was not privy to this information as well. She said that there is hope that a meeting is set up before the next City Council meeting on August 8th. She said that it is absurd to her that the City Officials are the ones taking the initiative to set a fact-finding meeting, rather than the Board of Education. She said that as far as City Officials going down the block on Outwater Lane to the Board of Education Office, that is unrealistic. She said that City Officials have experienced these problems with the Board of Education with the Budget questions, where information is asked for, and information is not provided and the same situation is being

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experienced now. She said that it is a shame. She said do not put the shame on City Officials because she is open-minded. She said that she has been a substitute teacher in the Auxiliary School, she said that she has watched those kids at the Recreation Center, she has baby-sat those kids, tutored those kids and she will be open-minded, but she cannot be open-minded, if she does not have the information. She said that she applauds all those students who have graduated early. She said she commends those students here today fighting for the cause that they believe in. She said in regard to the people who spoke on Animal Control, the State has sent letters indicating that Garfield is not in compliance and that is her main concern in addition to complaints that she has seen, heard and witnessed about the current situation. She said that she is in agreement about not engaging the services of the Bergen County Animal Shelter again because she knows it was a “kill-shelter” and she is an animal lover and her animals are “rescues” but after receiving this letter from the State, it was her duty as a Councilwoman to explore options. She said that by no means is she trying to euthanize cats. She said that in regard to garbage pails, she said that the Green Team had their first meeting July 14th, and there were individuals from the Health Department, people came to the meetings and did give them a proposal. She said that someone from the DPW was present talking about options to address the cleanliness of the City. She said that one of the projects she proposed was to complete a mapping project within the City to create a running list to identify gaps in our community and hopefully address the cleanliness issue. She said that the Resolution concerning a possible Redevelopment of Columbus Park was to explore options and that does not mean a park or field will not be considered, it is to see what is possible for the City. She said that in regard to a promise for parkland in the First Ward, Phase Two for the Riverfront Park is in the works and the old Fire House No. Three property at 58 Willard Street is being considered.

Councilmember Joseph Delaney said that parks are being considered for the First Ward and the City received grant money for the River Drive Park and there is a desire to create another park, so the City Council is keeping its promise to consider parkland in the First Ward. He spoke on the Babe Ruth Field in Columbus Park and said that baseball is a dying sport in this country right now and he loves baseball, but more people are playing soccer and there are other options. He said that that field is not being used. He said that the Board of Education has his vote and support for the Auxiliary School being there at the Garfield Boys and Girls Club. He said that he has a problem with not getting information. He said that that location is one of the bus stops where the kids are dropped off there every single day. He said that the Board of Education should be coming to them to provide information. He said that he does not know how this School will affect the operation of the YMCA who runs the pool at the Garfield Boys and Girls Club. He said that a Christian Heritage School used to be there. He said that the Board of Education should be told to call the City Council to set up a meeting. He said that he admires the faculty, the parents and the students who came to the Council Meeting tonight. He said that in regard to the Animal Control Officer the City has been getting complaints. He said that the Garfield Animal Rescue Foundation has to work with the Animal Control Officer to make things better. He said that there is nothing wrong with making something better. He spoke on the City’s Redevelopment. He said that in regard to comments about his nephew, he has worked for the City for twelve years. He said that never once did Councilmember Calandriello complain about him. He said that he did a great job. He said that Councilmember Calandriello asked for Christopher O’Reilly’s letter as Recreation Director, but no one else. He said that the City has hired about seven people in the past month, and Councilmember Calandriello has asked for a copy of only one appointment letter. He said that he does not know if this is harassment but he said that Councilmember Calandriello has been sued a few times and Deputy Mayor Delaney said that he is watching out for the City. He asked that the Councilmember not get sued again for harassment. He said that City Manager Tom Duch recommended him and no other Councilmember objected except Councilmember Calandriello. He spoke on his request for a Councilmember’s Office on the first floor of City Hall, so Councilmembers could meet with people at City Hall. He said that it is not something for him, it is something for the people of Garfield to come and talk to the elected officials of the City of Garfield. He thanked City Manager Duch for speaking out and asking for a moment of silent reflection on the passing of former City Historian Liz Gray and former Garfield Mayor Vincent Rigolosi.

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Mayor Rigoglioso said that the City Council is just looking into the possible Redevelopment of the ball field in Columbus Park. He said that Garfield is the poorest town in all of Bergen County. He said that out of over 500 towns in the State of New Jersey, Garfield is number 472 in regard to wealth. He said that if this is what the people want, the City Council will not ask questions on how to make the City better. He said that the City has to move forward and if the City has to lose a ball field to make the town better, so be it, and if the City does not have to lose a ball field, the City will ask for something else. He said that the City Council will try to make the town better. He said that he has four years here and if it is the last four years that he has anything to do with politics, he is going to make sure, he makes a change one way or another. He said that there is a need to change the culture of Garfield. He said that the City Council is just looking into things. He said that in regard to the Auxiliary School, the School deserves a better reputation. He said that in the last two years, there are some good kids there, hardworking kids, who get better one-on-one attention and the School gets a bad reputation and it is not right. He said that the Council needs more facts and the Council is not to blame.

ADJOURNMENT

At 11:05 PM, there being no further business, Councilmember Joseph Delaney moved to adjourn the meeting. Councilmember Erin Delaney duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK