

A Work Session of the City Council was held on Monday, November 13, 2017 at 5:55 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, Labor Council John Lavin and City Engineer Kevin J. Boswell

NEW JERSEY ANIMAL CONTROL AND RESCUE

The City Council and Cabinet met with Geoffrey Santini of New Jersey Animal Control and Rescue, 15C Hillside Place, Lodi, New Jersey 07644 concerning proposed Animal Control and Rescue Services.

PROPOSED AMENDMENTS TO THE CITY TOWING ORDINANCE

The City Council and Cabinet discussed proposed amendments to the City Towing Ordinance.

PROPOSED AMENDMENTS TO THE MOBILE FOOD HANDLERS ORDINANCE

The City Council and Cabinet discussed proposed amendments to the Mobile Food Handlers Ordinance.

ARRIVAL OF SUPERINTENDENT OF PUBLIC WORKS GAROFALO AND BOND COUNSEL ROGUT

At 6:15 PM, Superintendent of Public Works Sam Garofalo and Bond Counsel Steven Rogut joined the Work Session. It was duly noted for the record.

PROPOSED BOND SALE

The City Council and Cabinet met with City Bond Counsel Steven Rogut concerning the proposed Resolution authorizing a City Bond Sale.

REPORTS OF OFFICERS

City Engineer Kevin J. Boswell reported on the following:

1. The letter he received dated November 1, 2017 from the New Jersey Division of Water Supply and Geoscience to regulate BFOA's probably at a standard of 14 parts per trillion for Well 1A and Well 8C. He spoke on the efforts to address non regulated contaminants with a permanent system at Well 1A and in the Elmwood Park Well Field.

CLOSED SESSION

Resolution No. 17-376

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

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a "Closed Session" is hereby called at 7:45 P.M. on Monday, November 13, 2017 to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (DPW employee David Gonzalez vs City settlement; DPW employee Christopher Pagan vs City settlement; Police Detective Everett Garnto vs the City proposed settlement).

CLOSED SESSION

- * 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 DPW 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) Frank J. Calandriello
Louis G. Aloia

EXIT OF CITY ENGINEER BOSWELL

At 8:00 PM, City Engineer Kevin J. Boswell left the Work Session during Closed Session and it was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 8:15 PM, there being no further business, Councilmember Joseph Delaney moved to adjourn the Work Session. Councilmember Erin Delaney duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Monday, November 13, 2017 at 8:20 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 and City Attorney Christos J. Ditkas

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. Councilmember Erin Delaney duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 17-377

Council Member Frank Calandriello introduced and moved the adoption of the following resolution and Council Member Richard Rigoglioso seconded the motion:

RESOLUTION OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, PRESCRIBING THE DETAILS AND BOND FORM FOR \$5,415,000 GENERAL IMPROVEMENT REFUNDING BONDS (SERIES 2017) AND \$975,000 WATER UTILITY REFUNDING BONDS (SERIES 2017), EACH ISSUE DATED DECEMBER 5, 2017, AUTHORIZING THE ACCEPTANCE OF AN OFFER TO PURCHASE SAID BONDS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the bond ordinances hereinafter described have been duly adopted and it is necessary to provide for the issuance of the refunding bonds authorized by such bond ordinances; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Garfield, in the County of Bergen, New Jersey (the "City"), as follows:

Section 1. There shall be issued at this time \$6,390,000 of the refunding bonds, consisting of \$5,415,000 General Improvement Refunding Bonds (Series 2017) and \$975,000 Water Utility Refunding Bonds (Series 2017) (individually, the "General Improvement Refunding Bonds (Series 2017)" or the "Water Utility Refunding Bonds (Series 2017)", respectively; collectively, the "Bonds"), authorized pursuant to Bond Ordinance No. 2764 adopted by the City Council of the City on May 16, 2017, as amended by Bond Ordinance No. 2770 adopted by the City Council of the City on September 26, 2017 (collectively, the "Bond Ordinances"). The Bonds are being issued to refund \$6,635,000 aggregate principal amount of the City's outstanding bonds dated March 1, 2008 consisting of (A) \$5,632,000 of General Improvement Bonds maturing from 2019 to 2024 (the "General Improvement Bonds") and (B) \$1,003,000 of Water Utility Bonds maturing from 2019 to 2028 (the "Water Utility Bonds", and together with the General Improvement Bonds; the "Refunded Bonds"). The proceeds of the Bonds will be used (Y) to redeem the Refunded Bonds on March 1, 2018 at the redemption price of 100% of the principal amount thereof, plus accrued interest to the redemption date, and (Z) to pay the costs of issuance of the Bonds. The City Council hereby specifically and irrevocably elects to redeem the Refunded Bonds on March 1, 2018 at a redemption price of 100% of the principal amount thereof, plus accrued interest to the date of redemption.

Section 2. (A) The General Improvement Refunding Bonds (Series 2017) shall be issued as a single issue of bonds, aggregating \$5,415,000 and consisting of an issue of bonds in the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of their maturity. Said issue shall be payable in annual installments on March 1 in each year, and shall bear interest at the rates per annum, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2018	\$ 70,000	3.00%	2022	\$900,000	4.00%
2019	860,000	3.00	2023	900,000	4.00
2020	880,000	4.00	2024	905,000	4.00
2021	900,000	4.00			

RESOLUTIONS

Said issue shall be designated "General Improvement Refunding Bonds (Series 2017)". The indebtedness evidenced by each General Improvement Refunding Bond (Series 2017) shall be deemed to have been incurred for the purpose described in the Bond Ordinances and in this resolution.

(B) The Water Utility Refunding Bonds (Series 2017) shall be issued as a single issue of bonds, aggregating \$975,000 and consisting of an issue of bonds in the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of their maturity. Said issue shall be payable in annual installments on March 1 in each year, and shall bear interest at the rates per annum, as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2018	\$10,000	3.00%	2023	\$ 70,000	4.00%
2019	75,000	3.00	2024	70,000	4.00
2020	75,000	4.00	2025	120,000	4.00
2021	75,000	4.00	2028	410,000	3.00
2022	70,000	4.00			

Said issue shall be designated "Water Utility Refunding Bonds (Series 2017)". The indebtedness evidenced by each Water Utility Refunding Bond (Series 2017) shall be deemed to have been incurred for the purpose described in the Bond Ordinances and in this resolution.

Section 3. All of the Bonds shall be dated December 5, 2017, and shall bear interest from their date until their respective maturities at the rates per annum set forth in Section 2 of this resolution. Such interest shall be payable on each March 1 and September 1, commencing March 1, 2018 (each, an "Interest Payment Date"), in each year until maturity or prior redemption. The Bonds shall not be subject to optional redemption prior to their stated maturities.

Section 4. The Water Utility Refunding Bonds (Series 2017) maturing on March 1, 2028 are subject to mandatory sinking fund redemption prior to maturity on March 1 in the years shown below, at 100% of the principal amount thereof plus accrued interest to the date of redemption, from sinking fund payments in the amounts set forth below:

<u>Year</u>	<u>Principal Amount</u>
2026	\$120,000
2027	145,000
2028*	145,000

*Final Maturity

The Bonds to be redeemed from sinking fund payments shall be selected by lot by the Bond Registrar/Paying Agent (as hereinafter defined); provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Section 5. Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.

RESOLUTIONS

Section 6. The Bonds will be issued in fully registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity of each issue will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to the rules and procedures established by DTC. Interest on the Bonds will be payable at the times stated in Section 3 of this resolution, and principal of the Bonds will be paid annually on March 1 as set forth in the maturity schedules hereinbefore stated, in immediately available funds to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Interest will be payable to owners of Bonds shown on the records of DTC as of the fifteenth day of the month preceding the month in which such Interest Payment Date occurs. The City will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds, or (b) the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City fails to identify another qualified securities depository to replace DTC, the City will authenticate and deliver replacement bonds in the form of fully registered certificates.

The principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 7. All of the Bonds shall be signed by the Mayor by manual or facsimile signature and by the Interim Chief Financial Officer by manual or facsimile signature, the corporate seal of the City shall be imprinted, affixed or reproduced thereon, and such seal shall be attested by the City Clerk or Deputy City Clerk by manual or facsimile signature. The Bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 8. Each of the Bonds shall be issued in substantially the following form:

[Form of Bond]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-__ \$_____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF BERGEN
CITY OF GARFIELD
[GENERAL IMPROVEMENT] [WATER UTILITY] REFUNDING BOND
(SERIES 2017)

INTEREST
RATE PER
ANNUM MATURITY DATE DATED DATE CUSIP
_____% MARCH 1, 20__ DECEMBER 5, 2017 365856__

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: -----DOLLARS

RESOLUTIONS

The City of Garfield, a municipal corporation of the State of New Jersey, located in the County of Bergen (hereinafter referred to as the "City"), for value received, hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it shall mature at the INTEREST RATE PER ANNUM specified above, payable on each March 1 and September 1, commencing March 1, 2018 (each, an "Interest Payment Date"), of each year until maturity [or prior redemption]. This Bond is not subject to [optional] redemption prior to its stated maturity. The principal hereof is payable at the office of the Chief Financial Officer, City Hall, 111 Outwater Lane, Garfield, New Jersey 07026 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the fifteenth day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination, interest rate and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to a refunding bond ordinance adopted by the City Council of the City on May 16, 2017 (Ord. No. 2764, as amended by Ord. No. 2770 adopted on September 26, 2017) and a resolution adopted by the City Council of the City on November 13, 2017.

[The Bonds maturing on March 1, 2028 are subject to mandatory sinking fund redemption prior to maturity on March 1 in the years shown below, at 100% of the principal amount thereof plus accrued interest to the date of redemption, from sinking fund payments in the amounts set forth below:

Year	Principal Amount
2026	\$120,000
2027	145,000
2028*	145,000

*Final Maturity

The Bonds to be redeemed from sinking fund payments shall be selected by lot by the Bond Registrar/Paying Agent; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, the Bond Registrar/Paying Agent shall treat each Bond as representing that number of Bonds that is obtained by dividing the principal amount of such Bond by \$5,000.

Notice of redemption shall be given by first class mail in a sealed envelope with postage prepaid to the registered owners of the Bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Bond Registrar/ Paying Agent at least thirty (30) but not more than sixty (60) days before the date fixed for redemption. Such mailing is not a condition precedent to redemption, and the failure to mail or to receive any redemption notice will not affect the validity of the redemption proceedings. If any Bond subject to redemption is a part of a greater principal amount of the Bonds not to be redeemed, such entire amount shall be surrendered to the Bond Registrar/ Paying Agent and, for that portion of the Bond not to be redeemed, a new Bond shall be issued in the name of the registered owner in an amount equal to the principal amount of the Bond surrendered less the amount to be redeemed.]

The Bond Registrar/Paying Agent shall keep at its office the books of the City for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the hereinabove mentioned resolution upon the surrender hereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bond or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

RESOLUTIONS

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution or statutes of said State.

The full faith and credit of the City are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the City has caused this Bond to be signed by its Mayor by manual or facsimile signature and by its Interim Chief Financial Officer by manual or facsimile signature and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its City Clerk by manual or facsimile signature, and this Bond to be dated December 5, 2017.

[SEAL]

(manual or facsimile signature)
Mayor

ATTEST:

(manual or facsimile signature)
City Clerk

(manual or facsimile signature)
Interim Chief Financial Officer

AUTHENTICATION DATE: DECEMBER 5, 2017
CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds described in the within-mentioned resolution, and is one of the [General Improvement] [Water Utility] Refunding Bonds (Series 2017) dated December 5, 2017 of the City of Garfield, in the County of Bergen, State of New Jersey.

Interim Chief Financial Officer,
as Bond Registrar/Paying Agent

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____, the within Bond, and irrevocably appoints _____, attorney-in-fact, to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without any alteration whatsoever.

Signature Guaranteed:
[End of Form of Bond]

Section 9. Bonds may, upon surrender thereof at the office of the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

RESOLUTIONS

The transfer of any Bond may be registered only upon the registration books of the City upon the surrender thereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar/Paying Agent shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be canceled by the Bond Registrar/Paying Agent. The City or the Bond Registrar/Paying Agent may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including interest thereon, to the extent of the sum or sums so paid.

The City shall appoint such registrars, transfer agents, depositories or other agents and make such other arrangements as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to the then commercial standards for the timely payment of principal and interest with respect to the Bonds. The Interim Chief Financial Officer is hereby appointed registrar and paying agent for the Bonds (the "Bond Registrar/Paying Agent") subject to the right of the City Council to appoint another Bond Registrar/Paying Agent, and, as such, shall keep at the City Hall, 111 Outwater Lane, Garfield, New Jersey 07026, the books of the City for the registration, registration of transfer, exchange and payment of the Bonds.

Section 10. The Mayor, the Interim Chief Financial Officer and the City Clerk are hereby authorized and directed to cause the Bonds to be prepared and to execute and deliver the Bonds upon payment of the purchase price therefor.

Section 11. The Bond Purchase Contract dated November 13, 2017 (the "Bond Purchase Contract") by and between the City and Raymond James & Associates, Inc., New York, New York, as underwriter (the "Underwriter"), in substantially the form submitted to the City, is hereby approved. The Bonds shall be sold and delivered to the Underwriter in the manner, at the purchase price and upon the terms and conditions set forth in the Bond Purchase Contract. The sale of the Bonds at private sale at such purchase price is hereby determined to be in the best interests of the City.

Section 12. The preparation of and distribution to potential purchasers of the Bonds of the Preliminary Official Statement dated November 6, 2017 (the "Preliminary Official Statement") is hereby ratified and approved. The execution of a certificate by the Interim Chief Financial Officer stating that the Preliminary Official Statement is "deemed final", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12") is hereby ratified and approved. The City Council hereby states that the Preliminary Official Statement is "deemed final", as of its date, within the meaning of Rule 15c2-12.

Section 14. The execution of the Official Statement by the Interim Chief Financial Officer on behalf of the City, the distribution of same to the Underwriter and the Underwriter's subsequent distribution of the Official Statement to purchasers or prospective purchasers of the Bonds are hereby authorized.

Section 15. The Escrow Deposit Agreement to be dated December 5, 2017 (the "Escrow Deposit Agreement") by and between the City and The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, as escrow agent with respect to the Refunded Bonds, in substantially the form submitted to the City, is hereby approved.

RESOLUTIONS

Section 16. The City hereby agrees to undertake for the benefit of the Bondholders and the beneficial owners of the Bonds to provide certain secondary market disclosure information pursuant to Rule 15c2-12 to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format, as prescribed by the MSRB. Specifically, the City will do the following for the benefit of the holders of the Bonds and the beneficial owners thereof:

- (A) Not later than seven months after the end of the City's fiscal year (presently December 31), commencing with the report for the fiscal year ending December 31, 2017, provide or cause to be provided annual financial information with respect to the City consisting of (i) audited financial statements (or unaudited financial statements if audited financial statements are not then available by the date of filing, which audited financial statements will be delivered when and if available) of the City and (ii) certain financial information and operating data consisting of (a) information concerning the City's debt, overlapping indebtedness, tax rate, levy and collection data, property valuation and fund balance of the type contained under the headings "Budget Information", "Financial Information" and "Debt Information" in Appendix A of the Official Statement and (b) the City's most recent adopted budget. The audited financial statements will be prepared in accordance with mandated State statutory accounting principles, as in effect from time to time. Audited financial statements if not available by the filing date will be submitted separately when available.
- (B) Provide or cause to be provided in a timely manner not in excess of ten business days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds:
 - (1) Principal or interest payment delinquencies;
 - (2) Non-payment related defaults, if material;
 - (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
 - (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
 - (5) Substitution of credit or liquidity providers, or their failure to perform;
 - (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
 - (7) Modifications to the rights of Bondholders, if material;
 - (8) Bond calls, if material, and tender offers;
 - (9) Defeasances;
 - (10) Release, substitution or sale of property which secures the repayment of the Bonds, if material;
 - (11) Rating changes;
 - (12) Bankruptcy, insolvency, receivership or similar event of the City (the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the City in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City);
 - (13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
 - (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material.

RESOLUTIONS

(C) Provide or cause to be provided, in a timely manner, notice of a failure of the City to provide required annual financial information on or before the date specified above.

Section 17. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

Section 18. If the City fails to comply with the undertaking described above, any holder of the Bonds or beneficial owner thereof may pursue an action for specific performance to enforce the rights of all holders of the Bonds and beneficial owners thereof with respect to such undertaking; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds or in any liability by the City for monetary damages. All actions shall be instituted, had and maintained in the manner provided in this Section for the benefit of all holders of the Bonds and beneficial owners thereof.

Section 19. The City reserves the right to terminate its obligation to provide annual financial information and notice of material events, as set forth above, if and when the City no longer remains an "obligated person" with respect to the Bonds within the meaning of Rule 15c2-12.

Section 20. The undertaking may be amended by the City from time to time, without the consent of the holders of the Bonds or the beneficial owners thereof, in order to make modifications required in connection with a change in legal requirements, a change in law or a change in the identity, nature, type of operation or status of the City, which in the opinion of nationally recognized bond counsel complies with Rule 15c2-12 and does not, in such bond counsel's opinion, materially impair the interest of the holders of the Bonds and the beneficial owners thereof.

Section 21. The City Council hereby covenants on behalf of the City, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the City (including the Bonds) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code").

Section 22. The City hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. It is hereby determined and stated that (1) the Bonds are not "private activity bonds" as defined in the Code and (2) the City and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2017. The City will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the City does not covenant to do so, and expressly states that a covenant is not made hereby.

Section 23. The Mayor is hereby authorized to execute the Bond Purchase Contract and the Escrow Deposit Agreement, in substantially the forms thereof presented to the City, with such changes, variations, omissions and insertions as the Mayor shall approve. The execution thereof by the Mayor shall constitute conclusive evidence of such approval. The Mayor, the Interim Chief Financial Officer and the City Clerk are hereby authorized and directed to execute and deliver such other documents and to take such other action as they determine to be necessary or appropriate in order to effectuate the issuance and sale of the Bonds and the refunding of the Refunded Bonds, including, without limitation, the execution and delivery of all closing documents and certificates and any agreements concerning the investment of funds to be used to redeem the Refunded Bonds.

Section 24. The Interim Chief Financial Officer is hereby authorized and directed to deliver the Bonds to the Underwriter upon receipt of the purchase price therefor.

Section 25. It is hereby determined and stated that the Bonds are being issued in accordance with the conditions set forth in N.J.S.A. 40A:2-51(c) and N.J.A.C. 5:30-2.5, which permit the issuance of refunding bonds without the prior approval of the Local Finance Board, in the Division of Local Government Services, in the New Jersey Department of Community Affairs (the "Local Finance Board"). The Interim Chief Financial Officer is hereby authorized to file a certificate with the Local Finance Board after the issuance of the Bonds stating that such conditions have been met and including financial information concerning the refunding and a certified copy of this resolution.

Section 26. This resolution shall take effect immediately upon its adoption.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Erin N. Delaney

RESOLUTIONS

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Grayson Tejada of 255 Harrison Street, Passaic, New Jersey as an active member, effective November 6, 2017.

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

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Frank J. Calandriello

Resolution No. 17-379

A Resolution Authorizing Environmental Waste Management Associates, LLC (EWMA) and AWT Environmental Services, Inc. (AWT) to Install, Maintain and Sample One Monitoring Well in the City's Right-of-Way Within The City of Garfield, Bergen County, New Jersey.

WHEREAS, EWMA is conducting an environmental investigation on behalf of former Howil Corp., 39 Atlantic Street, in accordance with the NJDEP Technical Requirements for Site Remediation and the Administrative Requirements for the Remediation of Contaminated Sites. The investigation is being completed with the oversight of a Licensed Site Remediation Professional (LSRP), and;

WHEREAS, AWT, the installing contractor for EWMA, has requested a resolution from the City for the installation of one (1) monitoring well in a letter to the City Engineer, dated October 10, 2017, and;

WHEREAS, to monitor offsite, down gradient groundwater the location of the monitoring well will be in the City's right-of-way at 45 Commerce Street, and;

WHEREAS, delineation of offsite soil and groundwater is required by the New Jersey Department of Environmental Protection (NJDEP) and the Licensed Site Remediation Professional (LSRP).

The results of the proposed monitoring well point and soil boring investigation will determine the extent of and monitor and existing groundwater and soil contamination plume, and;

WHEREAS, to evaluate offsite down gradient groundwater, EWMA proposes to install one (1) monitoring well within the City of Garfield sidewalks/right-of-ways (i.e., driveway apron between sidewalk and street) as depicted on the attached figure. The monitoring well and installation will consist of the following: obtaining a utility mark-out prior to field work activities, hand clearing the proposed location to confirm the absence of underground utilities, drilling one (1) four (4)-inch diameter boring to approximately 25 feet, and installing (2)-inch diameter PVC well with slotted screen. A track mount drill rig and vac-tron vehicle will be utilized for drilling work. Monitoring well will be sampled on a semi-annual basis.

NOW THEREFORE BE IT RESOLVED, that Environmental Waste Management Associates, LLC and its installing contractor AWT Environmental Services, Inc. are hereby authorized to install one (1) permanent monitoring well within the City's property subject to the following conditions:

1. Environmental Waste Management Associates, LLC and AWT Environmental Services, Inc. shall hold the City harmless from any actions concerning their operation and all appropriate permits are secured.
2. Copies of all test results shall be forwarded to the City Clerk at the time this information is also transmitted to the NJDEP.
3. At the conclusion of this operation and upon approval of the NJDEP to close this well, all appropriate closure operations shall occur.
4. Environmental Waste Management Associates, LLC shall be responsible for the maintenance of this monitoring well until it is properly sealed and abandoned pursuant to NJDEP criteria.
5. Environmental Waste Management Associates, LLC and its subcontractors will take extra care to minimize any potential disturbance during monitoring well installation activities and will restore the disturbed areas to the satisfaction of the DPW Superintendent.
6. Environmental Waste Management Associates, LLC and/or AWT Environmental Services, Inc. will coordinate traffic control through the Garfield Police Department and Garfield DPW.

RESOLUTIONS

7. All proposed work will be conducted at no cost to the City of Garfield.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-380

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PROVIDE DESIGN, PERMITTING AND CONSTRUCTION INSPECTION SERVICES IN CONNECTION WITH THE INSTALLATION OF TEMPORARY AND PERMANENT TREATMENT SYSTEMS FOR WELL 8C

WHEREAS, the City owns and operates Well 8C as a public water supply, and;

WHEREAS, 8C was voluntarily shut down by the City in response to an exceedance of the 12 month running average for contaminants, and;

WHEREAS, the NJDEP recognizes both temporary and permanent treatment systems as a means to remove contaminants to operate public water supply wells in full compliance with public drinking water standards, and;

WHEREAS, the City Engineer has recommended a temporary treatment system be designed, permitted and implemented on an expedited basis until a permanent system can be brought online, and;

WHEREAS, the NJDEP has pending drinking water standards for PFOAs and PFNAs which are currently unregulated, and;

WHEREAS, the recommended Granular Activated Carbon (GAC) treatment systems can effectively treat both currently regulated contaminants as well as PFOAs and PFNAs.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to design, coordinate the permitting and provide construction inspection services for both temporary and permanent treatment systems to reactivate Well 8C for a fee not to exceed \$40,000.00.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-381

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 RUC Holdings, LLC, Stasia Hegybeli 416 VanBussum Ave, Garfield, New Jersey 07026 Block 208.06/Lot 34 in the amount of \$0.00 for Engineering Fees and \$7.50 for Attorney fees since 8/29/17 for a total amount of \$7.50 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) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-382

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 21 Scudder Street LLC, 21 Scudder Street, Garfield, New Jersey 07026 Block 165/Lot 9 in the amount of \$195.00 for Engineering Fees and \$41.25 for Attorney fees since 7/26/17 for a total amount of \$236.25 and said funds are being held in the Developer's Escrow Fund, and

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

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

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

RESOLUTIONS

Resolution No. 17-383

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 Luftim Allio, 285 Malcolm Ave, Garfield, New Jersey 07026 Block 126/Lot 5 in the amount of \$854.85 for Engineering Fees and \$108.75 for Attorney fees since 7/25/17 for a total amount of \$963.60 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) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-384

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 Arkady Smolyanski & Pavlina Veskov, 228 Outwater Lane, Garfield, New Jersey 07026 Block 127/Lot 3 in the amount of \$1087.50 for Engineering Fees and \$142.50 for Attorney fees since 8/29/17 for a total amount of \$1230.00 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) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-385

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 Jorge Branco, Branco Real Estate LLC 26 Irving Place, Garfield, New Jersey 07026 Block 92/Lot 10 in the amount of \$0.00 for Engineering Fees and \$7.50 for Attorney fees since 8/23/17 for a total amount of \$7.50 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) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-386

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 20 Realty LLC, 20 Passaic Street, Garfield, New Jersey 07026 Block 9/Lot 2 in the amount of \$40.00 for Engineering Fees and \$420.00 for Attorney fees since 4/27/17 for a total amount of \$460.00 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) Frank J. Calandriello
Louis G. Aloia

RESOLUTIONS

Resolution No. 17-387

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 ABS Properties LLC, c/o Shokabir Shaturun 42 Garfield Ave, Garfield, New Jersey 07026 Block 41/Lot 37 in the amount of \$0.00 for Engineering Fees and \$7.50 for Attorney fees since 7/26/17 for a total amount of \$7.50 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) Joseph Delaney
Frank J. Calandriello

Resolution No. 17-388

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover an Street Opening Bond for the period of one year and, WHEREAS, a deposit has been received from 22 Irving Place LLC , for 22 Irving Place, Block 92 Lot 12 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on August 18, 2016 said funds are being held in the Trust Other Fund, and WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual; NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 5 (Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-389

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for Veteran Deduction Allowed on the Property for the year 2017. NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
53	11	Birbano, Marcell	O/P	\$ 250.00

On call of roll, Ayes 5 (Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 17-390

RESOLVED by the City Council of the City of Garfield that the Chief Financial Officer shall and is hereby authorized to make the following transfers as per instructions from the Chief Financial Officer:

Account Name	Account Number	Transfer From	Transfer To
City Manager S/W	7-01-20-100-100-011		20,000.00
City Manager O/E	7-01-20-100-100-063		10,000.00
Mayor & Council S/W	7-01-20-110-110-010		3,000.00
Audit Services	7-01-20-135-135-000		5,000.00
Engineering Services S/W	7-01-20-165-165-000		1.00
Zoning Board S/W	7-01-21-185-185-010		1.00
UCC Enforcement/Bld Dept	7-01-22-195-195-063		25,000.00
Housing Inspection O/E	7-01-22-200-200-063		25,000.00
Employees Group Insurance	7-01-23-225-225-001		60,000.00
Police – Traffic Division	7-01-25-242-242-000		2,000.00

RESOLUTIONS

Office of Emergency Mgmt	7-01-25-252-252-010		1.00
EMT/Contractual Exps.	7-01-25-261-261-000		3,000.00
Building & Grounds S/W	7-01-26-210-210-011		10,000.00
Recreation S/W	7-01-28-370-370-011		110,000.00
ADP Payroll Services	7-01-30-412-412-000		15,000.00
Street Lighting	7-01-31-435-435-280		15,000.00
Social Security	7-01-36-472-472-000		15,000.00
Police & Fire Pension	7-01-36-475-475-000		30,000.00
Municipal Court S/W	7-01-43-490-490-011		75,000.00
Bond Interest	7-01-45-930-000-000		5,000.00
Principal & Int/GSPT	7-01-45-937-000-000		26,888.21
NJ Fire Safety Loan (Generators)	7-01-45-938-000-000		110.00
Principal & Int/GRN Trust	7-01-45-936-000-000	26,888.21	
City Clerk O/E	7-01-20-120-120-063	10,000.00	
Finance Administration	7-01-20-130-130-011	30,000.00	
Revenue Administration	7-01-20-145-145-063	15,000.00	
Planning Board O/E	7-01-21-180-180-063	14,000.00	
Other Insurance Premiums	7-01-23-210-210-000	34,000.00	
Police Department S/W	7-01-25-240-240-010	30,000.00	
Volunteer Fire Company	7-01-25-255-255-063	60,113.00	
Department of Public Works	7-01-26-290-290-063	35,000.00	
Solid Waste Collection	7-01-26-305-305-000	50,000.00	
Public Health Services	7-01-27-330-330-011	60,000.00	
Passaic Valley Sewer Comm	7-01-31-455-455-000	90,000.00	
		<u>455,001.21</u>	<u>455,001.21</u>

On call of roll, Ayes 5

(Sgd) Erin N. Delaney
Joseph Delaney

Resolution No. 17-391

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 Wednesday, November 22, 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 Antonino Randazzo and Stephanie Kuka, 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 Antonino Randazzo and Stephanie Kuka, 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 5

(Sgd) Joseph Delaney
Frank J. Calandriello

Resolution No. 17-392

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE SETTLEMENT AGREEMENT BETWEEN THE CITY OF GARFIELD AND DET. EVERETT GARNTO

WHEREAS, the City of Garfield employs Everett Garnto as Police Officer, (hereafter referred to as "Det. Garnto"); and

RESOLUTIONS

WHEREAS, Det. Everett Garnto, according to the City’s worker’s compensation insurance carrier, sustained a work incurred injury on or about May 12, 2015; and
WHEREAS, Det. Everett Garnto was out of work from May 10, 2015 of through June 4, 2017 and received his full salary during that time; and
WHEREAS, in or about April of 2017, the City advised Det. Garnto that he had been out of work for more than the one (1) year afforded by the collective bargaining agreement between the City and the Policemen’s Benevolent Association, Local 46, Inc. of the City of Garfield (“PBA”), that he had been improperly overpaid his full salary for that time, that the City would recoup the overpayment by deducting from his accrued sick days and that, going forward, he would only receive his worker’s compensation benefits; and
WHEREAS, Det. Garnto disagreed with the City as the City had not previously notified him that it intended to enforce the applicable provision in the collective bargaining agreement; and
WHEREAS, Det. Garnto retained counsel and submitted a claim seeking the return of his accrued sick days and has threatened additional legal action; and
WHEREAS, the City and Det. Garnto disagree with respect to their respective rights and obligations thereunder; and
WHEREAS, the City, and Det. Garnto seek to resolve Det. Garnto’s claim for the return of his sick days amicably and without the need for litigation subject to and based upon the terms contained in this Settlement Agreement (the “Agreement”);
WHEREAS, the City wishes to avoid the expense, exposure and distraction terms of protracted employment litigation with Det. Garnto and obtain closure and a release of any and all claims that Det. Garnto may have to date that arise from his employment by the City; and
WHEREAS, in accordance with the discussion of the terms and conditions set forth in the Settlement Agreement annexed hereto as Exhibit A, as made known to and approved by the Mayor and Council of the City of Garfield, it is necessary to approve and execute an agreement to formalize the resolution of the claims asserted by Det. Garnto;
NOW, THEREFORE, BE IT RESOLVED, that the recitals set forth above shall be incorporated into and become an integral part of this RESOLUTION, and be it further;
RESOLVED, that the City Manager, Thomas J. Duch, be and is hereby authorized to execute the agreement annexed hereto as Exhibit A, or one in substantially the same form in order to formalize the settlement between the City and Det. Garnto upon his satisfaction of all conditions precedent as set forth in the Settlement Agreement, and effectuate the terms of settlement in Det. Garnto’s personnel and official records of the City, subject to the approval as to form by counsel to the City of Garfield.

On call of roll, Ayes 3, Abstain 2 -
Councilmembers Calandriello and Rigoglioso

(Sgd) Louis G. Aloia
Erin N. Delaney

BILLS AND CLAIMS

Resolution No. 17-393

RESOLVED by the City Council of the City of Garfield that the following bill No. 2071 to 2072 covering Dog Trust Fund and Police ICE Trust Fund totaling \$11,619.75 and the Current Fund totaling \$1,282,326.53 and the Water Fund totaling \$79,982.34 and the General Capital Fund totaling \$2,815,590.70 and the Water Capital Fund totaling \$2,625.00 and Trust Other totaling \$2,500.00 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 forty (40) items prior to the meeting be ratified.

See

the
following numbered pages _____

for Bills And Claims

CITIZENS AND TAXPAYERS

Ms. Carol Koshig, 23 Spencer Place spoke on a newspaper article calling the people of Garfield “white trash” which she said offended her. She asked what was done to clean up the town since the last Council meeting. She spoke on the lack of water in the street sweeper. She spoke on the need for garbage pails around town. She complained about the condition of the Hobart Place Playground.

Mr. Reginald Buggs, 315 Mac Arthur Avenue, spoke on a proposed Ordinance regulating Mobile Food Trucks. He spoke on the people of Garfield being called “white trash”.

Mr. Emil Sudol, 412 Van Luen Terrace, Saddle Brook, spoke on the Pancake Breakfast for Fire Company No. Four scheduled to be held Sunday, November 19, 2017.

Mr. Ty Mc Cullough, 130 Gaston Avenue, spoke on the proposed ordinance regulating Mobile Food Trucks.

Ms. Judy Fraser, 88 Prospect Street, spoke on the condition of the New Jersey Transit Railroad Train trestle over Passaic Street.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that he knows Garfield is a good place to live. He spoke on the need for water in the street sweeper. He spoke on the efforts to amend the Mobile Food Handlers Ordinance. He spoke on the need for the Mayor and City Council to communicate via resolution to New Jersey Transit Railroad concerning the need to repair and paint the deplorable looking train trestle over Passaic Street and over River Drive. He spoke on people being so filthy and for the taxpayers having to pay to clean up the mess that other people leave behind.

Councilmember Calandriello spoke on the process for getting action on complaints by citizens. He said that Councilmembers want the same things that the citizens want. He said that he read the newspaper article that people are complaining about and he was appalled by the article. He said that Garfield is not perfect, but Garfield is not how it was described in the article. He spoke on all the assets that Garfield has. He said that Garfield has so much to offer. He said that he is greatly, greatly offended by the newspaper article. He spoke on the proposed Redevelopment of the First Ward in the Passaic Street area. He spoke on establishing a Garfield Pride week or a Garfield Pride month. He spoke on the Pancake Breakfast which is coming up this coming Sunday being held by Fire Company No. Four which he said is a great deal and you get your money’s worth. He spoke in favor of Planning Board Meeting transcripts being posted on the City website. He explained why he voted the way he did at the last meeting regarding the New Jersey State League of Municipalities Conference in Atlantic City on the City’s dime. He spoke on his record voting on City Budgets. He said that the taped September meetings of the City Council were not on the City website. He spoke on his desire for the August and July and June meetings to be broadcast on cable television. He said that in no way has he ever criticized the Garfield High School students who record the City Council meetings.

Councilmember Erin Delaney spoke on garbage not being picked up on Election Day which was a Holiday. She spoke on complaints by people getting tickets regarding the placement of their garbage at the curb too early. She spoke on the Green Team and the DPW employee compiling a GIS mapping system of trash bins around town to visually identify where there are garbage cans and areas that need trash bins. She said that the City Council wants to do due diligence with regard to amending the Food Truck ordinance. She spoke in regard to efforts to get New Jersey Transit Railroad to address the Train Trestle over Passaic Street and she said that an email had gone out on November 2nd indicating that Superintendent of Public Works Sam Garofalo had contacted New Jersey Transit Railroad and they replied that they do not install lighting at their bridges and that the painting contract for the bridge is in procurement and has been advertised and the bridge is on the list to be painted, however, they cannot commit to an exact date. She said that the email also indicated that the bridge has been inspected by the New Jersey Transit Structures Department and deemed safe. She spoke on having a 9-5 job and spoke on working for a non-profit and getting sent to conferences and training for professional development on the company’s dollar. She said that

COUNCILMEMBER COMMENTS

she believes that is essential for professional growth. She said that she is driving to the League of Municipalities Conference on her own dime and taking off from her full-time job to go to the League Conference. She said that in essence, it kind of is costing her money but she feels that she is new and has a lot to learn from things like this and she is not ashamed to say so. She said that the Junior Boilermakers Football Organization Mighty Mites are in the Super Bowl and the Juniors as well. She spoke on the November 27th City Hall Christmas Tree Lighting ceremony and the December 1st City Centennial Gala at the Venetian Restaurant located on River Drive and she wished everyone to have Happy Thanksgiving.

Deputy Mayor Joseph Delaney spoke on the attempts to amend the Mobile Food Handlers ordinance. He spoke on the cleanliness of the City. He spoke on things being posted on Social Media. He spoke on complaints from people getting tickets for putting garbage out too early. He said that every single day he finds something good about the City of Garfield. He spoke on the benefits of attending the New Jersey State League of Municipalities Conference and establishing relationships, networking, attending classes and learning how to obtain grants. He said that participating in the League of Municipalities Conference is a great benefit to the City and that is why he takes off from work. He spoke on Congressman Bill Pascrell and United States Senator Cory Booker coming to the Garfield VFW recently to speak about issues affecting Women Veterans. He spoke on Veterans Day remembrance ceremonies held in Garfield. He said that at the next Council Meeting which will be held November 28th the City Council will recognize businesses and individuals just to say thank you just for being a special part of the City. He said that there are a lot of good people in town. He said that Thanksgiving will be held before the next Council meeting and he always felt that Thanksgiving is the best holiday of the year. He said that we all have a lot to be grateful for.

Mayor Rigoglioso spoke on the condition of the train trestle over Passaic Street and the need to address it. He spoke on responding to an article posted by someone on Facebook talking about Garfield having an image of having a lot of "white trash" in town. He spoke on it being an image he wants to clean up. He said that he is passionate about this town and has a lot of pride in this town and he has been here all his life. He spoke on being new on the City Council and on the good works he and Councilmember Erin Delaney do support of the community by the Garfield YMCA, Garfield Boys and Girls Club and the Recreation Center. He said he ran for office because he was tired and very upset hearing criticism about his home town. He spoke on battling that criticism and name-calling. He said that he replied to the writer of the article and he cannot get any response. He said that it is a shame and it is not just Garfield residents reading it, it is people from other surrounding towns reading it. He spoke on having more pride in the town. He spoke on people complaining that they got tickets for putting their garbage out too early. He said that Garfield is not the town that they read on Facebook. He said that he likes to see people from all around come here, live here, stay here, raise their family here and shop here. He spoke on United States Senator Cory Booker and United States Congressman Bill Pascrell coming to the Garfield VFW a few days ago to speak on issues affecting female Veterans. He wished everyone a Happy and Healthy Thanksgiving. He concluded by encouraging everyone to help the needy and help someone out because no one should go through the Holidays alone.

Councilmember Calandriello wished everyone a Happy Thanksgiving and said that the Junior Boilermakers Mighty Mites are in the Super Bowl against Hillsdale and the undefeated Juniors are playing Washington Township in the Super Bowl. He said the Super Bowl will be held in Rivervale.

ADJOURNMENT

At 9:25 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