

A Work Session of the City Council was held on Tuesday, December 19, 2017 at 6:20 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Richard Rigoglioso presided. City Clerk Andrew J. Pavlica announced that the Work Session was being held in accordance with provisions of the Open Public Meetings Act and that adequate notice was provided by mail, fax and email to the official City newspapers and to other interested parties and by posting the meeting notice on the bulletin boards in City Hall.

Councilmembers Present: Louis G. Aloia, Frank J. Calandriello, Erin N. Delaney and Richard Rigoglioso
Councilmembers Absent: Joseph Delaney
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Representative Philip V. Luppino, Jr. (for City Attorney Christos J. Ditkas) and Interim Chief Financial Officer Roy Riggitano

ELECTED OFFICIALS TRAINING

City Insurance Risk Manager Frank Covelli conducted an Elected Officials Training Session.

ARRIVAL OF LABOR COUNSEL LAVIN

At 6:35 PM, Labor Counsel John Lavin joined the Work Session and it was duly noted for the record.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The South Garfield Redevelopment at 174 Passaic Street and how the new leadership of the Redevelopment, Urban Edge Developers, plan to add additional stores near the Walmart that is located there.
2. The pictures of the Passaic Street Train Trestle that were photographed by Mr. Michael Denistran and which were sent to New Jersey Transit Railroad by the City Manager's Office.
3. The Green Acres grant application for the proposed addition to the Riverfront Park.
4. The list of Recreation Department Activities being put together for the year 2018 by Recreation Director Christopher O'Reilly.
5. The Firematic Meeting to be held on Friday, January 5, 2018 at 7:00 PM.

ARRIVAL OF CITY ENGINEER BOSWELL

At 7:00 PM, City Engineer Kevin J. Boswell joined the Work Session. It was duly noted for the record.

CLOSED SESSION

Resolution No. 17-437

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 7:05 P.M. on Tuesday, December 19, 2017 to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Collective bargaining agreements including the negotiation of the terms and thereof with employees or representatives of employees of the public body; (complaint by White Collar collective bargaining unit that there should not be separate salary negotiations of White Collar employees – it should be collectively bargained).

CLOSED SESSION

- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (The Bergen County Animal Shelter was engaged from Friday, December 15, 2017 to the end of the year for Animal Control Services until a check on allegations on New Jersey Animal Control and Rescue).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Blue Collar Union grievance and request to establish a procedure for a water line break or a tree falling in the road in regard to the DPW, not the Police, making a determination that DPW employees should be called in; Redevelopment Agency Attorney Frank Regan to handle the processing of City Council Redevelopment Plan resolutions).
- * 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 title changes and salary enhancements of 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 4,
Absent 1 – Councilmember Joseph Delaney

(Sgd) Louis G. Aloia
Frank J. Calandriello

ARRIVAL OF DEPUTY MAYOR JOSEPH DELANEY

At 7:20 PM, Deputy Mayor Joseph Delaney joined the Work Session during Closed Session and it was duly noted for the record.

ANIMAL CONTROL SERVICES

After the City Council came out of Closed Session at 7:40 PM, the City Council and Cabinet met with Animal Control Officer Geoffrey Santini of New Jersey Animal Control and Rescue, LLC, and former Mayor Tana Raymond of the Garfield Animal Rescue Foundation asked questions.

CLOSED SESSION

Resolution No. 17-438

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

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a “Closed Session” is hereby called at 8:10 P.M. on Tuesday, December 19, 2017 to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (engagement of the services of an Animal Control Officer for the City of Garfield).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (engagement of the services of an Animal Control Officer for the City of Garfield).

CLOSED SESSION

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 MAYOR RIGOGLIOSO

At 8:15 PM, Mayor Richard Rigoglioso left the Work Session during Closed Session. Deputy Mayor Joseph Delaney chaired the Work Session from this point forward. It was duly noted for the record.

REPORTS OF OFFICERS

After the City Council came out of Closed Session at 8:20 PM, City Manager Thomas J. Duch reported on the following:

6. Funding for the Passaic River Park from grant procurement through Capital Alternatives grant consultants.

ADJOURNMENT

At 8:25 PM, there being no further business, Councilmember Aloia moved to adjourn the Work Session. Councilmember Calandriello duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, December 19, 2017 at 8:30 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 Representative Phillip V. Luppino Jr., (for City Attorney Christos Ditzkas, Labor Counsel John Lavin, City Engineer Kevin J. Boswell and Interim Chief Financial Officer Roy Riggitano

REPORTS OF OFFICERS

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

On call of roll, Ayes 5

COMMUNICATIONS/APPOINTMENTS

City Clerk Pavlica reported that in a letter to him from Mayor Rigoglioso, dated December 18, 2017, the Mayor made the following appointments to the Garfield Free Public Library Board of Trustees:

- * Ms. Suny Mellawa, 49 Schley Street, as a Regular Member to fill the unexpired term of Mr. Erjon Gjoci, said term to expire December 17, 2021.
- * Ms. Donna Miller, 76 Manner Avenue, as a Regular Member, to succeed herself, for a full five year term, commencing December 17, 2017 and expiring December 17, 2022.

City Clerk Pavlica reported that in a letter to him from Mayor Rigoglioso, dated December 18, 2017, the Mayor made the following appointment to the Garfield Planning Board:

- * Mr. Daniel Tummillo, of 28 Henrietta Street, from First Alternate of the Planning Board to Class IV Member, effective immediately, to succeed Maria Scanella, for the unexpired term, said term to expire January 1, 2021.
- * Ms. Lou Ann Visotcky, of 454 Grace Avenue, as First Alternate, to the Planning Board, effective immediately, for the unexpired term, to succeed Daniel Tummillo, said term to expire January 1, 2018. He also appointed Lou Ann Visotcky as First Alternate to the Planning Board to succeed herself, for the full two year term, effective January 1, 2018, said term to expire January 1, 2020.
- * Mr. Peter Santacroce, Jr. of 77 Irving Place, as Second Alternate, to the Planning Board, effective immediately for the unexpired term, to succeed Lou Ann Visotcky, said term to expire January 1, 2018. He also appointed Peter Santacroce as Second Alternate to the Planning Board to succeed himself, for the full two year term, effective January 1, 2018, said term to expire January 1, 2020.

RESOLUTIONS

Resolution No. 17-439

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY DETERMINING THAT THE PROPERTIES GENERALLY KNOWN AS BLOCK 24.01, ALL LOTS; BLOCK 24.02, ALL LOTS; BLOCK 31.01, LOTS 9.01 AND 10; BLOCK 31.02, ALL LOTS; BLOCK 34.01, LOT 10; ALL OF BLOCK 34.02, EXCEPT

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LOT 41; ALL OF BLOCK 48.02, EXECPT LOT 16.01; AND THE VACATED PORTION OF HEPWORTH PLACE, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD QUALIFY AND ARE DETERMINED TO AS AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A CONDEMNATION REDEVELOPMENT AREA AND BLOCK 34.02, LOT 41 AND BLOCK 48.02, LOT 16.01 AS 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 24.01, all Lots; Block 24.01, all Lots; Block 31.01, Lots 9.01 and 10; Block 31.02, all Lots; Block 34.01, Lot 10; Block 34.02, all Lots; Block 48.02, all Lots; and the vacated portion of Hepworth Place, as delineated on the tax map attached hereto and made part of this resolution (the "Properties"), 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. (the "Redevelopment Law"); 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 proposed area meets the criteria for designation as a redevelopment area pursuant to the Redevelopment Law; and

WHEREAS, on July 28, 2015, the City adopted a Resolution No. 15-351, authorizing and directing the City Planning Board (the "Board") to examine whether the Properties can be determined to be an area in need of redevelopment (specifically a condemnation redevelopment area) and that the City will have the right to exercise the use of eminent domain; and

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

WHEREAS, the Board conducted public hearings on July 27, 2017, August 24, 2017, October 26, 2017 and November 16, 2017, to determine whether or not the Properties may be designated as a Condemnation Redevelopment, pursuant to the criteria set forth in the Redevelopment Law and the public, including property owners, tenants and legal counsel for same, were provided the opportunity to appear and provide testimony and comments; and

WHEREAS, in advance of the public hearings held by the Board, the Board met the requirements of Redevelopment Law, by providing notice to all persons interested or who would be affected by a determination that the Properties are a Condemnation Redevelopment Area, which notice specifically stated that a redevelopment area determination shall authorize the municipality to exercise the power of eminent domain to acquire the Properties; and

WHEREAS, a map showing the boundaries and the location of the Properties, as well as the Area in Need of Redevelopment Study, Condemnation Redevelopment Area, First Ward Study Area report prepared by Burgis Associates, Inc., dated May 2, 2017 and Addendum thereto, dated November 2, 2017 (collectively, the "Burgis Report") were considered by the Board at the hearing and the Burgis Report and findings therein were incorporated into the record; and

WHEREAS, the Board recommended that the Properties be designated as a Condemnation Redevelopment Area pursuant to the Redevelopment Law, based on its preliminary investigation and the factual findings made by the Board, including the Burgis Report and the testimony presented at the hearing by John P. Szabo, Jr., PP/AICP, a licensed professional planner, who assisted in the preparation of the Burgis Report.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Garfield accepts the findings and recommendations of the Board as made at a public hearings held on July 27, 2017, August 24, 2017, October 26, 2017 and November 16, 2017 as supported by the Burgis Report of the Properties and the testimony of John P. Szabo, Jr., AICP/PP, a licensed professional planner and as further set forth in the Planning Board resolution PB-10-2017, adopted on December 14, 2017 and incorporated by reference and determines that the Properties located on Block 24.01, all Lots; Block 24.01, all Lots; Block 31.01, Lots 9.01 and 10; Block 31.02, all Lots; Block 34.01, Lot 10; Block 34.02, all Lots, except for Lot 41; Block 48.02, all Lots, except for Lot 16.01; and the vacated portion of Hepworth Place, referred to herein as the Properties, meet the criteria and qualify as an "area in need of redevelopment" and which shall be a Condemnation Redevelopment Area pursuant to the Redevelopment Law.

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BE IT FURTHER RESOLVED, that the designation of the Properties as a Condemnation Redevelopment Area, shall exclude Block 34.02, Lot 41 and Block 48.02, Lot 16.01, which properties shall be designated as a Non-Condemnation Redevelopment Area and thus not subject to acquisition through the use of eminent domain as authorized by the Redevelopment Law, but shall be subject to all other powers authorized by the Redevelopment Law.

BE IT FURTHER RESOLVED, that the designation of the Properties as a Condemnation Redevelopment Area hereby serves as a finding of public purpose that provides the City or its Redevelopment Agency with the authority to acquire the Properties so designated by eminent domain (a.k.a. condemnation), if necessary to advance the purposes of a redevelopment plan for the Properties.

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

BE IT FURTHER RESOLVED, that the City Council hereby advises that any property owner wishing to challenge the designation of the Properties as a Condemnation Redevelopment Area or a Non-Condemnation Redevelopment Area as stated herein, must file a complaint in the Superior Court within 45 days of the adoption of that resolution and that failure to file any such challenge to the designation of the Properties as a Condemnation Redevelopment Area, within the 45-day period shall prevent any challenge to the designation.

BE IT FURTHER RESOLVED, that within ten (10) days of the adoption of this Resolution, the City Clerk shall serve a notice of the designation of the Properties as an area in need of redevelopment, including a copy of this Resolution, upon the last owner of each of the Properties according to the assessment records of the City, which notice shall be in accordance with the requirements set forth in the Redevelopment Law.

BE IT FURTHER RESOLVED, that upon adoption of this resolution, the City Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey for review pursuant to N.J.S.A. 40A:12A-6.b.(5).

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

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

(Sgd) Joseph Delaney
Erin N. Delaney

Resolution No. 17-440

WHEREAS, Carmin Breonte, was appointed to the Zoning Board of Adjustment as a Regular Member pursuant to Resolution No. 14-07, adopted by the City Council at a Regular Meeting held Tuesday, January 14, 2014, and

WHEREAS, his term of office expires January 1, 2018,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Carmin Breonte of 125 Mac Arthur Avenue, is hereby appointed to the Zoning Board of adjustment, as a Regular Member, effective January 1, 2018, to succeed himself, for a full four year term, said term to expire January 1, 2022.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-441

WHEREAS, Romi Herrera, was appointed to the Zoning Board of Adjustment as a Regular Member pursuant to Resolution No. 14-27, adopted by the City Council at a Regular Meeting held Tuesday, January 14, 2014, and

WHEREAS, his term of office expires January 1, 2018,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Romi Herrera of 158 Main Street, is hereby appointed to the Zoning Board of adjustment, as a Regular Member, effective January 1, 2018, to succeed himself, for a full four year term, said term to expire January 1, 2022.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

RESOLUTIONS

Resolution No. 17-442

WHEREAS, Katarzyna Rozmus was appointed as Fourth Alternate of the Zoning Board of Adjustment pursuant to Resolution No. 17-100, adopted by the City Council at a meeting held February 28, 2017, and

WHEREAS, the position of Third Alternate of the Zoning Board of Adjustment is currently vacant, NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Katarzyna Rozmus of 166 Ray Street is hereby appointed as Third Alternate of the Zoning Board of Adjustment, for the unexpired term, said term to expire January 1, 2019.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-443

BE IT RESOLVED by the Mayor and Council of the City of Garfield that an application is made to the Commissioner of Transportation for aid under the Local Aid Infrastructure Fund Program for the Passaic River Park Bikeway (Phase 2) project and;

WHEREAS, the Mayor and Council has determined that such application should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the City of Garfield for assistance in such matters, therefore;

BE IT RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble and submit the necessary documentation on behalf of the City of Garfield for the stated project.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-444

BE IT RESOLVED by the Mayor and Council of the City of Garfield that an application is made to the Commissioner of Transportation for aid under the Local Aid Infrastructure Fund Program for the River Drive (Section 2) project and;

WHEREAS, the Mayor and Council has determined that such application should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the City of Garfield for assistance in such matters, therefore;

BE IT RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble and submit the necessary documentation on behalf of the City of Garfield for the stated project.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-445

RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS

PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the City of Garfield, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the City of Garfield has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the City of Garfield intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the City of Garfield authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

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BE IT FURTHER RESOLVED, that the governing body of the City of Garfield pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the City of Garfield and the Referenced State Contract Vendors shall be from July 1, 2017 to December 31, 2017.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-446

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
78	36	Corelogic	O/P	\$1290.07

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-447

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
P.E.R.S	7-01-36-471-471-000		7,500.00
Gasoline	7-01-31-460-460-207	7,500.00	
		<u>7,500.00</u>	<u>7,500.00</u>

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No.17-448

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
P.E.R.S	7-01-36-471-471-000		7,500.00
Health Benefit Waiver	7-01-23-221-221-000		6,000.00
Police S/W	7-01-25-240-240-011	13,500.00	
		<u>13,500.00</u>	<u>13,500.00</u>

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-449

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Public Service Electric and Gas Company is hereby authorized and directed to remove an Induction Lamp on Pole Number 299 G located on 332 Malcolm Avenue.

BE IT FURTHER RESOLVED that City Clerk Andrew J. Pavlica is hereby authorized and directed to forward a certified and exact copy of this approved resolution to P.S.E. & G. Co. at the following address.

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

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No. 17-450

RESOLUTION REQUESTING NEW JERSEY TRANSIT TO REPAIR, PAINT AND ADDRESS THE DEPLORABLE CONDITION OF THE PASSAIC STREET TRAIN TRESTLE AND THE RIVER DRIVE TRAIN TRESTLE

WHEREAS, the Mayor and Council of the City of Garfield have received a significant number of complaints pertaining to the appearance of the NJ Transit Trestles located on Passaic Street and River Drive, Garfield, New Jersey; and

WHEREAS, the City has attempted on numerous occasions to amicably resolve this aesthetic issue and have requested that NJ Transit undertake all necessary repairs, structural improvements and to repaint the Trestles, which would remove this aesthetic blight; and

WHEREAS, NJ Transit has failed to address the City's requests, and, in spite of the good will of the City and its amicable attempts to expedite NJ Transit Maintenance and Repair of the Trestles, as of this date, the work has not been scheduled and the Trestles are in a state of disrepair;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield do hereby strongly request that NJ Transit immediately commence the necessary procedural requirements to mobilize a crew to undertake all necessary repairs, structural improvements, and aesthetically clean and repaint the Trestles located on Passaic Street and River Drive.

BE IT FURTHER RESOLVED, that a Certified True Copy of this Resolution be tendered to Commissioner of NJ Transit, Richard T. Hammer; City Manager, Thomas Duch; City Clerk, Andrew Pavlica; Public Works Superintendent, Sam J. Garofalo; City Attorney, Christos J. Diktas.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Louis G. Aloia

Resolution No.

Whereas, the City of Garfield has approved Resolution No. 17-401 appointing Animal Control Officer through the Request for Qualifications dated November 28, 2017.

Whereas, the Mayor and Council heard a public outcry in reference to the appointment of New Jersey Animal Control and Rescue, LLC and testified some disturbing circumstances and potential facts, concerning New Jersey Animal Control and Rescue, LLC, and

Therefore, be it resolved, that the City of Garfield Rescind any and all contracts and Resolution No. 17-401 with New Jersey Animal Control and Rescue LLC effective immediately.

On call of roll, Ayes 2, Nays 3 -
Councilmembers E. Delaney, J. Delaney and Rigoglioso

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTION DEFEATED

BILLS AND CLAIMS

Resolution No. 17-451

RESOLVED by the City Council of the City of Garfield that the following bill No. 2076 covering Dedicated Penalty Trust Fire Department totaling \$125.00 and the Current Fund totaling \$76,737.41 and the Water Fund totaling \$446.31 and the Water Capital Fund totaling \$5,051.00 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 seven (7) items prior to the meeting be ratified.

See

The

Following Pages Numbered _____

For

Bills

And

Claims

CITIZENS AND TAXPAYERS

Mr. Eugene Van Lenten, spoke on his military service during the Korean War, on needing to go to the V.A. Hospital for treatment, and on his son receiving a parking ticket for violating the City of Garfield Resident Parking Sticker Program.

Mr. Gerald Riley, said that he is the Quartermaster for Benda-Roehrich VFW Post No. 2867 located at 340 Outwater Lane, and he spoke on an issue regarding a sanitary sewer line to the VFW Building.

Mr. Peter Franco, 127 West 12th Street, Bayonne, New Jersey, spoke on the response time of an Ambulance vs. an Animal Control Officer. He spoke on factors to be considered when hiring an Animal Control Officer. He spoke on the capabilities of New Jersey Animal Control and Rescue, LLC.

Ms. Tana Raymond, 93 Spring Street, thanked Councilmembers Aloia and Calandriello for the resolution that they introduced tonight concerning Animal Control that was defeated. She spoke on the performance of Lysa DeLaurentis as the Garfield Animal Control Officer and she spoke on the ability of New Jersey Animal Control and Rescue, LLC. She asked the City Council to revisit this appointment and vet the candidates.

Ms. Laurie Calvert, 54 Belmont Avenue, spoke on how her two cats were removed from her house in Bogota without her permission. She said that her cats were adopted out. She spoke on the alleged role of Mr. Geoffrey Santini of New Jersey Animal Control and Rescue in this matter. She said that she wants her two stolen cats returned to her.

Mr. John Timmins, 130 9th Street, Passaic, New Jersey, said that he is an Animal Control Officer. He spoke on an incident where his dog got loose and was killed. He spoke on how Lysa DeLaurentis has done the right thing as an Animal Control Officer.

Ms. Leslie Morales, 82 Midland Avenue, said that every single resident of Garfield is going to be affected by the Redevelopment Plan for the Passaic Street area. She spoke on wanting to make Garfield better. She said that she walks Passaic Street every other day and it is a nice place. She said that people work there and live there. She said that she lives there. She questioned why the City Council was not considering other options. She questioned if there will be more traffic, parking issues or tax issues with the proposed Redevelopment. She said that eminent domain is for roads and parks, not for private developers to get richer. She said that that it is what happened in Jersey City and in Hoboken and no one can afford to live there, there is no parking there, and that is what is happening here. She said that every single life is going to be affected by this.

Ms. Dolores Capizzi, 107 Midland Avenue, said that she wants to address something that the Mayor said in the newspaper: that he wants Garfield to be better for all the people and that this project was going to make life better for the citizens. She said that it will not be the citizens who have been in Garfield for generations – the Redevelopment is for the new citizens, the young ones, the rich ones and it will be nice for them. She said that the rest of them, like her, the undesirables, will be gone because they are not good enough anymore. She said that Elected Officials have the responsibility to protect all the citizens and that this project does not protect them and it drives them out. She said that the City's greatest resource are the people. She said that if the Elected Officials take the time to understand and meet the people, the Elected Officials will be shocked by the talent and the potential and the desire of the people to do exactly what they want to do and that is to make Garfield beautiful again. She questioned how many days do the people have to move out and she said that the City Council has voted to destroy people's lives. She said that the people are all for revitalization but not destruction. She said that the decision that was made was appalling.

Ms. Judy Fraser, 88 Prospect Street, said that she is upset that this is not a public forum to allow the public to speak for longer than a couple of minutes and that the Mayor and Council have no right to set time limits on people speaking before them.

Ms. Carol Koshig, 23 Spencer Place, said that Garfield should be cleaned up. She spoke on the need for public garbage pails. She spoke on property maintenance issues and homeowners needing to be responsible.

CITIZENS AND TAXPAYERS

Ms Joan Banez, 20 Hepworth Place, said that she has been attending Planning Board Meetings and has voiced her opinion that she is against the Redevelopment Plan. She said that Councilmembers are intelligent and experienced and she asked them to come up with something else besides condemnation and Redevelopment. She spoke on how other towns, such as Rutherford and Little Falls, do not use eminent domain for Redevelopment. She questioned where older people are going to go. She spoke on the need for garbage pails for the new Redevelopment. She spoke on crime and how Police Officers need to fight crime. She said that there are other ways to do this. She questioned how the Planning Board and the City Council could pass a Study that states that eleven do not meet the criteria for condemnation, and sixteen do meet the criteria for condemnation. She said that the numbers are opposite and conflicting. She claimed that there are errors in the Study. She said that she feels terrible that people are being asked to leave their home that they have been in and have to find another place to live.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that Redevelopment of Garfield does not need condemnation and that it is counterproductive. He said that it will maximize expense and destroy Redevelopment. He said that the City benefits substantially by waiting. He spoke on the South Garfield Redevelopment on the "Vornado" Property at 174 Passaic Street and how the City proceeded and was patient. He said that Vornado did their own Redevelopment there and there are better ways to do it than throwing out the people that are paying taxes. He said that if the City had a plan and illustrated the plan and let people see what could be, the developers will come. He spoke on attempts to create municipal parking lots on Passaic Street and on Jewell Street. He said that he has brought up many times that there is a piece of property at the intersection of Monroe Street and Palisade Avenue that the City could purchase for a Police Substation. He spoke against taking everybody's home. He spoke on the plans in 1996 for the Riverfront Park that became a reality and he said that it was an expensive ordeal. He said that City Officials calculated the loss of taxation dollars that the City would lose by putting in a Riverfront Park and the City did it. He said that the City should put together a plan, put posters up and a developer will come. He said that the homes and the homeowners should not be what the City chases out. He spoke on his funeral home staff sweeping the street on Harrison Avenue. He spoke on the need for public garbage pails on Passaic Street. He spoke on the condition of the train trestle over Passaic Street and said that more pressure is needed on the Railroad, and the more the City puts on the record, the better. He said that the City Council should send New Jersey Transit Railroad a resolution, every month. He wished everyone a Blessed Christmas.

Councilmember Calandriello said that he was very disappointed because he expected there would be some sort of presentation. He said that he thought that there would be some type of gesture respecting the entire Council's vote and try to persuade the entire Council to go with the plan. He spoke on the discrepancies in the Redevelopment Study. He spoke on the meeting of the eight avenues of criteria for condemnation. He said that he did not get a full explanation or presentation. He said that the way the City is going about this, is not right. He said that the City was fortunate to develop 43 acres of property in the City of Garfield and the way it was done, the owners were made a part of what was going to be done and the City worked with them. He said that the Redevelopment carried the City through the Great Recession in 2008 and beyond. He spoke on the Redevelopment of 950 River Drive where the Garden State Paper Recycling Plant was located. He spoke on the developer, James Demetrakis, giving the City \$2.1 million for the City's new Police Station. He spoke on the Vornado Redevelopment on Passaic Street giving the City \$750,000 and that a part of that money was used to renovate City Hall. He said that it is important to make everyone a part of it in regard to Redevelopment. He spoke on Passaic Street and said that the City never declared it an area in need of Redevelopment. He spoke on how there should be grant money for owners, low interest loans to improve and fix properties. He said that the way it is going, it is going to drive out the people that live there, the people who have businesses, bring in a big developer who is going to make a ton of money on the project and the area is going to change. He said that the question is, will it change for the better, or be something so dense that the City will

COUNCILMEMBER COMMENTS

not be proud of it going forward. He said that there is no such thing as fast Redevelopment. He said that with Redevelopment, everyone has to be patient and get it right. He said that the City could have a partnership, instead of having adversaries. He wished everyone a Merry Christmas.

Councilmember Erin Delaney thanked Eugene Van Lenten and Jerry Riley for their military service to our Country and she pledged to be on top of the issues that they are concerned with. She said that she has no doubt that Lysa DeLaurentis loves animals but the City has received complaints from the State and City employees and the City had to address this issue. She said that the City will continue to look into the Animal Control situation and she said that she has made countless emails and phone calls and did make a physical visit to the shelter of New Jersey Animal Control and Rescue and she is doing her research. She said that in regard to Redevelopment, if you have enemies, it means you stood up for something and she will continue to stand up for what she feels is best for all the City's residents which is what she was elected to do. She said that there is no such thing as fast Redevelopment but the City did need to get the ball rolling and start somewhere. She spoke on the need for more public garbage pails. She spoke on Absentee Landlords and the need for landlords also to hold tenants accountable. She spoke about people who have complained about the City Inspectors ticketing people who have put their trash out too early. She spoke on the Green Team having their next meeting in January. She wished everyone a Merry Christmas and a Happy New Year.

Deputy Mayor Joseph Delaney spoke on the City Manager looking into the issue concerning Eugene Van Lenten and his parking issue. He spoke on information he requested concerning the prior Animal Control Officer for the City of Garfield and he said that the City had received correspondence from the State of New Jersey saying former City Animal Control Officer Lysa DeLaurentis was in violation of State Law. He said that in regard to the current Animal Control Officer who was hired, if he does not do the job, he can be let go. He said that the City could not continue with what was being done with Lysa DeLaurentis being in violation of State Law. He spoke on the City Redevelopment and what life was like when he was growing up in the Passaic Street area. He said that the City Council is not looking to bring rich people into Garfield, the City Council is looking make Garfield a better place and the City Council is not kicking any people out of their homes, which he said is the last thing that the Council wants to do. He said that the City did use condemnation in the past on other Redevelopment Projects. He spoke on the South Garfield Redevelopment at 174 Passaic Street, involving the WalMart, the Applebee's Restaurant, McDonald's and the Marshall's store. He said that the City has talked about this project on the Passaic Street Area Redevelopment for over a year and nothing has happened. He spoke on the need to revitalize Passaic Street and how nobody is being kicked out of their house in forty-five days. He spoke on enhancing the City. He wished everybody a Merry Christmas and a Happy New Year.

Mayor Rigoglioso said that the City needs a shot in regard to the Redevelopment. He said that he sees it in the Schools, he sees it on the streets, and he sees it in his neighborhood. He said that Garfield is a blue collar town and a town that people take pride in. He said that there is a neighborhood that is unfortunately not up to par anymore and the City needs to do something and not stand still. He said that he does not know the alternative. He spoke on developing the empty "Two Guys Warehouse" and factories at 174 Passaic Street. He said that the City has to continue the Redevelopment of Garfield. He spoke on the need to spur economic growth. He spoke on Garfield being a transient town. He spoke on the need to be mad at the Absentee Landlords who do not take care of their property. He said that the City has to move forward and it is a tough thing to do for the sake of Garfield. He thanked Eugene Van Lenten on his military service and he congratulated and wished a Happy Retirement to Police Officer Sean Delahanty who was in the audience. He said that the winner of the Best Holiday Decoration Contest was 25 Van Winkle Avenue, and the winner for Nicest Holiday Business Decoration Contest was Zoila's Kitchen Restaurant on Harrison Avenue. He wished everyone a Merry Christmas and a Happy and Healthy New Year.

Regular Meeting December 19, 2017, Continued

ADJOURNMENT

At 9:55 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