

A Work Session of the City Council was held on Tuesday, February 13, 2018 at 6:30 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 Representative Philip Luppino (for City Attorney Christos J. Ditkas), Labor Counsel John Lavin and City Engineer Kevin J. Boswell

#### LA FESTIVA ITALIANA

The City Council and Cabinet met with Frank DiGirolamo concerning La Festiva Italiana scheduled to be held Thursday, August 16, 2018 through Sunday, August 19, 2018, on streets surrounding the property of Our Lady of Mount Virgin Roman Catholic Church, located near the intersection of Frederick Street and Mac Arthur Avenue.

#### MOBILE FOOD HANDLER LICENSES

The City Council and Cabinet met with Police Chief Raymond Kovach and Health Inspector Sanitarian Mary Giresi concerning proposed amendments to the Ordinance regulating Mobile Food Handler Licenses.

#### CLOSED SESSION

Resolution No. 18-42

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 7:00 P.M. on Tuesday, February 13, 2018 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; (mobile food handlers license request from William "Ty" Mc Collough and results of a Police background check).

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

#### REPORTS OF OFFICERS

After the City Council came out of Closed Session at 7:05 PM, City Manager Thomas J. Duch reported on the following:

1. PSE&G will be installing new gas lines which will affect 45 different streets in the City.
2. The Tree Grant for \$150,000 for 500 trees.
3. The need to reestablish the City Environmental Commission.
4. The specifications for Cable TV filming and broadcasting of City Council Meetings.
5. The meeting he and John Harrington from Boswell Engineering attended last Friday at the Passaic Street Train Trestle with the structural engineer for New Jersey Transit Railroad

REPORTS OF OFFICERS

who spoke on the structural integrity of the Train Trestle. She pronounced it structurally sound and said that it is checked on a weekly basis and the Train Station is checked on a monthly basis. She said that the Trestle is on the list to be painted in the Fall.

6. The cleaning of the Hobart Place Playground by the DPW.
7. The Resident Parking Sticker Program.
8. Green Acres has designated certain City properties as “At Risk Properties” and this designation helps the City secure funding.
9. The Animal Control Officer Analysis which compared report results of the operations of the prior Animal Control Officer Lysa DeLaurentis vs the reports of the new Animal Control Officer, Geoffrey Santini of New Jersey Animal Control and Rescue, LLC.

City Engineer Kevin J. Boswell reported the following:

1. Proposed resolutions relating to engineering matters to be considered at the Regular Meeting to be held later this evening.

Councilmember Frank J. Calandriello reported on the following:

1. The water line bill for property at 203 Midland Avenue relating to new construction.

CLOSED SESSION

Resolution No. 18-43

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

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a “Closed Session” is hereby called at 7:55 P.M. on Tuesday, February 13, 2018 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; (Blue Collar Collective Bargaining Negotiations; White Collar Collective Bargaining Negotiations; PBA Local No. 46 Collective Bargaining Negotiations; Grievance Filed by PBA Local No. 46; Potential Blue Collar Grievance).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Grievance filed by PBA Local No. 46; Potential Blue Collar Grievance; appeal filed regarding Solid Waste Collection and Disposal bids and contract; City sued re: First Ward Redevelopment Plan Condemnation).
- \* 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; (Grievance filed by PBA Local No. 46; Police Officer possibly not following directive regarding his treatment program; Potential Blue Collar grievance; proposed appointment of Acting City Attorney).

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) Joseph Delaney  
Erin N. Delaney

Work Session February 13, 2018, Continued

EXIT OF MAYOR RIGOGLIOSO

At 8:10 PM, Mayor Richard Rigoglioso left the Work Session during Closed Session and Deputy Mayor Joseph Delaney chaired the Work Session from this point forward. It was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 8:25 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 4,  
Absent 1 – Mayor Rigoglioso

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Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held Tuesday, February 13, 2018 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, Labor Counsel John Lavin and City Engineer Kevin J. Boswell

### REPORTS OF OFFICERS

Councilmember Erin Delaney 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

### RESOLUTIONS

Resolution No. 18-44

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Hershel Rawls IV of 105 Park Avenue, Passaic, New Jersey 07055 as an active member, effective February 6, 2018.

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) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 18-45

WHEREAS, Fire Company No. 2 has advised that they have accepted Beda Bautista of 28 Bond Street, Passaic, New Jersey 07055 as a regular member, effective February 6, 2018,

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

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 18-46

WHEREAS, Fire Company No. 4 has advised that they have accepted the resignation of Peter Boyle of 85 Chestnut Street, Garfield, New Jersey as an active member, effective January 12, 2018.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 18-47

RESOLVED by the Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following Skill Games Distributor's License for the year 2018:

Millenium Amusements LLC  
44 East Railway Avenue  
Paterson, New Jersey 07522

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

RESOLUTIONS

Resolution No. 18-48

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2018 described in application, duly filed:

DP's Pub	1 Juke Box	\$	75.00
732 River Drive	1 Video Game		50.00
Garfield, NJ 07026		\$	<u>125.00</u>
MVP's	1 Juke Box	\$	75.00
402 River Drive	1 Pool Table		50.00
Garfield, NJ 07026		\$	<u>125.00</u>

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 18-49

A RESOLUTION AUTHORIZING ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE NEW POLICE STATION PROJECT

WHEREAS, the City of Garfield has awarded a contract to demolish the former police station and construct a new facility at the same location, and;

WHEREAS, the City retained a Project Architect and also authorized the City Engineer to assist in certain portions of the project, and;

WHEREAS, the demolition required temporary and permanent rerouting of communication and service lines, as well as revisions to contract drawing in order to accommodate unknown subsurface conditions and utilities, and;

WHEREAS, the City Engineer was required to address these issues as they were identified in order to avoid a delay claim by the contractor.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized payment for incurred expenses to date and anticipated future charges for an additional amount not to exceed \$60,000.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Joseph Delaney

Resolution No. 18-50

A Resolution Authorizing Payment to Key-Tech For Providing Asphalt Coring and Testing Services For The Lincoln Place Road Improvement Project, City of Garfield.

WHEREAS, Key-Tech has recently completed asphalt coring and testing services, and;

WHEREAS, this service was necessary in connection with the requirements of the NJDOT as part of the Local Aid funding, and;

WHEREAS, this cost will be reimbursed by NJDOT.

NOW THEREFORE BE IT RESOLVED, Key-Tech is hereby authorized payment in the total amount of \$1,415.00.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 18-51

A RESOLUTION AUTHORIZING PAYMENT TO D.S. MEYER ENTERPRISES, LLC FOR EMERGENCY WATER VALVE REPLACEMENT WORK AT PROSPECT AVENUE

WHEREAS, multiple non-functioning valves on Prospect Avenue near Semel Avenue resulted in a need to install insertion water valves on an emergency basis, and;

WHEREAS, DS Meyers Enterprises provided emergency repair services on a time and materials basis, and;

RESOLUTIONS

WHEREAS, the new valve installation was successfully completed under the direction of the City Engineer and the DPW Superintendent.

NOW THEREFORE BE IT RESOLVED payment is hereby authorized to D.S. Meyers Enterprises, LLC in the amount of \$61,960.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Joseph Delaney

Resolution No. 18-52

A Resolution Authorizing an Emergency Waterline Repair to DS Meyers for a Broken Water Main in Midland Avenue Near Plauderville Avenue, City of Garfield.

WHEREAS, the City Engineer solicited and secured 3 quotes from contractors to perform the required repair work, and;

WHEREAS, the 3 quotes are summarized as follows:

DS Meyers - \$43,850.00  
CMS Contracting - \$44,100.00  
John Garcia Construction Co. - \$47,850.00

NOW THEREFORE BE IT RESOLVED, DS Meyers is hereby awarded an emergency watermain repair for the low quoted amount of \$43,850.00.

BE IT FURTHER RESOLVED, the City Engineer shall oversee the repair work for an additional fee not to exceed \$2,500.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Joseph Delaney

Resolution No. 18-53

A Resolution Authorizing Change Order No. 1 and Final in Connection With The Improvements to Lincoln Place, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to Granada Construction Corp., and;

WHEREAS, Change Order No. 1 is necessary to adjust as-built quantities for final close-out of the project.

NOW THEREFORE BE IT RESOLVED, Change Order No. 1 and Final in the amount of \$17,789.54 is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Joseph Delaney

Resolution No. 18-54

A RESOLUTION APPROVING CHANGE ORDER NO. 1 IN CONNECTION WITH ENGINEERING SERVICES FOR THE NJDOT SAFE ROUTES TO SCHOOLS PROJECT PHASE I -AT THE WASHINGTON IRVING SCHOOL #4 AND THE JAMES MADISON SCHOOL #10

WHEREAS, the City of Garfield awarded an original contract to KS Engineers,P.C. on August 10, 2016 in the amount of \$59,940.00 per resolution #16-291, and;

WHEREAS, KS Engineers is requesting an increase to their contract due to extra work added to the construction contract and delays to complete the contract work, and;

WHEREAS, KS Engineers has provided additional work days for inspection and corrective action work for the Safe Routes to School Project Phase I

NOW THEREFORE BE IT RESOLVED, Change Order #1 is hereby approved to increase the contract amount by \$18,720.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Frank J. Calandriello

RESOLUTIONS

Resolution No. 18-55

A RESOLUTION APPROVING CHANGE ORDER NO. 2 AND FINAL IN CONNECTION WITH THE NJDOT SAFE ROUTES TO SCHOOLS PROJECT PHASE I -AT THE WASHINGTON IRVING SCHOOL #4 AND THE JAMES MADISON SCHOOL #10

WHEREAS, the City of Garfield awarded an original contract to D & L Paving Contractors on May 17, 2016 per resolution #16-199, and;

WHEREAS, the NJ Department of Transportation along with KS Engineers are requesting a reduction to the contract.

NOW THEREFORE BE IT RESOLVED, Change Order #2 and FINAL is hereby approved to decrease the contract amount by 22,656.96.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Frank J. Calandriello

Resolution No. 18-56

FORM 1B

Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014 – June 2019

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the City Council of the City of Garfield, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW THEREFORE BE IT RESOLVED by the City of Garfield, County of Bergen, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Garfield Municipal Alliance grant for the fiscal year 2019 in the amount of:

DEDR	15,279
Cash Match	3,819
In-Kind	11,459

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

BE IF FURTHER RESOLVED that Resolution No. 18-034 is hereby rescinded.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 18-57

WHEREAS, The Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant

RESOLUTIONS

to the “Local Public Contracts Law”, the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City of Garfield hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2017 in the amount of \$42,443.64. Documentation supporting this submission is available at 111 Outwater Lane, Garfield, NJ 07026 and shall be maintained for no less than five years from this date.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Frank J. Calandriello

Resolution No. 18-58

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 Shatursun, 42 Garfield Ave, Garfield, New Jersey 07026 Block 41/Lot 37 in the amount of \$420.00 for Engineering Fees and \$210.00 for Attorney fees since 11/1/17 for a total amount of \$630.00 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. 18-59

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 Juan Carlos Rosas, 54 Outwater Lane, Garfield, New Jersey 07026 Block 139/Lot 3 in the amount of \$0.35 for Engineering Fees and \$277.50 for Attorney fees since 1/16/18 for a total amount of \$277.85 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. 18-60

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 Aleksandar & Frosina Dimoski, 10 Shaw Street, Garfield, New Jersey 07026 Block 143.08/Lot 26 in the amount of \$0.00 for Engineering Fees and \$75.00 for Attorney fees since 12/8/17 for a total amount of \$75.00 and said funds are being held in the Developer’s Escrow Fund, and

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

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

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Louis G. Aloia

RESOLUTIONS

Resolution No. 18-61

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, 26 Irving Place, Garfield, New Jersey 07026 Block 92/Lot 9 in the amount of \$730.00 for Engineering Fees and \$7.50 for Attorney fees since 11/1/17 for a total amount of \$737.50 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. 18-62

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 Valynets Henadzi, 17 Westminister Place, Garfield, New Jersey 07026 Block 3/Lot 20.02 in the amount of \$268.75 for Engineering Fees and \$7.50 for Attorney fees since 11/1/17 for a total amount of \$276.25 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

Resolution No. 18-63

WHEREAS, there exists the need for Interim City Attorney services to be rendered to the City of Garfield;

WHEREAS, Robert A. Ferraro, Esq., a licensed attorney of the State of New Jersey, with offices located at Meadows Office Complex, 301 Route 17N, Suite 211, Rutherford, County of Bergen, State of New Jersey possesses the skills, knowledge, and training necessary to serve in the capacity as Interim City Attorney for the City of Garfield;

WHEREAS, the City Council of the City of Garfield has reviewed its needs for legal services and has made a determination that it will be in the best interests of the residents and taxpayers of the City of Garfield to appoint an Interim City Attorney;

WHEREAS, the compensation for professional services to be rendered may exceed the maximum permissible amount specified in the Public Contract Law, but said services constitute "professional services" exempt from public bidding pursuant to N.J.S.A. 40A:11-5(1)(a) of the Public Contracts Law because said services are rendered or performed by a person authorized by law to practice a recognized profession, rendered or performed by a person whose practice is regulated by law, and the performance thereof requires knowledge of an advanced type in the field of learning acquired by a prolonged formal course of specialized instruction and study, as distinguished from general academic training, instruction, or apprenticeship;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey that Robert A. Ferraro, Esq. be and is hereby appointed and shall serve as Interim City Attorney for the City of Garfield for a term beginning immediately and continuing until a successor is appointed; and

BE IT FURTHER RESOLVED, that the aforesaid attorney shall be paid a salary only, without medical benefits, which shall be inclusive of all services rendered in their respective positions on behalf of the City of Garfield, which salary shall be set forth in the applicable Salary Ordinance; and

RESOLUTIONS

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby authorized and directed to forward a copy of the within Resolution to Robert A. Ferraro, Esq., the City Manager, and the Payroll Department of the City of Garfield. The City Clerk is further directed to publish the appropriate notice of the award of these contracts in accordance with the provisions of the Local Public Contracts Law.

On call of roll, Ayes 3,  
Nays 1 – Councilmember Aloia,  
Abstain 1 – Councilmember Calandriello

(Sgd) Joseph Delaney  
Erin Delaney

BILLS AND CLAIMS

Resolution No. 18-64

RESOLVED by the City Council of the City of Garfield that the following bill No. 2079 to 2082 covering Community Policing Trust Fund and Dog Trust Fund totaling \$5,929.77 and the Current Fund Reserve totaling \$68,467.23 and the Current Fund totaling \$335,662.00 and the Water Fund Reserve totaling \$162,621.87 and the Water Fund Current totaling \$12,003.91 and the General Capital Fund totaling \$19,762.00 and the Water Capital Fund totaling \$2,763.00 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 twenty eight (28) items prior to the meeting be ratified.

See

The

Following Pages Numbered \_\_\_\_\_

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2773

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, January 23, 2018; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD AMENDING ORDINANCE NO. 2338 WHICH ESTABLISHED THE GARFIELD REDEVELOPMENT

City Clerk Pavlica read the ordinance by title.

Mayor Rigoglioso declared a public hearing on same and asked if there were any objections.

There being none, Mayor Rigoglioso declared the public hearing closed.

Councilmember Erin N. Delaney moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Joseph Delaney duly seconded the motion.

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

Councilmember Aloia introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF PARKING PERMIT ENFORCEMENT EQUIPMENT FOR THE USE OF THE POLICE DEPARTMENT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$63,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF PARKING PERMIT ENFORCEMENT EQUIPMENT FOR THE USE OF THE POLICE DEPARTMENT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$63,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held February 27, 2018 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

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

ORDINANCES

Councilmember Joseph Delaney introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE CHAPTER 5-28 OF THE CODE OF THE CITY OF GARFIELD TO ALLOW NON-RESIDENTS TO SERVE ON THE EVENT PLANNING AND RECREATIONAL ADVISORY COMMITTEE

City Clerk Pavlica read the ordinance by title.

Councilmember Joseph Delaney moved that this ordinance entitled: “AN ORDINANCE TO AMEND AND REVISE CHAPTER 5-28 OF THE CODE OF THE CITY OF GARFIELD TO ALLOW NON-RESIDENTS TO SERVE ON THE EVENT PLANNING AND RECREATIONAL ADVISORY COMMITTEE” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held February 27, 2018 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Erin Delaney was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: On call of roll, Ayes 4, Nays 1 – Councilmember Aloia.

Councilmember Aloia introduced in writing the following ordinance entitled:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF GARFIELD, CHAPTER 341, THEREOF ENTITLED ZONING, TO CHANGE THE DESIGNATIONS OF CERTAIN ZONE LOCATIONS

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: “AN ORDINANCE AMENDING THE CODE OF THE CITY OF GARFIELD, CHAPTER 341, THEREOF ENTITLED ZONING, TO CHANGE THE DESIGNATIONS OF CERTAIN ZONE LOCATIONS” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held February 27, 2018 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

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

CITIZENS AND TAXPAYERS

Mr. Gregston Springer, 139 Jewell Street, complained about a “Ticket Blitz” regarding the Resident Parking Sticker Program and the high cost of the fine.

COUNCILMEMBER COMMENTS

Councilmember Aloia spoke on enforcement of the Resident Parking Sticker Program and on the electronic enhancements planned to be made to the Program. He wished everyone a “Happy Valentine’s Day” tomorrow and told everyone to have an enjoyable evening with your “Significant Other”.

Councilmember Calandriello spoke on the Resident Parking Sticker Program being used as a tool to find Unlawful Dwellings and Illegal Apartments. He said that the City is trying to make the system

COUNCILMEMBER COMMENTS

a better system. He said that he believes that when you receive a Certificate of Occupancy, there should be a packet handed out to landlords to give to tenants alerting them to the parking requirements and this should be handed out by the personnel in the Building Department. He said that general rules, including Garbage and Recycling schedules, should also be handed out. He said that there is a need to hand out something explaining, at the very least, the Parking rules. He said that at the Regular Meeting held January 9<sup>th</sup>, the City Council approved a bill to the tune of \$12,335 to a contractor to install a new water line for new construction at a house at 203 Midland Avenue. He said that the City Ordinance reads that if there is new construction, single, two-family, multifamily, residential or commercial property, the owner of that property shall be required to replace or install a water line from the structure to the main line. He said that you cannot sign any release form, you cannot say that if there is a problem down the line, "I will step up". He said that this happened to be a property that was for sale and even if there was an addendum to the statement, it does not apply because the house is going to be sold and somebody would have gotten an old water line. He said that it turns out that the Passaic Valley Water Commission put in a new meter and when they went to turn the water on, there was no water. He said that that is because years ago, the City disconnected the line because it was a leaky line. He said that Public Service Electric and Gas opened up the street on Midland Avenue to replace all the gas lines and there was a thought that maybe Public Service had done damage to the water line but that was not the case. He questioned if the Builder, the Property Owner or Developer was told to comply with the Ordinance. He said that the Ordinance is clear that they have to replace the water line and that was not done and the City paid for it. He said that all the City taxpayers paid for that line and it cost over \$12,000. He said that every person who builds a home has to pay out of their pocket, the contractor has to open the road, and post money to the City, and after a year, if it is done properly and the road is not sinking in, the money is returned to the property owner. He said that the Ordinance was not followed properly. He said that the bill was recommended for payment to the City Council, and he said that he was against it. He said that he did not know everything he knows now in regard to the circumstances. He said that he never ever remembers receiving a Resolution for a water line for new construction. He said that if someone is fortunate enough to build a new home, the law states that they have to put a new line in. He questioned why this was done and he said that the City was breaking its own law. He said that moving forward, he wants the bill presented to the property owner. He said that he should reimburse the City for what it just paid. He said that he was told by the City Manager that that is not going to happen and he has a problem with that. He said that certain people do not have special privileges, and that everybody has to go by the same law, and an ordinance is an ordinance, and nobody has a right to grant relief for that. He said that if someone has a water bill that is high, the City Council gave the City Manager the allowance to knock it down a certain percentage. He said that this is a \$12,000 fee that should have gone to the Developer or the Property Owner. He wished everyone a "Happy Valentine's Day" and said that it is also Ash Wednesday tomorrow.

Councilmember Erin Delaney said that the entire City Council can all sympathize with Mr. Springer and with the fine that he was given for an expired Resident Parking Sticker. She said that the City is implementing a new system which will bring the City into the Twenty-First Century and there is a definite method to the City's madness in regard to Illegal Apartments. She said that the system that the City currently does have, does bring up some red flags, and hopefully, the new system that the City will implement will continue to do so, and make it more convenient for the City residents and the guests that they may have. She said that a "Welcome Packet" is a great idea, and it has been discussed at Green Team meetings of which she is the Chair, and currently several City employees are working on this, in addition to their regular duties. She said that a brochure for Recycling and Garbage is currently being revamped, and a Graphic Designer is working on it, and it will be returned for review this Friday, so that it can be edited, printed and sent out by March. She said that she would also like to see the "Welcome Packet" online because it could end up being pretty lengthy. She said that the Green Initiative is to save paper. She spoke on the Garfield YMCA Comedy Night fundraiser scheduled to be held this Friday at the Royal Manor Restaurant located at 454 Midland Avenue. She said that on Saturday, February 24<sup>th</sup>, there will be a Black History Month event at the Frank B. Calandriello Senior Center located at 480 Midland Avenue. She wished every a "Happy Valentine's Day". She said that she has full faith in Tom Duch as City Manager and that all five of the Councilmembers voted "Yes" in appointing him last year, and that she does not believe that any special privileges were made.

COUNCILMEMBER COMMENTS

Deputy Mayor Joseph Delaney spoke on the Resident Parking Sticker Program and he said that he does not believe that the Police Department went on a “Ticket Blitz”. He spoke on the “Quality of Life” Committee meetings that were held, during which a “Welcome Packet” was discussed, and including in it all the information for Resident Parking. He said that this matter is being worked on, and that he has full faith in the City Building Department and the City Superintendent of Public Works. He said that he read in an email from Superintendent of Public Works Sam Garofalo that he had made a determination that Public Service Electric and Gas may have had something to do with the problem in the line at 203 Midland Avenue. He said that it is not the job of the City Council to check every house and their water lines. He said that it is his job as a Councilmember to have faith in the City DPW Superintendent if he suggests that something has to be done that may not be usual protocol. He said that the Council always has to listen to what the reasons may be, and everything is not always black and white. He said that he does not know why the determination was made, but he said that he is definitely not going to accuse anybody of favoritism because of whoever owns the house. He said that that is unprofessional and it is not the way this City Administration operates. He said that City Officials always try to do what is best for the City, even if a lot of people do not totally agree. He wished everyone a “Happy Valentine’s Day” tomorrow.

Mayor Rigoglioso spoke on the Resident Parking Sticker Program and said that he does not believe that the Police are on a “Ticket Blitz”. He spoke on the City going electronic and going away from stickers. He said that the new system will utilize an electronic reader and the Police will scan the license plates as they drive down the street and will know that Mr. Springer is a resident. He said that the new system will automatically renew everyone’s car every year. He thanked Labor Counsel Jay Lavin for filling in as Acting City Attorney for the past month after City Attorney Chris Diktas resigned. He said that he is looking forward to working with Bob Ferraro as the new Acting City Attorney. He said that he was here a year or two back, and he served the City well, and it will be a smooth transition. He said that he believes Bob Ferraro is the best pick at this time. He spoke on what was said with the water line at 203 Midland Avenue and he said that it is tough to understand and this Administration really watches the dollar. He said that the City has an AA- Bond Rating which is the highest rating the City can get with its demographics. He said that the City has a good standing, and this Administration does not spend frivolously. He said that as far as accusations that something “funny” went on, he totally disagrees. He wished everyone a “Happy Valentine’s Day”.

ADJOURNMENT

At 9:10 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