

A Work Session of the City Council was held on Tuesday, September 10, 2019 at 6:15 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 Work Session was being held in accordance with 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 Robert Ferraro, City Engineer Kevin J. Boswell, Interim Chief Financial Officer Roy Riggiano, Fire Official Gerald Walis and Building Inspector Robert Schultz

#### ALBANIAN ALLIANCE OF NEW JERSEY

The City Council and Cabinet met with Mr. Alban Gaba, 60 Center Court, of the Albanian Alliance of New Jersey concerning their proposal to place a statue of Mother Theresa in the City-owned park located near 441 Harrison Avenue, where the Cell Tower Flag Pole is located.

#### PROPOSED HIGH SCHOOL ATHLETIC COMPLEX IMPROVEMENT PROJECT

The City Council and Cabinet met with the following School Officials concerning the Proposed High School Athletic Field Complex Improvement Project: Superintendent of Schools Anna Sciacca and School Business Administrator Dr. Giovanni Cusmano. Several high school students in attendance presented a petition that read, "We the undersigned students of Garfield High School, call on the respected members of the Board of Education and the City Council to take action toward breaking ground on the proposed Community Athletic Complex at Garfield High School. We call on those who represent the City of Champions to move in the best interests of all of Garfield students and citizens, both present and future. The new Athletic complex will serve all members of our great city and be a point of pride for our school and community. Over the past two decades the athletic complex has experienced extreme erosion. Through no one's fault but time and nature, our complex has become dated in so many ways. Our track team is unable to compete on campus because the track is not of regulation size or surface; grass attracts geese who defecate on the playing fields where we have gym classes and compete in athletic contests; concrete curbs and sidewalks have eroded and cracked; metal stairs have rusted over time; the track floods and turns to mud for days; the tennis courts are in need of repair and resurfacing, while the basketball courts for gym classes and the community are no longer safe to use. The proposed athletic complex would resolve all of these issues, and more importantly the project would represent our school community in the proper light".

#### SHORT RECESS, CHANGE OF VENUE AND RETURN TO ORDER

At 7:00 PM, a short recess was called to move the Work Session to the Conference room. At 7:15 PM, the Work Session was again called to order and all City Officials were present as before the recess. It was duly noted for the record.

#### REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. Various City Advertisements.
2. The request for a crosswalk near Calvary Baptist Church of North Jersey at Garfield located at 217-245 Passaic Street which is being processed by the Police Department Traffic Division. However, it is expected that the request will be denied by the County, since Passaic Street is a County Road.
3. The September 11<sup>th</sup> Memorial Service scheduled to be held at Overpeck County Park in Leonia.

REPORTS OF OFFICERS

4. The Free Produce Market which was conducted through the Health Department was a huge success and the next one is scheduled to be held on September 25, 2019.
5. The Wildlife Conservation and Education Center located at 303 Midland Avenue will conduct a “Bat Walk” from their storefront to Dahnerts Lake County Park on Friday, September 20, 2019.
6. The proposed resolution to authorize payment to John Garcia Construction Company in regard to an emergency repair on Walnut Street.

CLOSED SESSION

Resolution No. 19-267

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 7:28 P.M. on Tuesday, September 10, 2019, 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; (the opening of water accounts and sewer accounts for new developments and meeting with Building Department Employees Gerald Walis and Robert Schultz re: this matter).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Proposed contract for Garfield Free Public Library Director Mary Jo Jennings).
- \* 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; (use of sick time by Police Detective Bernard Montalbano for existing back and neck conditions and need for a replacement; attire of DPW workers; alleged excessive absenteeism by 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) Joseph Delaney  
Erin N. Delaney

EXIT OF FIRE OFFICIAL GERALD WALIS AND  
BUILDING INSPECTOR SCHULTZ

At 7:45 PM, Fire Official Gerald Walis and Building Inspector Robert Schultz 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 8:00 PM, there being no further business, Councilmember Joseph Delaney moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

On call of roll, Ayes 5

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Andrew J. Pavlica, CITY CLERK

A Regular Meeting of the City Council was held on Tuesday, September 10, 2019 at 8:10 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 Robert Ferraro and City Engineer Kevin J. Boswell

#### SWEARING-IN CEREMONY OF POLICE OFFICERS

City Manager Thomas J. Duch acted as Master of Ceremonies and introduced Police Chief Raymond Kovach who led the members of the Garfield Police Department into the Council Chamber.

After the Flag Salute, Pastor Arthur Bryant of Friendship Baptist Church offered a Special Invocation.

City Manager Duch read a short biography of Andrzej F. Jarosz and administered the Official Oath to Police Officer Andrzej F. Jarosz as members of his family held the Bible.

City Manager Duch read a short biography of Marlene Martinez and administered the Official Oath to Police Officer Marlene Martinez as members of her family held the Bible.

City Manager Duch read a short biography of Elizabeth Moskal and administered the Official Oath to Police Officer Elizabeth Moskal as members of her family held the Bible.

City Manager Duch read a short biography of Anthony Pizzi and administered the Official Oath to Police Officer Anthony Pizzi as members of his family held the Bible.

City Manager Duch read a short biography of Fiorella Zappata and administered the Official Oath to Police Officer Fiorella Zappata as members of her family held the Bible.

City Manager Duch read a short biography and administered the official oath to Captain Joseph Marsh, as members of his family held the Bible.

City Manager Duch read a short biography and administered the official oath to Captain Richard Uram, as members of his family held the Bible.

City Manager Duch read a short biography and administered the official oath to Lieutenant Gerald Wich, as members of his family held the Bible.

City Manager Thomas J. Duch, Police Chief Raymond Kovach and each Councilmember and Mayor Richard Rigoglioso offered remarks on the new Police Officers and promoted Officers.

#### SHORT RECESS, RETURN TO ORDER AND EXIT OF CITY MANAGER DUCH

A short recess was called at 9:00 PM. At 9:35 PM, Mayor Rigoglioso again called the meeting to order and all City Officials were all present as before the recess, except City Manager Thomas J. Duch. It was duly noted for the record.

#### REPORTS OF OFFICERS

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

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 19-268

WHEREAS, Garfield Recreation Department Summer Counselor Jamie Van Allen saved a twelve year old girl who was choking on a snack by utilizing the Heimlich Maneuver on Wednesday, July 24, 2019 at the Sam and Ann Sangis Recreation Center Gymnasium located at 466 Midland Avenue in Garfield, and

WHEREAS, City Manager Thomas J. Duch and Recreation Director Chris O'Reilly recommend that Summer Counselor Jamie Van Allen be given a commendation, and,

WHEREAS, the Mayor and City Council is desirous of recognizing the concern for others exhibited by the quick-thinking and fast-acting Jamie Van Allen,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that JAMIE VAN ALLEN is hereby publicly recognize his vigilance in protecting the safety of his fellow human beings and especially for his rapid response in saving a twelve year old girl from choking.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 19-269

WHEREAS, the Hispanic Alliance of Garfield will be hosting their Gala on Wednesday, October 9, 2019 at the Royal Manor Restaurant located at 454 Midland Avenue in Garfield on Wednesday, October 9, 2019, and

WHEREAS, Louis G.Aloia is receiving the Founders Award, Dr. Kenneth Conte is receiving the Alliance Award and other honorees are Police Detective Francisco Sanchez, Andrea Espinosa and Luis "Papo" Corniel and,

WHEREAS, the Garfield City Council is desirous of publicly recognizing these champions from "The City of Champions",

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to Louis G. Aloia, Dr. Kenneth Conte, Francisco Sanchez, Andrea Espinosa and Luis "Papo" Corniel on their justly deserved awards from the Hispanic Alliance of Garfield.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso  
Joseph Delaney

Resolution No. 19-270

WHEREAS, the Garfield P.B.A. Local No. 46 will hold their Annual Awards Dinner on Thursday, October 17, 2019 at the Venetian Restaurant located at 546 River Drive, Garfield, New Jersey, and

WHEREAS, the P.B.A. is honoring Police Officers Captain Martin Gray, Lieutenant Jeffrey Camiscioli, Detective Sergeant Everett Garnto Jr., Detective Michael Latona and Detective David Coniglio as Gold Card Lifetime Membership Recipients and Marzena Czachor and Stephen Chrisomalis Jr. as Silver Card Lifetime Membership Recipients for their many years of dedicated service, and

WHEREAS, the City Council is desirous of joining with the P.B.A. in honoring these fine individuals,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Captain Martin Gray, Lieutenant Jeffrey Camiscioli, Detective Sergeant Everett Garnto Jr., Detective Michael Latona, Detective David Coniglio, Marzena Czachor and Stephen Chrisomalis Jr. are hereby publicly congratulated and acknowledged for being deservedly honored with a dinner celebration by Garfield P.B.A. Local No. 46 for their dedicated service to our community and the Garfield Police Department.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 19-271

WHEREAS, Greater Bergen Community Action Inc. will be holding their annual Gala on Thursday, October 10, 2019 at the Fiesta Restaurant in Wood Ridge, New Jersey, and

RESOLUTIONS

WHEREAS, the Gala is honoring eight deserving “Leaders in Building Stronger Communities” including Garfield City Manager Thomas J. Duch, Garfield Mayor Richard Rigoglioso and Garfield Superintendent of Schools Anna Sciacca, and,

WHEREAS, Greater Bergen Community Action serves more than 50,000 individuals and families a year and works to transform the lives of families in our communities through various programs such as early childhood education, weatherization and asset development classes for adults, transitional housing for persons without homes, community revitalization and the services, and,

WHEREAS, the Garfield City Council is desirous of publicly recognizing these champions from “The City of Champions”, and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to City Manager Thomas J. Duch, Garfield Mayor Richard Rigoglioso and Garfield Superintendent of Schools Anna Sciacca on being named deserving Leaders in Building Stronger Communities by the Greater Community Action Inc.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-272

WHEREAS, Rosemarie Ribaud, was last appointed as a Commissioner to the Housing Authority of the City of Garfield pursuant to Resolution No. 14-396, adopted by the City Council at a meeting held August 23, 2014, and

WHEREAS, her term of office expires October 19, 2019,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Rosemarie Ribaud of 7 Spring Garden Lane is hereby appointed as a Commissioner to the Housing Authority of the City of Garfield, effective October 19, 2019, to succeed herself, for a full five year term, said term to expire October 19, 2024.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-273

RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that Berti Skenderdi of 145 Palisade Avenue is hereby appointed as an alternate to the Events Planning and Recreation Advisory Committee.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-274

WHEREAS, Fire Company No. 1 has advised that they have accepted Kacper Szuberski of 60 Passaic Street, Garfield, New Jersey 07026, as a Junior Member, effective August 28, 2019,

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. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-275

WHEREAS, Fire Company No. 1 has advised that they have accepted Yahaira I. Sanchez of 59 Belmont Avenue, Garfield, New Jersey 07026 as a regular member, effective August 28, 2019,

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. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

RESOLUTIONS

Resolution No. 19-276

WHEREAS, Fire Company No. 3 has advised that they have accepted Jose A. Quirino of 133 Ackerman Avenue, Clifton, New Jersey 07011 as a regular member, effective August 5, 2019, NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-277

WHEREAS, Fire Company No. 3 has advised that they have accepted Julio E. Torres of 455 Mac Arthur Avenue, Garfield, New Jersey 07026 as a regular member, effective August 5, 2019, NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-278

WHEREAS, Fire Company No. 4 has advised that they have accepted Robert A. Mapes of 140 Pacific Avenue, Garfield, New Jersey 07026 as a regular member effective August 2, 2019, 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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-279

RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE OF A \$100,000.00 GRANT FROM THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (NJEDA) OPPORTUNITY ZONE CHALLENGE PROGRAM.

WHEREAS, the New Jersey Economic Development Authority announced the Opportunity Zone Challenge Program Grant opportunity; and

WHEREAS, the grant would fund planning for a marketing prospectus and real estate development plan, which could provide economic stimulus to the area; and

WHEREAS, once awarded funding through this program, a regional team of municipal and county officials and a Strategic Partner will collaborate to develop a marketing and real estate plan that will assess the Opportunity Zones in Garfield and determine strategic means of attracting investors for real estate opportunities that serve as a catalyst in Garfield and the region for economic development; and

WHEREAS, a resolution is required to authorize the application and acceptance of the New Jersey Economic Development Authority Opportunity Zone Program Grant.

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

I. GENERAL

The aforementioned recitals are incorporated herein as though fully set forth at length.

II. APPLICATION, ACCEPTANCE AND EXECUTION AUTHORIZED

a. The Mayor is hereby authorized to apply for and accept the New Jersey Economic Development Authority Opportunity Zone Challenge Program Grant.

b. The Mayor is hereby authorized to execute the New Jersey Economic Development Authority Opportunity Zone Challenge Program Grant Agreement and all associated documents, including the formal agreement or memorandum of understanding.

c. The Municipal Clerk is hereby authorized and directed, upon the execution of the New

RESOLUTIONS

Jersey Economic Development Authority Opportunity Zone Challenge Program Grant to attest to the signature of the Mayor upon such document; and is hereby further authorized and directed to affix the corporate seal of the City upon such document.

III. EFFECTIVE DATE

This Resolution shall take effect immediately.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-280

RESOLUTION OF SUPPORT FROM THE CITY OF GARFIELD TO SUBMIT AN APPLICATION AND ABIDE BY CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES (ROID) GRANT PROGRAM

WHEREAS, the City of Garfield desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000 to carry out a project to develop an inclusionary opportunity for young adults and other individuals with disabilities who wish to participate in an inclusive gardening programming in the City. City of Garfield will match this grant with \$4,000 (a 20% match of the total project cost, which will be approximately \$24,000).

NOW, THEREFORE, BE IT RESOLVED that the City Manager and City Council do hereby authorize the preparation and submission of such a grant; and,

BE IT FURTHER RESOLVED that the City Manager and City Council do hereby recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, in this case, the City Manager and City Council do further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Garfield and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-281

A RESOLUTION AUTHORIZING PAYMENT TO DS MEYER ENTERPRISES, LLC FOR EMERGENCY REPAIR WORK AT 36 COLUMBUS AVENUE, GARFIELD

WHEREAS, emergency services were required for construction improvements at 36 Columbus Avenue, and;

WHEREAS, DS Meyer Enterprises, LLC provided labor, equipment and material necessary to perform this repair work, and;

WHEREAS, emergency services were successfully completed under the direction of the City Engineer

NOW THEREFORE BE IT RESOLVED payment is hereby authorized DS Meyer Enterprises, LLC in the amount of \$117, 387.32.

BE IT FURTHER RESOLVED, the City Engineer is hereby authorized to coordinate this emergency repair on a time and material basis for a total fee not to exceed \$5,000.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-282

A RESOLUTION AUTHORIZING PAYMENT TO JOHN GARCIA CONSTRUCTION CO. INC. IN CONNECTION WITH A SEWER REPAIR AT MIDLAND AVENUE AND MADELINE AVENUE

WHEREAS, the City of Garfield solicited three quotes for a sanitary sewer repair at Midland Avenue and Madeline Avenue, and;

RESOLUTIONS

WHEREAS, John Garcia Construction Co, Inc. submitted the lowest bid, and  
WHEREAS, the work has been completed and approved by the City Engineer  
NOW THEREFORE BE IT RESOLVED payment is hereby authorized to John Garcia Construction Co., Inc. for the sanitary sewer repair and manhole rehabilitation at Midland Avenue and Madeline Avenue in the amount of \$13,290.00.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-283

A RESOLUTION AUTHORIZING PAYMENT TO JOHN GARCIA CONSTRUCTION COMPANY AND THE CITY ENGINEER FOR AN EMERAGNCY WATER REPAIR AT 1 WALNUT STREET

WHEREAS, the developer of the Meridia project installed a new water main in Walnut Street and abandoned an old water main and water services as part of providing adequate water service for their new project, and;

WHEREAS, a leak was detected at 1 Walnut Street which is within the section of recently installed water main, and

WHEREAS, the City Engineer and Water Department directed the developer to initiate the repair and the developer objected stating the source of the leak was not their responsibility, and;

WHEREAS, in response to the refusal of the developer to initiate the repair, the City notified the developer that the City would administer an emergency repair with the understanding a determination of responsibility would be determined during the performance of the repair, and;

WHEREAS, the developer requested prior written notice of the repair in order to have representatives present during the performance of the repair, and;

WHEREAS, the City retained John Garcia Construction Company to repair the water leak on August 28, 2019 and provided written notice to the developer on August 27, 2019 of the scheduled repair to occur the following morning, and;

WHEREAS, no representative of the developer was present during the repair. The source of the leak was identified to be an improperly abandoned water service at 1 Walnut Street. The repair and improperly abandoned water service was documented in an inspection report with numerous photographs, and;

WHEREAS, the improperly abandoned water service was part of the scope of work performed by the developer of the Meridia project when the new water line was installed. This improvement is also guaranteed by a performance bond posted by the developer with the City.

NOW THEREFORE BE IT RESOLVED payment to John Garcia Construction Company is hereby authorized in the amount of \$9356 for their charges in connection with the repair.

BE IT FURTHER RESOLVED payment to the City Engineer is hereby authorized in the amount of \$2865 for their charges incurred to date in connection the repair

BE IT FURTHER RESOLVED the City shall seek reimbursement of currently incurred and additional verifiable charges associated with this leak from the developer.

BE IT FURTHER RESOLVED the City shall not release the performance bond for this project until such time as the City has been reimbursed for all charges related to the repair of this water leak from either the developer or the entity which issued the performance bond which guaranteed the successful completion of this improvement.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 19-284

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
NJS 40A:4-87

WHEREAS, NJS 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

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NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$125,000.00 which is now available from the State of New Jersey Neighborhood Preservation 2019 Grant and;

BE IT FURTHER RESOLVED, that the sum of \$125,000.00 is hereby appropriated under the caption State of New Jersey Neighborhood Preservation 2019 Grant; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey Neighborhood Preservation 2019 Grant, in the amount of \$125,000.00.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Erin N. Delaney

BILLS AND CLAIMS

Resolution No. 19-285

RESOLVED by the City Council of the City of Garfield that the following Bill No. 2196 covering Trust Other Fund totaling \$63,458.45 and the Current Fund Reserve totaling \$1,083.50 and the Current Fund totaling \$2,547,069.80 and the Water Fund totaling \$61,169.05 and the General Capital Fund totaling \$110,968.11 and the Water Capital Fund totaling \$18,988.50 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 one (21) items prior to the meeting be ratified.

See

the

following pages numbered \_\_\_\_\_

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2821

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, August 27, 2019; 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:

CAPITAL ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, AUTHORIZING THE REPLACEMENT OF WATER METERS (PHASE I) IN, BY AND FOR THE WATER UTILITY OF THE CITY APPROPRIATING THEREFOR THE SUM OF \$1,200,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM WATER UTILITY CAPITAL SURPLUS OF THE CITY

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 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 4, Nays 1 – Councilmember Aloia

Councilmember Erin N. Delaney introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, “PARKING” SPECIFICALLY ADDING CHAPTER 226-36, “ILLELIGIBLE MULTI-UNIT PROPERTIES”

City Clerk Pavlica read the ordinance by title.

Councilmember Erin N. Delaney moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, “PARKING” SPECIFICALLY ADDING CHAPTER 226-36, “ILLELIGIBLE MULTI-UNIT PROPERTIES” 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 September 24, 2019 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 Joseph Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 3, Nays 2 – Councilmembers Aloia and Calandriello

CITIZENS AND TAXPAYERS

Mr. Edward Devine, 159 Market Street, commended City employees who spoke to him on water quality issues and property maintenance issues. He spoke on the posting of meeting notices on the Bulletin Boards in City Hall. He advocated renaming Passaic Street as Wall Street. He spoke on the broadcasting of Council Meetings on Cable TV.

Ms. Joan Banez, 20 Hepworth Place, spoke on attending last night’s Redevelopment Agency Meeting. She spoke on a water meter issue involving the Schley Crossing Redevelopment at the south end of Walnut Street. She complained that she could not hear the testimony presented at the

CITIZENS AND TAXPAYERS

Redevelopment Agency Meeting last night, because the presenter had his back to the audience. She questioned if there were buildings in the City missing water meters. She spoke on the Developer of the Schley Crossing Redevelopment. She spoke on the broadcasting of Council Meetings on Cable TV and she said that it is not adequate transparency. She claimed that certain Board Meeting Agendas and Minutes are not being timely posted on the City Website. She spoke on asking for attendance records of Board Members at Planning Board Meetings. She spoke on how Councilmember Erin Delaney said that in Elmwood Park, it is sometimes difficult to track down Minutes and Agendas of Meetings of various Boards from the Board Secretaries.

Mr. James Farias, 58 Somerset Street, said that he is speaking for those who could not attend this evening's meeting. He said that he wanted to know why the citizens of Passaic Street could not vote on how many stories the Passaic Street Redevelopment could be at 99 Passaic Street and 100 Passaic Street. He advocated changing the name of Passaic Street to Wall Street. He said that those in office should reconsider their vote regarding the Passaic Street Redevelopment.

COUNCILMEMBERS COMMENTS

Councilmember Aloia spoke on the perception a name could have on an area, so he said that he understands why it was advocated that a street name be changed. He spoke on how Agendas and Meeting Notices and Minutes should be posted immediately. He spoke on Redevelopment throughout the City of Garfield. He spoke on parking issues involving Redevelopment sites. He spoke on landscaping and aesthetics of proposed Redevelopments to enhance the neighborhood. He spoke regarding the City Resident Parking Permit Program and regarding on-street parking of residents of Redevelopment Projects.

Councilmember Calandriello spoke on the Resolution adopted on June 14<sup>th</sup> to award a contract to video Council Meetings. He spoke on the effort by Councilmember Erin Delaney to meet with School Officials to resolve the dispute regarding the airing of Council Meetings on Cable TV Public Access Channel 77 that is controlled by the School System. He spoke on his efforts to get Council Meetings on the air. He spoke on the students who came to City Hall tonight to advocate for improved Garfield High School Athletic Fields and how there is a need for a lot more dialogue, a lot more facts and a lot more solutions because it is an \$8 million project, with the School System responsible for half and the City responsible for half. He said that it has to be made certain that the School System can make ends meet. He said that there are a lot more questions to be answered. He said that he appreciates all the students who came to tonight's Work Session, but the City Council has to look at the big picture, including taxes. He spoke on how if a Councilmember is on the Planning Board, they have to make the meetings. He spoke on the attendance record of Councilmember Erin Delaney at Planning Board Meetings. He spoke on a situation that happened in the past week, and he said that he sent an email to City Manager Duch regarding a water meter at the 54 unit Meridia Schley Crossing Redevelopment Project at the south end of Walnut Street. He said that a water meter did not exist. He said that the Certificate of Occupancy was given back in December 2018. He questioned what happens when there is no water meter and no water bills sent out. He spoke on sewer bills. He spoke on how there are two buildings and how the first building was done correctly. He said that in regard to the second building, due to City error, the Developer did not notice it, and when you become a Developer with a Redevelopment Project, you partner with the City of Garfield. He said that it is their responsibility to make sure their building has a meter. He said that it is done, now, in September 2019. He said that it was 54 units of unmetered water from January until now. He said that the City Manager has back-billed to get the money from the Developer. He said that there are still issues with this Developer regarding a water line break. He said that this same Developer was designated the Developer for the Passaic Street Redevelopment Project, He spoke on performing a background review on what the type of Developer a firm is, before designating them as a Redeveloper. He spoke on how this water issue should have been settled with the City before they were designated a Developer for the Passaic Street Redevelopment. He questioned how an error like this happens. He remarked that tomorrow is September 11<sup>th</sup> and he spoke on that date in 2001, and how he was Mayor for about a year at that point, and how it was one of the most significant times that he will ever remember in his lifetime.

COUNCILMEMBER COMMENTS

He said that it was tragic, and if he is home, he tries to watch the ceremony each year that is broadcast on TV announcing the names of those who perished. He spoke on how, now, you see the children, who were infants when this event happened, and how much they have grown up. He said that it was a tragic time of our lives, that he will never forget, and he said that it is fortunate that no one died from Garfield in this fatal incident. He said that it is something that makes you reevaluate life and makes you realize that life is a gift.

Councilmember Erin N. Delaney spoke on Recycling suggestions and said that it is nice when people commend personnel and staff. She said that it is so nice and refreshing to see students get involved in regard to the proposed new Athletic Fields at Garfield High School. She said that she agrees that there needs to be more dialogue in regard to this issue. She spoke on the posting of Agendas and Minutes of Meetings on the City Website. She spoke on her attendance at Planning Board Meetings. She spoke on the water meter issue and water leak at the Schley Crossing Redevelopment at the south end of Walnut Street. She said that the City Engineer stated that the cost of the water leak amounted to about \$9,400 for the repair. She said that there was some concern as to who was responsible and whether it was PSE&G or the Developer. She said that the City is sitting on the Performance Bond of the Developer of over \$1,098,000 until they pay for the repair. She said that the City made a mistake in failing to be certain that a water meter was installed. She said that corrective action has been taken for the proper procedure for future developments. She said that it was very unfortunate but she has full faith that it will be rectified. She spoke on the Resolution that was acted upon this evening concerning a \$20,000 gardening grant and getting people with disabilities involved in the community. She said that the City has to match 20% of that grant which is about \$4,000. She congratulated all who were honored with Ceremonial Resolutions that were adopted this evening, in regard to the Hispanic Alliance Gala, the PBA Local No. 46 Dinner and the Greater Bergen Community Action Dinner. She said kudos to Jamie Van Allen for saving someone's life. She congratulated those who were appointed to City Committees. She acknowledged the Anniversary of the tragic events of September 11, 2001 and all those who perished on that day. She spoke on the Garfield YMCA scheduling to have a Chalk For a Cure event on September 24<sup>th</sup>.

Deputy Mayor Joseph Delaney spoke on the Redevelopment Agency Meeting that was held last night and how City Manager Duch explained at the meeting exactly what happened at the Schley Crossing Redevelopment at the south end of Walnut Street. He said that Meridia Transit Crossing was the developer of that Schley Crossing Project and was appointed the developer of the proposed Passaic Street Redevelopment. He said that the situation at Schley Crossing, involving the water meter, was an innocent mistake and not a cover-up. He said that before the City issues a Certificate of Occupancy, it's the job of the professionals working for the City to be certain that everything is in place, including a water meter. He said that it is not right to put out the perception that something illegal was done, when it was not. He said that it was a simple mistake and it is just not right. He spoke on the broadcasting of City Council Meetings on Cablevision and the Resolution that was adopted by the City Council on June 14<sup>th</sup>. He spoke on his service and his prior appointment to the Planning Board. He spoke on honoring Championship teams in the City. He spoke on honoring Jamie Van Allen for saving a young person's life at the Recreation Center. He spoke on remembering the events of September 11, 2001. He spoke on the Concert in the Park to be held this coming Friday at Twentieth Century Field.

Mayor Rigoglioso said that the water meter issue was something that was just missed and the reputation of the City Department Heads and the Developer should not be disparaged. He spoke on Jamie Van Allen saving a girl who was choking at the Recreation Center. He spoke on the students who came out to speak in favor of a new Athletic Complex at Garfield High School. He spoke on how there will be a lot of dialogue before anything happens. He spoke on tomorrow being September 11<sup>th</sup> and how you may not appreciate life until you realize how short it is. He said that it is a sad thing and he said soon there will be a graduating high school class in the School System who were not even alive when September 11<sup>th</sup> happened. He said that the events of September 11<sup>th</sup> changed the future of the United States and how we see things and how we look at things.

Regular Meeting September 10, 2019, Continued

ADJOURNMENT

At 10:30 PM, there being no further business, Councilmember Joseph Delaney moved to adjourn the meeting. Councilmember Erin N. Delaney duly seconded the motion.

On call of roll, Ayes 5

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Andrew J. Pavlica, CITY CLERK