

A Regular Meeting of the City Council was held Tuesday, May 1, 2012 at 8:05 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Frank J. Calandriello 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 and fax 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: Tana M. Raymond, Joseph Delaney, Louis G. Aloia and Frank J. Calandriello

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen, City Attorney Joseph J. Rotolo and City Engineer Kevin J. Boswell

REPORTS OF OFFICERS

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

On call of roll, Ayes 4, Vacancy 1

RESOLUTIONS

Resolution No. 12-139

RESOLUTION AUTHORIZING OUTDOOR CAFE

WHEREAS, pursuant to Ordinance No. 2529, an outdoor café may be operated provided, however, that an application be made to the Mayor and Council in accordance with the aforementioned Ordinance; and

WHEREAS, Timlo, LLC d/b/a DP's Café has made an application to the Mayor and Council for outdoor café approval; and

WHEREAS, the application has been reviewed by the Mayor and Council and the Office of the City Clerk and it has been determined that all requirements of the aforesaid Ordinance have been complied with; and

WHEREAS, the above described Applicant has also made application to the Mayor and Council for a place to place liquor license transfer since the description of the "licensed premises" will change as a result of the request for an outdoor café license; and

WHEREAS, the Mayor and Council have determined that it would be in the best interest of the City of Garfield to approve said outdoor café application subject to the terms, conditions and obligations set forth in Ordinance No. 2529.

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

1. The outdoor café license (site plan waiver) on behalf of Timlo, LLC d/b/a DP's Pub be and is hereby approved.
2. The approval herein shall be for premises located at 732 River Drive, Garfield, New Jersey.
3. The approval of this license shall be contingent upon approval of the Applicant's place to place liquor license transfer for the same area.
4. The approval granted herein shall be subject to all of the terms, conditions and obligations set forth in Ordinance No. 2529 and, furthermore, shall be subject to the reasonable directions and obligations imposed by the Office of the City Manager, Building Department and/or Police Department of the City of Garfield.
5. This approval shall also be deemed to approve the Applicant's use of a portion of the City of Garfield right of way as described in the survey prepared by the City Engineer dated

RESOLUTIONS

March 14, 2012. The Applicant shall pay an annual fee in the amount of \$155.00 for the use of this area of the City Right of Way.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk be and is hereby authorized and directed to forward certified copies of the within Resolution to Timlo, LLC, the City Attorney, the Garfield Police Department and the Garfield Building Department.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 12-140

WHEREAS, an application has been filed for a Place to Place Transfer (including expansion of premises) of Plenary Retail Consumption License No. 0221-33-017-003, Timlo, LLC (Lois McAuliffe, 14 Watchung Drive, Hawthorne, NJ 07506 & Timothy Rothfritz, 98 Semel Avenue, Garfield, NJ 07026 – who each owns 50% each of the shares of the Corporation), for licensed premises located at 732 River Drive, Garfield, NJ 07026), t/a DP's Pub, and

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

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

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective May 2, 2012, the expansion of premise of the aforesaid Plenary Retail Consumption License, Timlo, LLC, (Lois McAuliffe, 14 Watchung Drive, Hawthorne, NJ 07506 & Timothy Rothfritz, 98 Semel Avenue, Garfield, NJ 07026 – who each owns 50% each of the shares of the Corporation), for licensed premises located at 732 River Drive, Garfield, NJ 07026) t/a DP's, effective May 2, 2012.

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, live entertainment or discotheque be used in connection with this license; (A fee of \$90.00 was collected for the City of Garfield and \$200.00 was collected for the State of New Jersey in connection with the place to place license transfer.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 12-141

WHEREAS, Fire Company No. 3 has advised that they have accepted the resignation of David F. McCorkindale, 100 Manner Avenue, Garfield, NJ 07026 as an active member, effective June 6, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-142

WHEREAS, Fire Company No. 2 has advised that they have accepted Nathaniel Dela Cruz of 232 Grand Street, Garfield, NJ 07026, as a regular active member, effective April 2, 2012,

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

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTIONS

Resolution No. 12-143

RESOLUTION AUTHORIZING EXTENSION OF SOLID WASTE AND RECYCLING CONTRACTS

WHEREAS, Advanced Recycling of Hillsdale, New Jersey was previously awarded a Contract for recyclables collection in the City of Garfield; and

WHEREAS, Suburban Disposal, Inc. of Fairfield New Jersey was previously awarded the Contract for solid waste collection in the City of Garfield; and

WHEREAS, these contracts are scheduled to expire on June 30, 2012; and

WHEREAS, in accordance with the requirements of law, the City Council authorized the preparation of bid specifications for a successor Contract; and

WHEREAS, in accordance with the Council's authorization, the City Attorney, together with the Superintendent of the Department of Public Works prepared the necessary bid specifications and bid advertisement; and

WHEREAS, Office of the City Clerk attempted to arrange for the required publication of the solicitation for bids, however, the official newspaper of the City of Garfield did not properly advertise in accordance with the City Clerk's request; and

WHEREAS, as a result of the foregoing, a new bid advertisement must be published and an extension of the above contacts is required; and

WHEREAS, each of the contractors described above have consented to the extension of the Contracts for a period of ninety (90) days, at the same rate and terms, in order to allow the required publication.

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

1. Extensions of the Recyclables Collection Contract with Advanced Recycling of Hillsdale, New Jersey and Suburban Disposal, Inc. of Fairfield, New Jersey be and are hereby authorized.
2. The extensions describe herein shall be upon the same terms, conditions and obligations as in the prior contract and shall extend until September 30, 2012.
3. The award of these extensions may be granted without the necessity of competitive bidding in view of the fact that an emergency does, in fact, exist.
4. These extensions are granted on the condition that the Chief Financial Officer of the City of Garfield certifies that sufficient funds exist for this purpose.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Advanced Recycling of Hillsdale, New Jersey, Suburban Disposal, Inc. of Fairfield, New Jersey, the Department of Public Works of the City of Garfield and the Chief Financial Officer of the City of Garfield.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-144

RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PURCHASE OF FIRE VEHICLE

WHEREAS, representatives of Fire Company No. 4 previously requested that the Mayor and Council consider the purchase of a vehicle for use by that fire company; and

WHEREAS, pursuant to Resolution No. 12-97, the Mayor and Council authorized the preparation of bid specifications for the purchase of that vehicle; and

WHEREAS, in accordance with the aforementioned approval, bid specifications were prepared and properly advertised and bids were due to be received by the Mayor and Council on April 19, 2012 at 10:00 AM; and

WHEREAS, at that time, one bid was received; and

WHEREAS, the one bid received was from Campbell Supply Company, LLC representing Crimson Fire, Inc. of Edison, New Jersey; and

RESOLUTIONS

WHEREAS, the appropriate representatives of Garfield Fire Company No. 4 have reviewed the bid submitted by this bidder and have confirmed that the bid submitted is in full compliance with the bid specifications; and

WHEREAS, the Chief Financial Officer of the City of Garfield has also confirmed that sufficient funds exist for this acquisition; and

WHEREAS, the City Attorney has reviewed the bid submitted and has determined that it meets all necessary legal requirements.

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

1. A Contract be and is hereby authorized for the purchase of a one hundred (100) foot tiller ladder truck in accordance with the bid specifications prepared on behalf of Fire Company No. 4.
2. The amount of this Contract should be \$947,227.00 in accordance with the bid submitted by the successful bidder.
3. This Contract shall be awarded to Crimson Fire, Inc. which is located at 907 Seventh Avenue, Brandon, South Dakota.
4. The bid submitted by Crimson Fire, Inc. was submitted on their behalf by Campbell Supply Company, LLC of Edison, New Jersey, however, the Contract herein shall be awarded to Crimson Fire, Inc. of Brandon, South Dakota.
5. The award of this Contract is contingent upon certification by the Chief Financial Officer of the City of Garfield that sufficient funds exist for this purpose.
6. The award of this Contract shall be strictly in accordance with the terms, conditions and obligations of the bid specifications and the successful bidder described herein shall be required to comply in all respects, with the terms, conditions and obligations of those bid specifications.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk be and is hereby authorized and directed to forward certified copies of the within Resolution to Campbell Supply Company of Edison, New Jersey, Crimson Fire, Inc. of Brandon, South Dakota, Fire Company No. 4, the Chief Financial Officer for the City of Garfield and the City Attorney.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-145

A Resolution Authorizing Change Order No. 7 in Connection with the River Drive Improvement Project, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to English Paving Co. in the original contract amount of \$7,544,462.52, and;

WHEREAS, Change Order No. 7 is necessary to adjust As-Built quantities and various unforeseen conditions encountered, and;

NOW THEREFORE BE IT RESOLVED, Change Order No. 7 in the total amount of \$208,721.58 is hereby approved.

NOW THEREFORE BE IT FURTHER RESOLVED, Change Order No. 7 in the total amount of \$208,721.58 is hereby approved.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 12-146

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made,

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in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from Christino Campos, 25 Somerset Street, Garfield, NJ 07026, B29/L23, in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 10/05/2010 said funds are being held in the Trust Other Fund, and WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

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

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 12-147

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from YMCA of Garfield, 33 Outwater Lanet, Garfield, NJ 07026, for 85 Summit Avenue B106/L11.02, in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 12/14/2009 said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

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

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 12-148

Resolution Approving Memorandum of Agreement with the White Collar Employee Association of the City of Garfield

WHEREAS, the City of Garfield (hereafter "the City") and The White Collar Employee Association, (hereafter "the Association") have entered into collective negotiations pursuant to the requirements of the Public Employers and Employees Act, N.J.S.A. 34:13A-1, as required pursuant to the terms of the expiring/expired collective bargaining agreement between the parties; and

WHEREAS, the Association and the City have completed negotiations on economic issues and noneconomic issues and have set forth the terms of the their agreement in a Memorandum of Agreement, a true copy of which is attached hereto as Exhibit A; and

WHEREAS, the Memorandum of Agreement in the form attached has been approved by the Association and signed by the President thereof and is now presented to the City for its formal approval; and

WHEREAS, the Memorandum of Agreement reflects the terms and conditions negotiated between the City and the Association:

NOW THEREFORE BE IT RESOLVED, that the City of Garfield approves the form of Memorandum of Agreement between the City of Garfield and The White Collar Employee Association concerning the terms and conditions of employment of the persons covered under the Agreement for the period of time beginning January 1, 2012, ending December 31, 2014, a true copy of which is attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the Mayor, the City Manager and the City Clerk are likewise authorized to sign and to attest such form of Memorandum of Agreement and/or Collective Bargaining Agreement as amended to incorporate the terms of the Memorandum of Agreement in a form to be approved by Special Counsel to the City; and

BE IT FURTHER RESOLVED, that the Memorandum of the Agreement shall be countersigned by the Mayor of the City of Garfield and the Clerk of the City of Garfield, and the seal of the City affixed thereto as evidence of the City's approval;

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BE IT FURTHER RESOLVED, that the appropriate salary ordinance be prepared and presented for adoption to reflect the adjustments in salary and benefits as contemplated by the Memorandum of Agreement.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-149

Resolution Approving Memorandum of Agreement with the Blue Collar Employees
Union of the City of Garfield

WHEREAS, the City of Garfield (hereafter “the City”) and The International Brotherhood Of Teamsters, Local No. 469 (hereafter “the Union”) have entered into collective negotiations pursuant to the requirements of the Public Employers and Employees Act, N.J.S.A. 34:13A-1, as required pursuant to the terms of the expiring collective bargaining agreement between the parties; and

WHEREAS, the Union and the City have completed negotiations on economic issues and have set forth the terms of the their agreement in a Memorandum of Agreement, a true copy of which is attached hereto as Exhibit A; and

WHEREAS, the Memorandum of Agreement in the form attached has been approved by the Union and signed by the President thereof and is now presented to the City for its formal approval; and

WHEREAS, the Memorandum of Agreement reflects the terms and conditions negotiated between the City and the Union:

NOW THEREFORE BE IT RESOLVED, that the City of Garfield approves the form of Memorandum of Agreement between the City of Garfield and The International Brotherhood Of Teamsters, Local No. 469 concerning the terms and conditions of employment of the persons covered under the Agreement for the period of time beginning January 1, 2012, ending December 31, 2014, a true copy of which is attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the Mayor, the City Manager and the City Clerk are likewise authorized to sign and to attest such form of Collective Bargaining Agreement as amended to incorporate the terms of the Memorandum of Agreement in a form to be approved by Special Counsel to the City; and

BE IT FURTHER RESOLVED, that the Memorandum of the Agreement shall be countersigned by the Mayor of the City of Garfield and the Clerk of the City of Garfield, and the seal of the City affixed thereto as evidence of the City’s approval;

BE IT FURTHER RESOLVED, that the appropriate salary ordinance be prepared and presented for adoption to reflect the adjustments in salary and benefits as contemplated by the Memorandum of Agreement.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 12-150

A Resolution Authorizing the Submission of a Grant Application to Bergen County Office of Community Development for Unprogrammed Grant Funds.

WHEREAS, the City of Garfield is desirous of applying for a Grant Application for unprogrammed funds in connection with the River Drive Roadway and Park Improvement Project, and;

WHEREAS, the Bergen County Office of Community Development has unprogrammed funds from other projects which were previously awarded but have not used.

NOW THEREFORE BE IT RESOVED, the City of Garfield hereby endorses a Grant Application for unprogrammed funds for this project.

On call of roll, Ayes 4,
Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

BILLS AND CLAIMS

Resolution No. 12-151

RESOLVED by the City Council of the City of Garfield that the following bills covering the Current Reserve Fund totaling \$164.39 and the Current Fund totaling \$1,308,114.27 and the Water Fund totaling \$26,294.48 and the General Capital Fund totaling \$500.00 and the Water Capital Fund totaling \$1,000.00 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 one (21) items prior to the meeting, be ratified.

See

the

following

Pages _____

for

bills

and

claims

CITIZENS AND TAXPAYERS

Mr. Reginald Buggs, 315 Mac Arthur Avenue, said he is representing URGENT and he read the following letter on behalf of the organization which was in opposition to the City Political Campaign Sign Ordinance:

United Residents of Garfield Engaging Neighborhood Transformation

U.R.G.E.N.T.

22 April 2012

Dear City Manager, City Council and City Attorney,

U.R.G.E.N.T. in its quest for freedom and justice in Garfield has meaningful concern in contacting its city officials concerning the city code on signs on private property, especially, Ordinance 272-10. City ordinances that put unlawful size restrictions, placement and time durations on signs, as well as, political signs are unconstitutional and should not be enforced. U.R.G.E.N.T. is kindly asking the city officials to review the unlawfulness of these ordinances. It's time to repel and amend them immediately.

As you may know, there have been court cases that have engaged in successful efforts against similar sign ordinances including lawsuits filed in 2008 against the Borough of Hawthorne and in 2001 against the Borough of Franklin Lakes, as well as advocacy efforts in other parts of the state.

U.R.G.E.N.T. understands the importance of "good city government" and its desire to serve the people efficiently, lawfully, but most of all, fairly. It's embarrassing and appalling to know that city candidates have to go to neighboring safe havens such as, Saddle Brook and Lodi, to legally exercise their constitutional rights. We applaud these municipalities for being shining strong towers of the Constitution of United States of America. Also, we know that time and money is often in short supply. So in saying that, we know it would be better for the city attorney to review this matter swiftly, consider the legalities and serve the people of Garfield in the best fiduciary method.

The United States Supreme Courts has held that political window and yard signs play an important and unique role in American Democracy. City of Ladue v. Gilleo, 512, U.S., 48 (1994) (Displaying a sign from one's own residence often carries a message quite distinct from placing the same sign somewhere else, or conveying the same text or picture by other means. Precisely because of their location such signs provide information about the identity of the "speaker." Id. at 56). See also State v. Miller, 83 N.J. 02,412 (1980), citing Thomas V. Collins, 323 U.S. 516, 530 (1945) (where political speech is involved, our tradition insists that government "allow the widest room for discussion, the narrowest range for its restriction"). Courts throughout the country, including in New Jersey, have consistently struck down ordinances hat placed durational limits on political signs displayed on private property. Garfield's restraint on size of political signs is constitutionally dubious. We have not found a reported case upholding a four square foot limit. The City's prohibition of political signs exceeding four square feet in area "may strongly impair the free flow of protected speech "because the size limit here would not "be large enough to permit viewing from the road, both by persons in vehicles and on foot." State v. Miller, 83 N.J. 402, 416 (1980) (holding that the six square foot size limit placed by the Borough was inadequate and noting that such a limitation cannot be upheld if it were determined in an arbitrary manner). Aesthetic interests do not come" at the expense of a landowner's loss of unrestricted use of his property.

In closing, U.R.G.E.N.T. hopes the city will reconsider its position on this matter to avoid court proceedings. We remind the city management, the residents have been through a lot in the last four years. There's the state monitoring of the BOE (2011), the Governor's firing of the mayor and city council member (2009), high property taxes, police protest of budget cuts (2010), the city's nepotism scandal (2009), Malik Williams shooting (2011) and the Bergen Record's victory in North Jersey News v. Garfield Police Dept. (2010) over public records in Bergen County Court. It's time to move forward in a new direction. Let's do the right thing within the scales of justice, repeal and amend.

Sincerely Yours,
U.R.G.E.N.T.

CITIZENS AND TAXPAYERS

Mr. Stewart Walters, 272 Palisade Avenue, asked questions and made comments concerning political literature mentioning City Manager Duch.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on Governor Christopher Christie's scheduled appearance in Garfield tomorrow. He spoke on Urban Transit Hubs and encouraging Urban Revitalization to attract businesses to Garfield. He spoke on the Political Campaign Sign Ordinance.

Mr. Anthony Barckett, 183 Lincoln Place, spoke on a political flier mentioning City Manager Duch.

Mr. Victor Urbanez, 90 Passaic Street, spoke on the political campaign sign ordinance.

Mr. Tony Lio, 50 Maitland Place, spoke on a political flier mentioning City Manager Duch.

Mr. Kenneth Alan Washington, Passaic, New Jersey, spoke on the fatal police shooting of December 10, 2011.

Mr. Glenn Mati, 129 Sampson Street, spoke on a political flier mentioning City Manager Duch.

Mr. Miguel Reyes, 91 Passaic Street, spoke on the fatal police shooting of December 10, 2011.

Mr. Terence Jones, Mellica Hill, New Jersey, said that he is a Civil Rights Advocate and Public Safety Consultant. He spoke on the fatal police shooting of December 10, 2011.

Mr. Frank Barber, 201 Banta Avenue, spoke on the political campaign sign ordinance and spoke on the political flier mentioning City Manager Duch.

Mr. Constance Washington, Passaic, New Jersey, spoke on the fatal police shooting of December 10, 2011.

Ms. Shelia Kelly Logan, 42 Grand Street, spoke on the fatal police shooting of December 10, 2011 and on Governor Christopher Christie's scheduled appearance tomorrow in Garfield.

Mr. Bryan Walensky, 76 DeWitt Street, spoke on a political flier mentioning City Manager Duch.

Ms. Lisa Logan, 316 Malcolm Avenue, said that the Garfield Police Officer involved in the fatal police shooting of December 10, 2011, should be off the street.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that no mother should have to bury a child. She said that to a certain extent, the City Council's hands are tied and cannot interfere with the process. She said that this event, of December 10, 2011, has really affected this town and there was a wonderful Healing Service conducted by Pastor Arthur Bryant of Friendship Baptist Church. She said that the matter has to go through the steps. She said that everyone has to work together, not against each other. She spoke on a political flier mentioning City Manager Duch and which read that he would be replaced with a non-qualified puppet. She questioned to whom was "the Calandriello Team" referring.

Councilmember Delaney spoke on a political flier mentioning City Manager Duch. He spoke on last Saturday's Woman's Club Ziti Dinner and on the upcoming Freddie Porter Scholarship Beefsteak Fundraiser to be held Friday, May 4, 2012 at 7:00 PM at the Frank B. Calandriello Senior Citizen Center located at 480 Midland Avenue.

Councilmember Aloia said that currently, for the issue at hand, the City does not have all the answers. He said that the Chief of Police and the County Prosecutor and the Grand Jury is where this matter is going. He suggested a forum to establish understanding. He said that he does not

COUNCILMEMBER COMMENTS

know what happened that night and he is not going to make it up. He said that the process is the only one we have and with regard to the Prosecutor, he does not know what is correct and not correct.

Mayor Calandriello offered condolences to Ms. Shirley Williams, the mother of Malik Williams, who was killed on December 10, 2011. He said that the County Prosecutor is appointed by the Governor and he will offer transparency but there is a process here. He said that in regard to the political flier, under no circumstances was it said that City Manager Duch is only on the Calandriello Team. He said that City Manager Duch is working hard for the City of Garfield and has done a great job for the City of Garfield. He said that the City is lucky to have him.

City Manager Duch said that the events involving Malik Williams were a terrible, unfortunate incident in the City. He then read the following statement:

I have received numerous telephone calls over the last week concerning a recent political mailing. Many have questioned whether I approved of the mailing and whether in fact I am endorsing anyone. I have taken photos with the Mayor's team, other Council members and some of the candidates. I have not endorsed anyone.

I have worked well with the entire current Council. In fact, we have probably agreed on 95% of the agenda items that have come before us. I have also worked with some of the other candidates in a number of capacities on charitable boards and government related organizations. I respect all the candidates for their commitment to our community.

The fact is that this election is not about TomDuch. This election is about the City of Garfield and who the citizens believe will best serve the City for the next four years. I can say without question that the field of candidates offers many choices to the people of the City of Garfield.

I have truly enjoyed the years that I have spent in the position of City Manager. There have been many challenges and many opportunities to improve the City. Our common goal must always be to move the City forward. I am hopeful that the 5 candidates elected by the citizens of this City next Tuesday, will allow me to continue to serve.

ADJOURNMENT

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

On call of roll, Ayes 4,
Vacancy 1

Andrew J. Pavlica, CITY CLERK