

A Regular Meeting of the City Council was held Tuesday, May 15, 2012 at 8:20 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, Louis G. Aloia and Frank J. Calandriello  
Councilmembers Absent: Joseph Delaney  
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen, City Attorney Joseph J. Rotolo, Labor Counsel Joseph Randazzo, City Engineer Kevin J. Boswell and Councilmember-Elect Glenn Mati

### REPORTS OF OFFICERS

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

On call of roll, Ayes 3, Absent 1 –  
Councilmember Delaney, Vacancy 1

### RESOLUTIONS

Resolution No. 12-153

WHEREAS, Calvary Baptist Church of North Jersey at Garfield, located at 217-245 Passaic Street, is celebrating 85 years of existence and 40 years of pastoral leadership of Dr. Calvin McKinney, and

WHEREAS, Pastor McKinney's undergraduate work was completed at William Paterson University in Wayne, New Jersey and his graduate studies were completed through the National Theological Seminary and College in Baltimore, Maryland, where he was also honored with a Doctorate of Humane Letters Degree, and

WHEREAS, in 2003, Pastor McKinney guided the people of God called Calvary in the construction of a \$10 million state-of-the-art edifice, and on March 19, 2006, the people of Calvary entered their new home, a 1,500 seat sanctuary, which includes educational, fellowship and administrative complexes, and

WHEREAS, under the visionary leadership of Pastor McKinney, Calvary is known for its humanitarian outreach to those in need, and in 1998, the Calvary Community Development Center was established to bridge the economic, social and political gap, and the CCDC provides clothing, food and emergency assistance to those in need, and

WHEREAS, Pastor McKinney enjoys a full preaching ministry that has taken him throughout this Country, as well as the continents of Africa, Europe, Asia, Central America and the Caribbean Islands, and

WHEREAS, in September 2009, Pastor McKinney was elected General Secretary of the National Baptist Convention, USA, Inc.; served as the youngest Moderator in the history of the North Jersey District Missionary Baptist Association from 1986 to 1990; and served from 1996 through 2000 in an unprecedented tenure as one of the youngest Presidents in the history of the 300,000 member General Baptist Convention in New Jersey, Inc., and

WHEREAS, he and his wife, the former Brendalyn L. White of Birmingham, Alabama, are the proud parents of three children: Terence, Gina and Calvin and are the proud grandparents of Terence, Timothy and Mason, and

WHEREAS, a commemorative dinner celebration will be held at the Venetian Restaurant located at 546 River Drive in Garfield on Tuesday, May 29, 2012,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that DR. CALVIN MC KINNEY is hereby HONORED and CONGRATULATED as he observes the 40th ANNIVERSARY as PASTOR of Calvary Baptist Church and marks a significant milestone in his exemplary ministry of love, devotion and service.

RESOLUTIONS

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 12-154

WHEREAS, 85 years ago, in 1927, twenty two African Americans of faith living in Garfield, New Jersey established their Church in this City, meeting for Sunday school in a store-front located on Frederick Street, and

WHEREAS, on May 28, 1927 their dream became a reality when the Rev. Greene, Pastor of the Mount Olive Baptist Church, Hackensack, New Jersey, organized the Mount Calvary Baptist Church in a building on Morrell Place in Garfield, and

WHEREAS, in 1929, Mount Calvary Baptist Church changed its name to The Calvary Baptist Church and relocated to 419 Harrison Avenue, Garfield, New Jersey, and

WHEREAS, in the 1950's and 1960's, under the Leadership of Rev. Joseph J. Robinson, Calvary Baptist Church built an interfaith relationship with other denominations in the community with Pastor Robinson speaking at local civil events and participating in civil activities in the City, and

WHEREAS, the Rev. Calvin Mc Kinney was called to serve as Pastor in June of 1972 continuing the growth of the congregation and participation of the Church in religious, civic, and political matters, and

WHEREAS, in 2003, Pastor McKinney guided the people of God called Calvary in the construction of a \$10 million state-of-the-art edifice, and on March 19, 2006, the people of Calvary entered their new home, a 1,500 seat sanctuary, which includes educational, fellowship and administrative complexes, and

WHEREAS, under the visionary leadership of Pastor McKinney, Calvary is known for its humanitarian outreach to those in need, and in 1998, the Calvary Community Development Center was established to bridge the economic, social and political gap, and the CCDC provides clothing, food and emergency assistance to those in need, and the Church community continues to grow as a "contagious" congregation,

NOW THEREFORE, RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that heartfelt congratulations are extended to Calvary Baptist Church, to its congregation, and to Pastor Calvin Mc Kinney upon the occasion of celebrating its 85th ANNIVERSARY of ministry and spiritual nurture, through many seasons of change, to those members and leaders who now recall with pride and gratitude the many milestones of the past as they prepare in faith forth the blessings and challenges of the journey yet ahead.

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 12-155

WHEREAS, Can Wash Laundromat, 18 Plauderville Avenue has filed an application for a Laundromat license for the year 2012, and

WHEREAS, the local inspectors CERTIFY that they have conformed to provisions of Ordinance No. 1288,

NOW THEREFORE BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to, Can Wash Laundromat for the year 2012.

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 12-156

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Stanley J. Moskal, was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

RESOLUTIONS

WHEREAS, on Friday, May 18, 2012, it will be necessary and appropriate to temporarily appoint Louis G. Aloia as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Allen Carranza of Clifton and Lovianie Javier of Clifton, and  
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

1. Councilman Louis G. Aloia be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Allen Carranza and Lovianie Javier.
2. This temporary appointment shall be solely for the purpose of performance of these marriage ceremonies and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremonies and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremonies as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman Louis G. Aloia and Allen Carranza and Lovianie Javier.

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 12-157

City of Garfield Civil Rights RESOLUTION

A RESOLUTION TO AFFIRM THE CITY OF GARFIELD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS  
WHEREAS, it is the policy of The City of Garfield to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of The City of Garfield has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Mayor and Council of the City of Garfield that:

Section 1: No official, employee, appointee or volunteer of the City of Garfield by whatever title known, or any entity that is in any way a part of the City of Garfield shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City's business or using the facilities or property of the City.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City to provide services that otherwise could be performed by the City.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The City Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

RESOLUTIONS

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The City Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the (local unit type) as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The City Manager shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the City Clerk shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the City. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the City of Garfield in order for the public to be made aware of this policy and the City's commitment to the implementation and enforcement of this policy.

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 12-158

WHEREAS, the Mayor and Council of the City of Garfield wish to file an application with the New Jersey Department of Community Affairs, Recreational Opportunities For Individuals With Disabilities (ROID) FY 2013 Grant Program, which will provide funding for recreational events and activities for persons with disabilities; and

WHEREAS, the Mayor and Council of the City of Garfield have reviewed the attached ROID Grant Program application, which must be filed with the New Jersey Department of Community Affairs by June 1, 2012; and

WHEREAS, the Mayor and Council of the City of Garfield are desirous of obtaining a ROID Grant in an amount not to exceed \$10,000, which requires a local cash match share of \$2,000 for a total program cost of \$12,000; and

WHEREAS, the Mayor and Council of the City of Garfield recognize and accept that the Department of Community Affairs may offer a greater or lesser amount in connection therewith:

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GARFIELD THAT:

1. The Mayor and Council of the City of Garfield hereby endorse, support and authorize the filing of a New Jersey Department of Community Affairs ROID FY 2013 Grant application.
2. Upon receipt of the Grant Agreement from the New Jersey Department of Community Affairs, the signature of the Mayor and/or any other municipal official, or their successors in said titles, which is required on the agreement and any other documents necessary in connection therewith, is hereby approved.
3. Upon receipt of the fully executed Grant Agreement from the New Jersey Department of Community Affairs, the expenditure of funds is hereby authorized pursuant to the terms of the agreement between the City of Garfield and the Department of Community Affairs.

RESOLUTIONS

4. A copy of this resolution shall be sent to the New Jersey Department of Community Affairs so that implementation of the grant program may be expedited.

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 12-159

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2010.

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

BLOCK	LOT	OWNER	REASON	AMOUNT
88.01	7	Safeguard Storage Properties, LLC	TCJ	\$30,494.00

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 12-160

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2011.

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

BLOCK	LOT	OWNER	REASON	AMOUNT
88.01	7	Safeguard Storage Properties, LLC	TCJ	\$12,090.00
111	1.06	“Law Office of Nathan P. Wolf, LLC And Crystal Holdings, LLC”	TCJ	\$77,289.00
111	52	“Law Office of Nathan P. Wolf, LLC And Sankalu, Inc.	TCJ	\$48,447.00

On call of roll, Ayes 3, Absent 1 -  
Councilmember Delaney, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 12-161

RESOLVED by the City Council of the City of Garfield that the following bills No. 1517 to 1519 covering Trust Other Account and Dog Trust Account totaling \$5106.20 the Current Reserve Fund totaling \$7,670.24 and the Current Fund totaling \$1,833,152.86 and the Water Fund totaling \$5,984.95 and the General Capital Fund totaling \$540,784.66 and the Water Capital Fund totaling \$217.50 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 fifteen (15) items prior to the meeting, be ratified.

See the following  
Pages \_\_\_\_\_

for Bills and Claims

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION  
OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD,  
BERGEN COUNTY, NEW JERSEY

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this ordinance entitled: "AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY", 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 June 6, 2012 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 Raymond, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 3, Absent 1 – Councilmember Delaney, Vacancy 1.

CITIZENS AND TAXPAYERS

Mr. Chuck Lynch, 199 Mac Arthur Avenue, complained about parking and the behavior of the people picking up the children from the Charter School located at 188 Mac Arthur Avenue near Mount Virgin Roman Catholic Church. He complained about double parking, litter and claimed he has been verbally and physically abused over a parking spot.

Ms. Patricia Huffman, 229 Midland Avenue, complained about crossing guards not enforcing traffic laws.

Mr. John Caravella, 4 Center Court, complained about the sound system in the Council Chamber.

Ms. Venita Allen, 210 Gaston Avenue, complained about people remaining in Twentieth Century Field after the park closes.

Ms. Sharon Schneider, 209 Market Street, complained about dogs not being kept on a leash. She said that she was concerned about police being taken off patrols to give tickets for overnight parking. She said that she is concerned about people driving recklessly. She said that she is all for the construction of a new Police Station.

Mr. Clyde Bamby, 105 Chestnut Street, asked questions and spoke on curfews and adolescents roaming the streets after 11:00 PM at night.

Ms. Shelia Kelly, 42 Grand Street, asked about the construction going on on Grand Street between Cambridge Avenue and Palisade Avenue and if it is part of the on-going investigation by the EPA and the implementation of monitoring wells. She said that she is interested in getting the results of the findings from the EPA.

Ms. Erin Delaney, 15 Garden Court North, spoke in opposition to negative campaign literature.

Mr. Reginald Buggs, 315 MacArthur Avenue, read the following statement:

May 15, 2012

Dear City Manager and City Council:

The following statement presents the facts, opinions and sentiments of U.R.G.E.N.T. It does not represent the views or positions of any other agency, group or political campaign. U.R.G.E.N.T. is

CITIZENS AND TAXPAYERS

calling for the removal of Chief Kevin Amos from the position of chief of police. We respectfully request that you appoint a replacement, an individual who has widely recognized expertise in law enforcement and in whom the City of Garfield could have full confidence.

Our reasons are simple. Chief Amos has failed to address this community crisis appropriately and honestly. Chief Amos has avoided our request to meet with him more than once. Time and time again he has shown us he is an incompetent leader; his actions and character are unprofessional, extremely unpleasant and offensive to our moral sensibilities. He has demonstrated pious lawlessness. He has chosen to selectively enforce the law and has engaged in unethical acts by showing favoritism to some. In the case of Malik Williams, we have been lied to. We have loss all confidence in Chief Amos, the criminal investigation and the Garfield Police Department.

It's important to note, some of the duties of the police chief are to preserve the peace, protect persons and property, and enforce ordinances and laws of the city, state and federal government. He insures that any complaints against the Department or its personnel are handled effectively and in a timely manner. He must be a competent oral communicator who knows how to effectively work with the community at all times. One of his primary objectives is to gain the trust of the community. He's the primary representative of the Police Department. He is to maintain an effective working relationship with community leaders. Chief Amos has failed miserably on all counts.

While the community's been in crisis, Chief Amos has been silent. He hasn't taken role as a leader, he's shown no incentive to heal the community. During the healing ceremony at Friendship Baptist Church, Chief Amos sat back in stoic face, occasionally smirking. He never offered a warm and encouraging word to the community. Let's not fool ourselves, Chief Amos is no "Ray Kelly" and we can't turn and look away hoping optimistically his incompetency and dishonesty reverses itself. He assumes the command and control of police operations. The chief lied and by doing so, he has allowed a potential murder back on the streets of Garfield with a gun. With find this action despicable. We desperately need new leadership.

New City Council 2012, you stand at the crossroads at a time when the harmonious future of a diverse community depends on its leaders. The chief of police is an appointed position under the direction of the city manager. The chief has disregarded the honorable reputation of his superior, the city manager, Tom Duch.

As for U.R.G.E.N.T. we are here to right the 'wrongs', not sit back. We're going to continue to point out injustice. We're not quitting! We going to continue to organize, protest and march, because it is the American Way. We are going to hold our city government and its agencies accountable and we don't mind being the first to speak up. We're willing to go to jail and die if necessary. Garfield it's time for change and it's time to move forward!

Respectfully yours,  
U.R.G.E.N.T.

Mr. Miguel Reyes, 91 Passaic Street, spoke on Police Officer Jose Brito directing traffic today when it was understood that he was supposed to be restricted to desk duty. He spoke on the updating of the City Website. He said that he does not think that the Community Outreach Program has been too successful. He said that he wanted to bring guest speakers to the Community Outreach Program, but was denied. He spoke on graffiti in the City.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on tomorrow's Walk at Work Day. He spoke on Governor Christopher Christie's visit to Garfield on May 2, 2012. He questioned how the City Council could be re-elected with such a low voter turnout.

Mr. Marcel Wurms, 56 Midland Avenue, spoke on his confidence in Police Chief Amos.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that Councilmember Delaney sends his regards to everyone while he is visiting his Mother-In-Law in Georgia. She apologized to all the citizens who were subjected to all the campaign nonsense. She said that research is being done to see if this can be avoided in the future. She said that with the new administration being elected, the torch has been passed, the voters have spoken and they want a new direction and a new vision. She said that there is a need for change in Garfield. She spoke on the Reorganization Meeting of the City Council to be held on Sunday, July 1, 2012 at 12:00 Noon. She said that we all need to communicate and maybe through that we can come to some sort of resolution. She said that she is not satisfied that the Police shooting has not gone to the Grand Jury yet. She said that the process needs to take its course. She thanked the voters who put their vote of confidence in who they elected and she is sure the voters will not be let down. She spoke on Glenn Mati being a dedicated servant to this community as a fireman and as a police officer. She said that he is going to be a wonderful addition to this City Council and she is really looking forward to working with him

Councilmember Aloia said that we are all passionate people and the campaign was politics at its best and at its worst and he is sorry. He congratulated all who ran and had the courage to put their name on the ballot to be exposed to the scrutiny of the people and their opponents. He spoke on graffiti. He spoke on waiting for the Bergen County Prosecutor's Office to finish their investigation regarding the fatal police shooting of December 10, 2011. He said that he hopes the Moms had a Happy Mother's Day and he hopes the Dads have a Happy Father's Day.

Mayor Calandriello spoke on voter turnout in the City Council Election being about 30%. He spoke on the City Sewer surcharge. He spoke on the proposed construction of a new Police Station. He spoke on the closing of the Garfield Volunteer Ambulance Corps during the past year. He spoke on campaign literature. He said that it was time to move forward and to do what we were elected to do. He said that he supports Mr. Delaney as Mayor and he spoke on the duties of the Mayor.

City Manager Duch spoke on Police Officer Jose Brito being unarmed and being assigned on traffic duty with a superior. He spoke on Councilmember-Elect Glenn Mati asking if there was a way to stop negative campaign literature. He spoke on the Memorial Day Observances.

Police Chief Amos spoke on following the process in regard to the investigation of the Police Shooting of December 10, 2012. He commented that he will be speaking about the matter when he is allowed to speak about it and it is appropriate to speak about it.

ADJOURNMENT

At 10:05 PM, there being no further business Councilmember Raymond moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 3, Absent 1-  
Councilmember Delaney, Vacancy 1

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Andrew J. Pavlica, CITY CLERK

