

A Regular Meeting of the City Council was held Monday, January 10, 2011 at 8:30 PM in the Conference Room 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, Stanley J. Moskal and Frank J. Calandriello

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, Labor Counsel Joseph Randazzo, City Engineer Kevin J. Boswell and Interim Chief Financial Officer Roy Riggitano

COMMUNICATIONS/APPOINTMENTS

City Clerk Pavlica reported that in a letter to him from Mayor Calandriello, dated January 10, 2011, the Mayor made the following appointment to the Garfield Free Public Library Board of Trustees:

- * Reginald Buggs, Sr., 315 Mac Arthur Avenue, as a Regular Member to succeed Richard Shuurman, for a full five year term commencing December 17, 2010 and expiring December 17, 2015.

REPORTS OF OFFICERS

Councilmember Moskal 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. 11-10

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License No. 0221-33-033-009, from New Firehouse Associates, LL, (Eugeniusz Kowal, 153 Lincoln Avenue, Elmwood Park, NJ 07407, to Firehouse Grill, LLC (Nicolce Milevski, 15 Garwood Court South, Garfield, NJ 07026 – who will own 50% of the shares of the Corporation and Zoran Milevski, 30 Church Street, Elmwood Park, NJ 07407 – who will own 50% of the shares of the Corporation), t/a the Firehouse.

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

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business, and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing, and

WHEREAS, a “Tax Clearance - Transfer Certificate” has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective January 11, 2011, the transfer of the aforesaid Plenary Retail Consumption License, Firehouse Grill, LLC (Nicolce Milevski, 15 Garwood Court South, Garfield, NJ 07026 – who will own 50% of the shares of the Corporation and Zoran Milevski, 30 Church Street, Elmwood Park, NJ 07407 – who will own 50% of the shares of the Corporation), t/a the Firehouse, and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Firehouse Grill, LLC, effective January 11, 2011.”,

RESOLUTIONS

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 person to person license transfer.

No *D.J., door charges, cover charges or minimums.

*Except for contracted affairs such as weddings, parties, etc. not open to public.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-11

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2011 described in application, duly filed:

Detour	1 Pool Table	\$ 75.00
437 Lanza Avenue	1 Juke Box	50.00
Garfield, NJ 07026	1 Mega Touch	<u>50.00</u>
		\$ 175.00

J&S Fregata	1 Pool Table	\$ 75.00
67 Scudder Street	1 Juke Box	50.00
Garfield, NJ 07026	1 Mega Touch	50.00
	1 Foosball	50.00
	1 Video Game	<u>50.00</u>
		\$ 275.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-12

WHEREAS, Alketa Cadri, 60 Farnham Avenue, who is the holder of a Disabled Person I.D. Card No. P937855, has filed application for a handicapped parking sign to be placed at his address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the south curb line of Farnham Avenue commencing 25 feet south of the intersection of Farnham Avenue and Naples Place and run an additional 25 east from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-13

WHEREAS, Patricia Gallo, 22 Prospect Street, who is the holder of a Disabled Person I.D. Card No. P984789, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the east curb line of Prospect Street commencing 25 feet north of the intersection of Prospect Street and Liberty Street and run an additional 25 north from that point.

RESOLUTIONS

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-14

WHEREAS, Zora Illin, 186 Pierre Avenue, who is the holder of a Disabled Person I.D. Card No. P883356, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the east curb line of Pierre Avenue commencing 150 feet south of the intersection of Pierre Avenue and Belmont Avenue and run an additional 25 south from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-15

WHEREAS, Geraldine Merced, 112 Prospect Street, who is the holder of a Disabled Person I.D. Card No. P978207, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the east curb line of Prospect Street commencing 75 feet north of the intersection of Prospect Street and Semel Avenue and run an additional 25 north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-16

WHEREAS, Edelma Whiteside, 47 Semel Avenue, who is the holder of a Disabled Person I.D. Card No. P860600, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the north curb line of Semel Street commencing 125 feet west of the intersection of Semel Avenue and Jewell Street and run an additional 25 west from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-17

TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102 has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

RESOLUTIONS

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2011 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Garfield City Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the City of Garfield, Bergen County, New Jersey, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates City Recycling Coordinator Sam Garofalo to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-18

RESOLUTION – AUTHORIZING AGREEMENT FOR SAFE ROUTES TO SCHOOLS PROGRAM – 2011

WHEREAS, the Garfield Health Department and the City of Garfield have applied for federal aid in connection with the Safe Routes to Schools” program for 2011; and

WHEREAS,, this application for aid has been approved by State of New Jersey Department of Transportation; and

WHEREAS, in connection with that program, the City of Garfield must enter into a federal aid agreement with the State of New Jersey Department of Transportation which outlines the terms, conditions and obligations of this program; and

WHEREAS, the Garfield Health Department has received a proposed agreement from State of New Jersey which outlines the terms, conditions and obligations of this program; and

WHEREAS, the Garfield Health Department has received a proposed agreement from State of New Jersey which must be executed by the Mayor and City Clerk inn order to implement this program.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, County of Bergen, and State of New Jersey that the Mayor and City Clerk be and are hereby authorized to execute an agreement between the State of New Jersey Department of Transportation and the City of Garfield for the Garfield Safe Routes to Schools Program – 2011; and

NOW THEREFORE BE IT FURTHER RESOLVED that the agreement to be executed is the agreement submitted to the Garfield Health Department by letter dated January 7, 2011.

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 the Garfield Health Department and the State of New Jersey Department of Transportation.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-19

A Resolution Authorizing the City Engineer and ETM Associates to Undertake Construction Administration Services for the River Drive and Historic Dundee Dam Park Improvement Project.

WHEREAS, the City of Garfield has awarded a construction contract in the amount of \$7,544,426.52 to English Paving Co. on October 19, 2010, and

RESOLUTIONS

WHEREAS, Construction Administration Services are required by both the City Engineer and ETM Associates, the Landscape Architect for the project, and

WHEREAS, this project is currently in the construction phase with a completion date of August 2012,

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to provide the necessary construction administration phase services in accordance with its current hourly rates for a fee not to exceed \$750,000.00.

BE IT FURTHER RESOLVED, ETM Associates is hereby authorized to provide construction administration services for the park portion of the project in accordance with their current hourly rates for a fee not to exceed \$45,000.00.

BE IT FURTHER RESOLVED, the City Engineer is also authorized to coordinate the reimbursement of various grants from various sources to the City in accordance with their current hourly rates for an additional fee not to exceed \$5,000.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-20

A RESOLUTION AUTHORIZING CHANGE ORDERS NUMBERS 1, 2 AND 3 IN CONNECTION WITH THE IMPROVEMENTS TO PALISADE AVENUE, (SECTION 5), CITY OF GARFIELD

WHEREAS, the City of Garfield entered into a contract with Smith Soudy Asphalt Construction Company for improvements to Palisade Avenue (Section 5), and;

WHEREAS, three Change Orders were necessary in connection with this project, more specifically described as follows,

Change Order No.	Description	Amount
1	Extension of time for completion 4/30/2010 to 7/23/2010 due to litigation associated with award of bid	0
2	Change from Police Traffic Directors to Traffic Director – Flagger in accordance with NJDOT approved unit price amount of \$51.60	\$960.00
3	Final project quantities to reflect as-built conditions	\$24,386.70

The impact of these three Change Orders will amend the original contract amount of \$964,226.65 to a final contract amount of \$989,573.35 or 3% above the original contract.

NOW THEREFORE BE IT RESOLVED, Change Orders 1, 2 and 3 are hereby approved by the Governing Body of the City of Garfield.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-21

A RESOLUTION AUTHORIZING THE BIDDING OF METER READING, REPAIR AND BILLING OF VARIOUS ACCOUNTS IN CONNECTION WITH THE POTABLE WATER SYSTEM OF THE CITY OF GARFIELD

WHEREAS, the City of Garfield is desirous of obtaining bids to read water meters, conduct billing operations and make certain repairs and meter replacements throughout the City, and;

WHEREAS, the Mayor and Council have directed the City Engineer to prepare bid documents;

NOW THEREFORE BE IT RESOLVED the City Clerk and Engineer are authorized and directed to advertise for Public Bidding of this initiative.

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 11-22

RESOLVED by the City Council of the City of Garfield that the following bills No. 1437 to 1440 covering Escrow Developers Trust, Dedicated Penalty Trust Fire Department and Dog Trust Fund totaling \$50,170.27 and Current Fund Reserve totaling \$95,650.10 and in the Current Fund totaling \$2,440,798.61 and Water Fund Reserve totaling \$5,067.93 and Water Fund totaling \$472.00 and General Capital Fund totaling \$137,692.26 and Water Capital Fund totaling \$33,380.90 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 thirty (30) items prior to the meeting be ratified.

See

the

following

Pages Numbered _____

For

Bills

and

Claims

ORDINANCES

Ordinance No. 2600

The following entitled ordinance was introduced at a Regular Meeting held December 21, 2010; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND CHAPTER 265 OF THE CODE
OF THE CITY OF GARFIELD ENTITLED "SEWERS"

City Clerk Pavlica read the ordinance by title.

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

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

Councilmember Aloia 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 Moskal duly seconded the motion.

On call of roll, Ayes 4, Nays 1 – Councilmember Raymond

Ordinance No. 2601

The following entitled ordinance was introduced at a Regular Meeting held December 21, 2010; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND CHAPTER 333 OF THE CODE
OF THE CITY OF GARFIELD ENTITLED "WATER"

City Clerk Pavlica read the ordinance by title.

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

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

Councilmember Aloia 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 Moskal duly seconded the motion.

On call of roll, Ayes 5

COUNCILMEMBER COMMENTS

Councilmember Raymond said that Friday's swearing-in of the Fire Chief and Firematic Officers for 2011 was wonderful and a very emotional meeting.

Councilmember Aloia publicly thanked the Mayor and Council for the flowers that were sent after his sister died. He said that his nine year old granddaughter said that kids in the Charter School said that Garfield was the best plowed town.

Deputy Mayor Moskal spoke on the Request For Proposals concerning Water Billing Services.

Mayor Calandriello said that he hopes that the Request for Proposals concerning Water Billing Services saves the City money. He congratulated Councilmember Delaney on the Green Bay Packers, his favorite team, advancing in the NFL Playoffs. He wished New York Jets fans all the luck for their team in the playoffs.

Regular Meeting January 10, 2011, Continued

ADJOURNMENT

At 8:40 PM, there being no further business, Councilmember Delaney moved to adjourn the meeting. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK