

A Regular Meeting of the City Council was held Monday, December 12, 2011 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, Joseph Delaney Louis G. Aloia and Frank J. Calandriello

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

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. 11-383

WHEREAS, The Garfield Little League 9U Fall Ball Team under the direction of their outstanding coaches Fernando Idrovo, Nick Delahanty and Mike Cusmano had an undefeated season with a record of 13-0-1, and

WHEREAS, they outscored their opponents 113-32 and defeated the opposing Garfield 9U team 9-7 in a walk off win on November 10, 2011, and

WHEREAS, the team is comprised of Catcher A.J. Burkhardt, Outfielder Alexander Conte, Pitcher/Infielder Sebastian De La Cruz, Centerfielder/Catcher Argenys Gomez, Outfielder Lyzander Gonzalez, Outfielder/2nd Baseman Michael Guzman, Shortstop/Pitcher Jordan Idrovo, Pitcher/Shortstop Michael Maurice, 1st Baseman/Pitcher Liandre Rojas, Outfielder Evan Peterson, 2nd & 3rd Baseman/Pitcher Jake Smith, and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the Garfield 9U Fall Ball 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 the Garfield 9U Fall Ball Undefeated Champions on their achievement.

On call of roll Ayes 4, Vacancy 1, Vacancy 1

(Sgd) All Four Councilmembers

At this time, CERTIFIED copies of Resolution No. 11-383 were presented to the Garfield Little League 9U Fall Ball Team.

Resolution No. 11-384

WHEREAS, Robert Benanti of Bob's Automotive located at 619 Midland Avenue has held an annual Christmas Party for Garfield and Saddle Brook each year since 1965, and

WHEREAS, it has been announced that this year will be the last year that "Bob" Benanti hosts his annual Christmas Party, and

WHEREAS, "Bob" is a life long resident of Garfield, having graduated from Garfield High School in 1963, and

WHEREAS, "Bob" has given so much of himself to the community, was made a Civil Defense Patrolman in 1971, become a member of the Garfield Elks Lodge in 1977, was made a Silver Card Holder by Garfield PBA Local No. 46 in 1979, recently became a Board Member of the Garfield Boys and Girls Club and has been a huge sponsor of Garfield Softball and Babe Ruth Leagues, Fire Companies and Recreational activities in Garfield, and

WHEREAS, the City Council is desirous of acknowledging "Bob" for all that he has done for his community over the years,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that ROBERT BENANTI is hereby publicly commended and thanked for his many outstanding contributions on behalf of the citizens of Garfield and surrounding area and do hereby extend best wishes for the future.

On call of roll Ayes 4, Vacancy 1, Vacancy 1

(Sgd) All Four Councilmembers

Resolution No. 11-385

WHEREAS, an application has been filed for Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-059-006, from Lizmo, Inc. (Richard J. Coleman, 10 Thompson Street, Dumont, NJ 07628 & Timothy P. Coleman, 1120 Boulevard, New Milford, NJ 07646 – who owns 50% each of the shares of the Corporation), for licensed premises located at 142 Outwater Lane, Garfield, NJ 07026 to Craft Beer, LLC, (Brian J. Iarossi, 76 Caruth Avenue, Elmwood Park, NJ 07407 - who will own 100% of the shares of the corporation , t/a Three Wise Monks.

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 December 13, 2011, the transfer of the aforesaid Plenary Retail Consumption License, Craft Beer, LLC, (Brian J. Iarossi, 76 Caruth Avenue, Elmwood Park, NJ 07407 - who will own 100% of the shares of the corporation , t/a Three Wise Monks 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 Craft Beer, LLC, effective December 13, 2011.”,

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).

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 11-386

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Anthony Breonte of 125 Mac Arthur Avenue, Garfield, New Jersey 07026, as an active member, effective October 4, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 5 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. 11-387

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Carmin Breonte of 125 Mac Arthur Avenue, Garfield, New Jersey 07026, as an active member, effective October 4, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 5 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. 11-388

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2012 and terminating December 31, 2012, to Mrs. Arlin Sabat, wife of deceased Edward Sabat, who resides at 111 Falmouth Avenue, Elmwood Park, NJ, pursuant to the provisions of Ordinance No. 1177 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF PENSIONS UPON THE DEATH OF ANY MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF GARFIELD FROM INJURIES IN THE PERFORMANCE OF DUTY", adopted by the City Council at a meeting held on May 25, 1955.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-389

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2012 and terminating December 31, 2012, to Mrs. Rose Ann Merendino, wife of deceased Joseph Merendino, who resides at 66 Davison Street, Garfield, NJ, pursuant to the provisions of Ordinance No. 1716 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF A PENSION TO THE WIDOW AND DEPENDENT OF JOSEPH MERENDINO, IN THE CITY OF GARFIELD IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY", adopted by the City Council at a meeting held on February 19, 1980.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-390

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2012 and terminating December 31, 2012, to Mrs. Jennie Ciuppa, wife of deceased Ignatius Ciuppa, who resides at 52 Tall Oaks Drive, Wayne, NJ, pursuant to the provisions of Ordinance No. 1177 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF PENSIONS UPON THE DEATH OF ANY MEMBERS OF THE POLICE DEPARTMENT OF THE CITY OF GARFIELD FROM INJURIES IN THE PERFORMANCE OF DUTY", adopted by the City Council at a meeting held on May 25, 1955.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-391

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2012 and terminating December 31, 2012, to Mrs. Linda Yondolino, wife of deceased Nicholas A. Yondolino, who resides at 71 Heritage Court, Towaco, NJ, pursuant to the provisions of Ordinance No. 1839 entitled: "AN ORDINANCE CONCERNING THE PAYMENT OF A PENSION TO THE WIDOW AND DEPENDENT OF NICHOLAS

RESOLUTIONS

YONDOLINO, IN THE CITY OF GARFIELD IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY”, adopted by the City Council at a meeting held on October 2, 1984.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-392

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the following is the list of regularly scheduled meetings of the City Council for the year 2012, with Work Sessions commencing at 5:30PM and Regular Meetings commencing at 8:00PM, except when a Legal Holiday, Election or Special Occasion is involved as listed:

Tuesday	January	03,	2012	
Friday	January	06,	2012	Fire Chiefs and Firematic Officers Installation at 7:00PM
Tuesday	January	17,	2012	
Tuesday	February	07,	2012	
Tuesday	February	21,	2012	
Tuesday	March	06,	2012	
Tuesday	March	20,	2012	
Tuesday	April	03,	2012	
Wednesday	April	18,	2012	(Change due to School Board Election)
Tuesday	May	01,	2012	
Tuesday	May	15,	2012	
Wednesday	June	06,	2012	(Change due to Primary Election)
Tuesday	June	19,	2012	
Sunday	July	01,	2012	City Council Re-Organization Meeting at Noon
Tuesday	July	03,	2012	
Tuesday	July	17,	2012	
Tuesday	August	07,	2012	
Tuesday	August	21,	2012	
Tuesday	September	04,	2012	
Tuesday	September	18,	2012	
Tuesday	October	02,	2012	
Tuesday	October	16,	2012	
Wednesday	November	07,	2012	(Change due to Election Day)
Tuesday	November	20,	2012	
Tuesday	December	04,	2012	
Tuesday	December	18,	2012	

FURTHER RESOLVED that the City Clerk is hereby authorized and directed to forward a CERTIFIED and exact copy of this approved resolution to all the official City newspapers and to cause to have copies posted on the bulletin boards in City Hall and at the Garfield Free Public Library.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-393

A RESOLUTION TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT FOR THE 2012 CDBG ROAD IMPROVEMENT PROGRAM.

WHEREAS, a Bergen County Community Development grant of \$500,000.00 has been proposed by the Mayor and Council for the 2012 CDBG Road Improvement Program in the municipality of City of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

RESOLUTIONS

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-394

A RESOLUTION TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT FOR THE PIERRE AVENUE ROAD IMPROVEMENT PROJECT.

WHEREAS, a Bergen County Community Development grant of \$300,000.00 has been proposed by the Mayor and Council for the Pierre Avenue Road Improvement Project in the municipality of City of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-395

A RESOLUTION TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT FOR THE 2012 TREE REPLANTING PROGRAM.

WHEREAS, a Bergen County Community Development grant of \$75,000.00 has been proposed by the Mayor and Council for the 2012 Tree Replanting Program in the municipality of City of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-396

BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the City Clerk, Andrew J. Pavlica, is hereby authorized to advertise for the receipt of Bids for (1) 2011 Wheel Loader Backhoe and Optional Plow Equipment on Wednesday, December 28, 2011 at 10:00 AM in the Conference Room in City Hall.

On call of roll Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello
Joseph Delaney

RESOLUTIONS

Resolution No. 11-397

A Resolution Authorizing Change Order No. 2 in Connection with the 2011 CDBG Road Program, City of Garfield.

WHEREAS, the City of Garfield awarded a contract to Granada Construction Co. in the original contract amount of \$386,792.50, and;

WHEREAS, Change Order No. 2 is necessary in order to adjust for field conditions encountered.

NOW THEREFORE BE IT RESOLVED, Change Order No. 2 in the total amount of \$19,739.65 is hereby approved.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 11-398

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 Anselmi & Decicco Inc., 1977 Springfield Avenue, Maplewood, New Jersey 07040, for location on Midland Avenue & Plauderville Avenue, in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 4/22/2010, 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
Frank J. Calandriello

Resolution No. 11-399

FOR ADOPTING CHANGES TO AN EXISTING DEFERRED COMPENSATION PLAN PURSUANT TO THE FINAL INTERNAL REVENUE CODE SECTION 415 REGULATIONS, PENSION PROTECTION ACT OF 2006, THE HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008 AND THE WORKER, RETIREE AND EMPLOYER RECOVERY ACT OF 2008

WHEREAS, the City Council of the City of Garfield (hereinafter referred to as the "Employer") by resolution adopted a Deferred Compensation Plan hereinafter referred to as the "Plan") effective January 1, 2012, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer by resolution retained The Variable Annuity Life Insurance Company ("VALIC") as the contractor under the Deferred Compensation Plan and executed a Service Agreement with said contractor; and

WHEREAS, the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006 ("PPA"), the Heroes Earnings Assistance and Relief Tax Act of 2008 ("the HEART Act") and the Worker, Retiree and Employer Recovery Act of 2008 ("WRERA") amended Section 457 of the Code; and

WHEREAS, State and local governmental Section 457(b) plan sponsors must amend their plans to comply with the PPA legislative changes by the last day of the 2011 plan year;

WHEREAS, the Employer desires its Plan to conform with the changes in the Code; and

WHEREAS, the Employer desires to adopt an amended and restated Plan that conforms with the changes in the Code; and

WHEREAS, such amended and restated Plan shall supersede the previously adopted Plan;

NOW THEREFORE BE IT RESOLVED that the Employer does hereby adopt the amended and restated Plan prepared by VALIC and assigned Plan Document identifier 81-PD-VALIC-103111 by the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

RESOLUTIONS

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-400

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,

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 2011 in the sum of \$14,049.00, which is now available from the State of New Jersey, Library State Aid and;

BE IT FURTHER RESOLVED, that the sum of \$14,049.00 is hereby appropriated under the caption Library State Aid; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the State of New Jersey, Library State Aid, in the amount of \$14,049.00.

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-401

WHEREAS the Receiver of Taxes rep[orts that she has received a request from the following property owners for a refund due to over paid taxes for the year 2011.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment 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
68	1	The 86 Willard Street LLC	O/P	\$3769.66
84	49	Shailesh & Vilas Patel	O/P	597.25
84	56	Lourdes Lopez	O/P	638.35
114	11	Country Life Homes, Inc.	O/P	290.16
128	54	Maria C. Sattleberger	O/P	943.02
143.01	120	Gale A. Sampson-Lee	O/P	\$1695.00
209	20	Alvaro & Brigitte Figueroa	O/P	870.48

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-402

WHEREAS the Receiver of Taxes rep[orts that she has received a request from the following property owners for a refund due to Overpayment of Taxes for the year 2011.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment 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
208.01	33	Pietrasiak, Alicja	O/P	\$250.00

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTIONS

Resolution No. 11-403

RESOLVED, by the City Council of the City of Garfield that the Chief Financial Officer shall and is hereby authorized to make the following transfers as per instructions from the Chief Financial Officer:

ACCOUNT NAME	ACCOUNT NUMBER	TRANSFER FROM	TRANSFER TO
Water Operating S/W	1-05-55-501-501-011		4,000.00
Payment Bond Principal	1-05-55-507-507-505		11,650.00
Interest on Bonds	1-05-55-507-507-510		3,900.00
City Engineer S/W	1-01-20-165-165-010		200.00
Interest on Notes	1-05-55-507-507-508	19,550.00	
City Engineer O/E	1-01-20-165-165-010	200.00	
		<u>19,750.00</u>	<u>19,750.00</u>

On call of roll Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia
Frank J. Calandriello

BILLS AND CLAIMS

Resolution No. 11-404

RESOLVED by the City Council of the City of Garfield that the following bills No. 1486 to 1491 covering Trust Other, COAH Montvale, POAA Account totaling \$59,724.06 and in the Dog Trust totaling \$24.60 and in the Current Fund Reserve \$2,500.00 and in the Current Fund totaling \$3,499,899.90 and in the Water Fund Current totaling \$90,132.59 and in the General Capital Fund totaling \$278,582.04 and in the Water Capital Fund totaling \$6,600.00 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 ten (10) items prior to the meeting be ratified.

See

the

following

Pages Numbered _____

For

Bills

and

Claims

ORDINANCES

Ordinance No. 2622

The following entitled ordinance was introduced at a Regular Meeting held November 29, 2011; 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 ORDINANCE NO. 2210 OF THE CITY CODE
ENTITLED "PERMIT PARKING ON RESIDENTIAL STREETS"

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 Raymond duly seconded the motion.

On call of roll Ayes 4, Vacancy 1

Ordinance No.

The following entitled ordinance was introduced at a Regular Meeting held November 1, 2011; 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, held the public hearing at a meeting held November 29, 2011, at which meeting the ordinance was tabled, and the City Council can now proceed with the final passage:

TO AMEND SECTION 48-1 OF THE CODE OF THE CITY OF GARFIELD
ENTITLED "DEPARTMENT ESTABLISHED; PERSONNEL" AND, AMENDING THE TABLE
OF ORGANIZATION FOR THE POLICE DEPARTMENT

City Clerk Pavlica read the ordinance by title.

Councilmember 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 Raymond duly seconded the motion.

On call of roll Nays 4, Vacancy 1

ORDINANCE DEFEATED

CITIZENS AND TAXPAYERS

Ms. Jessica Newby, 211 Mac Arthur Avenue, complained about double parking and parking around the Charter School at 189 Mac Arthur Avenue.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on urban transit hubs, spoke on New Jersey Transit's proposed closing of the Passaic Street train station, and spoke on Vornado Realty's ability to apply for grant funding for urban transit hubs.

Mr. Brett Anastos, a former City of Garfield employee for nineteen years, spoke on his prior employment, since his disability pension application was denied.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on 2012 City Council meetings being scheduled on the first and third Tuesdays of the month.

COUNCILMEMBER COMMENTS

Councilmember Delaney spoke on recent happenings which occurred during the past few days in regard to fatal police shooting in Garfield on December 10, 2011. He said to keep all members of the incident in your prayers and thoughts.

Councilmember Aloia wished everyone a Merry Christmas and a Happy New Year. He said that when a mother loses a son and a police officer did what he was trained to do, but does not like to do, he is very sorry on all fronts. He said that it is terrible for everyone and he expressed sorrow to everyone.

Mayor Calandriello spoke on the Chromium Contamination Hearing scheduled to be held from 2:00 PM to 4:00 PM and 6:30 PM to 9:00 PM on Wednesday, December 14, 2011 at the Sam and Ann Sangis Recreation Center located at 466 Midland Avenue. He spoke on the tragedy of the shooting and how it will affect lives. He extended prayers to the officers involved and to the family involved. He spoke on challenging times. He wished everyone a Merry Christmas and a Happy Holiday. He spoke on the 2012 schedule of City Council Meetings.

SHORT RECESS, CHANGE OF VENUE AND RETURN TO ORDER

At 9:45 PM, a short recess was called. At 9:50 PM, the meeting was called to order in the Conference Room 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. The disclosure form of the Insurance Consultant.
2. The fee of \$309 a year that the City must pay to ASCAP for music royalties.
3. The proposed update of the City Website.
4. The City received a letter from the Governor's Office that the City was awarded \$24,700 in a Recreation Trails grant.
5. The paperwork filed with Green Acres for a \$1,000,000 grant for the last piece of property for the riverfront park.
6. The City application for Blue Acres funding.
7. The proposed photo op at a City Council Meeting involving Viridian Energy.
8. The request that Karl Place be paved.
9. The request from the Wisla Center for timed parking at the intersection of Main Street and Plauderville Avenue.
10. The proposed four way stop sign at the intersection of Clark Street and Lincoln Place.
11. The application that was filed for the Safe Routes to Schools grant for around the areas of School No. Four located at the intersection of Madonna Place and Market Street and School No. Ten located at the intersection of Marsellus Place and Passaic Street.

Mayor Frank J. Calandriello reported on the following:

1. The Budget cut backs of the County concerning senior exercise classes and the proposal that the City make up the funding difference.

REPORTS OF OFFICERS

Councilmember Delaney reported on the following:

1. Proposed reappointments to the Zoning Board of Adjustment and the Housing Authority.

City Engineer Kevin J. Boswell reported on the following:

1. The new Salt Shed Building in the DPW yard should be completed by the end of the week.
2. The repair of the area where the old Salt Shed was located.

EXIT OF SUPERINTENDENT OF PUBLIC WORKS GAROFALO

At 10:15 PM, Superintendent of Public Works Sam Garofalo left the meeting and it was duly noted for the record.

CLOSED SESSION

Resolution No. 11-405

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 10:15 P.M. Monday, December 12, 2011, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Collective bargaining agreements including the negotiation of the terms and thereof with employees or representatives of employees of the public body; (PBA Local No. 46 collective bargaining negotiations).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations or the law; (fatal police shooting of December 10, 2011).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Tarnowski lawsuit regarding chromium contamination; James Mazzer vs. the City re: sewer bills).
- * 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; (proposed appointment of Dennis Macher as City Judge; Health Benefits for Prosecutor and Judge)

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 4, Vacancy 1

(Sgd) Louis G. Aloia
Tana M. Raymond

EXIT OF POLICE CHIEF AMOS

At 10:25 PM, Police Chief Kevin Amos left the meeting during Closed Session and it was duly noted for the record.

Regular Meeting December 12, 2011, Continued

ADJOURNMENT

After the City Council came out of Closed Session, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Delaney duly seconded the motion.

On call of roll, Ayes 4, Vacancy 1

Andrew J. Pavlica, CITY CLERK