

A Regular Meeting of the City Council was held Tuesday, December 20, 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

#### COMMUNICATIONS/APPOINTMENTS

City Clerk Andrew J. Pavlica reported that in letters to him dated December 20, 2011, Mayor Frank J. Calandriello made the following appointments:

- \* James Miller, 95 Spring Street as a Regular Member to the Garfield Free Public Library Board of Trustees to succeed Beverly Krudys for a full five year term, commencing December 17, 2011 and expiring December 17, 2016.
- \* Daniel Tummillo, 28 Henrietta Street, as First Alternate Member to the Planning Board, to succeed himself, for a full two year term, said term to expire December 31, 2013.

#### 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 and during this Regular Meeting. Councilmember Raymond duly seconded the motion.

On call of roll. Ayes 4, Vacancy 1

#### RESOLUTIONS

Resolution No. 11-407

WHEREAS, the Garfield Babe Ruth, Fire Department Baseball Team were the Garfield City Champions for the year 2011; and

WHEREAS, the team is comprised of Frank Calandriello, Cesar Contreras, Matt Iganatowski, Haris Muric, Bryan Nagy, Dylan Rockford, Dion Sanzari, Eddy Rodrigues, Leonel Vargas, Alex Victorino, Alex Voutsas, and Eric Zuniga under the direction of their Outstanding Coaches Marty McCarthy, Jose Torres along with their Manager Bob Rockford; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the Babe Ruth Fire Department Team,

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 Babe Ruth Fire Department Baseball Team on their 2011 Championship.

On call of roll, Ayes 4, Vacancy 1

(Sgd) All Four Councilmembers

At this time, CERTIFIED copies of Resolution No. 11-407 were presented to the Garfield Babe Ruth Fire Department Baseball Team.

Resolution No. 11-408

WHEREAS, Stanley J. Moskal was elected to the City Council in 2004, and so impressed his colleagues, that when he was re-elected to the City Council in 2008, they made him Deputy Mayor, and

WHEREAS, Stanley graduated in 1996 from Garfield High School in the top 15 of his class, graduated with honors with a B.S. from Penn State University, and graduated in 2003 with a Masters of Science in Management from Bobson University, and

RESOLUTIONS

WHEREAS, after graduating from Penn State, Stanley joined Lucent Technologies where he held various positions including Senior Internal Auditor, IT Project Manager and Finance Manager for Lucent Global Sales Organization, and

WHEREAS, Stanley has served on the Board of Directors of the Garfield YMCA and Vistula Soccer Club, was the Vice President of the Pulaski Parade Association of Garfield, was a member of Garfield's Emergency Response Team (CERT), was a Commissioner of the Suburban Essex Joint Insurance Fund and was an active parishioner of Saint Stanislaus Kostka Roman Catholic Church, and

WHEREAS, Stanley was selected in 2010 to be the Grand Marshall of the 2010 General Casimir Pulaski Day Parade for the entire Tri-State Region representing New Jersey, New York and Connecticut and led the Parade up Fifth Avenue in New York City, on Sunday, October 3, 2010, and

WHEREAS, Stanley is currently employed by Unilever and as the Senior Manager of Supply Chain Finance, received an outstanding career opportunity to accept a position with Unilever in Switzerland, and thus had to resign from the City Council in October 2011, and

WHEREAS, Stanley and his family have returned for a visit to New Jersey during the 2011 Christmas holiday season and the City Council would like to publicly acknowledge his extraordinary dedication to public service and his community,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, USA that STANLEY J. MOSKAL is hereby publicly acknowledged and thanked for his service to his community and fellow human beings which reflects the highest ideals expected of public officials and serves as a model for others to follow.

On call of roll, Ayes 4, Vacancy 1

(Sgd) All Four Councilmembers

At this time, a framed copy of Resolution No. 11-408 was presented to Stanley J. Moskal.

Resolution No. 11-409

WHEREAS, Noel Quiles, was appointed to the Housing Authority of the City of Garfield pursuant to Resolution No. 06-307, adopted by the City Council at a meeting held October 19, 2006, and

WHEREAS, his term of office expired October 19, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Noel Quiles of 20 Orchard Street is hereby re-appointed to the Housing Authority of the City of Garfield, effective October 19, 2011, to succeed himself, for a full five year term, said term to expire October 19, 2016.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-410

WHEREAS, pursuant to Resolution No. 07-212, adopted by the City Council at a meeting held June 12, 2007, Nicholas Discenza was appointed as a Commissioner of the Garfield Redevelopment Agency, and

WHEREAS, his term of office expired on May 13, 2010,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that pursuant to Ordinance No. 2338 and its amendments, codified as Chapter 56 of the Code of the City of Garfield, that:

Joseph Iapichella of 79 Farnham Avenue, Garfield, New Jersey is hereby appointed as a Commissioner of the Garfield Redevelopment Agency, to succeed Nicholas Discenza, for a five year term, commencing May 14, 2010 and expiring May 13, 2015.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-411

WHEREAS, pursuant to Resolution No. 11-241, adopted by the City Council at a meeting held July 19, 2011, Deputy Mayor Stanley J. Moskal was appointed to the Garfield Redevelopment agency for another year term to expire May 13, 2012, and

RESOLUTIONS

WHEREAS, in a letter dated October 14, 2011, Deputy Mayor Moskal resigned from the City Council,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that pursuant to Ordinance No. 2338 codified as Chapter 56, of the Code of the City of Garfield that:

Ernest P. Rosolen of 25 Pershing Street, Garfield, New Jersey is hereby appointed as a Commissioner to the Garfield Redevelopment Agency, to succeed Deputy Mayor Stanley Moskal, for the unexpired one year term, said term to expire May 13, 2012.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Joseph Delaney  
Frank J. Calandriello

Resolution No. 11-412

WHEREAS, Arlene Patire, was appointed to the Zoning Board of Adjustment as a Regular Member pursuant to Resolution No. 08-13, adopted by the City Council at a Regular Meeting held Tuesday, January 8, 2008, and

WHEREAS, her term of office expires December 31, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Arlene Patire of 184 Midland Avenue, is hereby appointed to the Zoning Board of Adjustment as a Regular Member, effective January 1, 2012, to succeed herself, for a full four year term, said term to expire December 31, 2015.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No.

WHEREAS, Robert Cochrane, was appointed to the Zoning Board of Adjustment as the Second Alternate pursuant to Resolution No. 08-14, adopted by the City Council at a Regular Meeting held Tuesday, January 8, 2008, and

WHEREAS, his term of office expires December 31, 2011.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Robert Cochrane of 72 Manner Avenue is hereby appointed to the Zoning Board of Adjustment as a Regular Member, effective January 1, 2012, to succeed himself, for a full four year term, said term to expire December 31, 2015.

On call of roll, Ayes 2, Nays 2 -  
Councilmembers Aloia and Calandriello,  
Vacancy 1

(Sgd) Tana M. Raymond  
Joseph Delaney

Resolution No. 11-413

WHEREAS, Gordon Scott Reid, residing at 225 Midland Avenue, Apartment 9C, has requested to be appointed as a constable, and he has met the requirements of C. 200, laws of 1971 (NJSA 40A:9-120 et. seq.) and he has been recommended for appointment by City Manager Thomas Duch,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Gordon Scott Reid, residing at 225 Midland Avenue Apartment 9C, Garfield, NJ is hereby appointed a constable for the year 2012.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-414

WHEREAS, Robert Ridarick, residing at 400 Midland Avenue, Apt. 11, Garfield, New Jersey 07045 has requested to be appointed as a Constable, and a Class Two Officer and he has met the requirements of C. 200, laws of 1971 (NJSA 40A:9-120 et. Seq.) and he has been recommended for appointment by City Manager Thomas Duch,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Robert Ridarick, residing at 400 Midland Avenue, Apt. 11, Garfield, New Jersey 07045 is hereby appointed a Constable and a Class Two Officer for the year 2012.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-415

WHEREAS, Robert Scarpa, residing at 7 Asa Street, Montville, New Jersey 07045 has requested to be appointed as a Constable, and a Class Two Officer and he has met the requirements of C. 200, laws of 1971 (NJSA 40A:9-120 et. Seq.) and he has been recommended for appointment by City Manager Thomas Duch,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Robert Scarpa, residing at 7 Asa Street, Montville, New Jersey 07045 is hereby appointed a Constable and a Class Two Officer for the year 2012.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-416

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$35,620.00 has been proposed by Zoe's Place, Inc. for child care services for the teen mothers and their babies living in our residence in the City of Garfield, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development Block Grant 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, Bergen County, and;

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditures of the aforesaid Community Development Funds,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey 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) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-417

WHEREAS, Diego Campo Perez, 115 Main Street, who is the holder of a Disabled Person I.D. Card No. P1023657, has field 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 west curb line of Main Street commencing 100 feet north of the intersection of Main 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 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

RESOLUTIONS

Resolution No. 11-418

WHEREAS, there are currently two (2) post offices located in the City of Garfield which service the residents of the City; and

WHEREAS, one of the post offices is located at 85 Outwater Lane; and

WHEREAS, this post office is a neighborhood facility and provides needed services to local residents, some of which cannot drive or are otherwise unable to travel to other postal service facilities; and

WHEREAS, it has come to the attention of the Mayor and Council that the Postal Service is considering closing this facility; and

WHEREAS, the Mayor and Council believe that the closing of the Post Office is not in the best interests of the City of Garfield and intends to take any action that may be appropriate and necessary to assist in order to help prevent this ill conceived plan;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby express its opposition to the closing of the Post Office; and

BE IT FURTHER RESOLVED, that all State and Federal Legislators are requested to take any action that may be available to them to prevent this action.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-419

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the provisions of Chapter 82-17 of the Code of the City of Garfield concerning the hours of service and sales, specifically the portion regulating the hours an establishment holding a Plenary Retail Consumption License may stay open for business, is hereby suspended strictly for the 2012 New Years Day Holiday and that permission is hereby granted to said establishments to remain open an additional three hours until 5:00 AM on January 1, 2012,

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to forward a CERTIFIED and exact copy of this approved Resolution to the Garfield Police Chief.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

Resolution No. 11-420

A Resolution Authorizing Payment To Daibes Brothers, Inc. In Connection With The Final Payment For Lanza Avenue Water Main Improvements.

WHEREAS, the City of Garfield contracted with Daibes Bros., Inc. to install a 12" water main on Lanza Avenue, between Shaw and River Road, and;

WHEREAS, seven payments were executed during the administration of this project, and;

WHEREAS, a financial dispute arose between the Contractor and the City's representatives, and;

WHEREAS, this matter was referred to non-binding arbitration as a means of resolving the dispute between the parties, and;

WHEREAS, the Honorable Daniel Mecca presided over the arbitration and a final payment to the Contractor in the amount of \$123,000.00 was determined to be a reasonable final payment to allow this project to be closed out, and;

WHEREAS, subsequent to the date of the arbitration the City Engineer was informed there were unpaid invoices from the Contractor due the City in connection with Police Traffic Directors utilized during this contract, and;

WHEREAS, the City Engineer conducted an analysis of the payments made to the Contractor and reimbursements to the City and determined an outstanding balance of \$3,362.50 should be deducted from the Arbitrator's recommended settlement amount of \$123,000.00.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council of Garfield hereby authorizes a final payment to Daibes Brothers, Inc. in the amount of \$119,637.50.

BE IT FURTHER RESOLVED, this payment shall be rendered upon receipt of a release from Daibes Brothers, Inc. of any future claims for compensation from the City in connection with this project.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia  
Tana M. Raymond

RESOLUTIONS

Resolution No. 11-421

A Resolution Authorizing the City of Garfield to Award a Contract to J. R. Haftek Co., Inc. in Connection with Storm Sewer Inlets and Piping at the Semel Avenue Intersection at Prospect Garfield, N.J.

WHEREAS, the City solicited three quotations for work which are summarized as follows, and;

J. R. Haftek Co., - \$22,800.00  
Zucaro Inc. - \$ 33,900.00  
Colonnelli Brothers, Inc. - \$29,524.00

WHEREAS, the low bid received can be awarded without the need for public bidding since it is below the public bid threshold, and;

WHEREAS, this work needs to be performed on an expedited basis to address an icing condition at this location.

NOW THEREFORE BE IT RESOLVED, J. R. Haftek Co., Inc. is awarded a contract in the amount of \$22,800.00 to complete this work.

BE IT FURTHER RESOLVED, the City Engineer is hereby authorized to coordinate and oversee construction for a total fee not to exceed \$1,000.00.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia  
Frank J. Calandriello

Resolution No. 11-422

A Resolution Rejecting Quotations Solicited In Connection With An Emergency Water Main Repair To The 30" Main On Cedar Street And Authorizing The Public Bidding Of This Improvement.

WHEREAS, the City of Garfield excavated Cedar Street and observed a leak at the valve on the City's 30" main on Cedar Street on December 15, 2011, and;

WHEREAS, the repair includes a "line-stop" of the 30" main which is considered to be a specialty work item, and;

WHEREAS, four quotations were solicited from contractors for this work on an emergency basis and are summarized as follows:

Montana Construction - \$127,000.00  
Colonnelli Bros., Inc. - \$142,316.00  
J. Fletcher Creamer & Son, Inc. - \$174,200.00  
Scafar Contracting, Inc. - \$231,500.00  
And;

WHEREAS, the "line-stop" specialty work will require a lead time of between 3 – 4 weeks and therefore the City Manager and the City Engineer determined the most appropriate and cost effective means of addressing this issue would be to stabilize the area and publicly bid this improvement.

NOW THEREFORE BE IT RESOLVED, the City of Garfield hereby rejects the quotations received and directs the City Engineer to prepare bid documents and further to administer this work for a fee not to exceed \$5,000.00.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Louis G. Aloia  
Frank J. Calandriello

Resolution No. 11-423

WHEREAS, the Chief Financial Officer has reviewed all 2011 budget appropriation line items and; WHEREAS, in accordance with the local budget law N.J.A.C.40A:4, the Chief Financial Officer has identified line item entitled Solid Waste Collection 1-01-26-305-305-000 and;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, that \$200,000.00 is hereby cancelled as of record in the 2011 budget.

On call of roll, Ayes 4, Vacancy 1

(Sgd) Frank J. Calandriello  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 11-424

RESOLVED by the City Council of the City of Garfield that the following bills No. 1492 to 1494 covering Trust Other totaling \$28,397.77 and in the Current Fund totaling \$180,022.88 and in the Water Fund Current totaling \$19,089.99 and in the General Capital Fund totaling \$224,925.44 and in the Water Capital Fund totaling \$875.00 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 five (5) items prior to the meeting be ratified.

See

the

following

Pages Numbered \_\_\_\_\_

For

Bills

and

Claims

ORDINANCES

Councilmember Delaney introduced in writing the following ordinance entitled:

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 this ordinance entitled: "TO AMEND SECTION 48-1 OF THE CODE OF THE CITY OF GARFIELD ENTITLED "POLICE DEPARTMENT AND AMENDING THE TABLE OF ORGANIZATION FOR THE POLICE DEPARTMENT", 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 January 17, 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 Aloia, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4.

CITIZENS AND TAXPAYERS

Ms. Renee Campbell, 8 Summit Avenue, spoke and asked questions concerning the chromium contamination issue in the First Ward and the public hearing and information session conducted by the Federal Environmental Protection Agency on Wednesday, December 14, 2011, at the Sam and Ann Sangis Recreation Center located at 466 Midland Avenue.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on the Citizens Service Act. She spoke on appointments to City Boards. She wished everyone a Merry Christmas and a blessed holiday.

Councilmember Delaney spoke on appointments to City Boards. He said that this Holiday Season it is good to see everybody. He said that Christmas is a favorite time of year. He wished everyone a Merry Christmas and a Happy New Year and good health.

Councilmember Aloia said that everybody has a right to vote as they choose. He wished everyone a Merry Christmas and a Happy New Year.

Mayor Calandriello said that to vote for a Zoning Board of Adjustment appointment there are a lot of criteria he considers. He spoke on voting on various appointments tonight. He wished everyone a Happy Holiday Season and a great New Year. He said that everyone wishes that Stanley Moskal was still serving and maybe he will return someday. He wished him the best.

ADJOURNMENT

At 9:20 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

