

A Regular Meeting of the City Council was held Monday, March 7, 2011 at 8:05 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: Tan 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, City Engineer Kevin J. Boswell, Interim Chief Financial Officer Roy Riggitano, Police Chief Kevin Amos, Emergency Management Coordinator Michael Marsh, Fire Official Gerald Walis, Superintendent of Public Works Sam Garofalo and Water and Sewer Facilities Manager Willard Bierwas

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 4,
Abstain 1 – Councilmember Delaney

RESOLUTIONS

Resolution No. 11-91

WHEREAS, the Sicilian Federation of New Jersey will be holding their Annual Gala on Sunday, March 13, 2011 at 4:00 PM at the Venetian Restaurant located at 546 River Drive in Garfield, New Jersey, and

WHEREAS, the Sicilian Federation of New Jersey is a non-profit organization based in Bergen County, which promotes relations between the Region of Sicily and the State of New Jersey, and fosters the exchange of cultural, commercial and entrepreneurial interactions between the two countries, and

WHEREAS, this year the Federation is honoring Bergen County Sheriff Michael Saudino whose dedication to the residents of Bergen County is unsurpassed, and

WHEREAS, the Garfield Mayor and Council are desirous of publicly recognizing those who have demonstrated long commitment to promoting relations between Sicily and the State of New Jersey, and have continued their dedication to giving back to the community,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that CONGRATULATIONS are hereby extended to Bergen County Sheriff Michael Saudino and the Sicilian Federation of New Jersey on being justly honored for their good deeds and for being worthwhile proponents of the causes of the Italian American community and the Italian nation.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 11-92

WHEREAS, Fire Company No. 1 advises that Michael Andreano of 99 Willard Street has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-93

WHEREAS, Fire Company No. 2 has advised that they have expelled Carlos Vasquez of 396 River Road, as an active member effective February 7, 2011,

THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby accepted.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-94

WHEREAS, Fire Company No. 4 has advised that they have expelled Chris Chayka of 23 Williams Street, as an active member effective March 4, 2011,

THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, is hereby accepted.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-95

WHEREAS, Fire Company No. 1 has advised that they have accepted Sergio Ferreira of 44 Spencer Place, as a regular active member, effective February 24, 2011.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-96

WHEREAS, Fire Company No. 3 has advised that they have accepted Borce Jankuloski of 130 Cedar Street, as a regular active member, effective February 7, 2011.

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

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-97

WHEREAS, Dennis R. Montelbano, 249 Gaston Avenue who is the holder of a Disabled Person I.D. Card No. P917338, 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 west curb line of Gaston Avenue commencing 75 feet south of the intersection of Gaston Avenue and Arnot Street 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) Stanley J. Moskal
Louis G. Aloia

RESOLUTIONS

Resolution No. 11-98

WHEREAS, Mr. Raffaele Signorile owner of Hairesistible, 8 Clark Street has filed an application for a Loading Zone to be placed at his business, 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 a Loading Zone in front of Hairesistible, 8 Clark Street between the hours of 6am and 6pm. The Zone will be placed along the east curblineline of Clark Street commencing 75 feet north of the intersection of Clark Street and Passaic Street. The Zone would run an additional 25 feet 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) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-99

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, STANLEY 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

WHEREAS, on April 29, 2011, it will be necessary and appropriate to temporarily appoint LOUIS G. ALOIA as Deputy Mayor for the City of Garfield in order to perform a single act, to wit, the marriage ceremony of JOANNE MARIE TOZZO and ROBERT STANLEY FANSLAU.

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

1. Councilman LOUIS G. ALOIA be and is hereby appointed Deputy Mayor for the City of Garfield for April 29, 2011 to perform the marriage ceremony of JOANNE MARIE TOZZO and ROBERT STANLEY FANSLAU.
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony 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 ceremony 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 STANLEY MOSKAL, and the City Attorney.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-100

WHEREAS, Edward Puzio, was appointed to the Zoning Board of Adjustment as First Alternate pursuant to Resolution No. 09-424, and

WHEREAS, Edward Puzio has submitted his resignation as First Alternate of the Zoning Board of Adjustment effective March 7, 2011,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Scott Lebrowitz of 130 Krakow Street is hereby appointed First Alternate of the Zoning Board of Adjustment, effective immediately, to succeed Edward Puzio, for the unexpired two year term, said term to expire December 31, 2011.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

RESOLUTIONS

Resolution No. 11-101

WHEREAS, Scott Liebowitz was appointed as the Second Alternate of the Zoning Board of Adjustment pursuant to Resolution No. 09-425, and
WHEREAS, Scott Liebowitz has been promoted to First Alternate of the Zoning Board of Adjustment, effective March 7, 2011,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Joseph Dymarczyk of 542 MacDonald Street is hereby appointed Second Alternate of the Zoning Board of Adjustment, effective immediately, to succeed Scott Liebowitz, for the unexpired two year term, said term to expire December 31, 2011.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-102

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the Work Session and Regular Meeting of the City Council scheduled to be held Monday, May 9, 2011, is hereby re-scheduled to be held Tuesday, May 3, 2011 with the Work Session commencing at 5:30 PM and the Regular Meeting commencing at 8:00 PM.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-103

WHEREAS, there are up to \$50,000.00 in funds available through the American Recovery and Reinvestment Act (ARRA) Electrical Efficiency and Conservation Block Grant (EECBG) Program-Phase II and up to an additional 60% in funding available through the Direct Installation Program-Phase II administered by the New Jersey Board of Public Utilities (BPU) and managed by the State of New Jersey Clean Energy Program for a combined total of up to \$125,000.00 in grant funding, and utilizing Lime Energy as the designated EECBG local area contractor; and
WHEREAS, the City of Garfield wishes to upgrade the energy efficiency of its various municipal buildings and structures; and
WHEREAS, the EECBG-Phase II and BPU direct Install Program-Phase II will cover up to \$125,000.00 of the total costs of these energy efficiency upgrades; and
WHEREAS, the Mayor and Council of the City of Garfield are in support of the EECBG and BPU Direct Install Program and wish to file grant applications for up to \$125,000.00 in grant funding for upgrading the energy efficiency of Garfield's various municipal buildings and structures; and
WHEREAS, the City of Garfield meets the eligibility requirements for the EECBG-Phase II and BPU Direct Install Program-Phase II; and
WHEREAS, an application for such funds may not be filed nor funds spent in a municipality without authorization by the Governing Body; and
WHEREAS, the Mayor and Council of the City of Garfield endorse and support this application because of its savings and benefits for our residents, and it is in the best interests of the City of Garfield.
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 2011 EECBG-Phase II and BPU Direct Install-Phase II Grant Applications.
2. Upon receipt of the agreements for the 2011 EECBG-Phase II and BPU Direct Install-Phase II Grants, the signature of the City Manager and any other municipal official, or their successors in said titles, which is required on the agreements and any other documents necessary in connection therewith, is hereby approved.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

RESOLUTIONS

Resolution No. 11-104

BE IT RESOLVED, that the Mayor and Council of the City of Garfield wishes to make application to Emergency Management Agency Assistance (EMAA) grant for 2011 in the amount of \$5,000.00 for the purpose of enhancing the City ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies which will be matched dollar for dollar cash match for the award; and

BE IT RESOLVED, that the Mayor and Council hereby authorizes Thomas J. Duch to be a signatory to aforesaid Grant Application; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorized Chief Financial Officer Roy Riggitano to sign all vouchers submitted in connection with the aforesaid project.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-105

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 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-106

RESOLUTION AUTHORIZING EMERGENCY CONTRACT

WHEREAS, the Local Public Contracts Law authorizes the award of a contract without the necessity of competitive bidding or quotations in the event that the circumstances require an immediate award of a Contract in order to protect the health, safety and general welfare of the residents; and

WHEREAS, a situation has arisen with regard to construction at 20th Century Field; and

WHEREAS, specifically, on February 28th, 2011 the City Engineer was advised by Anthony Furfaro, director of the Garfield Recreation Department that a lighting pole has blown down; and

WHEREAS, the City Engineer, in response, requested that City employees remove soil around the base of the eleven remaining lighting poles in order to determine their stability; and

WHEREAS, upon inspection, the City Engineer determined that these eleven (11) additional poles suffered from similar structural defects which created a hazard to the public; and

WHEREAS, as a result of the foregoing, the City Engineer determined that an emergency existed that required immediate response; and

WHEREAS, Mr. Furfaro made inquiry of certain local contractors in order to secure quotations for such work and determined that the best price available was the quotation from SLAVCO CONSTRUCTION COMPANY in the amount of \$12,375.00.

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

RESOLUTIONS

1. An emergency contract be and is hereby awarded to SLAVCO CONSTRUCTION COMPANY in the amount of \$12,375.00 for the removal of the poles described in this resolution.
2. This Contract shall be in the forms and shall include the services as set forth in the proposals submitted by SLAVCO CONSTRUCTION COMPANY dated March 3, 2011.
3. The award of this emergency contract is contingent upon certification by the Chief Financial Officer that sufficient funds exist for this purpose and further certification by the City Engineer that such an emergency existed and required immediate attention.

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 City Attorney, the City Engineer and Chief Financial Officer for the City of Garfield, the Garfield Recreation Department and Slavco Construction Company.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-107

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.
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 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
170.01	75	“Law Office of Nathan P. Wolf, LLC And CONTE DANIEL P & ET ALS”	TCJ	\$6,309.00

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-108

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner 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 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
20.01	17	Kareem & Grace Bosede	O/P	\$1,537.00
208.05	75	Martin Steiger	O/P	\$1,855.00

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-109

WHEREAS, the City Treasurer of the City of Garfield has identified the following checks to be stale, and

RESOLUTIONS

WHEREAS, the City Treasurer has been deemed to cancel of record the following checks which are dated prior to December 2009

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that all stale checks on City of Garfield Current Account shall be treated as MRNA

Current Account #800741811

<u>Check#</u>	<u>Dollar Amount</u>
12049	\$130.70
15518	\$225.00
15554	\$206.00
16038	\$ 10.50
16392	\$ 56.25
16430	\$ 56.25
16441	\$ 56.25
16457	\$ 56.25
16525	\$ 56.25
16857	\$100.00
17072	\$100.00
17263	\$100.00
17842	\$250.00

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-110

WHEREAS, the City Treasurer of the City of Garfield has identified the following checks to be stale, and

WHEREAS, the City Treasurer has been deemed to cancel of record the following checks which are dated prior to December 31, 2010

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that all balances shall be treated as MRNA, as to the treasurers bank statement reconciliation:

Payroll Account 61-05732528

<u>Check#</u>	<u>Dollar Amount</u>
161977	0.19
161995	36.86
161996	590.03
161997	23.35
163020	22.35
163372	238.20
163796	241.38
164728	38.46
165155	38.46
165637	132.56
165887	991.27
166309	38.45
167421	128.07
167751	417.35

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

RESOLUTIONS

Resolution No. 11-111

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
Engineering O&E	0-01-20-165-165-020		\$5,000.00
Street Lighting	0-01-31-435-435-280		\$3,000.00
Municipal Court O/E	0-01-43-490-490-063		\$1,000.00
DPW O/E	0-01-26-290-290-011	\$9,000.00	
		<u>\$9,000.00</u>	<u>\$9,000.00</u>

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No.11-112

RESOLUTION OF APPOINTMENT – HOUSING AUTHORITY OF THE CITY OF GARFIELD
 WHEREAS, Councilman LOUIS G. ALOIA has served as a member of the Garfield Housing Authority having been initially appointed in 2008; and
 WHEREAS, Councilman LOUIS G. ALOIA was recently reappointed that the position; and
 WHEREAS, Councilman LOUIS G. ALOIA has now tendered his resignation as a Commissioner on the Garfield Housing Authority; and
 WHEREAS, as a result of having received Councilman Aloia’s resignation, the Governing Body, in accordance with the requirements of law, must appoint a replacement for that position; and
 WHEREAS, EDWARD PUZIO of the City of Garfield possesses the qualifications for appointment as a Commissioner of the Garfield Housing Authority and has indicated a willingness to accept such an appointment
 NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey as follows:

1. EDWARD PUZIO of Garfield, New Jersey be and is hereby appointed Commissioner on the Garfield Housing Authority.
2. This appointment shall be effective immediately upon the adoption of the within resolution and shall be for the unexpired term of Councilman LOUIS G. ALOIA.

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 Housing Authority, Councilman LOUIS G ALOIA, the City Attorney and EDWARD PUZIO.

On call of roll, Ayes 3,
Nays 1 – Councilmember Delaney
Abstain 1 – Councilmember Raymond

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 11-113

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE CITY OF GARFIELD AND AUTHORIZING THE MAYOR, CITY CLERK, INTERIM CHIEF FINANCIAL OFFICER AND OTHER CITY OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING \$6,673,000 OF NOTES, CONSISTING OF \$4,042,000 GENERAL BOND ANTICIPATION NOTES AND \$2,631,000 WATER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED MARCH 3, 2011 AND PAYABLE MARCH 2, 2012, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

RESOLUTIONS

WHEREAS, the City of Garfield, in the County of Bergen, New Jersey (the "City"), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax-exempt obligations, such as the City, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the City intends to issue \$6,673,000 of notes, consisting of \$4,042,000 General Bond Anticipation Notes and \$2,631,000 Water Utility Bond Anticipation Notes, both issues dated March 3, 2011 and payable March 2, 2012 (collectively, the "Notes"); and

WHEREAS, the City desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265 (b) (3) of the Code;

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

SECTION 1. The City Council hereby covenants on behalf of the City, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the City (including the Notes) be and remain exclude from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, City Clerk, Interim Chief Financial Officer and other officials of the City are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b) (3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Notes are not "private activity bonds" as defined in the Code and (2) the City and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2011.

SECTION 5. It is further determined and stated that the City has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2011.

SECTION 6. The City will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265 (b) (3) of the Code; however, the city does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the City are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2011 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 11-114

RESOLVED by the City Council of the City of Garfield that the following bill No. 1452 covering Trust Other Account totaling \$98,661.96 and Current Fund Reserve totaling \$25,378.76 and in the Current Fund totaling \$2,155,144.11 and Water Fund Reserve totaling \$21,526.10 and Water Fund totaling \$2,668.63 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 five (35) items prior to the meeting be ratified.

Regular Meeting March 7, 2011, Continued

BILLS AND CLAIMS

See

the

following

Pages Numbered _____

For

Bills

and

Claims

ORDINANCES

Ordinance No. 2602

The following entitled ordinance was introduced at a Regular Meeting held February 15, 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:

BOND ORDINANCE TO AUTHORIZE ENGINEERING SERVICES IN CONNECTION WITH THE INSTALLATION OF PHOTOVOLTAIC SOLAR POWER SYSTEMS AT VARIOUS CITY-OWNED BUILDINGS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$100,000.00 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

City Clerk Pavlica read the ordinance by title.

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

Mr. Ciro Disclafani, 47 Orchard Street, spoke and asked questions concerning the ordinance.

There being no further objections, 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 Delaney

Ordinance No. 2603

The following entitled ordinance was introduced at a Regular Meeting held February 15, 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:

CITY OF GARFIELD BERGEN COUNTY, NEW JERSEY
CALENDAR YEAR 2011 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40a-4-45.14)

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

CITIZENS AND TAXPAYERS

Mr. Ciro Disclafani, 47 Orchard Street, spoke and asked questions concerning the installation of photovoltaic solar power systems at various City properties.

Mr. James Miller, 101 Spring Street, spoke and asked questions concerning a proposed allocation to the Garfield Junior Boilermakers Football Organization.

Mr. Michael Marsh, 148 Plauderville Avenue, spoke on FEMA reimbursements to the City for the blizzard that hit Garfield on December 26, 2011, the power outage that occurred in Garfield last week that affected four schools and the senior housing, and the storm water flood that occurred by the Saddle River near the intersection of Marsellus Place and River Drive.

Mr. Ciro Disclafani was recognized again and spoke on being a self appointed pedestrian safety advocate. He said that vehicles must stop for pedestrians in crosswalks or pedestrians in Garfield would be "targets". He proposed additional enforcement of vehicles violating traffic laws. He said that the City needs more designated crosswalks and improvements, particularly on River Drive and on Midland Avenue.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that she attended and represented the City Council at the UNICO Dinner held Friday, March 4, 2011, and the honoree, Dominick Nicastro, was thrilled and so honored with the ceremonial resolution he received. She spoke about the Garfield Animal Rescue Foundation.

Councilmember Delaney spoke on appointments to the Zoning Board of Adjustment and to the Garfield Housing Authority. He spoke on the performance of Councilmember Aloia on the Housing Authority and the procedure that was followed to reappoint him before he left as a Housing Authority Commissioner. He spoke on the Garfield Redevelopment Agency meeting schedule conflicting with the City Council meeting schedule.

Councilmember Aloia spoke on the seat he had held on the Garfield Housing Authority and he spoke on the appointment of Edward Puzio to the Housing Authority. He said that he is the only Councilmember who has not missed one City Council meeting or been tardy during 2010. He said his level of dedication is pretty obvious. He said that in regard to the solar issue, the Council did the right thing not purchasing our electricity from PSE&G by purchasing our power from an outside source; the City is saving thousands of dollars. He said that putting in solar panels is one of the best things that can be done for taxpayers.

Deputy Mayor Moskal thanked Councilmember Raymond for representing the City Council at the UNICO dinner. He commented that the City has advertised for the receipt of bids for Water Meter Reading and Billing on Friday, March 11, 2011. He said that the Sewer Fee Ordinance will be addressed by the Mayor and Council.

Mayor Calandriello thanked Councilmember Aloia for his service on the Garfield Housing Authority. He spoke on this evening's Redevelopment Agency Meeting. He said that the cleanup and development of the Kalama Chemical site at the intersection of Monroe Street and River Drive is getting close. He said that Paragon Realty is still very interested in developing the site as an all commercial development. He spoke on the recent ribbon cutting ceremony held at the Vornado/South Garfield Redevelopment site at 174 Passaic Street, for a Wellness Care Center, a really beautiful facility. He said that it is a good thing and the result of the hard work of the Mayor, City Council, Zoning Board of Adjustment, Planning Board and Garfield Redevelopment Agency making something a reality in this economy, which is truly a great thing.

RECESS AND RETURN TO ORDER

At 9:20 PM, a recess was called. At 9:35 PM, the meeting was again called to order by Mayor Calandriello and all five Councilmembers were present in addition to the following City Officials: City Manager Duch, City Clerk Pavlica, City Attorney Rotolo, City Engineer Boswell, Interim Chief Financial Officer Riggitano, Water and Sewer Facilities Manager Bierwas, Police Chief Amos and Emergency Management Coordinator Marsh. It was duly noted for the record.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. Proposed amendments to the Sewer Fee Ordinance.

CLOSED SESSION

Resolution No. 11-115

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 10:10 P.M. on Monday, March 7, 2011, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (the proposal that Hackensack University Medical Center assume full ambulance services for the City; alleged lack of cooperation by the Garfield Volunteer Ambulance Corps in regard to finances; lack of response at the scene by the Garfield Volunteer Ambulance Corps after arriving at a recent accident; alleged lack of certified and trained EMT's as members of the Garfield Volunteer Ambulance Corps perhaps 8 members out of 40 or 50 members).

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 5

(Sgd) Stanley J. Moskal
Joseph Delaney

ADJOURNMENT

After the City Council came out of Closed Session at 10:45 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

