

A Regular Meeting of the City Council was held Monday, April 11, 2011 at 8:20 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 and Frank J. Calandriello

Councilmembers Present via

Speaker Phone: Stanley J. Moskal

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

MOTION TO DIVERT FROM THE REGULAR ORDER OF BUSINESS

Councilmember Aloia moved to divert from the Regular Order of Business to the Public Hearing on the 2011 Municipal Budget, the Amendment to the 2011 Municipal Budget and Adoption of the 2011 Municipal Budget. Councilmember Delaney duly seconded the motion.

On call of roll, Ayes 5

PUBLIC HEARING ON THE 2011 MUNICIPAL BUDGET

Mayor Calandriello declared a public hearing on the 2011 Municipal Budget.

Mr. Ciro Disclafani, 47 Orchard Street, asked questions concerning the 2011 Municipal Budget.

There being no further objections, Mayor Calandriello declared the public hearing closed.

AMENDMENT TO 2011 MUNICIPAL BUDGET

Resolution No. 11-127

Resolution Re: Resolution to Amend 2011 Budget

WHEREAS, the local municipal budget for the year 2011 was approved on the 15th day of February, 2011, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW THEREFORE BE IT RESOLVED, BY THE Governing Body of the City of Garfield, County of Bergen, that the following amendments to the approved budget of 2011 be made:

CURRENT FUND	From	To
General Revenues		
3. Miscellaneous Revenues		
Section F: Public and Private Revenues Offset with Appropriations		
Public Health Priority Funding		\$17,786
Alcohol Education and Rehabilitation		3,249
Over the Limit, Under Arrest		\$10,000
 Total Section F: Public and Private Revenues		 \$31,035
 Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Division of Local Government Service- Other Special Items		
Reserve for Payment of Debt	\$100,000	\$133,554
 Total Section G: Other Special Items	 1,745,000	 1,778,554
 Total Miscellaneous Revenues	 6,830,983	 6,895,572

RESOLUTIONS

5. Subtotal General Revenues	9,730,983	9,795,572
6. Amount to be raised by Taxes for Support of Municipal Budget		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	22,369,864	21,588,055
c) Minimum Library Tax		781,809
Total Amount to be Raised by Taxes for Support of Municipal Bud	22,369,864	22,369,864
7. Total General Revenues	<u>32,100,847</u>	<u>32,165,436</u>
8. General Appropriations	<u>From</u>	<u>To</u>
Deferred Charges and Statutory Expenditures within "CAPS"		
Deferred Charges		
Deficit in Street Bond Trust		\$2,500
Deficit in Dedicated Penalty Trust		\$1,858
Total Deferred Charges and Statutory Expenditures within CAPS	2,786,485	2,790,843
Total General Appropriations within "CAPS"	25,416,559	25,420,917
Operations Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Public Health Priority Funding		17,786
Alcohol Education and Rehabilitation		3,249
Over the Limit, Under Arrest		10,000
Total Public and Private Programs Offset by Revenues		31,035
Total Operations Excluded from "CAPS"	2,674,788	2,705,823
Detail:		
Other Expenses	2,674,788	2,705,823
Deferred Charges Excluded from "CAPS":		
Cancelled General Capital Fund Grants Receivable		29,196
Total Deferred Charges Excluded from "CAPS"	90,000	119,196
(O) Total General Appropriations Excluded from "CAPS"	4,884,288	4,944,519
(L) Subtotal General Appropriations	30,300,847	30,365,436
9. Total General Appropriations	<u>32,100,847</u>	<u>32,165,436</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2011 local municipal budget so amended.

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

(Sgd) Joseph Delaney
Louis G. Aloia

ADOPTION OF 2011 MUNICIPAL BUDGET

See the following
Pages numbered _____ for Resolution No. 11-128

EXIT OF VARIOUS CITY OFFICIALS

At 8:45 PM the telephone communication with Deputy Mayor Stanley J. Moskal was terminated, and Interim Chief Financial Officer Roy Riggitano and City Auditor Dieter Lerch left the meeting. It was duly noted for the record.

RETURN TO REGULAR ORDER OF BUSINESS

Councilmember Delaney moved to revert back to the Regular Order of Business. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

REPORTS OF OFFICERS

Councilmember Raymond 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 3,
Abstain 1 – Councilmember Delaney,
Absent 1 – Councilmember Moskal

MINUTES

Councilmember Aloia moved to approve the Minutes of the following meetings:

Work	Session	-	February	7,	2011
Regular	Meeting	-	February	7,	2011
Work	Session	-	February	15,	2011
Regular	Meeting	-	February	15,	2011

Councilmember Delaney duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

RESOLUTIONS

Resolution No. 11-129

WHEREAS, the Garfield YMCA has been an institution in the City of Garfield for many decades, ever since it was founded by Woolen Mill Owner Samuel Hird in 1926, and

WHEREAS, the Garfield YMCA will be celebrating their 85th Anniversary with a gala on Wednesday, April 13, 2011 at 6:30 PM at the Venetian Restaurant located at 546 River Drive in Garfield, and

WHEREAS, the Austin Family, City Recreation Director Anthony Furfaro and Spencer Savings Bank will all be publicly recognized and honored at this gala for their many contributions and services given to the Garfield YMCA and community at large, and

WHEREAS, the Mayor and City Council are desirous of publicly recognizing these impressive individuals and the Garfield YMCA during this noteworthy event,

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 YMCA on the occasion of the celebration of their 85TH ANNIVERSARY and to the much deserving honorees who have helped to make the YMCA one of the reasons the City of Garfield is such a great place to live, work or play.

RESOLUTIONS

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-130

WHEREAS, Fire Company No. 2 has advised that they have accepted Tiffany Saimson of 29 Alpine Street, as a regular active member, effective April 4, 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. 2 with respect to the above matter is hereby approved.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-131

WHEREAS, Fire Company No. 3 has advised that they have accepted Daniel Harrison of 159 Grand Street, as a regular active member, effective March 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 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-132

WHEREAS, Fire Company No. 5 has advised that they have accepted Lukasz Chmielewski of 168 Jacob Street, as a regular active member, effective December 4, 2010.
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. 5 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-133

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following Skill Games Distributor's License for the year 2011:

Millennium Amusements LLC
44 East Railway Avenue
Paterson, New Jersey 07522

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-134

WHEREAS, a Bus Stop has been requested in the area of 174 Passaic Street for the safety of the Mass Transit riders in that area,
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 the Bus Stop will be placed on along the east curb line of Passaic Street commencing 60 feet east of the intersection of Passaic Street and Shopping Center Drive and run an additional 150 feet east from that point.

RESOLUTIONS

FURTHER RESOLVED that New Jersey Transit is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-135

RESOLUTION AUTHORIZING INSTALLATION OF GROUNDWATER MONITORING WELLS

WHEREAS, the City has received a request for the installation of monitoring wells in and around Cambridge Avenue in the vicinity of the Albanian Islamic Center; and

WHEREAS, these monitoring wells have become necessary as a result of alleged environmental contamination of this area; and

WHEREAS, a total of eighteen (18) vapor monitoring wells are to be installed, most of which will be on sidewalks and private driveways and parking areas; and

WHEREAS, one point will be placed in the street in front of the Albanian Islamic Center; and

WHEREAS, all points will extend approximately six (6) feet in depth and will be flush mount to the street or sidewalk with a five inch diameter steelcap/manhole; and

WHEREAS, this request has been reviewed and approved by the Office of the City Engineer and the City Attorney

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. Approval is hereby granted for the installation of vapor monitoring wells in or around Cambridge Avenue in the vicinity of the Albanian Islamic Center.
2. This approval is subject to final review and approval, by the City Engineer, of drawing, plans and specific proposals.
3. This approval is conditioned upon compliance with all requests and direction of the City Engineer, Department of Public Works and Police Department of the City of Garfield.
4. An Agreement for site access and hold harmless agreement in the form prepared by or approved by the City Attorney shall be executed by the company making this request prior to the commencement of any work.

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, the Garfield Police Department and the Department of Public Works.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-136

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 2008.

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
194	31	“Daniel G. Keough, Trustee”	TCJ	\$4,680.63

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

RESOLUTIONS

Resolution No. 11-137

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 2008.

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
160	31	“Daniel G. Keough, Trustee”	TCJ	\$2,554.50

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-138

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 2009.

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
160	31	“Daniel G. Keough, Trustee”	TCJ	\$3,686.40
194	31	“Daniel G. Keough, Trustee”	TCJ	\$5,902.34

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-139

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

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
185	5	Rosemary Verga	TCJ	\$245.43

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

Resolution No. 11-140

A Resolution Authorizing Professional Engineering Services in connection with the Midland Avenue Sidewalk Improvement Project.

WHEREAS, the City of Garfield received a NJDOT grant in the amount of \$100,000.00 for the installation of curb and sidewalk on Midland Avenue south of Plauderville Avenue, and;

WHEREAS, the City is required to prepare bid documents for the public bidding of this improvement, and;

WHEREAS, Engineering, Design and Construction inspection are eligible expenses for reimbursement under the grant requirements.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to prepare the required bid documents and provide construction inspection services for a total fee not to exceed \$14,500.00.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

RESOLUTIONS

Resolution No. 11-141

A Resolution Authorizing Professional Engineering Services in connection with the 2011 Lanza Avenue Roadway Improvement Project.

WHEREAS, the City of Garfield received a \$154,000.00 Grant from NJDOT for the improvement of Lanza Avenue, and;

WHEREAS, the scope of work will generally consist of the milling and repaving of the roadway between Shaw Street and River Road with ADA ramps at the required locations.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to prepare the bid documents and perform the required inspection services for a fee not to exceed \$22,000.00.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 11-142

RESOLVED by the City Council of the City of Garfield that the following bill No. 1454 to 1459 covering Dog Trust Account, Trust Other and Escrow Developers Trust totaling \$43,378.77 and in the Current Fund Reserve totaling \$13,951.53 and Current Fund totaling \$2,565,217.43 and Water Fund Current totaling \$10,922.38 and General Capital Fund totaling \$325,741.02 and Water Capital Fund totaling \$7,811.06 and Dog Trust totaling \$2,082.33 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 (39) items prior to the meeting be ratified.

See

the

following

Pages Numbered _____

For

Bills

and

Claims

ORDINANCES

Ordinance No. 2604

The following entitled ordinance was introduced at a Regular Meeting held March 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 THE ACQUISITION OF NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, FOR THE USE OF THE FIRE DEPARTMENT, POLICE DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$105,500 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.

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,
Absent 1 – Councilmember Moskal

Ordinance No. 2605

The following entitled ordinance was introduced at a Regular Meeting held March 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:

AN ORDINANCE TO AMEND CHAPTER 23 OF THE CODE OF THE
CITY OF GARFIELD ENTITLED
“FIRE DEPARTMENT” AND, SPECIFICALLY,
TO AMEND ORDINANCE NO. 2599

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,
Absent 1 – Councilmember Moskal

Ordinance No. 2606

The following entitled ordinance was introduced at a Regular Meeting held March 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:

ORDINANCES

AN ORDINANCE TO AMEND ORDINANCE NO. 2585 OF THE
CITY OF GARFIELD WHICH AMENDED 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 Raymond duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

Ordinance No. 2607

The following entitled ordinance was introduced at a Regular Meeting held March 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:

AN ORDINANCE PROVIDING FOR THE INSTALLATION AND OPERATION OF A
TRAFFIC CONTROL SIGNAL AT THE
INTERSECTION OF RIVER DRIVE AND LANZA AVENUE

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,
Absent 1 – Councilmember Moskal

Ordinance No. 2608

The following entitled ordinance was introduced at a Regular Meeting held March 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:

AN ORDINANCE PROVIDING FOR THE INSTALLATION AND OPERATION OF A
TRAFFIC CONTROL SIGNAL AT THE INTERSECTION OF PASSAIC STREET AND
WESTMINSTER PLACE AND PASSAIC STREET AND SHOPPING CENTER DRIVE

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.

ORDINANCES

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,
Absent 1 – Councilmember Moskal

CITIZENS AND TAXPAYERS

Mr. Ciro Disclafani, 47 Orchard Street complimented Police Chief Kevin Amos, Lt. Ronald Polonkay, and Superintendent of Public Works Sam Garofalo for meeting with him and going to different locations to consider improvements to pedestrian safety around town. He complimented City Manager Duch for including him in a memo to City Officials regarding a proposed snow removal ordinance.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on the City Sewer Fee Ordinance and how it is reasonable as compared to other towns. She spoke on City Engineering Fees. She spoke on the City Sign Ordinance.

Councilmember Delaney spoke on being available to the public, including by email. He spoke on moving the non-partisan election in Garfield from May to November in 2012. He spoke on changing the City schedule of meetings.

Councilmember Aloia spoke on the 85th Anniversary Dinner of the Garfield YMCA scheduled to be held on Wednesday, April 13, 2011 at the Venetian Restaurant. He wished everyone a Happy Easter.

Mayor Calandriello spoke on City Council Resolution No. 11-120, adopted by the City Council at a meeting held March 15, 2011 concerning opposition to Senate Bill No. 1351, amending the Open Public Meetings Act. He spoke on a newspaper article from the March 31, 2011 edition of the Community News in which Senator Loretta Weinberg chastised the Garfield Mayor and Council. He contrasted that to a letter from Senator Weinberg received only a few days ago acknowledging receipt of a copy of the resolution and in which Senator Weinberg seemed more conciliatory. Mayor Calandriello commented that the letter and its conciliatory tone was a communication which was not as public as her prior chastising comments. Mayor Calandriello thanked City Clerk Pavlica for bringing Senate Bill No. 1351 to everyone's attention.

SHORT RECESS, EXIT OF MAYOR CALANDRIELO AND POLICE CHIEF AMOS
AND RETURN TO ORDER

At 9:40 PM, a short recess was called. At 9:45 PM, the meeting was called to order by Councilmember Aloia, and all City Officials were present as before the recess, except Mayor Frank J. Calandriello and Police Chief Kevin Amos. Councilmember Aloia chaired the meeting from this point forward. It was duly noted for the record.

CLOSED SESSION

Resolution No. 11-143

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 9:45 P.M. on Monday, April 11, 2011, to discuss the following as outlined in N.J.S.A. 10:4-12:

CLOSED SESSION

- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (bills and performance of Garfield Volunteer Ambulance Corps; possible shared services agreement with the Borough of Lodi re: the Garfield Health Department; sewer fee delinquencies).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (City Auditor arbitrage charges; Attorney Sean Kelly's response to the March 30, 2011 letter from City Manager Duch re: a water line issue involving 312 Lanza Avenue; sewer fee delinquencies).
- * Matters involving the employment, appointment, termination of employment, terms and conditions or employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (Police Table of Organization; City Manager policy not to make Police promotions until there are retirements; grievance by Police Detective Everett Garnto; Garfield Fire Official Gerald Walis position in the Borough of Lodi).

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 3, Absent 2 -
Councilmembers Moskal and Calandriello

(Sgd) Joseph Delaney
Tana M. Raymond

RETURN OF MAYOR CALANDRIELLO

At 9:55 PM, Mayor Frank J. Calandriello returned during Closed Session and chaired the meeting from this point forward. It was duly noted for the record.

ADOURNMENT

After the City Council came out of Closed Session at 10:10 PM, there being no further business. Councilmember Delaney moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 – Councilmember Moskal

Andrew J. Pavlica, CITY CLERK

