

A Regular Meeting of the City Council was held Tuesday, May 3, 2011 at 8:25 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 Absent: Stanley J. Moskal

Also Present: City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Kevin J. Boswell and Labor Counsel Joseph Randazzo

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. Councilmember Raymond duly seconded the motion.

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

RESOLUTIONS

Resolution No.11-158

WHEREAS, Phillip and Elizabeth Brancato were married September 30, 1945 at Our Lady of Mount Carmel Roman Catholic Church in Passaic, New Jersey, and

WHEREAS, their Sixty-Fifty Anniversary is a loving commitment to each other, which most certainly provided them much satisfaction from the events and memories shared over the years, and
WHEREAS, the Garfield City Council is desirous of publicly recognizing this accomplishment of human devotion and hoping that their love continues to serve as a moral anchor,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Phillip and Elizabeth Brancato are hereby offered sincere best wishes and continued health and happiness in their life's partnership of more than six decades and five years that stands as a tribute to the time honored values of family unity and marital fidelity.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-159

A Resolution Authorizing Payment to J.R. Haftek Co.,Inc. In Connection With an Emergency Sanitary Sewer Lateral at the VFW Post, Outwater Lane, Garfield, New Jersey

WHEREAS, the main sanitary sewer had a break as identified on video tape, and;

WHEREAS, Boswell Mc Clave Engineering accepted bids on March 31, 2011, and;

WHEREAS, this project was awarded to the low bidder, J.R. Haftek Co., Inc., 179 Ryerson Avenue, Paterson, New Jersey 07502, to repair the utility , and;

WHEREAS, J.R. Haftek co., Inc., performed this work in connection with the directive of officials from the City on April 8, 2011, and;

WHEREAS, an invoice in the amount of \$5,775.00 was submitted and reviewed with the City Engineer, and;

NOW THEREFORE BE IT RESOLVED, payment is hereby authorized to J.R. Haftek co., Inc. in connection with the project and in accordance with the City Engineer's recommendation in the total amount of \$5, 775, 00.

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

(Sgd) Louis G. Aloia
Joseph Delaney

RESOLUTIONS

Resolution No. 11-160

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
23	29	CAG Properties LLC c/o John R. Lloyd, Esq. Nowell Amoruso Klein Bierman, P.A.	TCJ	\$13,365.25
96	29	Joseph Marchese et al., c/o John R. Lloyd Esq. Nowell Amoruso Klein Bieman, P.A.	TCJ	638.95
96	59	Joseph Marchese et al., c/o John R. Lloyd Esq. Nowell Amoruso Klein Bieman, P.A.	TCJ	192.51
96	60	Joseph Marchese et al., c/o John R. Lloyd Esq. Nowell Amoruso Klein Bieman, P.A.	TCJ	2,383.87

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

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 11-161

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
23	29	CAG Properties LLC c/o John R. Lloyd, Esq. Nowell Amoruso Klein Bierman, P.A.	TCJ	\$13,724.18
96	29	Joseph Marchese et al., c/o John R. Lloyd Esq. Nowell Amoruso Klein Bieman, P.A.	TCJ	656.14
96	59	Joseph Marchese et al., c/o John R. Lloyd Esq. Nowell Amoruso Klein Bieman, P.A.	TCJ	197.68
96	60	Joseph Marchese et al., c/o John R. Lloyd Esq. Nowell Amoruso Klein Bieman, P.A.	TCJ	2,447.89
160	31	“Daniel G. Keough, Trustee”	TCJ	3,785.40
194	31	“Daniel G. Keough, Trustee”	TCJ	6,060.85
216.02	11	Giacomo Latona, et al., c/o John R. Lloyd Esq. Nowell Amoruso Klein Bieman, P.A.	TCJ	3,541.45

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

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 11-162

WHEREAS, the City Council recognizes that the Board of Education is a separate, autonomous body and that the election in connection with the positions of members of the School Board are outside of the control of the Mayor and Council; and

WHEREAS, notwithstanding the fact that there is not direct control over those elections, the Mayor and Council believe that it is in the best interest of the City of Garfield, its residents and taxpayers to the extent possible, monitor those elections, in order to ensure that the conduct of those elections is consistent with proper procedures and decorum; and

WHEREAS, during the most recent school board election, a particularly disgraceful piece of campaign literature was distributed throughout the City; and

WHEREAS, a copy of said campaign literature is attached to this resolution; and

RESOLUTIONS

WHEREAS, this literature is hateful, promotes racial, ethnic and religious stereotypes and is generally offensive; and

WHEREAS, the distribution of this literature is particularly offensive to the Italian and Polish communities within the City of Garfield; and

WHEREAS, the Mayor and Council of the City of Garfield believe that the distribution of this hateful and offensive literature is harmful to the City of Garfield and believe that such conduct should be investigated and, if appropriate, action should be taken against those responsible for the preparation and distribution of the same.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey that all appropriate local, County, State and Federal agencies and departments are hereby requested to investigate the preparation and distribution of the attached campaign literature; and

WHEREAS, BE IT FURTHER RESOLVED the City Clerk be and he is hereby authorized and directed to forward certified copies of the within resolution to:

- All Bergen County and Passaic County sate legislators
- The Office of Governor Chris Christie
- The Office of the Attorney General of the State of New Jersey
- The Office of the Bergen County Prosecutor’s Office
- All local newspapers
- The Bergen County Board of Elections
- The Office of the Commissioner of Education of the State of New Jersey

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

(Sgd) Louis G. Aloia
Joseph Delaney

BILLS AND CLAIMS

Resolution No. 11-163

RESOLVED by the City Council of the City of Garfield that in the Current Fund Reserve totaling \$241.21 and Current Fund totaling \$2,382,867.30 and Water Fund Current totaling \$22,765.15 and General Capital Fund totaling \$312,106.98 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 seven (7) items prior to the meeting be ratified.

See

the

following

Pages Numbered _____

For

Bills

and

Claims

ORDINANCES

Ordinance No. 2609

The following entitled ordinance was introduced at a Regular Meeting held April 19, 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 THE CODE OF THE CITY OF GARFIELD

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

CITIZENS AND TAXPAYERS

Ms. Carol Ancona, 51 Passaic Street, spoke and asked questions concerning City Sewer Bills.

Ms. Stephanie Nelson, a resident of Hackensack, said that she is with the Lyndon La Roche Political Action Committee, and she spoke on a proposed resolution she would like the City Council to adopt to ask for the re-instatement of the Glass-Steagall Act of 1933 which was repealed by Congress in 1999.

Ms. Joyce Uram, 37 Schley Street, spoke on the fence around the Belmont Hill Water Tank and asked about the status of the proposed new Police Station.

Mr. James Miller, 103 Spring Street, spoke on the resolution requesting an investigation of a Board of Education campaign flyer.

Mr. Richard Zuentd, 73 Wood Street, asked that the City Council adopt a resolution asking that New Jersey withdraw from the Global Warming Response Act (2007) and Regional Greenhouse Gas Initiative or RGGI implementing law of 2007.

Mr. Jeff Rebelo, a resident of Hackensack, and a member of the Lyndon La Roche Political Action Committee, also spoke on the proposed re-instatement of the Glass-Steagall Act of 1933.

Mr. James Mooney and Ms. Connie Mooney, 462 Van Bussum Avenue, spoke on teenagers driving electric motorized razor scooters in her neighborhood unsafely and allegedly causing hazards.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on pedestrian and bicycle safety.

COUNCILMEMBER COMMENTS

Councilmember Raymond expressed sorrow to Jim Miller for being targeted with a horrible political flyer and said that the authorities will get to the bottom of this. She extended congratulations to Mrs. Houlis because on May 28th, her son, Paul, will be ordained as a Roman Catholic priest. She spoke on the Garfield Animal Rescue Foundation.

COUNCILMEMBER COMMENTS

Councilmember Delaney said that the City Attorney will look at both resolutions proposed this evening by members of the public. He spoke on the negative campaign literature that went out for last week's Board of Education election. He said that he would like to be on a committee to review the defeated School Budget. He wished Happy Mother's Day to all the moms.

Councilmember Aloia spoke on the resolution asking for an investigation of the negative campaign literature. He wished a Happy Mother's Day to all mothers. He congratulated Ms. Houlis on her son becoming a priest. He spoke on parental involvement concerning their children.

Mayor Calandriello said that tonight was a good meeting. He said that the State School Monitor asked for two Councilmembers, three Board of Education members, the City Manager and Interim Chief Financial Officer to come to a session to discuss cuts in the defeated School Budget without hurting personnel or the children. He spoke on the proposed Redevelopment of the old Samuel Hird Woolen Mill site bounded by Outwater Lane, Jewell Street, Columbus Avenue and River Drive. He wished everyone a Happy Mother's Day.

PROPOSED ORDINANCES

The City Council and Cabinet discussed proposed ordinances, including such topics as clearing of snow from fire hydrants, throwing of snow in the street, body piercing, truss roofs, news racks, requiring the replacement of damaged sidewalks when houses are sold, repair/body shops and the storage of vehicles on private property, regulation of coffee shops, updating of the property maintenance code, and parking around the Outwater Lane/Plauderville Avenue Train Station.

ADJOURNMENT

At 10:40 PM, there being no further business, Councilmember Raymond 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