

A Regular Meeting of the City Council was held Monday, June 13, 2011 at 8:30 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, Stanley J. Moskal and Frank J. Calandriello

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo and City Engineer Kevin J. Boswell

#### SWEARING-IN CEREMONY OF POLICE SERGEANTS

City Manager Thomas J. Duch acted as Master of Ceremonies and introduced Police Chief Kevin Amos who led the members of the Garfield Police Department into the Council Chamber.

City Manager Duch introduced Pastor Edward Szpiech of St. Stanislaus Kostka Roman Catholic Church who offered a Special Invocation.

City Manager Duch read his letter of promotion of Police Sergeant Jose Brito and then read his biography.

Mayor Frank J. Calandriello administered the official oath of Police Sergeant to Sergeant Brito.

City Manager Duch read his letter of promotion of Police Sergeant Michael Marsh and then read his biography.

Mayor Calandriello administered the official oath of Police Sergeant to Sergeant Marsh.

City Manager Duch read the letter from Chief Amos appointing Sean Delahanty as a Detective and read his biography.

Mayor Calandriello administered the official oath of Police Detective to Investigator Delahanty.

Each Councilmember offered words of congratulations to Michael Marsh, Jose Brito and Sean Delahanty.

Police Chief Amos led the Police Department from the Council Chamber.

#### SHORT RECESS, EXIT OF MAYOR CALANDRIELLO AND RETURN TO ORDER

At 9:00 PM, a short recess was called. At 9:10 PM, Deputy Mayor Stanley J. Moskal called the meeting to order and all City Officials were present as before the recess, with the exception of Mayor Frank J. Calandriello. It was duly noted for the record.

#### 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 – Mayor Calandriello

RESOLUTIONS

Resolution No. 11-180

WHEREAS, Mary Cosmillo celebrated her 102nd Birthday this past May 2011, and  
WHEREAS, many people congratulated her and wished her best wishes and a Happy Birthday, including Mrs. Mariniello's Third Grade Students, and  
WHEREAS, the City Council is desirous of joining the chorus of those extending birthday greetings to her and of those acknowledging this outstanding human achievement,  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that upon the occasion of her One Hundredth and Second Birthday that Mary Cosmillo is hereby honored for her exemplary and inspiring long life and offered sincere best wishes for continued good health and happiness.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-181

WHEREAS, John and Frank Petriello left Garfield High School as sophomores due to the Great Depression and World War II, but were awarded honorary high school diplomas at the Garfield Board of Education meeting held May 24, 2011, and,  
WHEREAS, Frank, currently age 90, left school in 1938; and John, currently age 87, left school in 1939; both to help their family financially; and Frank enlisted in the Navy in 1941; and John did so, a year later, in 1942; and  
WHEREAS, John's son, Michael, said that his Dad had told him that the one regret he had in life was not graduating, so Michael came up with the idea to help his father and uncle get their honorary diplomas six months ago, and  
WHEREAS, Michael has been quoted as saying that he wants to help "pay it forward" for all the good things education has done for his family, and he presented the Garfield Board of Education with an \$800.00 check for a scholarship for a graduating Garfield senior who has a family member that is in, or has served, in the Navy,  
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that John Petriello and Frank Petriello are hereby CONGRATULATED on the receipt of their honorary degrees from Garfield High School, and are thanked for their emphasis on the importance of education, family and service to country.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-182

RESOLVED by the City Council of the City of Garfield that the City Clerk is hereby authorized to issue the following licenses for the fiscal year beginning July 1, 2011 and ending June 30, 2012:

CLUB LICENSES

License No.	0221-31-073-001	American Hungarian Citizens League t/a American Hungarian Citizen League 21 New Schley Street
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PLENARY RETAIL CONSUMPTION LICENSES

0221-33-001-004	J&S Fregata LLC t/a The Fregata 67 Scudder Street
0221-33-002-005	Apple Food Service of Garfield LLC t/a Applebees Neighborhood Grill & Bar 186 Passaic Street

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RESOLUTIONS

License No.	0221-33-004-003	Charlie Blood's Inc. t/a Charlie Blood's 147 Frederick Street
	0221-33-006-005	Swami Yogi Inc. t/a La Bella Pizza 300 Lanza Avenue
	0221-33-007-006	DPC, Corp. t/a MVP Sports Club 402 River Drive
	0221-33-008-007	Daniels Il Piacere LLC t/a Daniels Il Piacere 190 Harrison Avenue
	0221-33-010-005	Rojovin, Inc. t/a Goodfella's 661 Midland Avenue
	0221-33-012-005	Garfield Restaurant Corp t/a Déjà vu 50 River Drive
	0221-33-013-005	Thirteen Hundred LLC t/a Pips 226 MacArthur Avenue
	0221-33-016-005	G and B LLC t/a The Royal Manor 454 Midland Avenue
	0221-33-017-004	Timlo LLC t/a DP's Pub 732 River Drive
	0221-33-025-001	Frank Barcelona's Restaurant & Bar Inc. t/a Barcelona's Restaurant 38 Harrison Avenue
	0221-33-028-013	Estate of Mary Godina Pocket License 224 Cedar Street

PLENARY RETAIL CONSUMPTION LICENSES

License No.	0221-33-030-003	Yogiji Enterprises Inc. t/a Boggy's Bar & Liquors 142 Division Avenue
	0221-33-033-009	New Firehouse Associates LLC t/a New Firehouse Family Restaurant 42 Plauderville Avenue

RESOLUTIONS

License No.	0221-33-036-008	The Off Duty Tavern, LLC t/a The Off Duty Tavern 133 Monroe Street
	0221-33-037-005	Smoke House LLC t/a Piast Meats & Provisions 1 Passaic Street
	0221-33-040-002	Drazek inc. t/a BJS Polonia 126 Ray Street
	0221-33-043-004	Michele's Catering Inc. t/a Michele's 32 Passaic Street
	0221-33-047-005	Kazwell Co., Inc. t/a Garfield Bar & Liquor 46 Wood Street
	0221-33-049-006	Everwide, Inc. t/a Everwide, Inc. 237 Palisade Avenue
	0221-33-051-006	CP Sunrise LLC t/a The Midnight Sun 323 Semel Avenue
	0221-33-052-015	JDMJ Entertainment, LLC t/a Heavy Metal – The Bar 279 Passaic Street
	0221-33-053-003	Venetian Corp t/a The Venetian 546 River Drive
	0221-33-055-005	Stecyk Danuta and Wojdat Stanislaw t/a Bania U Cygana 175 Jewell Street
	0221-33-057-004	Detour, Inc. t/a Detour Bar 437 Lanza Avenue
	0221-33-058-001	Russian Orthodox Greek Catholic Church of the Three Saints t/a Russian Orthodox Greek Catholic Church of the Three Saints 464 Outwater Lane

PLENARY RETAIL CONSUMPTION LICENSES

	0221-33-059-006	Lizmo Inc. t/a Taps Saloon 142 Outwater Lane
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Regular Meeting June 13, 2011, Continued

RESOLUTIONS

License No.	0221-33-060-003	Sportsman Tavern Inc. t/a Sportsman Tavern 245 Outwater Lane
	0221-33-062-009	Pazza Luna Pizzeria, Restaurant & Bar Inc. t/a Pazza Luna Pizzeria, Restaurant & Bar 52 Chestnut Street
	0221-33-066-009	G F Mazzola Inc. Filippos & Jocks Kicks Ristorante & Sports Bar 250-252 Midland Avenue
	0221-33-068-006	Benda Roehrich Post#2867 Veterans of Foreign Wars t/a Benda Roehrich Post#2867 Veterans of Foreign Wars 340 Outwater Lane
	0221-33-069-014	Bergen Heritage Management LLC t/a The Bar BQ Grill 517 River Drive
	0221-33-070-002	Wisla, Inc. t/a Wisla Inc. 73 Main Street
	0221-33-078-005	Pranav Enterprise Inc. t/a River Drive Bar & Liquor 85 River Drive

PLENARY RETAIL DISTRIBUTION LICENSES

License No.	0221-44-003-006	Viki Siddhi and Vicky LLC /a Belmont Liquors 9 Belmont Avenue
	221-44-020-009	Lilly's House Corporation a All Nation's Liquor 80 Passaic Street
	0221-44-029-005	Luva, Inc. t/a Whooppee Liquor & Soda Store 194 Van Winkle Avenue
	0221-44-034-008	Worldwide Liquors LLC t/a Worldwide Liquors 68 Van Winkle Avenue
	0221-44-063-003	Pelikan Ronald & Pelikan Theresa t/a Hy Spirit Wine & Liquor 76 Jewell Street
	0221-44-064-003	Mahant Liquors, Inc. t/a Joe's Liquors 114 Outwater Lane

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BE IT FURTHER RESOLVED that the foregoing renewals are granted on the condition that said renewal shall not constitute approval of anything at variance with the records of the City Council or any person-to-person transfer, place-to-place transfer or change of corporate structure approved prior to the passage of this resolution.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-183

WHEREAS, Fire Company No. 1 advises that Nelson Ferreira of 44 Spencer Place 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.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 184

WHEREAS, Fire Company No. 2 has advised that they have expelled Daniel Fetchik of 136 Outwater Lane, as an active member effective May 2, 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 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-185

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Eric Saimson of 385 Midland Avenue, Apt. 10 as an active member, effective May 2, 2011,

NOW 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 approved.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-186

WHEREAS, Fire Company No. 4 has advised that they have accepted Antonio Santiago of 62 Sampson Street, as a regular active member, effective June 3, 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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-187

WHEREAS, the Mayor and Council of the City of Garfield, Bergen County, New Jersey, has adopted Ordinance No. 2348 implementing Length of Service Awards Program (LOSAP), in 2002 pursuant to Section 457 (e)(11)(13) of the Internal Service Code of 1986 and;

WHEREAS, Lincoln Financial Group has been approved by the Division of Local Government Services to administer such programs and;

WHEREAS, Lincoln Financial has administered the City of Garfield LOSAP Program from its inception and;

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NOW THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, that Lincoln Financial Group shall administer the 2010-2011 LOSAP program for the City of Garfield Volunteer Emergency Organization.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-188

WHEREAS, the Mayor and Council of the City of Garfield, Bergen County, New Jersey, has adopted Ordinance No. 2348 implementing Length of Service Awards Program (LOSAP), in 2002 pursuant to Section 457 (e)(11)(13) of the Internal Service Code of 1986 and;

WHEREAS, Lincoln Financial Group has been approved by the Division of Local Government Services to administer such programs and;

WHEREAS, Lincoln Financial has administered the City of Garfield LOSAP Program from its inception and;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, that Lincoln Financial Group shall administer the 2011-2012 LOSAP program for the City of Garfield Volunteer Emergency Organization.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-189

WHEREAS, the Mayor and Council of the City of Garfield, Bergen County, New Jersey, has adopted a resolution implementing Length of Service Awards Program (LOSAP), in 2001 to Section 457 (e)(11)(13) of the Internal Service Code of 1986 and;

WHEREAS, the Chief Financial Officer has reviewed and has forwarded a certified list(s) to the Mayor and Council: certified by the Fire Department Chief(s) and to disclose all Volunteer Fire Department recipients who have met the minimum requirements to receive such funds and;

WHEREAS, a certified list containing the names of the recipients are attached to this resolution in which the auditors have recommended in the audit that this list be available for review in the form of a resolution;

NOW THEREFORE BE IT RESOLVED that the Chief Financial Officer, has certified funds are available in the 2010 appropriation reserve, and has further audited the documents submitted by the Volunteer Fire Department and has determined that the documents meet the intent of the 2010 audit requirements.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-190

RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the City of Garfield, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the City of Garfield has the need on a timely basis to purchase goods or services utilizing State contracts; and

WHEREAS, the City of Garfield intends to enter into contracts with the attached Referenced State contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW THEREFORE BE IT RESOLVED, that the City of Garfield authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the City of Garfield pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum

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amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the duration of the contracts between the City of Garfield and the Referenced State Contract Vendors shall be from January 1, 2010 to December 31, 2010.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-191

WHEREAS, bids were received by the Deputy City Clerk in the Conference Room in City Hall on Thursday, May 26, 2011 at 1:01 PM for the Summer Food Program conducted by the Garfield Recreation Department; and

WHEREAS, present at the bid opening was the Recreation Director Anthony Furfaro and Deputy City Clerk, Diane Rosolen; and

WHEREAS, only one bid was received and that bid was from Maschio's Food Services, Inc., 20 Park Avenue Suite 2B, Lyndhurst, NJ 07071 in the amount of \$122,196.75, based on the unit price of \$2.45 per lunch, \$1.50 for Breakfast and \$.85 per P.M. Snack; and

WHEREAS, the Chief Financial Officer, has certified to the existence of funds for this expenditure since the program is funded in full by a Federal Grant administered through the New Jersey Bureau of Child Nutrition; and

WHEREAS, the bid has been reviewed and recommended for award by the Chief Financial Officer, and the appropriate City Officials; and

WHEREAS, this program is in the best interests of the health and welfare of the children qualifying for the program;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey, that a Contract for the Summer Food Service Program be and is hereby awarded to Maschio's Food Services, Inc., 20 Park Avenue Suite 2B, Lyndhurst, NJ 07071 in the total amount of their bid of \$122,196.75;

BE IT FURTHER RESOLVED, that the City Attorney be and he is hereby authorized and directed to prepare and/or review the appropriate Contract documents for execution by the Mayor and City Clerk; and

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward certified copies of this approved Resolution to the Interim Chief Financial Officer, Roy Riggitano, the Director of the Recreation Department, Anthony Furfaro, the City Attorney and Maschio's Food Services, Inc.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-192

RESOLUTION - AUTHORIZING CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, a grievance has been filed by PBA Local 46 in which certain allegations are made against the Chief of Police, Kevin Amos; and

WHEREAS, in view of the nature of the allegations and the fact that they were directed specifically at the Chief of Police, he has requested separate counsel in connection with this matter; and

WHEREAS, the City Manager has recommended that Chief Amos' request be approved; and

WHEREAS, Arthur R. Thibault, Jr. of the law firm of Apruzzese, McDermott, Mastro & Murphy is an attorney licensed practice in the State of New Jersey and is a labor law specialist; and

WHEREAS, Chief Amos has specifically requested the appointment of this attorney in connection with this matter; and

WHEREAS, the Mayor and Council have determined that it would be in the best interest of the department as well as the City to approve said request.

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

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1. Arthur Thibault, Jr., Esq. of the Law Firm of Apruzzese, McDermott, Mastro & Murphy, Liberty Corner, New Jersey be and is hereby appointed special counsel for the City of Garfield in connection with Garfield PBA Local No. 46 grievance therein PERC Docket No. 2011-397.
2. The City Manager is authorized to execute a contract with the aforesaid attorney at a rate of \$165.00 per hour up to a maximum of \$7,500.00.
3. The within contract may be awarded without the necessity of competitive bidding since the same provides for professional services.
4. The within award is contingent upon certification, by the Chief Financial Officer of the City of Garfield that sufficient funds exist for this purpose.

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 Arthur R. Thibault, Jr., Esq., Chief Kevin Amos, the City Attorney and Chief Financial Officer for the City of Garfield.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-193

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-LOCAL RENEWAL AGREEMENT WITH THE COUNTY OF BERGEN, COMMUNITY DEVELOPMENT AGENCY

WHEREAS, the City Council determined that it would be the best interest of the City of Garfield to renew the agreement with this agency to administer Garfield's program.

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

1. An inter-local renewal agreement between the City of Garfield and the County of Bergen Community Development Agency, be and is hereby authorized
2. The Agreement will provide that the County of Bergen Community Development Agency shall administer the Garfield Housing Rehabilitation Program and perform all work and services necessary in order to facilitate that program.
3. The inter-local agreement shall be prepared by the City Attorney and shall be executed, on behalf of the City of Garfield by the Mayor and the City Clerk.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk be and is hereby authorized and directed to forward certified copies of the within Resolution to William Katchen, CPA, the County of Bergen, Community Development Agency, the City Attorney, and the State of New Jersey Council on Affordable Housing.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-194

A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development act of 1974, as amended, and the HOME Investment Partnership Act of 1190, as amended; and

WHEREAS, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by July 8, 2011, each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

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WHEREAS, it is in the best interest of the City of Garfield and its residents to participate in said programs; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen and State of New Jersey, that it hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and Home Investment Partnership Act Program for the Program Years 2012, 2013, 2014 (July 1, 2012 – June 30, 2015): and

BE IT FURTHER RESOLVED, that a copy of the resolution be forwarded to the Bergen County Division of Community Development no later than July 8, 2011.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-195

BE IT RESOLVED by the Mayor and Council of the City of Garfield that application is made to the Commissioner of Transportation for aid under the New Jersey Trust Fund Authority Act for:

River Drive & Passaic Street Pedestrian Safety Improvements,  
Local Aid Infrastructure Trust Program

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the municipality of GARFIELD for the stated project(s).

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-196

RESOLUTION APPROVING THE CITY OF GARFIELD ANIMAL RESCUE FOUNDATION BANK ACCOUNT

WHEREAS, THE City of Garfield Animal Rescue Foundation will be conducting a donation drive that will benefit the rescue of animals in the City of Garfield and;

WHEREAS, the CFO has authorized a new checking account to be opened on behalf of the donations to be forwarded in the name of the City of Garfield Animal Rescue Foundation, and

WHEREAS, the checking account will be opened at Spencer Savings Bank for the sole purpose said donations

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize the CFO and Treasurer to open said checking account at Spencer Savings Account.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-197

RESOLUTION APPROVING CITY OF GARFIELD POLICE ICE TRUST FUND BANK ACCOUNT

WHEREAS, the City of Garfield Police Department has established a Police ICE Sharing Activity with various Drug Enforcement Agencies and;

WHEREAS, the City of Garfield requires a separate checking account to be established and entitled Police ICE Trust Account and;

WHEREAS, it is necessary for the Police Chief, Financial Officer, Chief Executive Officer, City Manager, to have the authority to sign various documents on behalf of the City of Garfield and;

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer and/or Treasurer is hereby authorized to open a new checking account at Spencer Savings Bank, entitled Police ICE Trust Account.

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On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-198

**RESOLUTION APPROVING CITY OF GARFIELD POLICE ICE OVERTIME TRUST FUND BANK ACCOUNT**

WHEREAS, the City of Garfield Police Department has established a Police ICE Sharing Activity with various Drug Enforcement Agencies and;

WHEREAS, the City of Garfield requires a separate checking account to be established and entitled Police Ice Overtime Trust Account and;

WHEREAS, it is necessary for the Police Chief, Financial Officer, Chief Executive Officer, City Manager, to have the authority to sign various documents on behalf of the City of Garfield and;

NOW THEREFORE BE IT RESOLVED, that the Chief Financial Officer and/or Treasurer is hereby authorized to open a new checking account at Spencer Savings Bank, entitled Police ICE Overtime Trust Account.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-199

A Resolution Authorizing Payment to J.R. Haftek Co., Inc., In Connection With an Emergency Sanitary Sewer Lateral at 461 Van Bussum Avenue, Garfield, New Jersey

WHEREAS, the sanitary sewer lateral failed in the Street at the above referenced location, and;

WHEREAS, Boswell McClave Engineering accepted bids on April 11, 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 28, 2011, and;

WHEREAS, an invoice in the amount of \$4,975.00 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 \$4,975.00.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-200

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

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
38.03	10	American Home Mortgage	O/P	\$2,047.00

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

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-201

See the following pages \_\_\_\_\_

for Capital Budget Amendment

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Resolution No. 11-202

WHEREAS, A-3285 would require that certain public contract bid advertisements include certified cost estimates or estimate ranges of projected contract cost and it would amend the grounds for rejection of all bids; and

WHEREAS, advocates for A-3285 argue that the best interests of taxpayers are served by the provisions of A-3285, because it promotes, they claim, openness and broad dissemination of information; and

WHEREAS, we agree that taxpayers are best served by openness and board dissemination of information, however, A-3285, would, in fact, limit a competitive process that is the foundation of the Local Public Contracts Law and would not best serve the public interest; and

WHEREAS, A-3285 would require a municipality to include in the public advertisement its cost estimates or cost estimate ranges for construction projects in excess of \$500,000; and

WHEREAS, A-3285 also amends the provision to reject all bids; and

WHEREAS, one of the amendments would permit a municipality to reject all bids only if the lowest bid substantially exceeds the municipality's cost estimates or cost estimate ranges for the goods or services as published and attested; and

WHEREAS, as a result of this amendment, all contracts, including goods and services, over the contracting unit's bid threshold will now require the public advertisement for bids to include cost estimates or cost estimates ranges; and

WHEREAS, municipal engineers and other design professionals will typically prepare the projects cost estimates based on the current industry cost and bids received for similar projects in different municipalities; and

WHEREAS, these estimates tend to be in the middle of the current industry cost; and

WHEREAS, we are concerned that A-3285 will create the "floor" as opposed to a "ceiling" for bid pricing, removing the incentive for competitiveness and prohibit a municipality from receiving the best possible price for the project; and

WHEREAS, requiring the advertisement of the cost will lead to unfair pricing and increased cost for already strained taxpayers; and

WHEREAS, A-3285 also has the potential to expose municipalities to protracted disputes and litigation; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield strongly opposes the passage of A-3285 as it will delay construction projects, lead to increased costs, limit the rejection of bids and expose municipalities to protracted disputes and litigation; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, Senate President Stephen Sweeney, Assembly Speaker Sheila Oliver, New Jersey League of Municipalities Executive Director William Dressel, Jr., Senator Paul A. Sarlo, Assemblymen Frederick Scalera and Gary S. Schaer, Bergen County Executive Kathy Donovan and Bergen County Freeholders.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 11-203

WHEREAS, injuries that occur on sidewalks that abut commercial property are the responsibility of the commercial property owner; and,

WHEREAS, in *Lodato v. Evesham*, the courts ruled that injuries that occur on sidewalks that abut residential property are not the responsibility of the homeowner even when the homeowner is responsible for the maintenance and repair of the sidewalk by municipal ordinance; and,

WHEREAS, in the same case, the courts ruled that the town, not the homeowner was liable for accidents on defective sidewalks notwithstanding the ordinance.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen, State of New Jersey that the legislature is urged to adopt A3431 amending Title 59 so that a public entity is not responsible for sidewalk injuries where the homeowner is responsible for sidewalk maintenance by ordinance.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, Senate President Stephen Sweeney, Assembly Speaker Sheila Oliver, New Jersey League of Municipalities Executive Director William Dressel, Jr., Senator Paul

RESOLUTIONS

A. Sarlo, Assemblymen Kevin Ryan and Gary S. Schaer, Bergen County Executive Kathy Donovan and Bergen County Freeholders.

On call of roll, Ayes 4,  
Nay 1- Councilmember Delaney,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 11-204

RESOLVED by the City Council of the City of Garfield that the following bills covering Garfield Animal Rescue Foundation and Trust Other totaling \$26,605.76 and in the Current Fund Reserve totaling \$15,349.50 and Current Fund totaling \$2,792,231.49 and Water Fund Current totaling \$544,341.64 and General Capital Fund totaling \$1,306,450.69 and Water Capital Fund totaling \$39,554.85 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 thirteen (13) items prior to the meeting be ratified.

See

the

following

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

For

Bills

and

Claims

ORDINANCES

Ordinance No. 2610

The following entitled ordinance was introduced at a Regular Meeting held May 17, 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 BY THE INCLUSION OF A NEW SECTION ENTITLED "PERMIT PARKING ON RESIDENTIAL STREETS" AND, IN ADDITION, AMENDING THAT SECTION OF THE CITY CODE AND OR ORDINANCES PERTAINING TO DESIGNATED PARKING SCHEDULES BY THE ADDITION THERETO OF THOSE DISTRICTS SUBJECT TO THE REQUIREMENTS OF THE WITHIN "PERMIT PARKING ON RESIDENTIAL STREETS"

City Clerk Pavlica read the ordinance by title.

Deputy Mayor Stanley J. Moskal declared a public hearing on same and asked if there were any objections.

There being none, Deputy Mayor Stanley J. Moskal 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- Mayor Calandriello

Ordinance No. 2611

The following entitled ordinance was introduced at a Regular Meeting held May 17, 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 ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY AND ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE OF 2009

City Clerk Pavlica read the ordinance by title.

Deputy Mayor Stanley J. Moskal declared a public hearing on same and asked if there were any objections.

There being none, Deputy Mayor Stanley J. Moskal 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- Mayor Calandriello

Ordinance No. 2612

The following entitled ordinance was introduced at a Regular Meeting held May 17, 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 CHAPTER 23 OF THE CODE OF THE  
CITY OF GARFIELD ENTITLED FIRE DEPARTMENT AND  
SPECIFICALLY, TO ADD SECTION 23-15 ENTITLED VEHICLES  
PROVIDED FOR FIRE DEPARTMENT USE

City Clerk Pavlica read the ordinance by title.

Deputy Mayor Stanley J. Moskal declared a public hearing on same and asked if there were any objections.

There being none, Deputy Mayor Stanley J. Moskal 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- Mayor Calandriello

Ordinance No. 2613

The following entitled ordinance was introduced at a Regular Meeting held May 17, 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 114 OF THE CODE OF THE CITY OF GARFIELD  
ENTITLED CONSTRUCTION CODES, UNIFORM IN ORDER TO ADD A SECTION  
REQUIRING A NOTICE OF TRUSS ROOF CONSTRUCTION

City Clerk Pavlica read the ordinance by title.

Deputy Mayor Stanley J. Moskal declared a public hearing on same and asked if there were any objections.

There being none, Deputy Mayor Stanley J. Moskal 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- Mayor Calandriello

Ordinance No. 2614

The following entitled ordinance was introduced at a Regular Meeting held May 17, 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 AMEND CHAPTER 294 OF THE CODE  
OF THE CITY OF GARFIELD ENTITLED TATTOO ARTIST

City Clerk Pavlica read the ordinance by title.

Deputy Mayor Stanley J. Moskal declared a public hearing on same and asked if there were any objections.

ORDINANCES

There being none, Deputy Mayor Stanley J. Moskal 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- Mayor Calandriello

Councilmember Moskal introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE REPLACEMENT OF WELL NO. 8R AND OTHER IMPROVEMENTS TO THE ELMWOOD PARK WELL FIELDS BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$240,000 TO PAY THE COST THEREOF, 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.

Councilmember Moskal moved that this ordinance entitled: BOND ORDINANCE TO AUTHORIZE THE REPLACEMENT OF WELL NO. 8R AND OTHER IMPROVEMENTS TO THE ELMWOOD PARK WELL FIELDS BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$240,000 TO PAY THE COST THEREOF, 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 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 on July 11, 2011 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing in The Record Newspaper, 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, Absent 1 – Mayor Calandriello

CITIZENS AND TAXPAYERS

Mr. Stewart Walters, 225 Midland Avenue, spoke on the Police Promotions, he advocated the hiring of more cops, he complained about potholes, and he spoke and asked questions concerning the Passaic Valley Water Commission reading water meters and performing water billing services for the City.

Ms. Joyce Uram, 37 Schley Street, spoke on the Police Promotions and asked about the status of a new Police Station.

Mr. Fred McCabe, 67 Cottage Place spoke on the Redevelopment of the old Garden State Paper mill site at 950 River Drive and complained about the dust from the site affecting his pool and his property.

Mr. Ciro Disclafani, 47 Orchard Street, spoke on the Safe Routes to Schools Grant Program, spoke on the River Drive and Passaic Street Pedestrian Safety Improvements Local Aid Infrastructure Trust Program, and spoke on pedestrian safety and the number of senior citizens who die in

CITIZENS AND TAXPAYERS

vehicular accidents. He spoke on City revitalization and the need to make Garfield a destination point.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on Jessica Alfonso being designated “Police Chief of the Day” on June 17, 2011. She said that it was a very nice day, a good program, which was wonderful. She spoke on the treatment of the elephants and other animals by the Cole Brothers Circus.

Councilmember Delaney spoke on the current schedule of City Council meetings and advocated changing the schedule. He advocated moving the May 2012 non-partisan municipal election to November. He spoke on Paul Houllis recently becoming a Roman Catholic Priest.

Councilmember Aloia spoke on pedestrian signs. He said that he thought rumble strips would be a good thing and they were placed on Elizabeth Street by Twentieth Century Field. He said they were removed just about as fast as they were installed because the neighbors hated the constant noise as cars passed over the rumble strips. He said that there are so many good ideas but government should move slowly so as not to waste taxpayer money. He said that if we choose to implement something quickly at our home or business at our own expense and it does not work out, it is our own money. He said that when it is taxpayer money, the Council should move methodically so as not to waste money. He said that when you spend someone else’s money, it is wise not to go quick. He said that sometimes good ideas are not as good as you think. He spoke on the Redevelopment of the Vornado property at 174 Passaic Street and commented that maybe a high-rise parking garage might be good there and at the Redevelopment site at 950 River Drive.

Deputy Mayor Moskal said congratulations on this evening’s promotions and he spoke on the Cole Brothers Circus treatment of their circus animals.

ADJOURNMENT

At 10:20 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Delaney duly seconded the motion.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello