

A Regular Meeting of the City Council was held Tuesday, June 21, 2011 at 8:45 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Frank J. Calandriello presided. City Clerk Andrew J. Pavlica announced that the meeting was being held in accordance with provisions of the Open Public Meetings Act and that adequate notice was provided by mail and fax to the official City newspapers and to other interested parties and by posting the meeting notice on the bulletin boards in City Hall.

Councilmembers Present: Tana M. Raymond, Joseph Delaney, Louis G. Aloia, and Frank J. Calandriello

Councilmembers Absent: Stanley J. Moskal

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

REPORTS OF OFFICERS

Councilmember Delaney 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,
Absent 1 – Councilmember Moskal

PRESENTATION OF RESOLUTION NO. 11-181

At this time, City Clerk Pavlica read Resolution No. 11-181, adopted at a Regular Meeting of the City Council held June 13, 2011, which congratulated John and Frank Petriello for receiving honorary degrees from Garfield High School. Each Councilmember present made congratulatory remarks to John and Frank Petriello and Mayor Calandriello presented framed copies of the resolution to both of them.

RESOLUTIONS

Resolution No. 11-206

Whereas, adults who provide alcohol to those below the legal drinking age of 21 are placing those youth at risk for health, safety and legal problems, and

Whereas, alcohol use by young people is dangerous, not only because of the risks associated with acute impairment, but also because of the threat to their long-term development and well-being, and

Whereas, it is illegal to give or allow your teen's friends to drink alcohol in your home, even with their parents' permission, and

Whereas, anyone found guilty of providing alcohol to youth can face up to a \$1,000 fine and six months in jail, in addition to any civil action that can be brought as a result of damages or injury related to the offense, and

Whereas, adults have the authority and responsibility to our youth to provide them with alternative opportunities by creating alcohol-free activities, and

Whereas, Drug-Free Action Alliance, through the Parents Who Host, Lose The Most: Don't Be a Party to Teenage Drinking campaign provides the educational materials to raise community awareness regarding this illegal and unhealthy practice, and

Whereas, the City of Garfield encourages residents to refuse to provide alcoholic beverages to underage youth and to take the necessary steps to discourage the illegal and unhealthy practice, including the reporting of underage drinking by calling their local police, and

Whereas, be it resolved that the City of Garfield not only discourages the use of alcohol by those below the legal age of consumption, but also exhorts all residents of Garfield to refuse to provide alcoholic beverages to those underage youth, and will continue to take the necessary steps to discourage this illegal and unhealthy activity.

RESOLUTIONS

Now Therefore, Be it Resolved by the City Council of the City of Garfield, Bergen County, New Jersey, do hereby proclaim June 2011 to be:

Parents Who Host, Lose the Most: “Don’t be a Party to Teenage Drinking”

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

At this time, EPIC students gave a presentation before the City Council, and Mayor Calandriello presented a framed copy of Resolution No. 11-206 to the EPIC students.

Resolution No. 11-207

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, 2010 and ending June 30, 2011:

PLENARY RETAIL CONSUMPTION LICENSES

License No. 0221-33-048-005 PJG Corporation
Pocket License

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 – Councilmember Moskal

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-208

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:

PLENARY RETAIL CONSUMPTION LICENSES

License No. 0221-33-021-001 Garfield Elks Lodge No 2267 BPO
68 Lanza Avenue
.
0221-33-048-005 PJG Corporation
Pocket License

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 – Councilmember Moskal

(Sgd) Louis G. Aloia
Frank J. Calandriello

RESOLUTIONS

Resolution No. 11-209

WHEREAS the Receiver of Sewer reports that she has received a request from the following property owner for a refund due to over paid sewer 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.

SEWER ACCT #	OWNER	REASON	AMOUNT
2-6-204.00	Dahnerts Park Apts, LLC	O/P SEWER	\$2,160.00

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

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution No. 11-210

A Resolution Authorizing Change Order No. 1 in Connection with the River Drive Improvement Project.

WHEREAS, the City of Garfield awarded a contract to English Paving Co. in the original contract amount of \$7,544,426.52, and;

WHEREAS, Change Order No. 1 is necessary in order to accommodate the storm drainage redesign required due to numerous unknown utility conflicts throughout the project limits.

NOW THEREFORE BE IT RESOLVED by the City of Garfield, Bergen County, New Jersey, that Change Order No. 1, in the amount of \$133,500.00, is hereby authorized in connection with the referenced River Drive Improvement Project.

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

(Sgd) Louis G. Aloia
Frank J. Calandriello

Resolution

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the following is the list of regularly scheduled meetings of the City Council for the balance of the year 2011, with Work Sessions commencing at 5:30 PM and Regular Meetings commencing at 8:00 PM, except when a Legal Holiday or Special Occasion is involved as listed:

- Monday, July 11, 2011
- Tuesday, August 9, 2011
- Tuesday, September 13, 2011
- Tuesday, September 27, 2011
- Tuesday, October 11, 2011
- Tuesday, October 25, 2011
- Wednesday, November 9, 2011 (Change due to the General Election)
- Tuesday, November 22, 2011
- Tuesday, December 13, 2011
- Tuesday, December 27, 2011, and

BE IT FURTHER RESOLVED that Resolution No. 10-378 is hereby rescinded, and FURTHER RESOLVED that the City Clerk is hereby authorized and directed to forward a CERTIFIED and exact copy of this approved resolution to all the official City newspapers and to cause to have copies posted on the bulletin boards in City Hall and at the Garfield Free Public Library.

On call of roll, Ayes 2,
Nays 2 – Councilmembers Aloia and Calandriello,
Absent 1 – Councilmember Moskal

(Sgd) Tana M. Raymond
Joseph Delaney

RESOLUTION DEFEATED

BILLS AND CLAIMS

Resolution No. 11-211

RESOLVED by the City Council of the City of Garfield that the following bills covering Trust Other totaling \$100,000.00 and in the Current Fund Reserve totaling \$1,000.08 and Current Fund totaling \$203,262.24 and Water Fund Current totaling \$127,824.16 and General Capital Fund totaling \$1,138,529.00 and Water Capital Fund totaling \$10,980.00 per attached Computer Lists, be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations, and

BE IT FURTHER RESOLVED that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the Ratification List, which includes one (1) item prior to the meeting be ratified.

See

the

following

Pages Numbered _____

For

Bills

and

Claims

ORDINANCES

Councilmember Raymond introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD
TO ESTABLISH MUNICIPAL ELECTIONS ON THE SAME DAY
AS NOVEMBER GENERAL ELECTIONS AND
EXTENDING THE TERMS OF OFFICE FOR THE EXISTING
MAYOR AND COUNCIL MEMBERS

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this ordinance entitled: “AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD TO ESTABLISH MUNICIPAL ELECTIONS ON THE SAME DAY AS NOVEMBER GENERAL ELECTIONS AND EXTENDING THE TERMS OF OFFICE FOR THE EXISTING MAYOR AND COUNCIL MEMBERS”, 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 July 11, 2011 at 8:00 PM in the City Hall in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Delaney, was on roll call defeated by the following vote on first reading: Ayes 2, Nay 2 – Councilmembers Aloia and Calandriello, Absent 1 – Councilmember Moskal

ORDINANCE DEFEATED

CITIZENS AND TAXPAYERS

Mr. Mark Jasper, 80th Street in New York City; and Mr. Jerry Rineson, Passaic Avenue, Hackensack; both advocated that the City Council adopt a resolution to ask for the re-instatement of the Glass-Steagall Act of 1933, which was repealed by Congress in 1999.

Mr. Anthony Barckett, 183 Lincoln Place, spoke on the progress that the City is making in many areas, and the River Drive Realignment Project is tremendous. He spoke on State Aid that the School System is receiving that he said is being used for capital improvements rather than being spent on new jobs. He complimented Superintendent of Public Works Sam Garofalo for helping with cutting some trees. He spoke on the chromium contamination near EC Electroplating on Clark Street near Lincoln Place and he spoke on its affects on City assessments.

Mr. Gregory Pieklo, said he is the owner of Garfield Bakery, located at 800 River Drive. He spoke on the Park Project on River Drive. He complained that during construction, traffic flow has been affected, and he is experiencing a 60% to 70% loss of his business, and he may have to soon lay off 50% of his staff.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on the Middle School Graduation ceremony, which she said was a wonderful affair tonight. She also spoke on the Garfield High School Graduation ceremony scheduled to be held tomorrow night.

Councilmember Delaney said that tonight’s Middle School Graduation ceremony was really nice.

Councilmember Aloia and Mayor Calandriello both praised the EPIC Students and told them to keep up the good work.

CLOSED SESSION

Resolution No. 11-212

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 10:00 P.M. on Tuesday, June 21, 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; (proposed promotion of a Police Lieutenant to Police Captain; proposed amendment of Police Table of Organization; proposed hiring of three new police officers).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (redevelopment agreement for redevelopment at 950 River Drive with developer of record James Demetrakis).
- * Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (proposed promotion of a Police Lieutenant to Police Captain; proposed amendment of Police Table of Organization; proposed hiring of three new police officers).

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 4,
Absent 1 – Councilmember Moskal

(Sgd) Louis G. Aloia
Frank J. Calandriello

ADJOURNMENT

After the City Council came out of Closed Session at 10:35 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 – Councilmember Moskal

Andrew J. Pavlica, CITY CLERK