

A Regular Meeting of the City Council was held Monday, September 12, 2011 at 8:20 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 and City Engineer Kevin J. Boswell

SEPTEMBER 11TH COMMEMORATION

With representatives in attendance from the Garfield Volunteer Fire Department, Police Department, Emergency Management, Ambulance, Public Works and other essential service members, Assistant Fire Chief Michael Colon led those in attendance with the Flag Salute.

City Clerk Pavlica advised those present that Father Edward Szpiech, the Pastor of Saint Stanislaus Kostka Roman Catholic Church, had graciously agreed to present a Special Invocation in commemoration of the Tenth Anniversary of the terrible and heroic events of September 11, 2001, when planes crashed into the World Trade Center in New York City, the Pentagon outside Washington, DC and in Shanksville, Pennsylvania. However, tonight, Father Ed unexpectedly needed to attend to a non-serious medical issue, but he faxed to City Hall his words of wisdom and prayers to be offered at the start of tonight's meeting. City Clerk Pavlica read the Invocation prepared by Father Ed Szpiech.

City Clerk Pavlica read the Proclamation issued by New Jersey Governor Christopher Christie declaring September 11th as Patriot Day and National Day of Service and Remembrance.

At this time, each Councilmember present offered comments concerning September 11th and Hurricane Irene.

RESOLUTIONS

Resolution No. 11-266

WHEREAS, the City of Garfield and the Northeastern United States were struck by Hurricane Irene on August 27, 2011 and August 28, 2011, and

WHEREAS, Emergency Management Personnel of the City of Garfield, including Police, Fire, Ambulance, Public Works and others, rendered to the citizens and taxpayers of the City of Garfield service above and beyond the ordinary call of duty, and

WHEREAS, these men and women maintained a high standard of service, during this 100 year storm, with respect to protection of life and property of the citizens and taxpayers of the City of Garfield, all of this in keeping with the highest tradition of the standard set for emergency response, and

WHEREAS, the City Council of the City of Garfield desires to express its appreciation to these men and women for their singular devotion and dedication in responding to emergencies in the City of Garfield, especially during Hurricane Irene,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that all City Emergency Personnel by and are hereby commended for their excellent service they rendered to the citizens and taxpayers of the City of Garfield during Hurricane Irene.

On call of roll, Ayes 4,

Absent 1 – Councilmember Moskal

(Sgd) Frank J. Calandriello

Louis G. Aloia

At this time, Mayor Calandriello presented framed copies of Resolution No. 11-266 to Fire Chief James Kovacs, Police Chief Kevin Amos, Emergency Management Coordinator Michael Marsh and City Manager Thomas Duch.

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 and during this Regular Meeting. Councilmember Aloia duly seconded the motion.

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

MINUTES

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

Work	Session	-	May	3,	2011
Regular	Meeting	-	May	3,	2011
Work	Session	-	May	17,	2011
Regular	Meeting	-	May	17,	2011
Work	Session	-	June	13,	2011
Regular	Meeting	-	June	13,	2011
Work	Session	-	June	21,	2011
Regular	Meeting	-	June	21,	2011
Special	Meeting	-	June	27,	2011
Special	Meeting	-	July	5,	2011
Work	Session	-	July	11,	2011
Regular	Meeting	-	July	11,	2011
Work	Session	-	July	19,	2011
Regular	Meeting	-	July	19,	2011
Special	Meeting	-	July	27,	2011
Work	Session	-	August	8,	2011
Regular	Meeting	-	August	8,	2011

Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 3,
Abstain 1 – Mayor Calandriello
Absent 1 – Councilmember Moskal

RESOLUTIONS

Resolution No. 11-267

WHEREAS, the Garfield Girls Softball League Dabal's Scrap Yard Senior Division team are the 2011 City Champs, and

WHEREAS, the team is comprised of Kalyn Rodriguez, Brianna Ramos, Megan Jones, Brianna Incorvaia, Dominika Lenart, Shannon Kearney, Megan Dickson, Danielle Rosa, Nikita Pate, Brittany Hicswa, Joanna Palys, Kristen Nagy, Kaitlyn Smith, under the direction of their coaches Gerard Rienzi and Barbara Geisler; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the 2011 Garfield Girls Softball League Dabal's Scrap Yard Senior Division team,

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 Girls Softball League Dabal's Scrap Yard Senior Division team on becoming the City Champs in 2011.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

RESOLUTIONS

Resolution No. 11-268

WHEREAS, the Garfield Girls Softball League Ditto Services “Killer Bees” Junior Division team are the 2011 City Champs, for the third year in a row, and

WHEREAS, the team is comprised of Yazmin Smith, Salama Jasser, Aysen Yilmaz, Hailey Guzman, Brielle Toone, Shelby Juarez, Emily Sanabria, Abigail Andina, Kayla Francisco, Chyna Smith, Tiffany Clark, Jenica Camacho under the direction of their coaches Pat Kavinski, Lisa Van Buskirk and Vic Terranova; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the 2011 Garfield Girls Softball League Ditto Service “Killer Bees” Junior Division team,

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 Girls Softball League Ditto Service “Killer Bees” Junior Division, on becoming the 2011 City Champs.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-269

WHEREAS, Henry Rybak was born in 1954 in Koszyce, Poland and moved to the United States in 1980, and

WHEREAS, after venturing into the construction business, Henry Rybak and his wife Maria were able to fulfill their American dream by establishing Piast Meats and Provisions in the City of Garfield, taking the name “Piast” from the first Polish Dynasty of Kings, and

WHEREAS, Mr. Ryback has been a great supporter of the Polish Community in Garfield and the surrounding areas, including countless schools, churches fundraisers, youth organizations, soccer clubs, individuals in need, Miss Polonia events, Pulaski Parades and other causes, and

WHEREAS, Mr. Ryback was awarded the “Business Leader” Medal by the United States Congress in 2003, and was honored with induction into the prestigious Knighthood of the Mother of God of Cyestochowa in Jasna Goro, Poland, and

WHEREAS, he is the 2011 Grand Marshall of the Garfield Pulaski Day Parade,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Henry Rybak is hereby publicly recognized for his exemplary measures of public-spiritedness for which he has earned the deepest respect and admiration of many.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-270

WHEREAS, an application has been filed for Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-007-006, from DPC, Corp (Demetrios & Eftihia Christakis, 525 Fifth Street, Palisades Park, NJ 07650 – who own 50% each of the shares of the Corporation), for licensed premises located at 402 River Road, Garfield, NJ 07026 to Tina Liquors, LLC (Valentina Spiroska-Zarate, 54 Belmont Avenue, 2nd Floor, Garfield, New Jersey 07026 - who will own 50% of the shares of the corporation and Abdul Khokhar, 270 West Saddle River Road, Upper Saddle River, NJ 07458 - who will own 50% of the shares of the corporation), t/a MVP’S.

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business, and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing, and

RESOLUTIONS

WHEREAS, a “Tax Clearance - Transfer Certificate” has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation, NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective September 13, 2011, the transfer of the aforesaid Plenary Retail Consumption License, Tina Liquors, LLC (Valentina Spiroska-Zarate, 54 Belmont Avenue, 2nd Floor, Garfield, New Jersey 07026 - who will own 50% of the shares of the corporation and Abdul Khokhar, 270 West Saddle River Road, Upper Saddle River, NJ 07458 - who will own 50% of the shares of the corporation), t/a MVP’S and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Tina Liquors, LLC, effective September 13, 2011.”,

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, live entertainment or discotheque be used in connection with this license; (A fee of \$90.00 was collected for the City of Garfield and \$200.00 was collected for the State of New Jersey in connection with the person to person license transfer. No D.J., cover charge or karaoke.)

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-271

WHEREAS, Karina Agamez, 13 Washington Place, who is the holder of a Disabled Person I.D. Card No. P907142, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the west curb line of Washington Place commencing 125 feet north of the intersection of Washington Place and River Drive and run an additional 25 north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-272

WHEREAS, Sharon Schuth, 45 Belmont Avenue, who is the holder of a Disabled Person I.D. Card No. P1016935, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the east curb line of Wessington Avenue commencing 75 feet north of the intersection of Wessington Avenue and Belmont Avenue and run an additional 25 north from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-273

WHEREAS, Francis Hadj-Belgacem, 203 Mac Arthur Avenue, who is the holder of a Disabled Person I.D. Card No. P1024950, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the west curb line of Mac Arthur Avenue commencing 225 feet south of the intersection of Mac Arthur Avenue and Charles Street and run an additional 25 south from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-274

WHEREAS, Rosario Leto, 15 Westminster Place, who is the holder of a Disabled Person I.D. Card No. P829803, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the north curb line of Westminster Place commencing 100 feet east of the intersection of Westminster Place and Passaic Street and run an additional 25 east from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-275

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Stanley J. Moskal, was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on Sunday, August 21, 2011, it will be necessary and appropriate to temporarily appoint Joseph Delaney as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Eduardo Romero-Gonzalez of 42 Outwater Lane, 1R, Garfield, New Jersey 07026 and Flor Maria Chica Guevara of 42 Outwater Lane, 1R, Garfield, New Jersey 07026, and

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

1. Councilman Joseph Delaney be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Eduardo Romero-Gonzalez and Flor Maria Chica Guevara
2. This temporary appointment shall be solely for the purpose of performance of these marriage ceremonies and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremonies and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremonies as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman Joseph Delaney and Flor Maria Chica Guevara, 42 Outwater Lane, Garfield, New Jersey 07026.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 11-276

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Stanley J. Moskal, was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on Friday, August 12, 2011, it will be necessary and appropriate to temporarily appoint Joseph Delaney as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Robert Hugh Meehan Jr. of 464 Lanza Avenue and Amanda Kate Eckert of 138 Woodgate Road, Middletown, New Jersey 07748, and

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

1. Councilman Joseph Delaney be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Robert Hugh Meehan Jr. and Amanda Kate Eckert
2. This temporary appointment shall be solely for the purpose of performance of these marriage ceremonies and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremonies and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremonies as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman Joseph Delaney and Amanda Kate Eckert at 138 Woodgate Road, Middletown, New Jersey 07748.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-277

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, STANLEY MOSKAL, was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of State and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on October 22, 2011, it will be necessary and appropriate to temporarily appoint LOUIS G. ALOIA as Deputy Mayor for the City of Garfield in order to perform a single act, to wit, the marriage ceremony of MICHELLE ELIDA RODRIGUEZ and LUCIO SANTINO TORCIVIA.

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

1. Councilman LOUIS G. ALOIA be and is hereby appointed Deputy Mayor for the City of Garfield for October 22, 2011 to perform the marriage ceremony of MICHELLE ELIDA RODRIGUEZ and LUCIO SANTINO TORCIVIA.
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

RESOLUTIONS

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilman LOUIS G. ALOIA, and the City Attorney.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-278

RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that City clerk Andrew J. Pavlica is hereby authorized and directed to advertise for the receipt of bids for the CDBG Road Program to be received Friday, September 16, 2011 at 11:00 AM in the Conference Room in City Hall.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-279

A RESOLUTION APPOINTING A MUNICIPAL REPRESENTATIVE TO BE PART OF THE OPEN SPACE TRUST MUNICIPAL PROGRAM REGIONAL COMMITTEE
WHEREAS, the City of Garfield has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation, Farmland and Historic Preservation Trust Fund; and
WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Fund Municipal Park Improvement Program Regional Subcommittee for the term coinciding with the 2011 funding year of September 1, 2011 through August 31, 2012;
NOW THEREFORE, BE IT RESOLVED that the governing body hereby appoints City Manager Thomas J. Duch, Esq. as its representative to participate as a member of the Open Space Trust Fund Municipal Program Regional Subcommittee.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-280

WHEREAS, the City Council of the City of Garfield has appointed a Municipal Alliance Committee for the purpose of providing to the community Educational Programs for Drug and Alcohol awareness; and
WHEREAS, the Municipal Alliance Committee annually applies to the County Board of Freeholders for necessary funds to provide Drug and Alcohol awareness programs for the community; and
WHEREAS, the County of Bergen has advised the City that the Municipal Alliance Committee is to receive \$15,759.00 total for the program identified in the grant application; and NOW
THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield does hereby approve the acceptance of total grant funds of \$15,759.00; and
BE IT FINALLY RESOLVED, that a copy of this resolution be provided to the County of Bergen and to the Chairman of the Municipal Alliance Committee.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-281

WHEREAS, Community Development requires the City of Garfield to have two representatives to Bergen County Community Development, and
WHEREAS, one representative is to be appointed by the City Manager and the other representative is to be appointed by the City Council, and

RESOLUTIONS

WHEREAS, the City Manager has made his appointment,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Councilmember Joseph Delaney of 15 Garden Court North is hereby appointed as a Representative of the City of Garfield to Bergen County Community Development, effective July 1, 2011, to succeed himself, for a one year term, said term to expire June 30, 2012.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-282

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO GRAND STREET

NOW THEREFORE, BE IT RESOLVED that the City of Garfield, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the City Council and City Clerk of the City of Garfield are hereby authorized to submit an electronic grant application identified as MA-2012-GARFIELDCITY-00065 to the New Jersey Department of Transportation on behalf of the City of Garfield.

BE IT FURTHER RESOLVED that the City Council and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Garfield, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-283

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$123,500 has been proposed by Boys & Girls Club of Garfield for the interior renovation and upgrades project at 490 Midland Avenue in the City of Garfield, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development Block Grant funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield, Bergen County, and;

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditures of the aforesaid Community Development Funds,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey hereby confirms endorsement of the aforesaid project, and;

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-284

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$108,800 has been proposed by Boys & Girls Club of Garfield for Teen Initiative in the City of Garfield, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development Block Grant funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield, Bergen County, and;

RESOLUTIONS

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditures of the aforesaid Community Development Funds,
NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey hereby confirms endorsement of the aforesaid project, and;
BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-285

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$44,020 has been proposed by Bergen County Community Action Partnership, Inc. to support a playground surface renovation for our Head Start Program at 535 Midland Avenue in the City of Garfield, and
WHEREAS, pursuant to the State Interlocal Services Act, Community Development Block Grant funds may not be spent in a municipality without authorization by the Governing Body, and
WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield, Bergen County, and;

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditures of the aforesaid Community Development Funds,
NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey hereby confirms endorsement of the aforesaid project, and;
BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-286

A Resolution Authorizing Payment to Carner Bros. In The Amount of \$765.00 In Connection With a Wet Tap to a Water Main On Lanza Avenue, Garfield, New Jersey.

WHEREAS, Carner Bros. performed the wet tap to a water main on Lanza Avenue, and;
WHEREAS, An invoice in the amount of \$765.00 was submitted and reviewed.
NOW THEREFORE BE IT RESOLVED, Payment is hereby authorized to Carner Bros. in connection with this wet tap in the amount of \$765.00.

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

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 11-287

A Resolution Authorizing Payment to Zuccaro, Inc. In The Amount of \$7,600.00 In Connection With Water Repairs On Lanza Avenue, Garfield, New Jersey.

WHEREAS, Zuccaro, Inc. performed the water repairs on Lanza Avenue, and;
WHEREAS, An invoice in the amount of \$7,600.00 was submitted and reviewed.
NOW THEREFORE BE IT RESOLVED, Payment is hereby authorized to Zuccaro, Inc. in connection with this repair in the amount of \$7,600.00.

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

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 11-288

A Resolution Authorizing Payment To J.R. Haftek Co., Inc., In Connection With an Emergency Storm Drain Repairs at Palisades Ave. and Van Winkle Ave., Garfield, New Jersey

RESOLUTIONS

WHEREAS, the storm sewer manhole and clay pipe failed in the Street at the above referenced location, and;
WHEREAS, Boswell McClave Engineering accepted bids on August 23, 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 August 25 and 26, 2011, and;
Whereas, an invoice in the amount of \$6,625.00 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 \$6,625.00.

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

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 11-289

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,
WHEREAS, a deposit has been received from Ronald and Nancy Ruesta, 155 Farnham Avenue Block 45/Lot 21 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 06/04/2010, said funds are being held in the Trust Other Fund, and
WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-290

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,
WHEREAS, a deposit has been received from Jovan and Lena Kajmakoski, 175 Main Street Block 184/Lot 4 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 05/27/2010, said funds are being held in the Trust Other Fund, and
WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-291

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,
WHEREAS, a deposit has been received from Donco and Antica Kozeski, 123 Morris Avenue, Block 155/Lot 29 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 11/09/2009, said funds are being held in the Trust Other Fund, and
WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-292

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from Royal Park Construction, 357 Prospect Street, Hackensack, new Jersey 07601 for 106 Mac Arthur Avenue, Block 46/Lot 10 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 10/19/2009, said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-293

WHEREAS, the governing body of the City of Garfield, County of Bergen, State of New Jersey, desires to collect all taxes, assessments, and other municipal charges that are now delinquent; and

WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2010 in a manner prescribed by N.J.S.A. 54-5-19, and as amended by Chapter 99, Public Laws of 1997:

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Garfield, that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with New Jersey law, and as stated above, on October 6, 2011 at 9:30 A.M.

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 11-294

See

The

following

pages _____

for Capital Budget Amendment

BILLS AND CLAIMS

Resolution No. 11-295

RESOLVED by the City Council of the City of Garfield that the following bills No. 1472 to 1473 covering Dog Trust Fund and Trust Other Account totaling \$3,721.69 and in the Current Fund Reserve totaling \$480.00 and Current Fund Current totaling \$2,522,304.80 and Water Fund Current totaling \$162,283.77 and General Capital Fund totaling \$802,938.29 and Water Capital Fund totaling \$3,140.00 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 thirty four (34) items prior to the meeting be ratified.

See

the

following

Pages Numbered _____

For

Bills

and

Claims

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE 2011 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$550,000.00 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE 2011 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$550,000.00 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”, 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 October 4, 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 adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Moskal.

CITIZENS AND TAXPAYERS

Mr. Joseph Balbach, 41 Manner Avenue, spoke on the need to control what can be burned in fire pits because they can be a dangerous thing. He complained about the fire pit of his neighbor.

Mr. James Krone, 20 Morrell Place, thanked everyone who attended the funeral of his wife, Maria, who passed away on August 17, 2011, and for the consideration given by the Police and other City Officials. He spoke on the park along the Passaic River. He spoke on the need to build a new Police Station and to get it started.

Mr. Charles Nucifora, 126 Midland Avenue, thanked the Mayor and City Council for their assistance to the Boys and Girls Club of Garfield and the Garfield YMCA in regard to bussing. He spoke on the service of first responders. He complained about the odor from the solid waste transfer station located at 19-35 Atlantic Street.

Mr. Michael Denistran, 104 Palisade Avenue, complained about the odor from the solid waste transfer station located at 19-35 Atlantic Street.

Ms. Christine Korsak, 185 Chestnut Street, spoke on her home flooding during Hurricane Irene and she spoke on representatives of the Federal Emergency Management Agency coming to her home. She said that there was a little house at 181 Chestnut Street next door to her property and she never had water in her basement until the property owner was granted a variance and knocked down the old house and put up a bigger new one.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that it was nice to see EPIC students in the audience for tonight's Council Meeting.

COUNCILMEMBER COMMENTS

Councilmember Delaney spoke on the 5K Boilermaker run to fund the Garfield YMCA and Project Graduation held Saturday, September 10, 2011 in and around Twentieth Century Field. He said that the EPIC students ran in the race.

SHORT RECESS AND RETURN TO ORDER

At 9:45 PM, a short recess was called. At 9:55 PM, Mayor Calandriello again called the meeting to order and all City Officials were present before the recess. Also present were Police Chief Kevin Amos and Superintendent of Public Works Sam Garofalo. It was duly noted for the record.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The playground location for the Bergen County Community Action Partnership located at 545 Midland Avenue.
2. The home weathering training offered by the Bergen County Community Action Partnership for low income workers.
3. The special trash collection throughout the City, especially in flood areas, after Hurricane Irene.
4. The proposed project of Eagle Scout Candidate Richard M. Rosetti to tear down the old bulletin board in Columbus Park near the intersection of Midland Avenue and Bellport Place and to put up a new one.
5. The Bergen County Environmental Council will be planting trees and shrubs around Dahnert's Lake County Park on Friday, September 23, 2011.
6. The ad request from the Garfield Girls Softball League to raise money for Coach Vic Terranova who has Stage I Renal Cancer.
7. The request by Kathy Mangano of 109 Main Street to be reimbursed \$508.28 for alleged damages associated with water line work in connection with her property and work performed by the DPW.
8. The Street Paving Program.
9. The environmental issue involving Pennoni Associates and old Fire House No. Three located on Willard Street.
10. Local Aid Infrastructure Fund and improvements to Grand Street.
11. State Aid for costs associated with Hurricane Irene.
12. The proposed food drive and coat drive by representatives of Woodrow Wilson School No. Five to assist those adversely affected by Hurricane Irene.
13. The proposed Green Acres grant for turf field improvements to the High School Stadium which the City needs to sign-off on for the School System as long as the School System pays the matching share.
14. The collapse of the DPW Garage Salt Shed again, this time around the time of the earthquake, which hit the northeastern United States on August 23, 2011.

REPORTS OF OFFICERS

City Engineer Kevin J. Boswell reported on the following:

1. The City Solar Energy Project.

CLOSED SESSION

Resolution No. 11-219

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 10:35 P.M. Monday, September 12, 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 rehiring of crossing guard Jennie Ricco; possible retirements in the Garfield Police Department and the need for additional Police Officers; proposed appointment of Police Sergeant and Police Lieutenant; Maureen Kovacs return as Police Dispatcher).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (proposed location of a proposed new Police Station with construction provided by Redeveloper James Demetrakis of Signature Place at Garfield).
- * 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 rehiring of Crossing Guard Jennie Ricco; possible retirements in the Garfield Police Department and the need for additional Police Officers; proposed appointment of Police Sergeant and Police Lieutenant; Maureen Kovacs return as a Police Dispatcher).

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
Joseph Delaney

EXIT OF COUNCILMEMBER RAYMOND

At 11:00 PM, Councilmember Tana M. Raymond left the meeting during Closed Session and it was duly noted for the record.

ADJOURNMENT

At 11:30 PM, there being no further business, the meeting was adjourned.

Andrew J. Pavlica, CITY CLERK

