

A Regular Meeting of the City Council was held Tuesday, September 20, 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, Louis G. Aloia, Stanley J. Moskal and Frank J. Calandriello

Councilmembers Absent: Joseph Delaney

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 SERGEANT AND LIEUTENANT

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 read his letter of promotion to Sergeant for William Bielecki and read his biography.

Mayor Frank J. Calandriello administered the official oath of Sergeant to William Bielecki.

City Manager Duch read his letter of promotion to Lieutenant for Anthony Blackfeld and read his biography.

Deputy Mayor Moskal administered the official oath of Police Lieutenant to Anthony Blackfeld.

Each Councilmember offered words of congratulations to Sergeant Bielecki and to Lieutenant Blackfeld.

Police Chief Amos led his Department out of the Council Chamber.

PRESENTATION OF RESOLUTION NO. 11-267

City Clerk Pavlica read Resolution No. 11-267, which congratulated the Garfield Girls Softball League Dabal Scrap Yard Senior Division Team on being 2011 City Champs.

At this time, CERTIFIED copies of Resolution No. 11-267 were presented to the Dabal Scrap Yard Senior Division Team.

REPORTS OF OFFICERS

Councilmember Raymond moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held earlier this evening. Councilmember Moskal duly seconded the motion.

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

RESOLUTIONS

Resolution No. 11-298

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2011 described in application, duly filed:

RESOLUTIONS

MVP's	1 Pool Table	\$ 75.00
402 River Road	1 Video Games	50.00
Garfield, NJ 07026	1 Juke Box	<u>50.00</u>
		\$ 175.00

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-299

WHEREAS, Edward Fedush, 169 Cambridge Ave, who is the holder of a Disabled Person I.D. Card No. P632022, has filed application for a handicapped parking sign to be placed at his 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 Cambridge Ave commencing 84 feet south of the intersection of Cambridge Ave & Willard St. 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 Delaney

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-300

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 Russell Salvatore Realbutto Jr., and Christina Ann Sheridan both of 36 Prescott Avenue, 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 Russell Salvatore Realbutto Jr. and Christina Ann Sheridan.
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 Christina Ann Sheridan, 36 Prescott Avenue, Garfield, New Jersey 07026.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 11-301

A Resolution Authorizing the Award of Contract for the 2011 CDBG Road Program to Granada Construction Corp.

WHEREAS, the City of Garfield advertised for and received bids in connection with the 2011 CDBG Road Program, and;

WHEREAS, four bids were received with the low bid being received from Granada Construction Corp. in the amount of \$386,792.50, and;

WHEREAS, the City Attorney and City Engineer have reviewed the bids and have determined the lowest qualified bidder to be Granada Construction Corp. in the low bid amount of \$386,792.50

NOW THEREFORE BE IT RESOLVED the City of Garfield hereby awards this contract to Granada Construction Corp. for the low bid amount of \$386,792.50, subject to the certification of the CFO that appropriate funds are available to administer this contract.

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

(Sgd) Stanley J. Moskal
Frank J. Calandriello

Resolution No. 11-302

A Resolution Authorizing the City Engineer to Provide Design and Construction Inspection Services in Connection With the 2011 CDBG Road Improvement Program.

WHEREAS, the City of Garfield applied for Grant funding from the Bergen County Office of Community Development; and,

WHEREAS, a CDBG Grant in the amount of \$415,915 was awarded by Community Development to allow for the paving of Bloomingdale Avenue, Botany Street and Bogert Avenue in the City of Garfield; and,

WHEREAS, bids were received for this project on September 16, 2011.

NOW THEREFORE BE IT RESOLVED, the City Engineer is hereby authorized to provide design and inspection services in connection with the above referenced project for a fee not to exceed \$47,000.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-303

WHEREAS, the Mayor and Council of the City of Garfield made application to Emergency Management Agency Assistance (EMMA) grant for 2011 in the amount of \$5,000.00 for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies which will be matched dollar for dollar cash match for the award; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council for the City of Garfield hereby accept this award and that Thomas J. Duch to be a signatory in connection with aforesaid Grant and Chief Financial Officer Roy Riggitano to sign all vouchers submitted in connection with the aforesaid project.

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-304

A RESOLUTION CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT

WHEREAS, a Bergen County Community Development grant of \$39,140 has been proposed by Children's Aid and Family Services for the Eldercare Expansion Services at the Americas Unidas Multicultural Senior Center and the Garfield Senior Center in the Municipalities of Hackensack and Garfield; and

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

RESOLUTIONS

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 Governing Bodies of Hackensack and Garfield, hereby confirm endorsement of the aforesaid project, and;

BE IT FURTHER RESOLVED, which 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 Delaney

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 11-305

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2008.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this 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
81	50	“Daniel G. Keough, Trustee”	TCJ	\$5,895.00

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-306

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Tax Court Judgment for the year 2009.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this 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
81	50	“Daniel G. Keough, Trustee”	TCJ	\$6,144.00

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

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 11-307

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the Work Session and Regular Meeting of the City Council scheduled for Monday, October 3, 2011, are hereby re-scheduled to be held Tuesday, October 4, 2011 with the Work Session commencing at 6:30 PM in the Conference Room in City Hall and the Regular Meeting commencing at 8:00 PM in the Council Chamber in City Hall.

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

(Sgd) Frank J. Calandriello
Stanley J. Moskal

BILLS AND CLAIMS

Resolution No. 11-308

RESOLVED by the City Council of the City of Garfield that the following bills covering Dog Trust Fund, Trust Other Account and POAA Account totaling \$49,762.25 and in the Current Fund Current totaling \$61,291.35 and Water Fund Current totaling \$1,179.30 and General Capital Fund totaling \$80,946.69 and Water Capital Fund totaling \$968.95 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 six (6) items 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:

TO AMEND SECTION 48-1 OF THE CODE OF THE CITY OF GARFIELD
ENTITLED “DEPARTMENT ESTABLISHED; PERSONNEL” AND, AMENDING THE TABLE
OF ORGANIZATION FOR THE POLICE DEPARTMENT

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this ordinance entitled: “TO AMEND SECTION 48-1 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “DEPARTMENT ESTABLISHED; PERSONNEL” AND, AMENDING THE TABLE OF ORGANIZATION FOR THE POLICE DEPARTMENT”, 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 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 – Councilmember Delaney.

CITIZENS AND TAXPAYERS

Ms. Patricia Timpanaro, 860 River Drive, Apartment 11B, said that she has lived in the Catherine Arms Apartment Building for thirty-eight years and it is only recently that there is a parking problem in the Court Yard of the apartment complex. She claimed that area tenants are not parking in the street where they belong. She claimed that they are parking in the Court Yard where they do not belong.

Mr. Joseph Susino, 188 Cedar Street, complained about Jewell Street becoming a one way street and Ray Street becoming a one way street; and River Drive being partially closed during the construction and realignment of River Drive.

Mr. Mark C. Reeds, 35 Garwood Court South, spoke on flooding in his neighborhood during Hurricane Irene. He said that water was exploding through the shower and sewer drain and the sewers in his neighborhood backed up. He said that he does not understand why the sewers backup and he said that the Garwood Court area sewer lines need to be checked and cleaned.

Ms. Wendy Balbach, 41 Manner Avenue, complained about the fire pit that is in the yard of her neighbor. She claimed that they are burning construction debris and that the fires burn without being extinguished before her neighbor goes to bed.

Mr. Ciro Disclafani, 47 Orchard Street, said that he does not see significant progress with regard to pedestrian safety. He spoke on a newspaper article that appeared in the Thursday, August 4th edition of the Bergen Record concerning Elmwood Park Police using a decoy to nab ninety-four violators on Route 4 who did not yield to pedestrians.

Ms. Renee Campbell, 8 Summit Avenue, complained about her neighbor having an interior wood burning stove which produces smoke which bothers her.

CLOSED SESSION

Resolution No. 11-309

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 10:45 P.M. Tuesday, September 20, 2011, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (proposed designation of commercial rentals on the first floor and residential rentals on the second floor of the "LoGrasso Building" located at 517 River Drive)
- * 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; (the need for additional police officers; proposed Water Dept. intern).

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 Delaney

(Sgd) Stanley J. Moskal
Louis G. Aloia

ADJOURNMENT

After the City Council came out of Closed Session at 11:00 PM, there being no further business, the meeting was adjourned.

Andrew J. Pavlica, CITY CLERK