

A Special Meeting of the City Council was held Tuesday, January 4, 2011 at 7:15 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Frank J. Calandriello presided. City Clerk Andrew J. Pavlica announced that the meeting was being held in accordance with 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, Special Labor Counsel Joseph Randazzo and Interim Chief Financial Officer Roy Riggitano

#### REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The shared services agreement between the City of Garfield and Borough of Wallington for the services of Wallington Court Administrator Krystyna Moskal Olonski. She will remain on the Wallington payroll and be provided benefits by Wallington and the City of Garfield will pay a fee to the Borough of Wallington.

Interim Chief Financial Officer Roy Riggitano reported on the following:

1. The 2011 Temporary Budget.

City Manager Thomas J. Duch reported on the following:

2. The proposed resolution concerning the American Recovery and Reinvestment Act (ARRA) Electrical Efficiency and Conservation Block Grant (EECBG).
3. The proposed resolution concerning a Phase 1A Archaeological Survey along River Drive.
4. The proposed resolution authorizing services to be provided by Boswell Engineering.
5. Deputy Mayor Stanley Moskal is being honored by the Polish University Club on Saturday, January 29, 2011 at the Royal Manor Restaurant located on Midland Avenue in Garfield.
6. The Saint Ciro Society is honoring Bishop Arthur Serrutelli on the same night at the Venetian Restaurant located on River Drive in Garfield.
7. The FEMA Fire Safety Grant application.
8. His meeting today with Fire Chief James Kovacs.
9. During 2010, \$58,000.00 in Court fines were imposed for Property Maintenance violations.
10. The Sports Authority department store is donating five defibrillators to the City and City organizations.
11. The CPR classes to be conducted by the Garfield Volunteer Ambulance Corps in February.
12. The Bergen County Community Action Partnership secured a planning grant to study the First Ward of the City which includes the Passaic Street Business Corridor, River Drive from Passaic Street to Monroe Street, and Palisade Avenue from Monroe Street to Passaic Street. A Business Owners Forum will be held at City Hall on

REPORTS OF OFFICERS

Wednesday, January 19, 2011 from 8:30 AM to 10:30 AM. Planning Consultants will be in attendance to share preliminary demographic statistics and study results for the First Ward including George Williams and Michael S. Delisfort of the Nishuane Group, LLC and Leonardo Vazquez of Rutgers University.

CLOSED SESSION

Resolution No. 11-1

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 7:50 P.M. on Tuesday, January 4, 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; (snow storm during a State of Emergency on December 27, 2010 and employees who had vacation days and would they be charged a vacation day if the City offices were closed, water line connections on Lanza Avenue near the intersection of Main Street).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (PBA grievance by Police Officer John Keating Re: while on vacation was called in to duty and would lose the vacation day).
- \* 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; (department heads to pay 1.5% of salary towards health benefits pursuant to law or to continue paying 2% of salary as imposed by the City Council last May 2010).

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) Joseph Delaney  
Tana M. Raymond

RESOLUTIONS

After the City Council came out of Closed Session at 8:30 PM, they acted on the following Resolutions:

Resolution No. 11-2

Resolution Re: 2011 Temporary Budget Appropriations

WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments for payments are to be made prior to the adoption of the 2011 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and

WHEREAS, said total temporary appropriations are limited to 26.25% of the total appropriations in the 2011 Budget exclusive of any appropriations made for debt service, capital improvement fund and public assistance in the said 2011 Budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield that the following temporary appropriations, which are effective January 1, 2011, be made and a certified copy of this resolution be transmitted to the City Chief Financial Officer for his records.

Special Meeting January 4, 2011, Continued

RESOLUTIONS

General Appropriations within Caps		Temp #1
General Government:		
Administrative and Executive		
	Salaries & Wages	\$70,833.00
	Other Expenses	\$10,500.00
Mayor and Council		
	Salaries & Wages	\$6,603.19
Clerks Office		
	Salaries & Wages	\$51,521.93
	Other Expenses	\$13,125.00
Elections		
	Other Expenses	\$13,125.00
Financial Administration		
	Salaries & Wages	\$49,717.24
	Annual Audit	\$8,400.00
	Other Expenses	\$21,000.00
	Other Expenses ADP Payroll Services	\$ 9,187.50
Tax Assessment Administration		
	Salaries & Wages	\$27,834.71
	Other Expenses	\$11,812.50
Revenue Administration		
	Salaries & Wages	\$40,623.19
	Other Expenses	\$15,750.00
Legal Services and Costs		
	Salaries & Wages	\$31,147.20
	Other Expenses	\$9,187.50
Engineering Services and Costs		
	Salaries & Wages	\$7,402.24
	Other Expenses	\$6,825.00
Public Grounds and Buildings		
	Salaries & Wages	\$14,830.99
	Other Expenses	\$23,625.00
Municipal Land Use Law NJSA 40:55D-1		
Planning Board		
	Salaries & Wages	\$3,452.40
	Other Expenses	\$6,562.50
Zoning Board of Adjustment		
	Salaries & Wages	\$3,302.25
	Other Expenses	\$2,625.00
Public Safety		
Fire		
	Other Expenses	\$73,500.00
Aid to Ambulance Corps		
	Salary and Wages	\$11,812.50
	Other Expenses	\$11,812.50

Special Meeting January 4, 2011, Continued

RESOLUTIONS

Police		
	Salaries & Wages	\$2,009,716.28
	Other Expenses	\$70,875.00
	Pension Pursuant to R.S. 43:12	\$1,102.50
	Police Cars	
	Traffic Division	\$5,250.00
	Purchase Police Cars	\$18,375.00
Uniform Fire Safety Fire Inspection Act		
	Salaries & Wages	\$43,758.23
	Other Expenses	\$7,875.00
Streets and Roads		
Road Repairs and Maintenance		
	Salaries & Wages	\$360,165.75
	Other Expenses	\$68,250.00
	Snow Removal	\$6,562.50
Emergency Management Services		
	Salaries & Wages	\$217.09
	Other Expenses	\$6,562.50
Health and Welfare		
	Salaries & Wages	\$60,407.29
	Other Expenses	\$10,500.00
Health Officer		
	Other Expenses	\$9,187.50
Recreation and Education		
	Salaries & Wages	\$181,927.99
	Other Expenses	\$57,750.00
Memorial Day Committee		
	Other Expenses	
	Celebration of Public Events	
	Other Expenses	\$10,500.00
Housing Inspection		
	Salaries & Wages	\$18,112.50
	Other Expenses	\$3,937.50
Recycling Program		
	Salaries & Wages	
	Other Expenses	\$2,625.00
Garbage & Trash Removal		
	Other Expenses	\$577,500.00
Animal Control		
	Other Expenses	\$9,187.50

Special Meeting January 4, 2011, Continued

RESOLUTIONS

Municipal Court		
	Salaries & Wages	\$71,910.30
	Other Expenses	\$10,500.00
Public Defender PL 1997 c.256		
	Salaries & Wages	\$1,134.53
Prosecutor		
	Salaries & Wages	\$11,354.18
Insurances:		
	General Liability	\$275,625.00
	Group Insurance Plan for Employees	\$902,608.88
	Contribution to Redevelopment Agency	\$11,812.50
Uniform Construction Code Officials		
	Salaries & Wages	\$50,722.88
	Other Expenses	\$5,250.00
Unclassified		
	Electric	\$94,500.00
	Street Lighting	\$59,062.50
	Telephone	\$32,812.50
	Gasoline	\$53,812.50
Total Operations within Caps		<u>\$5,677,569.19</u>
	Contingent	
Total Operations including contingent Detail S & W Other		<u>\$5,677,569.19</u>
Deferred Charges and Statutory Expenses		
Overexpenditure Ordinance Cancel Green Acres		
Police and Firemens Retirement System of NJ		\$204,421.35
Public Employees Retirement System		\$ 58,635.94
Prior Year Bill PSEG		
Over expenditure Appropriation Reserves		
Social Security Expenses		\$117,390.00
Consolidated Police and Firemens Pension fund		
Pension Adjustment Fund		\$ 2,797.46
Unemployment		\$13,125.00
Total Deferred Charges		<u>\$396,369.75</u>
Total General Appropriations within Cap		<u>\$6,073,938.94</u>
Operations Excluded from Cap		
Passaic Valley Sewer Commission		\$442,648.50
Maintenance of Free Public Library		

Special Meeting January 4, 2011, Continued

RESOLUTIONS

	Salary and Wages	
	Other Expenses	\$234,937.50
Insurance:		
	General Liability	
	Group Insurance Plan for Employees	
Jif Settlement		
LOSAP		\$23,625.00
PFRS		\$193,031.48
PERS		\$67,606.88
Group Insurance		\$115,891.13
Redevelopment Agency Contribution		
Total Other Operations excluded from Caps		<u>\$1,077,740.48</u>
Total Interlocal Service Agreement		<u>\$0.00</u>
Public and Private Programs Offset by Revenues		
Board of Health Priority Funding		
	Other Expenses	
Assistance to Firefighters Grant		
Recycling Tonnage Grant		
Secure our Schools		
Local Share Match		
200 Club		
Clean Communities Grant		\$4,035.15
Juvenile Justice Block Grant		
Municipal Alliance on Alcohol and Drug Abuse Grant		
	State Share	\$4,136.74
	Local Share	\$1,034.25
Enhance 911 Grant		
Hep B		\$1,312.50
Hazardous Discharge Site Remediation		
Amerigroup Health		\$131.25
Cool Cities/Tree Grant		
Adolescent Health Grant		
Municipal Recycling Assistance Program BCUA		
Emergency Management Grant		
Click It or Tick It		
You Drink You Drive You Lose		
Body Armour Grant		
Alcohol Education and Rehabilitation Fund		
Emergency Management		
DDEF		
Over the Limit		
Safe Routes To Schools		
Muni Alliance		
Health Community		
Child Adolescent		
Cops in School		

Special Meeting January 4, 2011, Continued

RESOLUTIONS

Total Private Programs		<u>\$10,649.89</u>
Total Operations from Caps		<u>\$1,088,390.36</u>
Down Payments of Improvements Capital Improvement Fund		\$26,250.00
Total Improvements		<u>\$26,250.00</u>
Municipal Debt Service		
Payment of Bond Principal		\$1,145,000.00
Payment of Bond Anticipation Notes and Capital Notes		\$35,100.00
Interest on Bonds		\$709,000.00
Interest on Notes		\$ 50,000.00
Green Trust Loan Program		
Repayment of Refund Bond Ordinance Green Trust		\$215,000.00 \$ 65,000.00
Total Municipal Debt Excluded from Caps		<u>\$2,219,100.00</u>
Deferred Charges		
Special Emergency		0.00
Cancel General Capital Fund Grants Receivable		\$ 0.00
Total Appropriations from Cap		<u>\$3,333,740.36</u>
Total General Appropriations		<u>\$9,407,679.30</u>
Reserve for Uncollected Taxes		\$1,732,500.00
Total General Appropriations Current Fund		
Water Utility Revenues		
Rents		\$740,250.00
Additional Water Rents		
Rate Reserve		\$112,875.00
Total Revenues		\$853,125.00
Operating		
Salaries and Wages		\$ 30,059.66
Other Expenses		\$420,000.00
Employees Group Insurance		\$10,500.00
Prior Years Bills		
Capital Improvement Fund		
Debt Service		
Payment of Bond Principal		\$60,000.00
Interest on Bonds		\$133,000.00
Payment of Bond Anticipation Notes		
Interest on Notes		\$47,000.00
Loan Repayment 1981 Water Supply Fund		\$156,000.00

Special Meeting January 4, 2011, Continued

RESOLUTIONS

Loan Repayment 2004 Elt Loan		\$412,000.00
Deferred Charges		
	Emergency Authorization	0.00
	Over expenditure of Ordinance	
Statutory Expenditures		
Contribution to Public Employees Retirement System		
Social Security System		\$ 2,625.00
	Unemployment Insurance	
	Deficit Prior Year	0.00
	Surplus Budget Approp	0.00
Total Appropriations		<u>\$1,271,184.66</u>

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

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 11-3

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 a date to be determined, it will be necessary and appropriate to temporarily appoint Councilman, LOUIS ALOIA, Acting Deputy Mayor for the City of Garfield in order to perform a single act, to wit, the marriage ceremony of GABRIELLE SERAGUSA and RICHARD ALEXOUDIS, on a date to be determined

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. Councilman, LOUIS ALOIA, be and is hereby appointed Deputy Mayor for the City of Garfield for a date to be determined to perform the marriage ceremony of GABRIELLE SERAGUSA and RICHARD ALEXOUDIS.
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.

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 Councilman, LOUIS ALOIA, and the City Attorney.

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

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 11-4

WHEREAS, there are up to \$20,000.00 in funds available through the American Recovery and Reinvestment Act (ARRA) Electrical Efficiency and Conservation Block Grant

RESOLUTIONS

(EECBG) program and up to an additional 60% in funding available through the Direct Installation Program administered by the New Jersey Board of Public Utilities (BPU) and managed by the State of New Jersey Clean Energy Program, and utilizing Lime Energy as the designated EECBG local area contractor; and

WHEREAS, the City of Garfield wishes to upgrade the energy efficiency of the Department of Public Works Garage and Fire House Station No. 1, and the estimated cost of these upgrades is approximately \$59,579.00; and

WHEREAS, the EECBG and BPU Direct Install Program will cover approximately \$55,748.00 of the total costs of the energy efficiency upgrades to the Department of Public Works Garage and Fire House Station No. 1 and the City of Garfield is willing to contribute the remaining balance of approximately \$3,831.00 towards the cost of these upgrades: and

WHEREAS, the Mayor and Council of the City of Garfield are in support of the EECBG and BPU Direct Install Program and wish to file grant applications for approximately \$55,748.00 in grant funding for upgrading the energy efficiency of the Department of Public Works Garage and the Fire House Station No. 1; and

WHEREAS, the City of Garfield meets the eligibility requirements for the EECBG and BPU Direct Install Program: and

WHEREAS, an application for such funds may not be filed nor funds spent in a municipality without authorization by the Governing Body; and

WHEREAS, the Mayor and Council of the City of Garfield endorse and support this application because of its savings and benefits for our residents, and it is in the best interest of the City of Garfield.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GARFIELD THAT:

1. The Mayor and Council of the City of Garfield hereby endorse, support and authorize the filing of a 2010 EECBG and BPU Direct Install Grant Application.
2. The Mayor and Council of the City of Garfield hereby agree to provide the additional costs of approximately \$3,831.00 to complete the energy efficiency project.
3. Upon receipt of the agreements for the 2010 EECBG and BPU Direct Install Grants, the signature of the City Manager and any other municipal official, or their successors in said titles, which is required on the agreements and any other documents necessary in connection therewith, is hereby approved.

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

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 11-5

RESOLVED by the City Council of the City of Garfield that pursuant to the Special 12:18 Ruling Granting relief by the Director of the Division of Alcoholic Beverage Control the City Clerk is hereby authorized to issue the following license for the fiscal years beginning July 1, 2009 and ending June 30, 2010 and beginning July 1, 2010 and ending June 30, 2011:

PLENARY RETAIL DISTRIBUTION LICENSES

License No 0221-44-003-004

Los Tres Hermanos, LLC  
t/a Belmont Beverage  
79 Belmont Avenue

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.

FURTHER RESOLVED that Resolution No. 10-363 is hereby Rescinded and superseded by this Resolution.

RESOLUTIONS

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

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 11-6

A RESOLUTION AUTHORIZING DESIGN AND CONSTRUCTION COORDINATION SERVICES IN CONNECTION WITH A POWER PURCHASE AGREEMENT FOR PHOTOVOLTAIC SYSTEMS, CITY OF GARFIELD

WHEREAS, the City of Garfield has directed the City Engineer to prepare bid documents for a Power Purchase Agreement for Photovoltaic Generating Systems at various locations throughout the City, and;

WHEREAS, the City Engineer has completed these services in accordance with a proposal dated August 23, 2010, and;

WHEREAS, construction supervision and additional engineering services are necessary in connection with preparing site plans and overseeing the construction phase of this project;

NOW THEREFORE BE IT RESOLVED, Design Services totaling \$20,000.00 and Construction Coordination Services totaling \$65,000.00 are hereby authorized by the governing body of the City of Garfield.

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

(Sgd) Joseph Delaney  
Tana M. Raymond

Resolution No. 11-7

A RESOLUTION AUTHORIZING RICHARD GRUBB & ASSOCIATES, INC. TO CONDUCT A PHASE IA ARCHAEOLOGICAL SURVEY ALONG RIVER DRIVE IN CONNECTION WITH THE RIVER DRIVE ROADWAY WIDENING AND HISTORIC DUNDEE DAM PARK IMPROVEMENTS, CITY OF GARFIELD

WHEREAS, the City of Garfield received a Flood Hazard Area individual permit from the NJDEP to permit the construction of the above referenced project, and;

WHEREAS, Special Condition Number 21 of the NJDEP required the performance of a Phase IA Archaeological Survey to determine and identify any significant archeological deposits within the project site, and;

WHEREAS, Richard Grubb & Associates, Inc., 30 North Main Street, P.O. Box 434, Cranbury, New Jersey is a professional with specialized expertise to perform said Phase IA Archaeological Survey, and;

WHEREAS, a proposal was received from Richard Grubb & Associates, Inc. on January 3, 2011 to conduct said Phase I Archaeological Survey;

NOW THEREFORE BE IT RESOLVED, Richard Grubb & Associates is hereby authorized to conduct the Phase IA Archaeological Survey in accordance with their proposal of January 3, 2011 for a total fee of \$6,116.00

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

(Sgd) Joseph Delaney  
Tana M. Raymond

CITIZENS AND TAXPAYERS

Mr. Michael Ramadani, 167 Malcolm Avenue, complained that on the one way street on which he lives, during the December 27<sup>th</sup> Blizzard, the snow was plowed to the right side of the street. He complained about the lack of trees along Midland Avenue, and the lack of sidewalks on a portion of Midland Avenue.

COUNCILMEMBER COMMENTS

Councilmember Raymond thanked Superintendent of Public Works Sam Garofalo and City Manager Tom Duch on the wonderful job of plowing the snow during the Blizzard

COUNCILMEMBER COMMENTS

that occurred on December 26-27, 2010. She said they should be commended. She recognized City Manager Duch and Superintendent of Schools Nicholas Perrapato for arranging a bus to transport mourners to the wake of former Garfield Police Officer Kenneth Adamo who passed away on December 28<sup>th</sup> at 48 years of age. She commended Bus Driver Joe Susino for donating his time. She said that there was good coordination between the City and the School System. She said that Kenny Adamo was a very dedicated policeman and fireman and it is a great loss to the City. She said that sympathy goes out to the family.

Councilmember Delaney said that last Monday, Garfield roads were very clear of snow, especially compared to other towns. He said that it was a really great job and everybody has to be commended. He said that to see Kenny Adamo's Funeral Procession on Route 21 being led by Emergency Management Coordinator Michael Marsh, it was a sad situation, but Garfield did an excellent job honoring Officer Adamo. He spoke on the Green Bay Packers defeating the New York Giants two Sunday's ago.

Councilmember Aloia said that the service that was rendered by all our people in honor of Kenny Adamo was outstanding. He said that it is a loss to our community.

Mayor Calandriello said that the City Council can share in the credit of the snowplowing because the employees were provided the best snow plowing equipment. Superintendent of Public Works Garofalo has a plan for clearing the snow and the DPW excelled and did a great job. He said that Kenny Adamo's services to the City will always be missed. He spoke on what a dedicated Police Officer, volunteer fireman, volunteer ambulance corps member, volunteer coach and citizen he was. He said that it is a tragic loss and it is even more tragic to pass away so young at age 48. He said that our prayers go out to the family.

ADJOURNMENT

At 8:50 PM, there being no further business, Councilmember Delaney moved to adjourn the meeting. Councilmember Raymond duly seconded the motion.

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

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Andrew J. Pavlica, CITY CLERK