

A Regular Meeting of the City Council was held Tuesday, April 27, 2010 at 8:10 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

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

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

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Labor Counsel Joseph Randazzo, City Engineer Kevin J. Boswell and City Auditor Dieter Lerch

REPORTS OF OFFICERS

Councilmember Moskal 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 5

INTRODUCTION OF 2010 MUNICIPAL BUDGET

Resolution No. 10-131

See

The

Following

Pages numbered _____

For

The

2010 Municipal Budget Summary

RESOLUTIONS

Resolution No. 10-132

WHEREAS, Christine Griffo (nee Pepe) celebrated her 100th birthday on Monday, April 26, 2010, and

WHEREAS, she was born in Lodi, New Jersey, where she was an elementary school teacher for 39 years, and she has three children and three grandchildren, and

WHEREAS, a party was held in her honor on Sunday, April 25, 2010, at Il Villagio Restaurant located on Route 17 in Carlstadt, New Jersey, and

WHEREAS, the City Council is desirous of joining the chorus of those extending birthday greetings to her and of those acknowledging this outstanding human achievement,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that upon the occasion of her hundredth birthday on Monday, April 26, 2010 CHRISTINE GRIFFO is hereby honored for her exemplary and inspiring long life and offered sincere best wishes for continued good health and happiness.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 10-133

WHEREAS, the Garfield High School Hall of Fame Committee has proudly announced their inductees into the Hall of Fame for 2010, and

WHEREAS, the inductees were selected with consideration of athletic, civic and student activity contributions while in Garfield High School, and

WHEREAS, by their active participation in these areas, they have brought honor and pride, not only to themselves, but to the entire educational and civic community, and

WHEREAS, the Induction Dinner-Dance will be held Thursday, May 6, 2010 at the Venetian in Garfield,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the following individuals are hereby publicly congratulated and recognized for their steadfast dedication to excellence as demonstrated by their induction into the Garfield High School Hall of Fame:

Jen Austin '00	Cesar Collazo '90
Paul Calendrillo '65	Mike Pero '99
Jimmy Chang '87	Charles Rigoliosi '74

BE IT FURTHER RESOLVED that congratulations are also extended to the 1968 Football Team Passaic Valley Conference Champions and 1969 Soccer Team Passaic Valley Conference Champions, as they receive the Team Awards from the Hall of Fame.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 10-134

WHEREAS, The Chopin Singing Society was formed in 1910 in commemoration of the 100th Anniversary of the Birth of the Great Polish composer Frederic Chopin, its purpose being to promote and maintain Polish Culture and Traditions through song; and

WHEREAS, The Society prides itself in having included in its repertoire Polish Classical, Folk and Patriotic songs, a full Latin Mass, American Classic and Barbershop songs, among others, and it has delighted countless audiences over these many years; and

WHEREAS, The year 2010 marks the 100th Anniversary of the founding of the Chopin Society, and appropriate Celebrations will be held through-out the year in observance of this most important milestone in its existence;

NOW THEREFORE, BE IT RESOLVED that we, the Mayor and the City Council of the City of Garfield, Bergen County, New Jersey on behalf of all the citizens of the City of Garfield, do hereby extend sincere congratulations to all the members of the

RESOLUTIONS

CHOPIN SINGING SOCIETY

On the occasion of its

100TH ANNIVERSARY

AND DO FURTHER EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FURTHER DEVELOPMENT IN THE FUTURE.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 10-135

WHEREAS, Fire Company No. 1 has advised that they have accepted the resignation of Richard Wolfson of 38 Morrell Place, as an active member, effective March 24, 2010.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 10-136

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Thomas Kordosky of 33 Van Winkle Avenue, as an active member, effective March 5, 2010.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 10-137

WHEREAS, Fire Company No. 3 has advised that they have accepted Charles Zingone of 231 Shaw Street, as a regular active member, effective March 6, 2010.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 10-138

RESOLUTION AUTHORIZING INSTALLATION OF ADDITIONAL GROUNDWATER MONITORING WELLS

WHEREAS, pursuant to Resolutions 10-52 and 10-123, the Mayor and Council authorized the installation of groundwater monitoring wells in and around the Pan Graphics site located at 45 Hartmann Avenue in the City of Garfield; and

WHEREAS, the contractor performing the extensive cleanup at the direction of the New Jersey Department of Environmental Protection has requested authorization for three additional wells within the sidewalks in the following areas:

- One (1) on the southern side of Plauderville Avenue, in the vicinity of 38 Plauderville Avenue.
- Two (2) on the eastern side of Main Street in the vicinity of 66 Main Street and 70 Main Street; and

WHEREAS, the City Engineer has reviewed this request and has, in a letter dated April 6, 2010, approved these locations with certain conditions;

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

RESOLUTIONS

1. Langan Engineering and Environmental Services is hereby granted approval for the installation of three (3) additional groundwater monitoring wells in the locations described above and as set forth in the Boswell McClave Engineering letter dated April 6, 2010.
2. This approval is granted conditioned upon compliance with all requests and direction of the City Engineer, Department of Public Works and Police Department of the City of Garfield.
3. A comprehensive agreement for site access and hold harmless agreement in the form previously prepared by the City Attorney shall be executed by Langan Engineering and Environmental Services to which copies of this resolution as well as Resolutions 10-52 and 10-123 shall be attached and which shall be incorporated therein by reference.

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 the City Attorney, the City Engineer and the Garfield Police Department and Langan Engineering and Environmental Services.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 10-139

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 Thomas and Concetta Maccarrone, 51 Gaston Avenue, Garfield, NJ 07026 for 51 Gaston Avenue B92/L39, in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on 4/7/2009 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 claimed.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 10-140

Resolution Re: Cancelling Balances of Completed General Capital and Water Utility Capital Improvement Authorizations

WHEREAS, certain General Capital and Water Utility Capital Improvement Authorization balances remain dedicated to projects which have been completed and for which all grant monies available have been collected; and,

WHEREAS, it is necessary to formally cancel said funded balances to General Capital and Water Utility Capital Surplus, and formally cancel debt authorized but not issued for unfunded balances, and cancel uncollected grant receivable balances,

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Garfield that the following balances of unexpended General Capital and Water Utility Capital Improvement Authorizations be cancelled as follows:

Ordinance No.	Description	Funded Amount	Debt Authorization	Grant Receivable
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GENERAL CAPITAL FUND

2341	Various Curb & Sidewalk Improvements	\$9,235		
2347	Improvements to Firehouse #5 and Police Dept.	971		
2351	Improvements to Shaw Street	10,341		\$50,318

RESOLUTIONS

2355	Road Resurfacing and Curb Improvements	14,804	
2356/2398	Improvements of Van Winkle Ave-Section 2	3,460	37,269
2362	Improvement of Atlantic Ave and Commerce St	33,416	
2371	Improvement of Frederick Street (Section 2)	24,185	
2379/2383	Renovation of Jewell St. Playground	11,615	
2396	Improvement to Shaw Street – Section 2	62,747	
2401	Sanitary and Storm Sewer Improvements	108,503	
2413	Passaic Street Pedestrian – Section 2 – CDBG	8,774	
2436	School Pedestrian Safety Improvements	10,268	
2439	2005 Road Resurfacing Program – Suppl.	8,478	
2440	Improvements to Monroe Street	158,159	
2487	Rehabilitation of Belmont Oval	179,155	
2496	2007 Road Improvement Program		1,319
2499	Sanitary Sewer Repairs at Midland Avenue	24,010	
2510	2007 Road Improvement Program	59,315	
2524	Sanitary Sewer Rehabilitation	_____	<u>89,624</u> _____
		<u>727,436</u>	<u>90,943</u> <u>87,587</u>

WATER UTILITY CAPITAL FUND

2240/2257	Water Utility Improvements		397,223
2308	Various Water Utility Improvements	204,914	
2425	Improvements to Palisade Ave Water Line	148,021	
2432	Improvements to Botany St. Water Booster Pumping Station	5,112	
2438	Installation of New Water Line at Van Winkle Ave And Improvements to Various Other Water Lines	31,133	
2497	Palisade Ave Water Line Improvements	<u>232,090</u>	<u>49</u>
		<u>\$621,270</u>	<u>397,272</u>

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 10-141

RESOLVED by the City Council of the City of Garfield that the following bills No. 1381 to 1387 covering Escrow Developers Trust, Trust Other totaling \$49,754.73 and Current Fund Reserve totaling \$1,577.51 and Current Fund totaling \$584,068.88 and Water Fund Current totaling \$87,227.25 and General Capital Fund totaling \$861.35 and Water Capital Fund \$28,692.00 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 fifteen (15) 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:

CITY OF GARFIELD BERGEN COUNTY, NEW JERSEY
CALENDAR YEAR 2010 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40a-4-45.14)

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: CITY OF GARFIELD BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14), do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held on May 11, 2010 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing in The Record Newspaper, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Moskal, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

Councilmember Aloia introduced in writing the following ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 265, "SEWERS" ARTICLE II,
"SEWER RENTS" SECTION 265-36 "SCHEDULING OF RENTS" AND
SECTION 265-37 "DETERMINATION OF CHARGES" SETTING RATES
AND FEES FOR THE USE OF THE SEWER SYSTEM

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled: "AN ORDINANCE TO AMENDING CHAPTER 265, "SEWERS" ARTICLE II, "SEWER RENTS" SECTION 265-36 "SCHEDULING OF RENTS" AND SECTION 265-37 "DETERMINATION OF CHARGES" SETTING RATES AND FEES FOR THE USE OF THE SEWER SYSTEM", do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held on May 11, 2010 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing in The Record Newspaper, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Moskal, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

CITIZENS AND TAXPAYERS

Mr. Everett Garnto, PBA Local No. 46 President, asked questions concerning a proposed resolution for a Circus PBA fundraising event. He spoke and asked questions concerning seven proposed Police Officer layoffs and proposed demotions in the Police Department. He asked questions concerning the introduced Sewer Charge Ordinance. He questioned how much of the Surplus was used to support the 2010 Municipal Budget. He spoke on taxes going up only ten points in the 2010 Municipal Budget. He questioned why the City did not sell the Railroad Property to the Board of Education for \$300,000. He said that when the PBA was approached by City Officials, they were asked for \$360,000 in savings from the Police in this year's Budget. He said that the 4% raise for the Police is \$133,000. He questioned the \$227,000 difference between the two numbers. He advocated that the City Council give up their entire \$7,531.00 annual salary. He asked which Councilmembers receive Health Benefits from the City.

CITIZENS AND TAXPAYERS

Mr. Robert Ridarick, State PBA Delegate, claimed that the City raises taxes ten points every year. He said that other towns have had a sewer surcharge for years and that the City should have done this for years. He said that raising the sewer surcharge even more could have avoided layoffs.

Mr. Gerald Patire, 184 Midland Avenue, asked for a copy of the contract for Blue Cross and Blue Shield. He questioned the legality of the City Council receiving Health Benefits since the City left the State Health Benefits Program. He said that he would like a copy of the contract with the current Insurance Broker. He said that there should be a Resolution or an Ordinance authorizing Health Benefits for Councilmembers since the City left the State Health Benefits Program.

Mr. Ruth Frassa, 37 Palisade Avenue; and Ms. Paula Tambura, 41 Palisade Avenue, made complaints concerning property maintenance of various properties on Passaic Street. They spoke on the proposed Sewer Surcharge Ordinance. They suggested Municipal Parking on Passaic Street and spoke on high property taxes, crime in the area, and in favor of keeping police officers.

Mr. Joseph Tamburo, 41 Palisade Avenue, spoke in favor of keeping Police Officers.

Mr. Joel Sanchez, 115 Malcolm Avenue, spoke in favor of keeping Crossing Guards and presented a petition to keep them.

Mr. Michael Tkatch, said that he is the Vice President of the Teamsters Collective Bargaining Unit out of Hazlet, New Jersey, and that he represents approximately sixty municipalities in New Jersey. He said that the City Blue Collar Union would never not make something right, but when the Union offered to give up something, the City came back and asked for more. He said that that is not right and that that is not negotiations. He said that the Union is willing to discuss issues and is always open to discussion.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that hopefully the Blue Collar workers will work with the City Manager and open some dialogue. She said that every job that is saved would be wonderful. She said that it makes her sick to her stomach to let even one person go. She said that if everyone comes to the table, sits and talks, jobs can be saved and that would really be her goal. She said that on the other hand, she was elected to the Council to represent the taxpayers and that is what she will do. She said that she refuses to put a thirty-two point burden upon the taxpayers because they cannot afford it. She said that everyone needs to sacrifice and that includes all the Unions and the City Council has to lead by example which is why the salaries of the City Council and Cabinet has been cut. She said that as far as the White Collar Union is concerned, a ruling is needed on whether the State is requiring them to have a thirty-two hour work week instead of a thirty hour work week and it would behoove them to come and have some dialogue with the City Manager. She concluded by announcing that the Garfield Animal Rescue Foundation caught, spayed and released their first eleven feral cats and that another spayed day is coming up.

Councilmember Delaney said that in regard to a potential thirty-point tax increase, he does not believe that laying off twenty people is going to get the City twenty tax points. He said that there are areas in the City Budget to cut to save the twenty jobs. He said that it does not have to be by increasing taxes. He said that the City Labor Counsel has ruled that the City White Collar Union does not have to work thirty-two hours because they are grandfathered concerning the new requirement to work thirty-two hours to qualify for the State Pension Program. He said that the City has eight weeks to save these twenty jobs without increasing taxes and he knows that it can be done. He said that there has to be open negotiations from everybody and that there is no way the City can afford to lose seven cops. He commented on how the Blue Collar workers had saved the City in overtime concerning snow removal two months ago as compared to the surrounding municipalities and the County. He said that the City cannot afford to lose one person in the Department of Public Works and that he believes that the City is understaffed.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that the City Council receives medical benefits and \$7,531 a year in salary and the Council is cutting their salary by \$2,500 to \$5,000 a year. He said that no matter how the new Sewer Bill is spun, it is a new bill, and it will not help the City cut taxes. He said that there is a need to go to the less expensive insurance and it cannot be done individually. He spoke on prescription coverage for City employees. He said that it is not a good way of doing things to negotiate at the mike and it becomes an emotional motivator. He said that the City can raise \$1.7 million with it, it is still a \$1.7 million tax bill that the taxpayer is going to get. He said that anything that anyone can think of, he will be glad to take the criticism and glad to take the advice, but it has got to be something that can actually be implemented. He said that when you lay somebody off, you take food off their table and they are going to remember you. He said that there is no way the Council is doing all this for any reason other than the Council's backs are absolutely against the wall. He said that to say that it is a political motivator or whatever it may be, when you take somebody's job away, they remember that.

Deputy Mayor Moskal said that this is only the Budget Introduction and that the City has sixty days and the Budget will probably be adopted in July. He said that nobody wants to do this. He said that going into the weekend, the City Manager was preparing a Budget with no job cuts but last night he found out that the response was "no" to the proposed give backs from the Labor Unions. He said that there is still sixty days to try to work together and avoid this.

Mayor Calandriello said that anyone elected to the City Council, is offered Health Benefits and that he intends to keep his benefits and take a lesser plan to save the City money. He said that half of his day is City-related with questions and complaints from City residents and coming into City Hall to sign something. He said that he also comes to City Hall to perform weddings for which he does not accept fees, but he does ask that they donate money to charities which last year was around \$9,200 which went to various charities in the City of Garfield. He said that he sits on the Planning Board and on the Redevelopment Agency and that is not to mention other meetings he has to attend, so if anyone thinks that he is taking advantage of the City, he is sorry people think that because the Mayor and Council puts in a lot of hours and he puts his heart and soul into what he does. He said that if he is wrong and he does something wrong, he should be criticized, but it is not intentional. He said that this is the situation that the City is in and nobody wants to see a job go. He said that we still have time to come to the table and this wrong can still be made right. He said that it is hard on the Council, on the people who are affected and it is a sad situation. He said that it is a real situation and he cannot vote to raise taxes some \$700 because he cannot do that to the public. He said that if he is not re-elected here on the Council, on Tuesday Nights he will watch TV and probably live five years longer, be a better husband and be a better father. He said that it is not because the Council is trying to hurt anybody, it is because the Council is trying to find a balance. He said that the Unions need to help the Council find a balance and there has been a lot of talk tonight and a lot of discussion. He said that he is an optimist, even in the gloomiest of times, and he still thinks it can be worked out by the finalization of the Budget.

ADJOURNMENT

At 10:05 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Moskal duly seconded the motion.

On call of roll, Ayes 5

