

A Regular Meeting of the City Council was held Tuesday, May 18, 2010 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 Interim Chief Financial Officer Roy Riggitano

#### 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 Raymond duly seconded the motion.

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

#### PRESENTATION OF RESOLUTION NO. 10-143

City Clerk Pavlica read Resolution No. 10-143 which was adopted at a meeting of the City Council held May 11, 2001, concerning awards received by Garfield Charter School students Angus Fung, Mitchell Haverty and Zoey Zibor for their much deserved recognitions at the International Sustainable World Project Olympiads recently held in Houston, Texas. At this time a CERTIFIED copy of Resolution No. 10-143 was presented to Zoey Zibor.

#### RESOLUTIONS

Resolution No. 10-154

WHEREAS, the Garfield Boys & Girls Club Buddy Basketball Junior Division A.F.A. Team Sports Basketball Team won the Jr. Division during the 2010 Season.

WHEREAS, the team is comprised of Darren Tinsley, Timothy Walsh, Iliia Veskov, Isaiah Rivera, Isaiah Hopkinson, Joshua Rosa, Jaedyn George, Andre Weeks, Robert “Bobby” Kramer, Chyna Smith and Jenica Camacho, under the direction of their Outstanding Coaches Terrence Hopkinson, Elizabeth Peralta and Felicia Johnson; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of A.F.A. Team Sports,

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 A.F.A. Team Sports Basketball Team on their 2010 season and 1st Place finish.

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

(Sgd) Frank J. Calandriello  
Stanley J. Moskal

At this time, CERTIFIED copies of Resolution No. 10-154 were presented to the players and coaches of A.F.A. Team Sports Basketball team.

Resolution No. 10-155

WHEREAS, the Garfield Boys & Girls Club Buddy Basketball Senior Division A&J Trophy Basketball Team have completed back to back to back championship seasons, going 31-1, over the last three seasons, and

WHEREAS, the team is comprised of Kyle Delahanty, David Dolci, Nedzad Bakic, Angel Quiles, Aveon Irving, Tlijah Turner, Connor Smith, Jeremiah Hill and Christopher Calvete-Mondati, under the direction of their Outstanding Coaches Vic Parenti, Jack LoBue and Anthony Longarzo; and

RESOLUTIONS

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the A&J Trophy Basketball 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 A&J Trophy Basketball Team on their back-to-back championships.

On call of roll, Ayes 4, (Sgd) Frank J.  
Calandriello  
Absent 1 – Councilmember Delaney Stanley J. Moskal

At this time, CERTIFIED copies of Resolution No. 10-155 were presented to the players and coaches of A& J Trophy Senior Division Basketball team.

Resolution No. 10-156

WHEREAS, the Garfield Boys & Girls Club Buddy Basketball Senior Division E Robinson and Sons Trucking were Co-Champions in their division, and  
WHEREAS, the team is comprised of Jonathan Young, Jesse Lo Conte, Michael Polny, Ali Ali, Nafiece Jones, Isaiah Robinson, Jaitauj Belton, Anthony Aguilla and Christian Pimentel, under the direction of their Outstanding Coaches Glenn Robinson Jr., Glenn Robinson Sr., Mark Polny and Wayne Harper; and  
WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the E Robinson and Sons Trucking 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 E Robinson and Sons Trucking on their Co-Championship for the 2010 season.

On call of roll, Ayes 4, (Sgd) Frank J. Calandriello  
Absent 1 – Councilmember Delaney Stanley J. Moskal

At this time, CERTIFIED copies of Resolution No. 10-156 were presented to the players and coaches of E Robinson and Sons Trucking Senior Division Basketball team.

Resolution No. 10-157

WHEREAS, the 2009-2010 Garfield High School Boilermaker Basketball Team were Garfield Holiday Tournament Champions for the first time since 1988, placed second in the BPSL King Division with an 11-5 record, finished in the second round of the Bergen County Jamboree for the first time since 1999, and was a State Sectional Finalist for the first time in school history, and  
WHEREAS, six different players were recognized as First, Second and Honorable Mention All-BSL, and as 2nd Team All Bergen County, and  
WHEREAS, the team is comprised of Kamil Rutkowski, Fillipe Fraga, Artur Wojdyla, Patrick Sajewicz, Richie Colon, Josh Leclerc, Jabbar Drakeford, Alberdis Castillo, Jamal Orikat, Damon Godbolt, Leuris Cantallops, under the direction of their outstanding coaches, Chris Annibal, Nate Discafani, Steve Kmetz, Jr. and Chris Storms.  
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 High School Boilermakers Basketball Team on their successful 2009-2010 season.

On call of roll, Ayes 4, (Sgd) Frank J.  
Calandriello  
Absent 1 – Councilmember Delaney Stanley J. Moskal

At this time, CERTIFIED copies of Resolution No. 10-157 were presented to the players and coaches of the Garfield High School Boilermakers Basketball team.

SHORT RECESS, RETURN TO ORDER AND PROPOSED CUTS  
IN THE DEFEATED 2010-2011 SCHOOL BUDGET

At 8:45 PM, a short recess was called. At 8:50 PM, the meeting was again called to order and the City Council and Cabinet met with the following members of the Board of Education concerning proposed cuts in the defeated 2010-2011 School Budget: Board President Anthony Barckett, Salvatore Benanti, Anthony Damato, Antony Lio, Nick Milevski and Edward Puzio. Also present was Board of Education Attorney Kurt Geisler.

EXIT OF SCHOOL OFFICIALS

At 9:35 PM, all School Officials left the meeting.

RESOLUTIONS

Resolution No. 10-158

WHEREAS, Daniel J. Fedor of Boy Scout Troop #80 has obtained the coveted rank of Eagle Scout, and

WHEREAS, since 1911, the Eagle has been the symbol of the highest achievement among the Boy Scouts of America, and

WHEREAS, candidates for this highest award in scouting must complete a rigorous program of training and demonstrate their proficiency in selected scouting techniques; and

WHEREAS, only a rare proportion of young men in scouting meet the supreme standards of excellence demanded of candidates for the rank of Eagle; and

WHEREAS, in achieving Eagle Scout status, Daniel J. Fedor has brought honor not only to himself, but also to his parents, Richard and Kimberly Fedor, his family, community and troop, and

WHEREAS, Daniel's Eagle Scout Court of Honor will be on Sunday, June 13, 2010 at the American Legion Post No. 147 in Elmwood Park, New Jersey,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that DANIEL J. FEDOR is hereby publicly commended for his diligence and dedication in pursuing the highest honor awarded by the Boy Scouts of America and is hereby CONGRATULATED on attaining the prestigious rank of Eagle Scout.

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

(Sgd) Frank J. Calandriello  
Stanley J. Moskal

Resolution No. 10-159

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

WHEREAS, the inductees were selected with extensive consideration of the highest standards of academic excellence and success exhibited over the years by the inductees, and

WHEREAS, by their high quality standard of performance, they have brought honor and pride, not only to themselves, but to the entire educational and civic community, and

WHEREAS, the Induction Ceremony will be held on Thursday, June 10, 2010 from 4-6:30 PM at The Royal Manor located at 454 Midland Avenue 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 Academic Hall of Fame:

Giaetana Astorino Aliotta, Christopher Annibal,  
Michael W. Azzara, Dr. Anthony Infantolino,  
Dr. Edward Luka (posthumously), Samuel Raia

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

(Sgd) Frank J. Calandriello  
Stanley J. Moskal

RESOLUTIONS

Resolution No. 10-160

WHEREAS, Fire Chief Michael Latona, filed application for a No Parking Fire Chief Zone to be placed at the residence of Assistant Fire Chief Alan Tani 323 Lanza Avenue 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 "Fire Chief Only", located on the north curb line of Lanza Avenue and Main 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 Delaney

(Sgd) Louis G. Aloia

Frank J. Calandriello

Resolution No. 10-161

WHEREAS, pursuant to the provision of New Jersey Law, the proposed budget for the continued operation of the City of Garfield school district was submitted to the voters of the City of Garfield at the regular school election on April 20, 2010: and

WHEREAS, in accordance with the provisions of law, the budget submitted to the voters proposed a District Tax Levy, current expense portion, in the amount of \$24,343,953.00; and

WHEREAS, at the regular school board election on April 20, 2010, the voters of the City of Garfield rejected said proposed current expense Tax Levy; and

WHEREAS, pursuant to NJSA, 18A:22-37, the municipal Governing Body received, within two (2) days after the annual school election, a copy of the proposed school budget which was defeated; and

WHEREAS, in accordance with the requirements of the aforementioned Statue, meeting was held between Governing Body and the Board of Education as well as between representatives of these two Bodies, in order to determine the amount which, in the judgment of the Bodies, is necessary to be appropriated for each item appearing in the budget; and

WHEREAS said meeting took place on May 10, 2010; and

WHEREAS, the Chief Financial Officer of the City of Garfield has reviewed the school board budget, in detail, and has made recommendations to the Governing Body as to recommend reductions in the said budget which, in his opinion, could be made without compromising the efforts of the school system and while allowing the Board of Education the necessary funds in order to provide a thorough and efficient education for the students in the City of Garfield school district; and

WHEREAS, the Board of Education has provided extensive documentation to the Governing Body and did, in fact, meet with the members of the Governing Body and the Administration at which time the Governing Body recommended certain actions which resulted in the Tax Levy; and

WHEREAS, the City of Garfield school district has a minimum Tax Levy in the amount of \$23,534,239 which has been designated, the Department of Education. As the minimum Tax Levy; and

WHEREAS, pursuant to provisions of law, the Governing Body may not reduce the amount of school board current Tax Levy unless it can be determined that any reductions will not adversely affect the district's ability to provide a through and efficient education and maintain stability given the needs for long term planning and budgeting; and

WHEREAS, the reduction set forth in this Resolution are based upon such determination; and

WHEREAS, the Mayor and Council determined that more significant reductions in the budget were warranted and could be accomplished without detriment to the district's ability to provide a though and efficient education, however, they were limited by the provisions of law to the amount of reduction set forth in this Resolution.

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

The original Tax Levy on the ballot for current expense portion of the Board of Education was \$24,343,953.00

The amount of reductions to the current expense of the Tax Levy shall be \$702,000.00

The amount of Tax Levy being certified by City of Garfield for the base, current expense shall, therefore, be \$23,641,953.00

Debt service in the amount requested is also approved by the Governing Body.

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The specific line item reductions which are recommended by the Mayor and Council are as follows:

Energy –	E4 07626	\$125,000.00
Custodial Services	E4	\$ 45,000.00
Health Benefits		\$260,000.00
Instructional Equipment	E8	\$ 58,000.00
Other Professional Staff	E7	\$ 40,000.00
Summer School Salary	E6	\$ 20,000.00
Construction Service	E6	\$ 75,000.00
Lease Purchase Agreements	E6	\$ 34,000.00
Community Parent Involvement	E7	\$ 30,000.00
General Administration S&W (freeze)		\$ 15,000.00

NOW THEREFORE BE IT RESOLVED that the school budget, as reviewed and revised, presents sufficient funds to provide a through and efficient education within the district as required by law and the reductions set forth herein will not adversely affect the district’s ability to provide such a thorough and efficient education and maintain stability given the need for long term planning and budgeting;

NOW THEREFORE BE IT RESOLVED that the City of Garfield Clerk is hereby authorized and directed to forward certified copies of the within Resolution no later than Wednesday May 19, 2010, to the City of Garfield Board of Education, the Bergen County Superintendent of Schools, and the Bergen County Board of Taxation as well as to the City of Garfield Tax Assessor;

NOW THEREFORE BE IT RESOLVED that the City of Garfield Clerk is hereby directed to prepared, based upon the contents of this Resolution, the necessary forms for submission to the County of Bergen, including Form A-4F or other forms reasonably required in order to effectuate the provisions of the Resolution.

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

(Sgd) Louis G. Aloia  
Tana M. Raymond

Resolution No. 10-162

WHEREAS, there exists a need for the County of Bergen, Office of Emergency Management, Department of Public Safety to provide an automated telephone alerting system service (hereinafter called “system”) to be available 24 hours a day, seven (7) days a week, and all days per year to the seventy (70) Municipalities comprising the County of Bergen; and

WHEREAS, the Bergen County Board of Chosen Freeholders adopted Resolution No. 406 on April 7, 2010, authorizing the County to award a purchase contract to C3: Citizen Communication Center, 548 Franklin Avenue, Nutley, New Jersey 07110 (hereinafter known as the “service Provider”) to provide the above-referenced system to those municipalities so desiring; and

WHEREAS, the Municipality wishes to utilize such a system for the benefit of its citizens; and

WHEREAS, an agreement is necessary to delineate the respective responsibilities of the parties in connection therewith; and

WHEREAS, the County shall pay 100% of the cost of initial installation, testing, and training of the system and 100% of the cost of the annual maintenance, testing and training of the system, 100% of the call fees for emergency calls using the Emergency Service Listing and non-emergency calls using the Emergency Service Listing and non-emergency calls using municipally-providing lists; and

NOW, THEREFORE, BE IT RESOLVED, that the municipality be and is hereby authorized to enter into an Agreement with the County of Bergen to utilize an automated telephone alerting system service at any time during the County’s contract period with the service provider (April 7, 2010 through April 6, 2011) with an option for one (1) additional year; and

BE IT FURTHER RESOLVED that the Mayor and/or the City Manager of the City of Garfield be and is hereby authorized to execute said agreement in a form to be approved by the City Attorney.

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

(Sgd) Louis G. Aloia  
Frank J. Calandriello

RESOLUTIONS

Resolution No. 10-163

WHEREAS, the Bergen County Department of Public Safety, Office of Emergency Management has the responsibility to provide for preparedness against natural and man-made emergencies within the county; and

WHEREAS, an emergency or disaster may occur at any time, often with little or no advance warning; and

WHEREAS, one of the goals of the Bergen County Office of Emergency Management is to develop a plan to strategically locate it's resources so they can be deployed in an expeditious manner in the event of an emergency; and

WHEREAS, the County of Bergen as a participant of the Urban Area Security Initiative Program (UASI) has received fire fighting equipment. This equipment has become a resource in the county's preparedness plan.

WHEREAS, the County of Bergen desires to enter into an agreement with the City of Garfield to house, staff and deploy the fire fighting equipment.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey an agreement is hereby authorized between the City of Garfield and the County of Bergen to house and deploy the fire fighting equipment.

BE IT FURTHER RESOLVED the Garfield Mayor and City Clerk be and is hereby authorized to execute the necessary agreement in a form to be approved by the City Attorney.

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

(Sgd) Louis G. Aloia  
Frank J. Calandriello

Resolution No. 10-164

A RESOLUTION TO AFFIRM THE CITY OF GARFIELD'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the City of Garfield to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the City of Garfield has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the City Council of the City of Garfield that:

Section 1: No official, employee, appointee or volunteer of the City of Garfield by whatever title known, or any entity that is in any way a part of the City of Garfield shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City of Garfield's business or using the facilities or property of the City of Garfield.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City of Garfield to provide services that otherwise could be performed by the City of Garfield.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The City Manager shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who

RESOLUTIONS

reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The City Manager shall establish written procedures that require all officials, employees, appointees and volunteers of the City of Garfield as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The City Manager shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the City Manager shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the City of Garfield. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City of Garfield's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the City of Garfield in order for the public to be made aware of this policy and the City of Garfield's commitment to the implementation and enforcement of this policy.

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

(Sgd) Frank J. Calandriello  
Tana M. Raymond

Resolution No. 10-165

**RESOLUTION ADOPTING PERSONNEL POLICIES AND PROCEDURES**

WHEREAS, it is the policy of the City of Garfield to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney General's guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meetings Act; and

WHEREAS, the City Council has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW THEREFORE BE IT RESOLVED by the City Council that the Personnel Policies and Procedures Manual attached hereto I hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all City officials, appointees, employees, volunteers. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract of Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by City employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the City Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the City shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the City Attorney is hereby appointed as Employment Advisor to advise the City in personnel matters.

BE IT FURTHER RESOLVED that the Personnel Administrator (City Manager) and all managerial/supervisory personnel are responsible for these employment practices. The City Attorney shall assist the Personnel Administrator (City Manager) in the implementation of the policies and procedures in this manual.

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

(Sgd) Louis G. Aloia  
Frank J. Calandriello

RESOLUTIONS

Resolution No. 10-166

**RESOLUTION AUTHORIZING THE CITY OF GARFIELD TO PROVIDE POLICE SERVICES FOR THE COLE BROTHER CIRCUS**

WHEREAS, the City of Garfield Police Department desires to provide Police Services on June 3, 4, 5, and 6, 2010 for the Cole Brother Circus; and

WHEREAS, the Police Officers that will provide the Police services at the Circus will use compensated time which they have accrued; and

WHEREAS, the City of Garfield and the Garfield Police Department agree that the Police Officers working the Circus and on compensated time are considered to be working on duty and shall have all the protections as if they were being compensated financially from the City of Garfield.

NOW THEREFORE BE IT RESOLVED, that the City of Garfield authorizes the Police Officers to work the Circus on compensated time and are considered to be working on duty and shall have all the protections as if they were being compensated financially from the City of Garfield.

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

(Sgd) Frank J. Calandriello  
Tana M. Raymond

Resolution No. 10-167

**RESOLUTION APPROVING MEMORANDUM OF AGREEMENT WITH THE WHITE COLLAR EMPLOYEE ASSOCIATION OF THE CITY OF GARFIELD**

WHEREAS, the City of Garfield (hereafter “the City”) and The White Collar Employee Association, (hereafter “the Association”) have entered into collective negotiations pursuant to the requirements of the Public Employers and Employees Act N.J.S.A. 34:13A-1, as required pursuant to the terms of the expiring/expired collective bargaining agreement between the parties; and

WHEREAS, the Association and the City have completed negotiations on economic issues and noneconomic issues and have set forth the terms of their agreement in a Memorandum of Agreement, a true copy of which is attached hereto as Exhibit A; and

WHEREAS, the Memorandum of Agreement reflects the terms and conditions negotiated between the City and the Association:

NOW THEREFORE BE IT RESOLVED that the City of Garfield approves the form of Memorandum of Agreement between the City of Garfield and the White Collar Employee Association concerning the terms and conditions of employment of the persons covered under the Agreement for the period of time beginning January 1, 2009, ending December 31, 2011, a true copy of which is attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED that the Mayor, the City Manager and the City Clerk are likewise authorized to sign and attest such form of Memorandum of Agreement and/or Collective Bargaining Agreement as amended to incorporate the terms of the Memorandum of Agreement in a form to be approved by Special Counsel to the City; and

BE IT FURTHER RESOLVED that the Memorandum of the Agreement shall be countersigned by the Mayor of the City of Garfield and the Clerk of the City of Garfield, and the seal of the City affixed thereto as evidence of the City’s approval;

BE IT FURTHER RESOLVED that the appropriate salary ordinance be prepared and presented for adoption to reflect the adjustments in salary and benefits as contemplated by the Memorandum of Agreement.

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

(Sgd) Louis G. Aloia  
Stanley J. Moskal

BILLS AND CLAIMS

Resolution No. 10-168

RESOLVED by the City Council of the City of Garfield that the following bills No. 1393 to 1394 covering Trust Other totaling \$10,077.87 and Current Fund totaling \$187,021.57 and Water Fund Current totaling \$61,600.34 and Water Capital Fund \$2,800.00 per attached Computer Lists, be

BILLS AND CLAIMS

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 eleven (11) items prior to the meeting be ratified.

See

The

Following

Pages Numbered \_\_\_\_\_

For

Bills

and

Claims

ORDINANCES

Councilmember Moskal introduced in writing the following ordinance entitled:

CAPITAL ORDINANCE OF THE CITY OF GARFIELD,  
IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE  
ACQUISITION OF REAL PROPERTY FOR THE PASSAIC RIVER PARK  
AND BIKEWAY PROJECT IN, BY AND FOR THE CITY, APPROPRIATING  
THEREFOR THE SUM OF \$1,523, 210 AND PROVIDING THAT  
SUCH SUM SO APPROPRIATED SHALL BE RAISED  
FROM VARIOUS COUNTY GRANTS

City Clerk Pavlica read the ordinance by title.

Councilmember Moskal moved that this ordinance entitled: "CAPITAL ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR THE PASSAIC RIVER PARK AND BIKEWAY PROJECT IN, BY AND FOR THE CITY, APPROPRIATING THEREFOR THE SUM OF \$1,523,210 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM VARIOUS COUNTY GRANTS", 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 June 9, 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 Our Town Newspaper, 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

Councilmember Moskal introduced in writing the following ordinance entitled:

TO AMEND THE CODE OF THE CITY OF GARFIELD,  
TO REQUIRE A FEE FOR CALCULATION OF  
AMOUNT NEEDED TO REDEEM TAX SALES CERTIFICATES

City Clerk Pavlica read the ordinance by title.

Councilmember Moskal moved that this ordinance entitled: "TO AMEND THE CODE OF THE CITY OF GARFIELD, TO REQUIRE A FEE FOR CALCULATION OF AMOUNT NEEDED TO REDEEM TAX SALES CERTIFICATES", 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 June 9, 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 Our Town Newspaper, at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Raymond, 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

Councilmember Moskal introduced in writing the following ordinance entitled:

AN ORDINANCE TO FIX THE SALARY, WAGES AND  
COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES  
OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY

City Clerk Pavlica read the ordinance by title.

ORDINANCES

Councilmember Moskal moved that this ordinance entitled: "AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY", 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 June 9, 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 Our Town Newspaper, 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

EXIT OF INTERIM CHIEF FINANCIAL OFFICER RIGGITANO

At 9:55 PM, Interim Chief Financial Officer Roy Riggitano left the meeting and it was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. Emad Moustafa, 314 MacArthur Avenue, spoke on how he is repairing his house, applied for a permit to build a carport, and started building it, but complained that he was issued a stop order by the Building Inspector.

Ms. Jewell Bamby, 105 Chestnut Street, offered a suggestion to cut the School Budget.

Mr. Clyde Bamby, 105 Chestnut Street, said that it was rude for School Officials not to attend tonight's meeting. He asked questions concerning the City Revaluation.

Mr. William Whren, 33 Westminster Place, complained about the School Business Administrator not being in attendance at tonight's Council Meeting. He also spoke on the School Board Budget and the Municipal Budget.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on the Board of Education meeting scheduled to be held May 24<sup>th</sup>, and spoke on the Garfield Animal Rescue Foundation meeting scheduled to be held May 27<sup>th</sup> during which the proposed ordinance on vicious dog ownership will be discussed. She spoke on crossing guards being laid off based on seniority. She spoke on cuts in the defeated 2010-2011 School Budget.

Councilmember Aloia spoke on negotiations with City employees and on tough economic times that are being experienced at this time.

Deputy Mayor Moskal thanked everyone for coming out tonight and for their interest. He spoke on the tough economic times that are being experienced at this time and the Municipal Budget process and the long term perspective.

Mayor Calandriello spoke on people possibly being affected by School Budget cuts. He spoke on certain School Officials not being at tonight's Council meeting. He spoke on the Walmart having a hiring center located in the City of Garfield. He spoke on the Applebee's Restaurant and the Walmart store opening on Passaic Street in August.

City Manager Duch spoke on the meeting to be hosted by the New Jersey Department of Health and the U.S. Environmental Protection Agency scheduled to be held Thursday, May 20, 2010 at 7:00 PM in the Council Chamber in City Hall to give a status report on the chromium contamination investigation in the First Ward.

Regular Meeting May 18, 2010, Continued

ADJOURNMENT

At 10:30 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

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

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Andrew J. Pavlica, CITY CLERK