

A Regular Meeting of the City Council was held Tuesday, August 17, 2010 at 8:30 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 provisions of the Open Public Meetings Act and that adequate notice was provided by mail and fax to the official City newspapers and to other interested parties and by posting the meeting notice on the bulletin boards in City Hall.

Councilmembers Present: Tana M. Raymond, Joseph Delaney, Louis G. Aloia and Frank J. Calandriello
Councilmembers Absent: Stanley J. Moskal
Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Kevin J. Boswell and Interim Chief Financial Officer Roy Riggitano

REPORTS OF OFFICERS

Councilmember Delaney 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 4,
Absent 1 – Councilmember Moskal

RESOLUTIONS

Resolution No. 10-250

Resolution Re: Resolution to Amend 2010 Budget

WHEREAS, the local municipal budget for the year 2010 was approved on the 27th day of April, 2010, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Garfield, County of Bergen, that the following amendments to the approved budget of 2010 be made:

CURRENT FUND	From	To
General Revenues		
3. Miscellaneous Revenues		
Section A: Local Revenues		
Anticipated Surplus - Water Utility		\$300,000
Total Section A: Local Revenues	\$1,802,000	2,102,000
Section D: Interlocal Municipal Service Agreements		
Borough of Lodi - Board of Health	40,000	
Total Section D: Interlocal Municipal Service Agreements	40,000	
Section F: Public and Private Revenues Offset with Appropriations		
Clean Communities Program		15,372
Alcohol Education and Rehabilitation		4,273
Safe Schools Initiative		100,000
Total Section F: Public and Private Revenues	21,259	140,904
Section G: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services- Other Special Items		

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RESOLUTIONS

	Utility Operating Surplus of Prior Year - Water	300,000	
	Reserve for Terminal Pay - Other Trust Fund		80,000
	Total Section G: Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Other Special Items		
		1,979,000	1,759,000
	Total Miscellaneous Revenues	6,903,242	7,062,887
5.	Subtotal General Revenues	9,803,242	9,962,887
7.	Total General Revenues	<u>\$31,331,292</u>	<u>\$31,490,937</u>
		From	To
8.	General Appropriations		
	Operations- within "CAPS"		
	General Administration		
	Salaries and Wages	\$281,678	\$269,840
	City Clerk's Office		
	Salaries and Wages	203,913	196,274
	Financial Administration		
	Salaries and Wages	224,675	189,399
	Tax Assessment Administration		
	Salaries and Wages	137,548	106,037
	Revenue Administration		
	Salaries and Wages	161,178	154,755
	Other Expenses	30,000	60,000
	Legal Services		
	Salaries and Wages	133,236	118,656
	Engineering Services		
	Salaries and Wages	31,664	28,199
	Other Expenses	40,000	26,000
	Public Building and Grounds		
	Salaries and Wages	53,970	56,499
	Planning Board		
	Salaries and Wages	13,698	13,152
	Zoning Board		
	Salaries and Wages	13,103	12,580
	Police		
	Salaries and Wages	7,565,420	7,656,062
	Uniform Fire Safety Inspection Act		
	Salaries and Wages	189,787	166,698
	Road Repairs and Maintenance		
	Salaries and Wages	1,255,589	1,372,060
	Emergency Management Services		
	Salaries and Wages	1,861	827
	Board of Health		
	Salaries and Wages	237,326	230,123
	Housing Inspection		
	Salaries and Wages	71,651	69,000
	Municipal Court		
	Salaries and Wages	279,553	273,944
	Public Defender		

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RESOLUTIONS

Salaries and Wages	4,502	4,322
Prosecutor		
Salaries and Wages	45,071	43,254
Insurance		
Employee Group Health	3,493,510	3,438,510
Building Inspections		
Salaries and Wages	190,116	193,230
Total Operations- within "CAPS"	21,608,463	21,628,835
Total Operations including Contingent- within "CAPS"	21,608,463	21,628,835
Detail:		
Salaries and Wages	11,858,753	11,918,125
Other Expenses	9,749,710	9,710,710
Total General Appropriations within "CAPS"	23,118,443	23,138,815
Operations Excluded from "CAPS"		
Maintenance of Free Public Library	860,000	895,000
Total Other Operations Excluded from "CAPS"	4,070,678	4,105,678
Public and Private Programs Offset by Revenues		
Alcohol Education and Rehabilitation Fund		4,273
Safe School Initiative Program		100,000
Total Public and Private Programs Offset by Revenues	40,571	144,844
Total Operations Excluded from "CAPS"	4,111,249	4,250,522
Detail:		
Other Expenses	4,106,249	4,245,522
(O) Total General Appropriations Excluded from "CAPS"	6,480,349	6,619,622
(L) Subtotal General Appropriations	29,598,792	29,758,437
9. Total General Appropriations	\$31,331,292	\$31,490,937

DEDICATED WATER UTILITY BUDGET

	From	To
Dedicated Revenues from Water Utility		
Rents	\$2,800,000	\$2,820,000
Rate Reserve	412,000	430,000
Total Water Utility Revenues	3,212,000	3,250,000

Appropriations for Water Utility

RESOLUTIONS

Debt Service		
Interest on Bonds	115,000	133,000
Interest on Notes	27,000	47,000
Total Water Utility Appropriations	3,212,000	3,250,000

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2010 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with NJSA 40A:4-9, be published in the Bergen Record in the issue of August 21, 2010 and that said publication contain notice of a public hearing on said amendment to be held at City Hall on September 13, 2010, at 8 P.M.

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-251

WHEREAS, Harold D. Jarvis, 16A Cambridge Avenue, who is the holder of a Disabled Person I.D. Card No. P951057, 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 east curb line of Cambridge Avenue commencing 100 feet north of the intersection of Cambridge Avenue and River Drive and an additional 25 north from that point.

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

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-252

WHEREAS, Barbara Koster, 33 Pacific Avenue who is the holder of a Disabled Person I.D. Card No. P432266, has filed application for a handicapped parking sign to be placed at her address, and

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the north curb line of Pacific Avenue commencing 210 feet west of the intersection of Pacific Avenue and Jewell Street and an additional 25 west from that point.

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

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-253

WHEREAS, Mario Rodriguez, 108 Frederick Street, who is the holder of a Disabled Person I.D. Card No. P904860, has filed application for a handicapped parking sign to be placed at his address, and

RESOLUTIONS

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the north curb line of Frederick Street commencing 100 feet west of the intersection of Frederick Street and Mac Arthur Avenue and an additional 25 west from that point.

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

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-254

WHEREAS, Andrea Szucs, 423 Grace Avenue, who is the holder of a Disabled Person I.D. Card No. P823897, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the north curb line of Grace Avenue commencing 60 feet east of the intersection of Grace Avenue and Herman Street and an additional 25 east from that point.

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

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-255

A RESOLUTION ENDORSING THE FILING OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN CONNECTION WITH VARIOUS IMPROVEMENTS

WHEREAS, a Bergen County Development Grant in the amount of \$93,347.00 has been proposed by Garfield VFW Post No. 2867 for various improvements to the building located at 340 Outwater Lane; 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

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

WHEREAS, this endorsement does not obligate the City to any expenditure of funds;

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

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

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-256

WHEREAS, the Mayor and Council of the City of Garfield, Bergen County, New Jersey, has adopted Ordinance No. 2348 implementing Length of Service Awards Program (LOSAP), in 2002 pursuant to Section 457 (e)(11)(13) of the Internal Service Code of 1986 and;

WHEREAS, Lincoln Financial Group has been approved by the Division of Local Government Services to administer such programs and;

WHEREAS, Lincoln Financial has administered the City of Garfield LOSAP Program from its inception and;

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NOW THEREFORE BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, that Lincoln Financial Group shall administer the 2009-2010 LOSAP program for the City of Garfield Volunteer Emergency Organization.

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-257

WHEREAS, the governing body of the City of Garfield, County of Bergen, State of New Jersey, desires to collect all taxes, assessments, and other Municipal charges that are now delinquent; and WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2009 in a manner prescribed by N.J.S.A. 54-5-19, and as amended by Chapter 99, Public Laws of 1997:

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Garfield, that the Tax Collector is hereby authorized and directed to sell all Municipal liens in accordance with New Jersey law, and as stated above on at October 7, 2010 at 9:30 AM.

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-258

WHEREAS the Receiver of Sewer reports that she has received a request from the following property owner for a refund due to overpaid sewer for the year 2010.

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 overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

SEWER ACCT#	OWNER	REASON	AMOUNT
4-12-59	BSS REALTY, LLC	O/P SEWER	\$100.00

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

(Sgd) Tana M. Raymond
Louis G. Aloia

Resolution No. 10-259

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpaid taxes for the year 2010.

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 overpayment 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
99	53	Glinbizzi, Ralph A & Phillis & ET A	O/P	\$1,761.68
155	29.01	Kozeski, Donco & Antica	O/P	\$1,402.00

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

(Sgd) Tana M. Raymond
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 10-260

RESOLVED by the City Council of the City of Garfield that the following bills No. 1410 to 1412 covering Current Fund totaling \$98,696.40 and Water Fund totaling \$99,229.12 and Water Capital Fund totaling \$3,961.50 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 seven (7) items prior to the meeting be ratified.

See

The

Following

Pages Numbered _____

For

Bills

and

Claims

CITIZENS AND TAXPAYERS

Mr. Richard M. Rossetti, 332 Palisade Avenue, said that he is here at the Council Meeting tonight to earn the Eagle Scout Badge for Citizenship in the Community. He thanked everyone in authority for allowing him to sit in the Deputy Mayor's chair. He said that it is an honor and a privilege.

Ms. Hermina Babitz-Arroyo, 81 Wessington Avenue, complained about property maintenance issues in her neighborhood which she said has been a problem for eight to ten years. She also said that 83 Wessington Avenue is like a junk yard with washers, dryers, refrigerators and sheet rock and other items laying around the yard.

Mr. Ignatius Tripodi, 155 Malcolm Avenue, spoke on the Sewer Bill Program. He spoke and asked questions concerning the Chamber of Commerce.

Mr. Richard S. Rossetti, 332 Palisade Avenue spoke and asked questions concerning the Chamber of Commerce.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on the success of National Night Out held at Twentieth Century Field on August 3, 2010. She complimented Joan Ridarick on helping secure a helicopter to land at the event. She spoke on the desire of Lodi Borough Manager Anthony Luna to have a shared services agreement between the Borough of Lodi and City of Garfield in connection with the Garfield Health Department. She spoke on the Garfield Animal Rescue Foundation car wash fundraiser to be held on August 21, 2010 from 11:00 AM to 3:00 PM at the Sam and Ann Sangis Recreation Center located at 466 Midland Avenue. She spoke on the Applebee's Dining to Donate Program where 10% of the bill of patrons who present flyers to their server at the new Applebee's in Garfield on August 26, 2010 will be donated to the Garfield Animal Rescue Foundation.

Councilmember Delaney said that he found an exotic bird in his driveway last week and he called G.A.R.F. and they came to the rescue. He spoke on how this past Tuesday's National Night Out was a tremendous success. He congratulated young Richard Rossetti on his attempts to become an Eagle Scout.

Councilmember Aloia said that the events that led to the founding of G.A.R.F. turned out to result in something really good. He spoke on the success of National Night Out and he told Eagle Scout candidate Richard Rossetti to return to future Council Meetings.

Mayor Calandriello spoke on how the new Walmart in Garfield has donated approximately \$22,000.00 in checks to various Garfield non-profits. He remarked on how the Walmart has hired over two hundred Garfield residents. He spoke on how the new Walmart is supporting the Boys and Girls Club of Garfield by allowing them to conduct a car wash fundraiser in the Walmart parking lot. He said that Applebee's Dining to Donate Program is supporting the Boys and Girls Club of Garfield tonight if patrons bring in the appropriate flyer to the restaurant. He spoke on how the Bergen County Community Action Partnership anti-poverty agency is building a state-of-the-art training center to teach workers weatherization skills, funded by a \$1 million grant from the US Department of Energy.

CLOSED SESSION

Resolution No. 10-261

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 9:05 P.M. on Tuesday, August 17, 2010, 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; (City ambulance services;

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CLOSED SESSION

investigation of financials of Junior Boilermakers football program; proposed location of new Police Station).

- * 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; (suspension of DPW employees Frank Livoti and James Brown; proposed re-hiring of laid off Crossing Guard Jeanie Ricco; proposed hiring of Dennis Maycher as an Alternate Prosecutor; DPW Employee Richard Cangialosi working towards Water Superintendent Certification and Parks Superintendent John Lord working towards Certified Public Works Manager accreditation; proposed salary enhancement of City Clerk and Tax Collector pursuant to NJSA 40A:9-165).

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

EXIT OF CITY CLERK PAVLICA

At 11:00 PM, City Clerk Andrew J. Pavlica left the meeting when the City Council and Cabinet decided to discuss his proposed salary enhancement pursuant to NJSA 40A:9-165.

ADJOURNMENT

After the City Council came out of Closed Session at 11:05 PM, there being no further business, the meeting was adjourned.

Andrew J. Pavlica, CITY CLERK