

A Regular Meeting of the City Council was held Monday, November 8, 2010 at 10:55 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, Stanley J. Moskal and Frank J. Calandriello

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo and City Engineer Kevin J. Boswell

MINUTES

Councilmember Aloia moved to approve the Minutes of the following meetings:

Work	Session	-	September	13,	2010
Regular	Meeting	-	September	13,	2010
Work	Session	-	October	12,	2010
Regular	Meeting	-	October	12,	2010
Work	Session	-	October	19,	2010
Regular	Meeting	-	October	19,	2010

Councilmember Moskal duly seconded the motion.

On call of roll, Ayes 5

REPORTS OF OFFICERS

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

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 10-327

WHEREAS, Fire Company No. 2 has advised that they have expelled Kris Sipos of 15 Faber Place, as an active member effective October 4, 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 accepted.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-328

WHEREAS, Fire Company No. 4 advises that James Soltys of 124 Morris Avenue has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 4 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-329

WHEREAS, Fire Company No. 4 advises that Edward Kotwica of 121 Spring Street has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 4 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-330

WHEREAS, as of January 1, 2006 the "New Jersey Local Unit Pay to Play Law" enacted by the New Jersey State Legislature, became effective; and

WHEREAS, pursuant to the local public contracts law, contracts for the provision of professional services are not subject to competitive bidding, however, they are subject to the requirements of the above referenced law if the contract is anticipated to exceed \$17,500.00; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1, et seq a municipality may not award a contract with a value in excess of \$17,500.00 to a business entity that has made a contribution within one (1) year of the date of the contract that is reportable by the recipient pursuant to N.J.S.A. 19:44A-1, et seq to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a "fair and open process"; and

WHEREAS, the City Council has determined that it would be in the best interests of the City to make certain professional appointments pursuant to a "fair and open process".

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

1. The City Attorney is authorized and directed to prepare a Legal Notice and Criteria for Submission of Qualifications for the following positions:

City Engineer	Grants Consultant (2)
City Auditor	Computer Services Consultant
City Bond Counsel	City Attorney(including Housing Program
City Planner	Mortgage Closings)
Risk Management Consultant	Special Litigation and Labor
City Architect	Municipal Prosecutor
City Real Estate Appraiser	Municipal Public Defender
for Tax Appeals	

2. These requests for qualifications shall solicit submissions which shall be due at 3:00 p.m. on Wednesday, January 5, 2011
3. Appointments to these professional positions shall be considered at the subsequent meeting to be held January 2011.

RESOLUTIONS

4. The Criteria for selection shall be as permitted by the aforementioned Law and contracts shall be awarded on the basis most advantageous to the City.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to post the Legal Notice and Criteria for Submission of Qualifications on the City of Garfield website for a period of not less than ten (10) days prior to the due date described in this Resolution; and

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 together with copies of the Legal Notice and Criteria to the City Attorney as well as to all professionals currently holding the positions described in this Resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-331

BE IT RESOLVED by the Mayor and Council of the City of Garfield that application is made to the NJ Division of Parks & Forestry, Office of Natural Lands Management for aid under the National Recreational Trails Program for:

Dundee Dam Pedestrian Way & Preserve

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the City of Garfield for the stated project(s).

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-332

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$12,092.02 which is now available from State of New Jersey, Recycling Tonnage Grant and;

BE IT FURTHER RESOLVED, that the like sum of \$12,092.02, is hereby appropriated under the caption Recycling Tonnage Grant and;

BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey, Recycling Tonnage Grant, in the amount of \$12,092.02.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-333

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or Municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

RESOLUTIONS

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,
NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$2,000.00 which is now available from Factory Mutual Award, Fire Prevention Grant and;
BE IT FURTHER RESOLVED, that the like sum of \$2,000.00, is hereby appropriated under the caption Fire Prevention FM Global Grant and;
BE IT FURTHER RESOLVED, that the above is the result of funds from Factory Mutual Insurance Company, Fire Prevention Grant, in the amount of \$2,000.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-334

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and
WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,
NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$54,989.64 which is now available from State of New Jersey, DDEF Grant and;
BE IT FURTHER RESOLVED, that the like sum of \$54,989.64 is hereby appropriated under the caption Drunk Driving Enforcement Fund; and
BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey, DDEF Grant, in the amount of \$54,989.64.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-335

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and
WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,
NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$5,000.00 which is now available from the State of New Jersey, Emergency Management Grant and;
BE IT FURTHER RESOLVED, that the like sum of \$5,000.00, is hereby appropriated under the caption Emergency Management Grant and;
BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey, EMAA Grant, in the amount of \$5,000.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 10-336

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$1,000.00 which is now available from the Wal-Mart Foundation Grant and;

BE IT FURTHER RESOLVED, that the like sum of \$1,000.00 is hereby appropriated under the caption Wal-Mart Foundation Grant and;

BE IT FURTHER RESOLVED, that the above is the result of funds from the Wal-Mart Foundation Grant, in the amount of \$1,000.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-337

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$2,038.33 which is now available from the State of New Jersey, Body Armor Replacement Fund Grant and;

BE IT FURTHER RESOLVED, that the like sum of \$2,038.33, is hereby appropriated under the caption Body Armor Replacement Grant and;

BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey, Body Armor Replacement Grant, in the amount of \$2,038.33.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-338

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$1,500.00 which is now available from State Farm Mutual Auto Insurance, Fire Prevention Grant and;

BE IT FURTHER RESOLVED, that the like sum of \$1,500.00, is hereby appropriated under the caption Fire Prevention Grant and;

RESOLUTIONS

BE IT FURTHER RESOLVED, that the above is the result of funds from State Farm Mutual Auto Insurance, Fire Prevention Grant, in the amount of \$1,500.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-339

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2010 in the sum of \$23,889.10, the additional amount received, budget adopted \$15,372.00, which is now available from the State of New Jersey, Clean Community Grant and;

BE IT FURTHER RESOLVED, that the like sum of \$23,889.10, is hereby appropriated under the caption Clean Community Grant and;

BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey, Clean Community Grant, in the amount of \$23,889.10.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-340

RESOLVED, by the City Council of the City of Garfield that the Chief Financial Officer shall and is hereby authorized to make the following transfers as per instructions from the Chief Financial Officer:

Account Name	Account Number	Transfer From	Transfer To
Mayor and Council S & W	0-01-20-110-110-010		1.00
Audit Service	0-01-20-135-135-000		17,000.00
Revenue Administration S & W	0-01-20-145-145-011		100.00
Tax Assessment S & W	0-01-20-150-150-011		1,500.00
UCC Building Department O/E	0-01-22-195-195-063		7,000.00
EMT/Contractual Expense	0-01-25-261-261-000		3,000.00
Snow Removal	0-01-26-301-301-000		20,000.00
Electricity	0-01-31-430-430-200		9,000.00
Street Lighting	0-01-31-435-435-280		1,000.00
Social Security	0-01-36-472-472-000		11,000.00
Consolidated Police/Firemen's Pension	0-01-36-474-474-000		10,700.00
Police and Fire Pension	0-01-36-475-475-000		100.00
Municipal Court	0-01-43-490-490-063		2,500.00
General Administration S/W	0-01-20-100-100-011	1.00	
General Administration O/E	0-01-20-100-100-063	100.00	
Tax Assessment O & E	0-01-20-150-150-063	1,500.00	
Attorney/Legal Services O/E	0-01-20-155-155-020	20,000.00	
Planning Board O/E	0-01-21-180-180-063	10,000.00	
Housing Inspection S & W	0-01-22-200-200-010	10,000.00	
L.O.S.A.P.	0-01-25-256-256-000	4,300.00	
Department of Public Works S & W	0-01-26-290-290-011	20,000.00	
Celebration of Public Events	0-01-30-420-420-000	17,000.00	
		<u>82,901.00</u>	<u>82,901.00</u>

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-341

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the Work Session and Regular Meeting of the City Council scheduled to be held Tuesday, November 30, 2010, are hereby cancelled,

BE IT FURTHER RESOLVED that a Work Session of the City Council is hereby scheduled to be held on Tuesday, November 23, 2010 at 5:30 PM in the Conference Room in City Hall,

FURTHER RESOLVED that a Regular Meeting of the City Council is hereby scheduled to be held on Tuesday, November 23, 2010 at 8:00 PM in the Council Chamber in City Hall.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 10-342

A RESOLUTION AUTHORIZING THE CITY OF GARFIELD TO ENTER INTO A POWER PURCHASE AGREEMENT FOR THE PROVISION OF SOLAR VOLTAIC SYSTEMS ON TWELVE OF ITS MUNICIPAL BUILDINGS

WHEREAS, the City has examined the use of solar voltaic systems for several of its buildings in order to utilize this renewable source of energy, which yields both environmental and economical benefits and

WHEREAS, the City has authorized the City Engineer, Boswell McClave Engineering, to prepare a Request for Proposal for qualified Consultants to install the specified systems under a Power Purchase Agreement, and

WHEREAS, the City has completed the bid process and received one bid during the bid opening held at City Hall on October 22, 2010, at 10:00 A.M. from the following company: Amberjack Solar Energy, and

WHEREAS, the City Engineer has reviewed the submitted bid and recommends that the City enter into a Power Purchase Agreement for this project with Amberjack Solar Energy for the installation of roof-mounted solar voltaic systems on the twelve buildings indicated in the specifications.

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

BE IT FURTHER RESOLVED that City Attorney, Joseph J. Rotolo, Esq. is hereby authorized and directed to prepare the appropriate contract for execution by the Mayor and City Clerk.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

BILLS AND CLAIMS

Resolution No. 10-343

RESOLVED by the City Council of the City of Garfield that the following bills in the Current Fund totaling 203,731.84 and Water Fund totaling \$7,181.66 and General Capital Fund totaling \$1,428.33 and Water Capital Fund totaling \$6,096.00 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 thirty five (35) items prior to the meeting be ratified.

See the following

Pages Numbered _____

COUNCILMEMBER COMMENTS

Councilmember Raymond said that the two kittens which were saved by the Garfield Animal Rescue Foundation, and who each lost an eye, were adopted. She advocated that the City allocate \$10,000.00 a year for GARF.

Mayor Calandriello spoke on how the Garfield Free Public Library will not be hosting their annual Tree Lighting Ceremony at the Library this year due to Budgetary constraints.

ADJOURNMENT

At 11:05 PM, there being no further business, Councilmember Delaney moved to adjourn the meeting. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK