

A Regular Meeting of the City Council was held Tuesday, February 24, 2009 at 8:50 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, City Attorney Joseph J. Rotolo and City Engineer Kevin J. Boswell

#### 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 5

#### RESOLUTIONS

Resolution No. 09-84

WHEREAS, Garfield Registered Environmental Health Specialist Frank Bland will be retiring from a career of dedicated public service to the people of Garfield, effective March 1, 2009, and

WHEREAS, Frank Bland was first appointed part time Registered Environmental Health Specialist effective March 5, 1979, by City Manager Gustav Deak, and

WHEREAS, Frank Bland was appointed full time Registered Environmental Health Specialist effective April 1, 1985 by City Manager William Boyle, and

WHEREAS, Frank Bland was appointed Department Head effective July 10, 2006 by City Manager Thomas J. Duch, Esq., and

WHEREAS, Frank Bland is married to Elaine and they have two sons Keith and Craig. He looks forward to spending time with his family, enjoying his second home at the Jersey Shore, where he enjoys fishing, boating and partying at the beach, and

WHEREAS, Frank will now have more time to dedicate to his love of Hockey both as a number one fan of the New York Rangers and a volunteer coach for local clubs and school teams demonstrating Frank's commitment to community

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the Garfield Registered Environmental Health Specialist Frank Bland is hereby CONGRATULATED and extended BEST WISHES on his retirement from a career of public service which has served to enhance the lives of the citizenry of this community.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Stanley J. Moskal

Resolution No. 09-85

WHEREAS, the Garfield High School Hall of Fame Committee has proudly announced their inductee into the Hall of Fame for 2009, 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 Friday, May 8, 2009 at the Windsor Gardens Restaurant in Lodi,

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:

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Bill Bernat '76, Larry Bonito (Coach), David Charnitsky '81

Meghan O'Toole (DeCarlo) '99

Greg Kulig (Coach), Michael Stansfield '99, Special Award: Matthew Malkewicz '35

BE IT FURTHER RESOLVED that congratulations are also extended to the 1988-89 and 1989-1990 Wrestling Team, ranked No. 1 in Bergen County for two consecutive years, as they receive the Team Awards from the Hall of Fame.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Stanley J. Moskal

Resolution No. 09-86

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Resolution No. 09-31, adopted by the City Council at a Regular Meeting held Tuesday, January 27, 2009, accepting Patrick F. Connolly Jr. of 46 Hartman Avenue, as a regular active member of Fire Company No. 5 is hereby rescinded.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No. 09-87

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Mladen Zaimov 860 River Drive Apt. 6A, as an active member, effective February 3, 2009, NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 5 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No. 09-88

WHEREAS, Fire Company No. 5 has advised that they have accepted Jan P. Kata, 125 Main Street, as a regular active member, effective December 6, 2008. 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. 5 with respect to the above matter is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No. 09-89

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2009 described in application, duly filed:

B.J. Polonia 126 Ray Street Garfield, New Jersey 07026	Pool  Total	\$75.00  \$75.00
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On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No.09-90

TOWING LICENSES FOR 2009

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WHEREAS, pursuant to Section 229 of the Code of the City of Garfield municipal towing licenses are issued, on an annual basis, to towing companies who have expressed an interest in providing rotational towing services on behalf of the City of Garfield; and

WHEREAS, Mazzola Automotive Repair Center, Inc., 187-189 Midland Avenue, Garfield, N.J., has filed an application for a towing license for calendar year 2009; and

WHEREAS, the City Clerk and City Attorney have reviewed the application submitted and have determined that the application complies with all the requirements of local Ordinance; and

WHEREAS, the City of Garfield Police Department has conducted the appropriate investigation of this license and has also determined that the applicant does not comply with the equipment and storage facilities requirements of the Ordinance; and

WHEREAS, as a result of the foregoing and in accordance with the terms of the applicable ordinance, the applicant was provided with the opportunity to cure those deficiencies and was advised of that opportunity to cure in a letter dated February 24, 2009, however, the applicant has not cured the deficiencies set forth in the police report; and

WHEREAS, Section 229-19 of the Code of the City of Garfield provides that no more than three (3) licenses per year will be issued; and

WHEREAS, there currently exists a total of four (4) licensees who have applied for and received annual towing licenses from the City Council; and

WHEREAS, The outstanding licenses currently exceed the number of licenses set forth in local ordinance since several licensees were on the rotational towing list prior to the adoption of the aforementioned limitation; and

WHEREAS, as a result of the foregoing, the application filed by Mazzola Automotive Repair Center, Inc. fails to comply with the requirements of the Ordinance and would result in the issuance of a license which further exceeded the limitation set forth in the Ordinance; and

WHEREAS, the aforesaid City Ordinance provides that applicants in excess of the specified number would be placed on a waiting list and would, thereafter, be considered for a license in the event that any existing licenses are either forfeited or revoked.

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

1. The application of Mazzola Automotive Repair Center, Inc. for a municipal towing license pursuant to Chapter 229 of the City code is hereby rejected;
2. City Code which provides that no more than three (3) licenses shall be issued per year; and, additionally, it is based upon the failure of the applicant to comply with the requirements of local ordinance;
3. The City Clerk shall place Mazzola Automotive Repair Center, Inc. on a waiting list for the issuance of a towing license in the event that one becomes available and said Mazzola Automotive Repair Center, Inc. shall be the first application considered for such a license in the event of its availability;
4. All fees paid by Mazzola Automotive Repair Center, Inc. shall be returned to this applicant.

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized and directed to forward certified copies of the within Resolution to Mazzola Automotive Repair Center, Inc., as well as all other applicants, the Garfield Chief of Police and the City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No. 09-91

Resolution authorizing appointment of Broker of Record for Prescription Coverage

WHEREAS, Willis HRH of Morristown, New Jersey was previously designated as Broker of Record and Insurance Consultant in connection with the existing health insurance coverage for employees of the City of Garfield; and

WHEREAS, the Mayor and Council have now determined that it would be in the best interest of the City of Garfield to expand that appointment to also include the prescription drug plans for City employees; and

WHEREAS, there shall be no additional cost incurred by the City in connection with this expanded appointment in view of the fact that Willis HRH had previously indicated a willingness to act as Broker of Record for both health insurance and prescription drug coverage for the flat fee of \$4,000.00 per month.

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NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey be and is hereby designated as Broker of Record and Insurance Consultant for prescription drug coverage for employees of the City of Garfield.

NOW, THEREFORE, BE IT FURTHER RESOLVED, THAT THIS APPOINTMENT shall take effect on March 18, 2009, the date on which this company's appointment as Broker of Record for medical insurance coverage takes effect and shall run contemporaneously with the same.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that there shall be no additional payment or compensation for these additional services.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed for forward certified copies of the within resolution to Willis HRH of Morristown, New Jersey, the City Attorney, and the Chief Financial Officer of the City of Garfield.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No. 09-92

**RESOLUTION – AUTHORIZING INTERLOCAL AGREEMENT**

WHEREAS, the Borough of Paramus Department of Public Works provides vehicle maintenance services on behalf of several municipalities; and

WHEREAS, the City of Garfield Fire Department requires the such services including repairs and a preventative maintenance program for fire department apparatus; and

WHEREAS, the Chief of the Garfield Fire Department, Michael J. Marsh, has reviewed this matter with the Director of Fleet Service from the Borough of Paramus Department of Public Works and has determined that these services can be provided by the Borough of Paramus at a rate which will reduce the cost to the City and result in significant cost savings over the course of the year; and

WHEREAS, the Borough of Paramus Department of Public Works already provides such services on behalf of the Fire Departments from Teaneck, Hackensack and Maywood and Chief Marsh has reviewed the program with the Fire Chiefs from these municipalities who are satisfied with the services provided

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

1. An interlocal services agreement be and is hereby authorized between the City of Garfield and the Borough of Paramus for vehicle repairs and preventive maintenance program on fire department apparatus

2. The terms, costs and conditions of this agreement shall be those terms and conditions which are approved and recommended by the City Manager in consultation with the Chief of the Garfield Fire Department.

3. The City Manager and the Chief of the Garfield Fire Department are hereby authorized to execute any documents which may be necessary in order to facilitate this agreement

4. This Agreement is contingent upon certification by the Chief Financial Officer that sufficient funds exist for this purpose.

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 Borough of Paramus Department of Public Works, the Garfield Fire Department, the Chief Financial Officer and the City.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No. 09-93

**AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE PROGRAM**

WHEREAS, the City of Garfield intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the 2009 NJEIT Sanitary Sewer System Improvement Program.

NOW THEREFORE, BE IT RESOLVED that Thomas J. Duch, City Manager is authorized to act as the Authorized Representative to represent the City of Garfield in all matters relating to the project undertaken pursuant to the above referenced New Jersey Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental

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Infrastructure Trust. The Authorized Representative may be contacted at Garfield City Hall, 111 Outwater Lane, Garfield, New Jersey, 07026 or at 973-340-2000.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello  
Tana M. Raymond

Resolution No.09-94

AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE PROGRAM

WHEREAS, the City of Garfield intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the 2009 NJEIT Water System Improvement Program.

NOW THEREFORE, BE IT RESOLVED that Thomas J. Duch, City Manager is authorized to act as the Authorized Representative to represent the City of Garfield in all matters relating to the project undertaken pursuant to the above referenced New Jersey Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at Garfield City Hall, 111 Outwater Lane, Garfield, New Jersey, 07026 or at 973-340-2000.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No.09-95

RESOLVED. By the Mayor and 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 as follows:

	Appropriation Reserves From:	Appropriation Reserves To:
Police Salary and Wages	\$29,001.00	
Volunteer Fire Other Expenses		\$24,000.00
Recreation Other Expenses		5,000.00
PERS		1.00
	<hr/> \$29,001.00	<hr/> \$29,001.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia  
Stanley J. Moskal

Resolution No. 09-96

WHEREAS, the Mayor and Council have determined that Resolution No. 09-63 was passed in error; and

WHEREAS, this resolution provided for a benefits which was not intended,

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that Resolution No. 09-63 be and is hereby rescinded and set aside.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 09-97

RESOLVED by the City Council of the City of Garfield that the following bills No. 1288 to 1290 covering Trust Other and Dog Trust and Building Dedicated Trust totaling \$40,600.40 and Current Fund Reserve totaling \$23,339.26 and Current Fund totaling \$187,408.99 and Water Capital totaling \$5,957.46 and General Capital totaling \$65,959.57 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 ten (1) items prior to the meeting be ratified.

See

the

following

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

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2546

The following entitled ordinance was introduced at a Regular Meeting held February 10, 2009; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

“BOND ORDINANCE TO AUTHORIZE THE REHABILITATION OF WATER LINES AT VARIOUS LOCATIONS IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$150,000.00 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”

City Clerk Pavlica read the ordinance by title.

Mayor Calandriello declared a public hearing on same and asked if there were any objections.

There being no objections, Mayor Calandriello declared the public hearing closed.

Councilmember Aloia moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Delaney duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2547

The following entitled ordinance was introduced at a Regular Meeting held February 10, 2009; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full and the City Council can now proceed with the public hearing and final passage:

“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.

Mayor Calandriello declared a public hearing on same and asked if there were any objections.

There being no objections, Mayor Calandriello declared the public hearing closed.

Councilmember Moskal moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5

CITIZENS AND TAXPAYERS

Ms. Laura Danis, 33 Spring Street, commented that National MS Awareness Week is coming up soon. She complained about a garbage problem and a property maintenance issue with her neighbor.

CITIZENS AND TAXPAYERS

Ms. Judith Rodermond, 6 Plauderville Avenue, complained about styrofoam sound proofing which was recently installed at the Wisla Center, located at 73 Main Street. She also complained about the Wisla Center in general.

Mr. Stewart Walters, 272 Palisade Avenue, complained about the noise at the Wisla Center and of public urination by its patrons.

Mr. Richard Derrig, 71 Herman Street, asked about the resolution rejecting a towing license and asked about a work stoppage of construction of a building on Lanza Avenue near Fleischer's Brook.

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on the new City HazMat Truck. She spoke on the recent hiring of Willis HRH as the new City Health Benefits Insurance Broker and she said that this has resulted in a projected savings to the taxpayers from April 2009 to December 2009 of in excess of \$130,000.00. She spoke on the detection of water leaks in the City Water Distribution System.

Councilmember Delaney said that hopefully the Wisla Center issue will be worked out with the noise. He spoke on property maintenance issues in his neighborhood. He spoke on a Project Graduation Fashion Show Fundraiser to be held March 25<sup>th</sup> at the Royal Manor located at 454 Midland Avenue.

Councilmember Aloia spoke on the Wisla Center neighborhood dispute and on property maintenance issues in the Spring Street neighborhood. He spoke on the wake of former long time Garfield Post Master Leo Mazza and of his 74 years of service to Garfield Fire Company No. One.

Deputy Mayor Moskal spoke on the Garfield YMCA Comedy Night fundraiser to be held March 5<sup>th</sup> and he spoke on the new City Haz Mat Truck.

Mayor Calandriello spoke on property maintenance issues involving the Spring Street neighborhood and the storage of garbage cans and whether recycling is being mixed with the garbage. He spoke on trying to keep taxes down. He spoke on tomorrow being Ash Wednesday and the beginning of Lent.

ADJOURNMENT

At 9:30 PM there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

