

A Regular Meeting of the City Council was held Tuesday, March 24, 2009 at 8:40 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, City Engineer Kevin J. Boswell 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 Aloia duly seconded the motion.

On call of roll, Ayes 5

HAND – HELD ELECTRONIC STOP SIGNS FOR CROSSING GUARDS

Board of Education Member Rosemarie Aloia was recognized and she displayed what she called “an innovative and effective way to make crossing guards more visible: a Hand – Held Rechargeable LED Stop Light which blinks and is visible from long distances.” She said that she was donating fifty signs which cost approximately \$150.00 a piece. Also present for the presentation were Assemblymen Frederick Scalera and Gary Schaer, Police Chief Kevin Amos and Traffic Lieutenant Ronald Polonkay.

INTRODUCTION OF 2009 MUNICIPAL BUDGET

Resolution No. 09-115

See

The

Following

Pages numbered _____

For

The

RESOLUTIONS

Resolution No. 09-116

RESOLUTION OF THE CITY OF GARFIELD MAKING APPLICATION TO THE LOCAL FINANCE BOARD FOR A REDUCED PENSION CONTRIBUTION PURSUANT TO N.J.S.A.43:15A-24(c) AND/OR N.J.S.A. 43:16A-15(9)

WHEREAS, the Municipal Council of the City of Garfield in the County of Bergen desires to make application to the Local Finance Board for its approval of a reduced pension contribution pursuant for its Police and Fire Retirement System contribution pursuant to N.J.S.A. 43:15A – 15(9) for certain normal and accrued liability contributions in the amount of:

- Police and Fire Retirement System in the amount of \$695,238.00
- Public Employee Retirement System in the amount of \$172,850.00; and,

WHEREAS, the Municipal Council has made certain determinations concerning this application as required by statute and has completed the required Attachment that documents said determinations; and,

WHEREAS, the Municipal Council determined that it needs to pay the reduced contribution and said determination is in the public interest; and,

1. the inability of the City of Garfield to meet the cap without jeopardizing public safety, health and welfare or jeopardizing the fiscal stability.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Garfield in the County of Bergen as follows:

Section 1. The reduced pension contribution Attachment, as attached hereto, is incorporated by reference into this Resolution as if contained fully within.

Section 2. The reduced pension contribution for PFRS in the amount of \$695,238.00 and PERS in the amount of \$172,850.00, pursuant to N.J.S.A. 43:15A-24(c) and/or N.J.S.A. 43:16A – 15 (9) et. Seq. have been confirmed by the Chief Financial Officer and are the amounts deemed by the governing body for application to the Local Finance Board and as allowed by the New Jersey Division of Pension and Benefits.

Section 3. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the City of Garfield are hereby authorized to submit such application and to represent the City of Garfield in matters pertaining thereto.

Section 4. The Certification of the Chief Financial Officer of the City of Garfield, is incorporated into this Resolution as a certification of the truth and accuracy of the facts submitted in the application for pension deferral.

Section 5. The Clerk of the City of Garfield is hereby directed to file a copy of this reduced pension contribution resolution as part of the application with the Local Finance Board.

Section 6. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by law.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 09-117

WHEREAS, the Garfield Boys & Girls Club will be holding their 50th Anniversary Celebration on Thursday, March 26, 2009 at the Royal Manor Restaurant located at 454 Midland Avenue in Garfield, and

WHEREAS, Youth of the Year, Buddy of the Year, Junior of the Year and Sportsman of the Year Awards, will be presented at this noteworthy event, and

WHEREAS, the Boys & Girls Club of Garfield helps to ensure that our young people keep off the streets, offering them a safe and supportive place to go and providing them with quality programs; and

WHEREAS, the Mayor and City Council are desirous of publicly recognizing this fine organization, “The Club that Beats the Streets” for all the good work they have done for the youths and adults of our City,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the celebration of their FIFTIETH ANNIVERSARY, the Garfield Boys & Girls Club is hereby congratulated and thanked for its many years of community service; and

BE IT FURTHER RESOLVED that the City Council endorses and joins Mayor Calandriello in PROCLAIMING March 22 through March 29, 2009 as Boys & Girls Club Week and call on all

RESOLUTIONS

citizens to join in recognizing and commending the Boys & Girls of Garfield for providing comprehensive, effective services to the young people in our community.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-118

RESOLVED, BY THE City Council of the City of Garfield, Bergen County, New Jersey, that the Work Session and the Regular Meeting of the City Council scheduled to be held on April 15, 2009, are hereby cancelled, and

BE IT FURTHER RESOLVED, that a Work Session of the City Council will be held Tuesday, April 14, 2009 at 5:30 PM in the Conference Room in City Hall, and

FURTHER RESOLVED, that a Regular Meeting of the City Council will be held Tuesday, April 14, 2009 at 8:00 PM in the Council Chamber in City Hall.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-119

Resolution Supporting Participation

In the Sustainable Jersey Municipal Certification Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Garfield strives to save tax dollars, assure clean land. Air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the City of Garfield wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the City of Garfield is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the City of Garfield, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community;

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within the City of Garfield on matters of sustainability, the Mayor and Council of the City of Garfield wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Mayor and Council of the City of Garfield that we do hereby authorize the City manager, Thomas J. Duch to serve as Garfield's agent for the Sustainable Jersey Municipal Certification process and authorize the City Manager to complete the Municipal Registration on behalf of the City of Garfield.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-120

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Luis Alvarado of 72 Harrison Avenue, as an active member, effective March 2, 2009,

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

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

RESOLUTIONS

Resolution No. 09-121

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Jonathan Potozcak of 260 Division Avenue, as an active member effective, March 2, 2009,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-122

WHEREAS, Can-Wash Laundromat, 18 Plauderville Avenue has filed an application for a laundromat license for the year 2009, and
WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to, Can-Wash Laundromat, for the year 2009.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-123

WHEREAS, DL Sugarhouse, LLC DBA "Time to Wash", 69 River Drive has filed an application for a laundromat license for the year 2009, and
WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to, DL Sugarhouse, LLC DBA "Time to Wash", for the year 2009.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-124

WHEREAS, Garfield Network Inc. DBA E-Z Laundromat, 255 Midland Avenue filed an application for a laundromat license for the year 2009, and
WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to, Garfield Network, Inc. DBA E-Z Laundromat, for the year 2009.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-125

WHEREAS, Lanza Laundromat, LLC, 418 Lanza Avenue has filed an application for a laundromat license for the year 2009, and
WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,
NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to, Lanza Laundromat, for the year 2009.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-126

A Resolution amending the date of a Scoping Session for a Green Acres Diversion Request from April 14, 2009 to April 27, 2009.
WHEREAS, the City of Garfield passed Resolution No. 09-111 on March 10, 2009, and;

RESOLUTIONS

WHEREAS, a 30 day notice of this diversion Scoping Session is required,
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the date of the Scoping Session is amended to April 27, 2009.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-127

RESOLUTION – AUTHORIZING CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the City Council previously determined that various improvements were required to Garfield Firehouse No. 2; and

WHEREAS, in connection with those improvements, professional architectural services were required; and

WHEREAS, the City Council previously retained the services of the architectural firm of Arcari & Iovino Architects, PC of Little Ferry, New Jersey for the purpose of performing architectural services on behalf of the City; and

WHEREAS, the City Council has now determined that the services of this firm should include work to be performed in connection with the improvements to Firehouse No. 2; and

WHEREAS, the City Manager solicited a quotation for these services and such quotation was received on or about July 23, 2008; and

WHEREAS, the City Manager has recommended the award of a Professional Services Contract in accordance with the July 23, 2008 proposal from Arcari & Iovino; and

WHEREAS, the Chief Financial Officer of the City of Garfield has certified that sufficient funds exist for this purpose; and

WHEREAS, this Contract is exempt from competitive bidding as it provides for professional services and, in addition, the amount of this Contract does not exceed the applicable bid threshold.

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. A Professional Services Contract be and is hereby awarded to Arcari & Iovino Architects, PC, 1 Katherine Street, Little Ferry, New Jersey 07643;
2. This Contract shall be for various improvements to Firehouse No. 2 and shall be in accordance with the written proposal and quotation submitted by letter dated July 23, 2008;
3. The amount of this Contract shall be in an amount not to exceed \$16,000.00 and the City Manager is hereby authorized and directed to execute any and all invoices, vouchers, and contracts which may be necessary in order to facilitate this agreement.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the City Manager, the City Attorney, Arcari & Iovino Architects, PC and the office of the Chief Financial Officer.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-128

A Resolution Authorizing the City Engineer to Provide Engineering Services in Connection with the Improvement of Wells 8 and 14 as well as the Hydrogeologic Evaluation for the Elmwood Park Wellfield within the City of Garfield

WHEREAS, Water Capital Bond Ordinance 2544 authorized certain contracts to proceed in connection with the improvement of Wells 8 and 14 and a hydrogeologic wellfield evaluation for the other wells within the Elmwood Park Wellfield, and;

WHEREAS, the City Engineer provided a breakdown of construction and engineering expenses prior to the adoption of Bond Ordinance 2544,

NOW THEREFORE BE IT RESOLVED the City Engineer is hereby authorized to perform those professional services in accordance with the breakdowns provided and correspondence dated January 23, 2009 for fee not to exceed \$30,000.00.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

RESOLUTIONS

Resolution No. 09-129

WHEREAS, The Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program. NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City of Garfield hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2008 in the amount of \$36,907.68. Documentation supporting this submission is available at 111 Outwater Lane, Garfield, NJ 07026 and shall be maintained for no less than five years from this date.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-130

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 3 IN CONNECTION WITH THE WATER WORKS PHASE I IMPROVEMENT PROJECT WITHIN THE CITY OF GARFIELD NOW THEREFORE BE IT RESOLVED Change Order No. 3 is hereby authorized by the Mayor and Council of the City of Garfield.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-131

A Resolution Authorizing Payment to APS Contractors, Inc. in Connection with an Emergency Water Break within the Elmwood Park Wellfield within the City of Garfield

WHEREAS, an emergency water break occurred during the week of March 9, 2009, and;

WHEREAS, APS Contractors, Inc. provided emergency repair services,

NOW THEREFORE BE IT RESOLVED APS Contractors, Inc. is hereby authorized payment in the lump sum amount of \$10,500.00.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-132

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE APPLICATION FORMS IN CONNECTION WITH THE STATE OF NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM FOR THE 2009 NJEIT WATER SYSTEM IMPROVEMENT PROJECT WITHIN THE CITY OF GARFIELD

WHEREAS, Resolution 09-53 of the City of Garfield authorizes the City Engineer to prepare the requisite commitment form planning documents and design drawings in connection with an application to the NJEIT, and;

WHEREAS, this Resolution did not specifically identify a dollar amount for this authorization, and;

NOW THEREFORE BE IT RESOLVED the City Engineer is hereby authorized to prepare the requisite documents consistent with the requirements of the NJEIT for an amount not to exceed \$30,000.00.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

RESOLUTIONS

Resolution No. 09 –133

A Resolution Authorizing the City Engineer to Prepare Application Forms in Connection with the State of New Jersey Environmental Infrastructure Financing Program for the 2009 NJEIT Sanitary Sewer Improvement Project within the City of Garfield

WHEREAS, Resolution 09-55 of the City of Garfield authorizes the City Engineer to prepare the requisite commitment form planning documents and design drawings in connection with an application to the NJEIT, and;

WHEREAS, this Resolution did not specifically identify a dollar amount for this authorization, and;
NOW THEREFORE BE IT RESOLVED the City Engineer is hereby authorized to prepare the requisite documents consistent with the requirements of the NJEIT for an amount not to exceed \$30,000.00.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-134

RESOLVED by the Mayor and Council of the City of Garfield that the City proceed with the issuance of a Purchase Order for the ADA Compliance/Bergen County Road Resurfacing Program:

GENERAL CONSTRUCTION:

County Directive for ADA
Compliance impact on the River
Drive Road Improvements

ENGINEER:

Boswell McClave Engineering

CONTRACTOR:

Concrete Construction
P.O. Box 4063
South Hackensack, NJ 07606

CONTRACT COST:

\$48,000.00

WHEREAS, River Drive is a Bergen County Roadway; and,

WHEREAS, the County requires all county roads to be ADA compliant and will finance the work associated with the County Directive for ADA Compliance; and,

WHEREAS, the City is required to certify that road is compliant to ADA ramps at curb cuts; and,

WHEREAS, the contractor requires a Purchase Order from the City for payment and for submission to the County in order for the City to be reimbursed by the County; and,

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the City of Garfield; and,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City prepare a Purchase Order in the amount of \$48,000.00 to be paid to Concrete Construction; and,

BE IT FURTHER RESOLVED that the City submit the Purchase Order to the County of Bergen for reimbursement.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No.09-135

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:

RESOLUTIONS

	Appropriation Reserves From:	Appropriation Reserves To:
General Administration S&W	24,646.77	
City Clerk S&W	7,630.49	
Tax Assessor S&W	830.40	
City Attorney S&W	585.18	
UCC Enforcement S&W	52,127.01	
Housing Inspection S&W	27,474.81	
Buildings and Grounds S&W	1,282.25	
DPW S&W		114,576.91
Recreation S&W	2,000.00	
Recycling S&W		2,000.00
General Administration O&E	5,000.00	
Recreation O&E		5,000.00
Finance O&E	5,000.00	
Municipal Court O&E		5,000.00

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 09-136

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover an Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from Pan Graphics, Inc. of 45 Hartmann Avenue, Garfield, NJ 07026 for B147.01/L5 in the City of Garfield in the amount of \$2,500.00 for said Street Opening Bond on 02/20/09, said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

NOW THEREFORE BE IT RESOLVED BY THE City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

BILLS AND CLAIMS

Resolution No. 09-137

RESOLVED by the City Council of the City of Garfield that the following bills No. 1294 covering Trust Other totaling \$17,743.12 and Current Fund Reserve totaling \$29,042.33 and Current Fund totaling \$419,211.38 and Water Fund totaling \$117,895.02 and Water Capital totaling \$59,351.01 and General Capital totaling \$31,924.83 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 twenty (20) items prior to the meeting be ratified.

See the following

pages numbered 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373

For Bills and Claims

ORDINANCES

Councilmember Delaney introduced in writing the following ordinance entitled:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
CALENDAR YEAR 2009 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A-4-45.14)

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this entitled ordinance: "CITY OF GARFIELD BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)" do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held on April 14, 2009 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing in the Garfield Messenger, at least seven days prior to the hearing.

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

Councilmember Moskal introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 272 OF
THE CODE OF THE CITY OF GARFIELD
ENTITLED "SIGNS"

City Clerk Pavlica read the ordinance by title.

Councilmember Moskal moved that this entitled ordinance: "AN ORDINANCE TO AMEND CHAPTER 272 OF THE CODE OF THE CITY OF GARFIELD ENTITLED "SIGNS" 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 April 14, 2009 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing in the Garfield Messenger, 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 5

CITIZENS AND TAXPAYERS

Mr. Ignatius Tripodi, 155 Malcolm Avenue, asked questions concerning the 2009 Municipal Budget.

Mr. Marc Hynes, 104 DeWitt Street, made property maintenance complaints concerning the property located at 113 Dewitt Street.

Mr. Richard Derrig, 71 Herman Street, spoke on his formation of the "Garfield Volunteer Graffiti Task Force" to get a better handle of this quality of life issue.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that she loves community involvement and said that she hopes Mr. Derrig is successful in his efforts. She thanked Mrs. Aloia for caring and being a true representative of the children and crossing guards. She commented on the capture and arrest by Clifton Police of Maria Cruz and Leon Rene, known as "Bonnie and Clyde" throughout the area, because of their alleged armed robbery spree in Garfield and in Passaic County. She spoke on this past Sunday's Women's Club Dinner at which they made donations to non-profit organizations including the Garfield Boys and Girls Club, Loaves and Fishes Interfaith Food Pantry, the DARE Program, the Relay for Life Cancer Prevention Fundraising Event, and other organizations.

Councilmember Delaney praised Rosemarie Aloia for her hand-held electronic stop sign donation and said that any time an individual wants to help out the City for a good cause that they deserve praise. He spoke on events for good causes in town including the Women's Club Dinner, this past Sunday's Rotary Pancake Breakfast, Project Graduation's Fashion Show to be held tomorrow night, and the proposed SK Race Fundraiser on May 31st to benefit Project Graduation and the Garfield YMCA. He commented that Garfield was awarded the most Community Development Block Grants this year as compared to other municipalities in the Southwest Region of Bergen County.

Councilmember Aloia spoke on his wife's donation of hand-held electronic stop signs for Crossing Guards. He said that Mr. Derrig's community involvement merits compliments. He spoke on upcoming fundraising events held or scheduled to be held by the Women's Club, Project Graduation, the Garfield Boys and Girls Club, the Freddie Porter Memorial Scholarship Dinner, the Fire Company No. Three Fish and Chips Dinner, the Little League Beefsteak and other events and organizations doing a lot of good in the City of Garfield, which is a compliment to the town. He spoke on the issue of illegal apartments.

Deputy Mayor Moskal said that it is encouraging as we go through tough economic times that non-profit fundraising events continue in the City of Garfield. He complimented Richard Derrig and Rosemarie Aloia on their support of the community. He spoke on the 2009 Municipal Budget.

Mayor Calandriello said that City Judge Charles Daglian and City Prosecutor Joseph Giammanco are doing tremendous jobs. He spoke on the Municipal Court collecting \$180,000.00 in fines for illegal apartment convictions. He spoke on the \$5,000.00 reward posted for the arrest and conviction of the persons responsible for the murder that occurred in January in a delicatessen near the intersection of Mac Arthur Avenue and Elizabeth Street.

SHORT RECESS, CHANGE OF VENUE AND RETURN TO ORDER

At 9:45 PM, a short recess was called to move the meeting down the hall to the second floor Conference Room. At 9:55 PM, Mayor Calandriello again called the meeting to order and all City Officials were present as before the recess. Superintendent of Public Works, Sam Garofalo and Recreation Director Anthony Furfaro were both also present. It was duly noted for the record.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The cost of the City Easter Egg Hunt to be held Saturday, April 4, 2009 at Twentieth Century Field.
2. Proposed raises for Superintendent of Public Works Sam Garofalo, Recreation Director Anthony Furfaro and Water Superintendent Michael Sferruzzo.
3. The Water Line Break that happened yesterday on Madeline Avenue.

REPORTS OF OFFICERS

4. This week's schedule of upcoming non-profit events to be held in town.
5. The Elmwood Park Well Field Rehabilitation of Wells No. 8 and No. 14.
6. The meeting that was held with School Officials concerning the railroad spur that crosses Ray Street, crosses the Board of Education Property, and enters the industrial and business facility at 141 Lanza Avenue. It appears that the Board of Education owns the railroad property at the Early Childhood Education Center.
7. The occasional attendance, by Building Inspector Frederick Krowl, of Planning Board Meetings, when necessary.
8. The Oak Street Water Line repair bill of approximately \$16,000.00 submitted by Zucarro and Sons Construction.
9. The State has advised that the City has been awarded \$29,499.70 in 2009 Clean Communities funding.
10. The sample log of daily DPW assignments provided by Superintendent of Public Works Sam Garofalo.
11. The State Community Forestry Program has awarded the City approximately \$25,000.00 worth of trees which will be planted along Semel Avenue and some other streets and a Photo Op will be scheduled during the Spring.
12. The Bergen County Americans with Disabilities Act Ramp Project to install handicapped accessible curbing on Midland Avenue at Dahnert's Lake, the Library and the Garfield Boys and Girls Club.
13. Joseph Cosentino of the Removal Assessment and Enforcement Section of the Removal Action Branch of the Environmental Protection Agency Region II gave him a quick update of the Garfield Chromium Contaminated Groundwater Site in connection with the spill from EC Electroplating on Clark Street during the early 1980's. He reported that the initial study area contained 669 properties and to date, 186 homes have been identified with water filtration issues and all have been visually inspected, photographed and access agreements signed by the property owners. Of these, 158 have been selected as potential sampling candidates and an additional five (5) as control samples. To date, 157 properties have been sampled, yielding 697 individual samples for analysis and analysis will include total and hexavalent chromium, total metals and volatile organic compounds. The sampling results (preliminary) are due in twenty-eight days with validated data coming in another four to six weeks and the EPA will evaluate the data and determine if conditions found present a significant health risk.
14. The daily gross payroll for the City of Garfield is \$32,641.55.
15. He has changed the floor mat cleaning service in City Hall from every two week to once per month.
16. His audit of Cellular Telephone Bills revealed that multiple phones were assigned to several employees with dual titles, so the excess telephones were reclaimed.
17. He is attempting to secure quotes for cleaning services for the Health Department, Recreation Center, City Hall, the Police Station and the Police Shooting Range in an effort to save money.
18. He and Interim Chief Financial Officer Roy Riggiano are researching how to lower salary costs in regard to the Crossing Guard program and the payment method utilized by the Borough of Elmwood Park is being considered.

REPORTS OF OFFICERS

19. A dispute between the City and the Bel Wood Court Condominiums located at 233 Midland Avenue involving the maintenance and upkeep of garbage dumpsters has been resolved.
20. The contract executed between the City and the Mid-Bergen Regional Health Commission for Public Health Priority Funding for the year 2008.
21. The subpoena issued to Health Inspector Frank Bland for records in the Baroutoglow, et. al. vs. Assante Lawsuit.
22. The public hearing on the 2009-2010 School Budget is scheduled to be held Tuesday, April 14, 2009.
23. The City has received correspondence in the Interstate Waste Services of New Jersey, Inc., et. als. vs. Scuffy Carting, LLC, et. als. Lawsuit which has been forwarded to the School System because the School System utilizes Scuffy Carting, not the City.
24. The new Client Service Manager for QualCare is Donna Setzer, who has succeeded Susan Burek.
25. Kathy Bradshaw, who has applied for a handicapped parking space at 70 Main Street, has written an objection to the denial of her request.
26. The City has received a check in the amount of \$5,895.15 from Sewer Connection Fees in connection with the Passaic Valley Sewerage Commission Municipal Rebate Incentive Program.
27. In connection with the Newark Bay Litigation NJDEP et. al. vs. Occidental Chemical Corp., et. al., involving municipalities bordering on the Lower Passaic River, City Clerk Pavlica has been searching and identifying prior Liability Insurance Policies for the Environmental Joint Insurance Fund to defend the City of Garfield.
28. The salary of Affirmative Action Officer Edward Buist has been reduced from \$5,000.00 per year, to \$1,200 per year.
29. Mariggi Lopez has appealed her termination as a Police Officer to the Merit System Board.
30. The need for enforcement of Alternate Side of the Street Parking ordinances in the City of Garfield.
31. The damage done to the artificial turf field in Belmont Oval located off Spring Street where a fire was started on the turf with the use of an accelerant. Surveillance cameras will be installed in the park and smoking will be prohibited in the park.
32. Traffic hardships being experienced at School No. 4 and School No. 10 with parents dropping off and picking up their children.
33. Soccer Leagues have complained to Recreation Director Anthony Furfaro concerning scheduling and lack of sufficient access to the City Soccer Fields.
34. The City Redevelopment Agency was supposed to be self-sufficient at this time and the question of whether the City still needs to appropriate \$50,000.00 in the 2009 Municipal Budget to the Redevelopment Agency.
35. The meeting he had on March 11th in the City Hall Conference Room with neighbors, City Officials and representatives of the Wisla Center located at 73 Main Street.
36. The Grand Opening of the new hall at the Venetian Restaurant located at 546 River Drive is scheduled to be held Monday, May 11th.

REPORTS OF OFFICERS

37. The yearly City allocation to non-profit organizations in the City of Garfield.
38. Alleged excessive billing by United Computer for support of the City computer system.
39. The meeting he is scheduled to have on Friday, April 3, 2009 with Bergen County Administrator Robert E. Laux concerning the Scoping Hearing for the Passaic River Parks and the widening of River Drive.

CLOSED SESSION

Resolution No. 09-138

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 11:05 PM on Tuesday, March 24, 2009, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Representation by Attorney Emil Cuccio for negotiations for City Cable TV franchise renewal agreement with Cablevision).
- * 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; (Salary enhancement for Superintendent of Public Works Sam Garofalo, Water Superintendent Michael Sferruzzo and Recreation Director Anthony Furfaro; questions about the need for overtime in the Finance Office and proposed salary enhancements for employees in the Finance Office).

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 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

ADJOURMENT

After the City Council came out of Closed Session at 11:15 PM, there being no further business, Councilmember Raymond moved to adjourn the Closed Session. Councilmember Moskal duly seconded the motion.

On call of roll, Ayes 5

