

A Regular Meeting of the City Council was held Tuesday, April 28, 2009 at 8:35 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, Stanley J. Moskal and Frank J. Calandriello
Councilmembers Absent: Louis G. Aloia
Also Present: City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo and City Engineer Representative Bernard Mirandi (for 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 Delaney duly seconded the motion.

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

RESOLUTIONS

Resolution No. 09-161

WHEREAS, the Garfield Boys & Girls Club Buddy Basketball Senior Division New Avenue Caterers Basketball Team have completed back to back Undefeated Seasons, going 22-0, in the process, and

WHEREAS, the team is comprised of Xavier Carey, Elijah Walker, Christopher Walsh, Dylan Rockford, Timothy Velez, David Dolci, Nedzad Bakic, Kyle Delahanty, Angel Quiles, Luke Velez and Josh Scicchitano under the direction of their Outstanding Coaches Vic Parenti, Jack LoBue and Anthony Longarzo; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the New Avenue Caterers Basketball Team,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the New Avenue Caterers Basketball Team on their undefeated 2008 and 2009 seasons.

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

(Sgd) Frank J. Calandriello
Stanley J. Moskal

At this time CERTIFIED copies of Resolution No. 09-161 were presented to the members and coaches of the New Avenue Caterers Basketball Team.

EXIT OF COUNCILMEMBER DELANEY

At 8:40 PM Councilmember Delaney left the meeting and it was duly noted for the record.

RESOLUTIONS

Resolution No. 09-162

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Dennis Hilliard of 227 Pierre Avenue, as an active member, effective April 7, 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 3, Absent 2 -
Councilmembers Aloia and Delaney

(Sgd) Stanley J. Moskal
Frank J. Calandriello

RESOLUTIONS

Resolution No. 09-163

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Grzegorz Kalata of 66 Belmont Avenue, as an active member, effective April 7, 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 3, Absent 2 -
Councilmembers Aloia and Delaney

(Sgd) Stanley J. Moskal
Frank J. Calandriello

Resolution No. 09-164

A Resolution Authorizing Payment to Zuccaro, Inc., In Connection With Oak Street Water System Emergency Leak Repair Within the City of Garfield

WHEREAS, a water main leak on Oak Street on February 6, 2009, and;
WHEREAS, Boswell McClave Engineering accepted bids on February 9, 2009, and;
WHEREAS, this project was awarded to the low bidder, Zuccaro, Inc., 64 Commerce Street, Garfield, New Jersey, to repair the utility, and;
WHEREAS, Zuccaro, Inc., performed this work in connection with the directive of officials from the City of February 10 and 11, 2009, and;
WHEREAS, an invoice in the amount of \$9,915.13 was submitted and reviewed with the City Engineer, and;
NOW THEREFORE BE IT RESOLVED, payment is hereby authorized to Zuccaro, Inc., in connection with the project and in accordance with the City Engineer's recommendation in the total amount of \$9,915.13.

On call of roll, Ayes 3, Absent 2 -
Councilmembers Aloia and Delaney

(Sgd) Stanley J. Moskal
Frank J. Calandriello

Resolution No. 09-165

WHEREAS, LoGrasso Builders, 110 E. Ridgewood Avenue, Paramus, NJ, has requested the release of the full amount of a Performance Bond being held for the property located at 517 River Drive in Garfield, NJ (Block 80 Lot 16) in the amount of \$36,600.00; and
WHEREAS, the City Engineer and other appropriate City Officials has authorized its release; and
NOW THEREFORE BE IT FURTHER RESOLVED that the aforementioned bond is hereby authorized for release.

On call of roll, Ayes 3, Absent 2 -
Councilmembers Aloia and Delaney

(Sgd) Stanley J. Moskal
Frank J. Calandriello

Resolution No. 09-166

Resolution: Establishing Amendment to Budget Appropriations for 2009
WHEREAS, N.J.S.A. 40A:4-19 provides that where contracts, commitments or payments are to be made prior to the adoption of the 2009 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided, and
WHEREAS, said total temporary appropriations are \$17,299,374.29 inclusive of said resolution.
NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that the following amendment of the following temporary appropriations, which are in addition to the temporary budget as of January 1, 2009, be made and a certified copy of this resolution be transmitted to the Borough Chief Financial Officer for his records.

General Government:	Temp #2
Administrative and Executive	
Salary and Wages	\$75,000.00
Other Expenses	\$ 8,000.00
Mayor and Council	
Salary and Wages	\$11,000.00

RESOLUTIONS

Clerks Office		
	Salary and Wages	\$50,000.00
	Other Expenses	\$15,000.00
Elections		
	Other Expenses	\$18,000.00
Financial Administration		
	Salary and Wages	\$60,000.00
	Annual Audit	\$10,000.00
	Other Expenses	\$20,000.00
	Other Expenses ADP Payroll Service	\$10,000.00
Tax Assessment		
	Salary and Wages	\$40,000.00
	Other Expenses	\$15,000.00
Revenue Administration		
	Salary Wages	\$41,000.00
	Other Expenses	\$ 9,000.00
Legal Services and Cost		
	Salary and Wages	\$34,000.00
	Other Expenses	\$ 7,000.00
Engineering Services and Cost		
	Salary and Wages	\$ 8,000.00
	Other Expenses	\$18,000.00
Public Buildings and Grounds		
	Salary and Wages	\$13,000.00
	Other Expenses	\$27,000.00
Municipal Land Use Law NJSA 40:55D-1 Planning Board		
	Salary and Wages	\$ 3,000.00
	Other Expenses	\$10,000.00
Zoning Board of Adjustment		
	Salary and Wages	\$ 4,000.00
	Other Expenses	\$ 4,000.00
Public Safety		
Fire		
	Other Expenses	\$90,000.00
Aid to Ambulance Corps		
	Salary and Wages	\$10,000.00
	Other Expenses	\$15,000.00
Police		
	Salary and Wages	\$2,000,000.00
	Other Expenses	\$80,000.00
	Pension Pursuant to R.S. 42:12	
	Reserve for Terminal Leave	
	Purchase of Police Cars	\$50,000.00
Uniform Fire Safety Inspection Act		

Regular Meeting April 28, 2009, Continued

RESOLUTIONS

Salary and Wages	\$50,000.00
Other Expenses	\$12,000.00
Streets and Roads	
Road Repairs and Maintenance	
Salary and Wages	\$ 300,000.00
Other Expenses	\$ 80,000.00
Snow Removal	\$ 6,000.00
Emergency Management Services	
Salary and Wages	\$ 1,000.00
Other Expenses	\$ 5,000.00
Health and Welfare	
Salary and Wages	\$ 80,000.00
Other Expenses	\$ 11,000.00
Health Officer	
Other Expenses	\$ 10,000.00
Recreation and Education	
Salary and Wages	\$170,000.00
Other Expenses	\$ 60,000.00
Memorial Day Committee	
Other Expenses	
Celebration of Public Events	
Other Expenses	\$ 15,000.00
Housing Inspection	
Salary and Wages	\$ 25,000.00
Other Expenses	\$ 5,000.00
Recycling Program	
Salary and Wages	\$ 17,000.00
Other Expenses	\$ 3,000.00
Garbage & Trash Removal	
Other Expenses	\$ 600,000.00
Animal Control	
Other Expenses	\$ 12,000.00
Municipal Court	
Salary and Wages	\$ 75,000.00
Other Expenses	\$ 11,000.00
Public Defender PL 1997 c. 256	
Salary and Wages	\$ 1,500.00
Prosecutor	
Salary and Wages	\$ 12,000.00
Insurances	

Regular Meeting April 28, 2009, Continued

RESOLUTIONS

General Liability	\$ 300,000.00
Group Insurance Plan for Employees	\$ 800,000.00
Contribution to Redevelopment Agency	\$ 12,000.00
Uniform Construction Code Officials	
Salary and Wages	\$ 50,000.00
Other Expenses	\$ 6,000.00
Unclassified	
Electric	\$ 95,000.00
Street Lighting	\$ 51,000.00
Telephone	\$ 30,000.00
Gasoline	\$ 55,000.00
Total Operations within Caps	<u>\$5,716,500.00</u>
Contingent	
Total Operations including Contingent	<u>\$5,716,500.00</u>
Detail S & W	
Other	
Deferred Charges and Statutory Expenses	
Overexpenditure Ordinance	
Overexpenditure Appropriation Reserves	
Social Security Expenses	\$120,000.00
Consolidated Police and Firemens Pension Fund	
Pension Adjustment Fund	
Unemployment	
Total Deferred Charges	<u>\$120,000.00</u>
Total General Appropriations within Cap	<u>\$5,836,500.00</u>
Operations Excluded from Cap	
Passaic Valley Sewer Commission	\$450,000.00
Maintenance of Free Public Library	
Salary and Wages	
Other Expenses	\$200,000.00
Insurance:	
General Liability	
Group Insurance Plan for Employees	
Jif Settlement	
LOSAP	
Police and Firemens Retirement System of NJ	\$396,455.40
Public Employees Retirement System	\$134,292.42
Redevelopment Agency Contribution	
Total Other Operations excluded from Caps	<u>\$1,180,747.82</u>

RESOLUTIONS

Total Interlocal Service Agreement	<u>0.00</u>
Public and Private Programs Offset by Revenues	
Board of Health Priority Health Funding	
Other Expenses	
Assistance to Firefighters Grant	
Recycling Tonnage Grant	
Secure our Schools	
Local Share Match	
200 Club	
Clean Communities Grant	
Juvenile Justice Block Grant	
Municipal Alliance on Alcohol and Drug Abuse Grant	
State Share	
Local Share	
Enhance 911 Grant	
Hazardous Discharge site Remediation	
Cool Cities/Tree Grant	
Adolescent Health Grant	
Municipal Recycling Assistance Program BCUA	
Emergency Management Grant	
Click it Tickit It	
You Drink You drive you lose	
Body Armor Grant	
Alcohol Education and Rehabilitation Fund	
Hepatitis B	
Safe Routes to Schools	
Total Private Programs	<u>0.00</u>
Total Operations from Caps	<u>\$1,180,747.82</u>
Down Payments of Improvements	
Capital Improvement Fund	\$ 20,000.00
Total Improvements	<u>\$ 20,000.00</u>
Municipal Debt Service	
Payment of Bond Principal	
Payment of Bond Anticipation Notes and Capital notes	
Interest of Bonds	
Interest on Notes	
Green Trust Loan Program	
Repayment of Refunding Bond Ordinance	
Total Municipal Debt Excluded from Caps	<u>0.00</u>
Deferred Charges	
Special Emergency	
Cancel General Fund Grants Receivable	
Total Appropriations from Cap	\$1,200,747.82
Total General Appropriations	<u>\$7,037,247.82</u>
Reserve for Uncollected Taxes	

RESOLUTIONS

Total General Appropriations Current Fund	\$7,037,247.82
Water Utility Revenues	
Rents	
Additional Water Rents	
Total Revenues	
Operating	
Salary and Wages	\$100,000.00
Other Expenses	\$400,000.00
Employees Group Insurance	\$ 40,000.00
Capital Improvement Fund	
Debt Service	
Payment of Bond Principal	\$ 10,000.00
Interest on Bonds	\$ 13,000.00
Payment of Bond Anticipation Notes	
Interest on Notes	\$ 5,000.00
Loan Repayment 1981 Water Supply Fund	\$ 40,000.00
Loan Repayment 2004 Elt Loan	\$200,000.00
Deferred Charges	
Emergency Authorization	
Overexpenditure of Ordinance	
Statutory Expenditures	
Contribution to Public Employees Retirement System	\$ 10,000.00
Social Security System	
Unemployment Insurance	
Total Appropriations	<u>818,000.00</u>

BILLS AND CLAIMS

Resolution No. 09-167

RESOLVED by the City Council of the City of Garfield that the following bill No. 1301 to 1310 covering Trust Other and Dog Trust totaling \$35,983.35 and Current Fund Reserve totaling \$68.53 and Current Fund totaling \$1,360,682.02 and Water Fund totaling \$111,014.43, Water Capital totaling \$184.98 and General Capital totaling \$5,965.50 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 fourteen (18) items prior to the meeting be ratified.

See the following

pages numbered 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531

For Bills and Claims

ORDINANCES

Ordinance No. 2550

The following entitled ordinance was introduced at a Regular Meeting held April 14, 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:

ORDINANCE TO AMEND THE CODE OF
THE CITY OF GARFIELD TO ADD A CHAPTER ENTITLED
“SMOKING ON CITY PROPERTY AND IN PUBLIC BUILDINGS”

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 none, 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 Calandriello duly seconded the motion.

On call of roll, Ayes 3, Absent 2 –
Councilmembers Aloia and Delaney

Councilmember Moskal introduced in writing the following ordinance entitled:

“CAPITAL ORDINANCE OF THE CITY OF GARFIELD,
IN THE COUNTY OF BERGEN, NEW JERSEY
AUTHORIZING THE UNDERTAKING OF THE HISTORIC DUNDEE DAM
PARK AND BIKEWAY IMPROVEMENT PROJECT (PHASE II) IN, BY AND FOR THE CITY,
APPROPRIATING THEREFOR THE SUM OF \$1,000,000 AND PROVIDING THAT SUCH
SUM SO APPROPRIATED SHALL BE RAISED FROM VARIOUS GRANTS”

City Clerk Pavlica read the ordinance by title.

Councilmember Moskal moved that this entitled ordinance: “CAPITAL ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING THE UNDERTAKING OF THE HISTORIC DUNDEE DAM PARK AND BIKEWAY IMPROVEMENT PROJECT (PHASE II) IN, BY AND FOR THE CITY, APPROPRIATING THEREFOR THE SUM OF \$1,000,000 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM VARIOUS GRANTS” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held on May 12, 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 Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 3, Absent 2 – Councilmembers Aloia and Delaney

CITIZENS AND TAXPAYERS

Mr. Anthony Molinaro, 53 Emanuel Street and 75 Monroe Street, complained about property maintenance issues concerning his next door neighbors at the corner of Palisade Avenue and Monroe Street.

Ms. Laura Danis, 33 Spring Street, commented on the nice paint job in the Council Chamber. She objected to a State Little League Tournament being held in her neighborhood this summer. She questioned the estimated cost for overtime for the police.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that in regard to the Little League State Championship, the Garfield Little League is paying for the security and that it is an honor for the City of Garfield to host this event.

Deputy Mayor Moskal spoke on the Relay for Life Cancer Prevention fundraiser to be held in Twentieth Century Field in June. He spoke on the Boilermaker 5K Race to be held Sunday, May 31st to benefit Project Graduation and the Garfield YMCA.

Mayor Calandriello spoke on the Little League and the meetings that have been held regarding closing the street in consideration of residents and keeping the neighborhood for the residents by busing spectators. He said that this is a lifetime opportunity and in other towns the event has gone well. He said that the Police are looking to see what can be done to make this event a success for all involved and some good people are working on it. He said that it is not costing the City any money and that the Little League is paying for security. He commented that the United States Army is celebrating their anniversary and to commemorate, the City will display the Army flag on the flag pole in front of City Hall.

ADJOURMENT

At 9:00 PM, there being no further business, Councilmember Raymond moved to adjourn the meeting. Councilmember Moskal duly seconded the motion.

On call of roll, Ayes 3, Absent 2 –
Councilmembers Delaney and Aloia

