

A Regular Meeting of the City Council was held Tuesday, June 23, 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, Louis G. Aloia and Frank J. Calandriello

Councilmembers Absent: Stanley J. Moskal

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Kevin J. Boswell, Interim Chief Financial Officer Roy Riggitano and Police Chief Kevin Amos

REPORTS OF OFFICERS

Councilmember Aloia 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 Moskal

RESOLUTIONS

Resolution No. 09-216

RESOLVED by the City Council of the City of Garfield that the City Clerk is hereby authorized to issue the following licenses for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

PLENARY RETAIL CONSUMPTION LICENSES

License No.	0221-33-049-005	Chen Yue Zxiang t/a Nice Food Restaurant 237 Palisade Avenue
	0221-33-060-003	Sportsman Tavern Inc. t/a Sportsman Tavern 245 Outwater Lane

PLENARY RETAIL DISTRIBUTION LICENSES

	0221-44-029-005	Luva Inc. t/a Whooppee Liquor & Soda Store 194 Van Winkle Avenue
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BE IT FURTHER RESOLVED that the foregoing renewals are granted on the condition that said renewal shall not constitute approval of anything at variance with the records of the City Council or any person-person transfer or change of corporate structure approved prior to the passage of this resolution.

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

(Sgd) Tana M. Raymond
Joseph Delaney

RESOLUTIONS

Resolution No. 09-217

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License No. 0221-33-049-005, from Yue Xiang Chen, t/a Sun Food Kitchen, 237 Palisade Avenue, Garfield, New Jersey, to Ever Wide Inc., (Pan Shoushian, 3694 Kennedy Blvd., Jersey City, NJ 07307 who will own 100% of the shares of the Corporation) t/a Ever Wide Inc, and WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid , and the license has been properly renewed for the current license term, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business, and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing, and

WHEREAS, a "Tax Clearance - Transfer Certificate" has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective July 14, 2009, the transfer of the aforesaid Plenary Retail Consumption License, Ever Wide Inc., (Pan Shoushian, 3694 Kennedy Blvd., Jersey City, NJ 07307 who will own 100% of the shares of the Corporation) t/a Ever Wide Inc. and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Ever Wide Inc., effective July 14, 2009."

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, D.J. or Karaoke, live entertainment or discotheque be used in connection with this license; (A fee of \$75.00 was collected for the City of Garfield and \$200.00 was collected for the State of New Jersey in connection with the license transfer).

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

(Sgd) Joseph Delaney
Louis G. Aloia

Resolution No. 09-218

WHEREAS, the Garfield High School Academic Hall of Fame Committee has proudly announced their inductees into the Hall of Fame for 2009, and

WHEREAS, the inductees were selected with extensive consideration of the highest standards of academic excellence and success exhibited over the years by the inductees, and

WHEREAS, by their high quality standard of performance, they have brought honor and pride, not only to themselves, but to the entire educational and civic community, and

WHEREAS, the Induction Ceremony was held on Thursday, June 18, 2009 from 4-6:30 PM at The Royal Manor located at 454 Midland Avenue in Garfield,

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 Academic Hall of Fame:

John Gall, Carl Panzera,
Marc Pichierri, Robert Rigoliosi,
Louis Vita, Kevin Wudecki

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

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 09-219

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Tiago Patusco of 44 Spencer Place, as an active member, effective June 2, 2009.

RESOLUTIONS

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 4,
Absent 1 – Councilmember Moskal

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-220

WHEREAS, Maryann Rotondi, 211 Cambridge Avenue, who is the holder of a Disabled Person I.D. Card No. P911272, has filed application for a handicapped parking sign to be placed at her address, and

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

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking” located on the west curb line of Cambridge Ave commencing 75 feet south of the intersection of Cambridge Ave & Van Winkle Ave and an additional 25 south from that point.

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

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-221

WHEREAS, Cross Yoler, 82 Cedar Street, who is the holder of a Disabled Person I.D. Card No. P899788, has filed application for a handicapped parking sign to be placed at her address, and

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

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking” located on the east curb line of Cedar Street commencing 125 feet north of the intersection of Cedar Street & Belmont Avenue and an additional 25 north from that point.

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

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-222

A RESOLUTION APPOINTING A MUNICIPAL REPRESENTATIVE TO BE PART OF THE OPEN SPACE TRUST MUNICIPAL PROGRAM REGIONAL COMMITTEE

WHEREAS, the City of Garfield has entered into a Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act NJSA 40A:8A-1 et seq. to participate in the Bergen County Open Space, Recreation Farmland and Historic Trust Fund; and

WHEREAS, said Agreement requires that one municipal representative be appointed by the governing body of the community to be part of the Open Space Trust Municipal Park Improvement and Land Acquisition Program Regional Committee for the term of one year coinciding with fiscal year July 1, 2009 through June 30, 2010; and

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Garfield hereby appoints City Manager Thomas J. Duch as its representative to participate on the Open Space Trust Municipal Program Regional Committee.

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

(Sgd) Joseph Delaney
Louis G. Aloia

RESOLUTIONS

Resolution No. 09-223

A RESOLUTION ENDORCING THE FILING OF A BERGEN COUNTY OPEN SPACE TRUST FUND GRANT APPLICATION IN CONNECTION WITH THE 20TH CENTURY FIELD IMPROVEMENTS.

WHEREAS, a Bergen County Open Space Trust Fund application in the amount of \$600,000.00 has been proposed by the Mayor and Council for the 20th Century Field Improvements in the municipality of the City of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

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

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 the Governing Body of the City of Garfield is committed to providing a dollar for dollar cash match for the project; and

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

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-224

A RESOLUTION ENDORSING THE FILING OF A BERGEN COUNTY OPEN SPACE TRUST FUND GRANT APPLICATION IN CONNECTION WITH THE RIVER DRIVE PARK IMPROVEMENTS.

WHEREAS, a Bergen County Open Space Trust Fund application in the amount of \$600,000.00 has been proposed by the Mayor and Council for the River Drive Park Improvements in the municipality of the City of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

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

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 the Governing Body of the City of Garfield is committed to providing a dollar for dollar cash match for the project; and

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

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-225

BE IT RESOLVED, that the Mayor and Council of the City of Garfield wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$320,000.00 in 2009 Community Development Block Grant funds for Palisade Avenue Improvements, Garfield, New Jersey; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Thomas J. Duch to be a signatory to the aforesaid grant agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes Thomas J. Duch to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the City of Garfield is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Mayor and Council is in accordance with HUD requirements.

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

(Sgd) Tana M. Raymond
Joseph Delaney

RESOLUTIONS

Resolution No. 09-226

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Violet Sova, 126 Banta Avenue, Garfield, New Jersey 07026 in the amount of \$394.10 for Engineering fees on 01/07/02 and \$16.16 for Attorney fees on 01/07/02, for a total of \$410.26, said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-227

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Melchiorre and Rosa Lo Bue, 33 Washington Place, Garfield, New Jersey 07026 in the amount of \$285.50 for Engineering fees on 04/11/03 and \$00.00 for Attorney fees for a total of \$285.50, said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-228

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Eric Grosseibl, 53 Schley Street, Garfield, New Jersey 07026 in the amount of \$157.50 for Engineering fees on 05/02/03 and \$350.00 for Attorney fees on 05/02/03, for a total of \$507.50, said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-229

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Simin, Ed/Andryall, LLC, 23 Columbus Avenue, Garfield, New Jersey 07026 in the amount of \$210.00 for Engineering fees on 06/06/03 and \$350.00 for Attorney fees on 06/06/03, for a total of \$560.00, said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

RESOLUTIONS

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-230

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Maria Kulig, 259 Division Avenue, Garfield, New Jersey 07026 in the amount of \$00.00 for Engineering fees and \$350.00 for Attorney fees on 06/20/03, for a total of \$350.00, said funds are being held in the Developer's Escrow Fund, and
WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-231

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Gjorji Coleski, 128 Jewell Street, Garfield, New Jersey 07026 in the amount of \$750.00 for Engineering fees on 05/05/04 and \$375.00 for Attorney fees on 05/05/04, for a total of \$1,125.00, said funds are being held in the Developer's Escrow Fund, and
WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-232

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Esma and Aisa Sujkovic, 256 Lincoln Place Avenue, Garfield, New Jersey 07026 in the amount of \$82.75 for Engineering fees on 09/03/02 and \$500.00 for Attorney fees on 09/03/02, for a total of \$582.75, said funds are being held in the Developer's Escrow Fund, and
WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-233

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and
WHEREAS, deposits have been received from Luis Adamez, 88 Semel Avenue, Garfield, New Jersey 07026 in the amount of \$317.00 for Engineering fees on 03/30/05 and \$500.00 for Attorney fees on 03/30/05, for a total of \$817.00, said funds are being held in the Developer's Escrow Fund, and
WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-234

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, deposits have been received from Jack and Barbara Inserra, 94 Sussex Road, Washington Twp, New Jersey 07676 in the amount of \$248.50 for Engineering fees on 11/06/02 and \$00.00 for Attorney fees, for a total of \$248.50, said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-235

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, deposits have been received from Vlado and Spasia Stoeski, 171 Jewell Street, Garfield, New Jersey 07026 in the amount of \$86.00 for Engineering fees on 03/17/06 and \$126.25 for Attorney fees on 03/17/06, for a total of \$212.25, said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-236

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, deposits have been received from Solanki Shantilal, 79 Davison Street, Garfield, New Jersey 07026 in the amount of \$00.00 for Engineering fees and \$20.05 for Attorney fees on 08/04/05, for a total of \$20.05, said funds are being held in the Developer's Escrow Fund, and

WHEREAS, the Chief Financial Officer has investigated these deposits 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, Bergen County, New Jersey that these monies be refunded to the above named claimant.

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

(Sgd) Tana M. Raymond
Joseph Delaney

Resolution No. 09-237

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY
MAYOR

WHEREAS, pursuant to Local Ordinance, Stanley J. Moskal, was appointed Deputy Mayor for the City of Garfield; and

RESOLUTIONS

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and WHEREAS, on Sunday, July 5, 2009, it will be necessary and appropriate to temporarily appoint Tana Raymond as Deputy Mayor for the City of Garfield in order to perform a Civil Union Ceremony.

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

1. Councilwoman Tana Raymond be and is hereby appointed Deputy Mayor for the City of Garfield to perform a Civil Union on July 5, 2009.
2. This temporary appointment shall be solely for the purpose of performance of this ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremonies and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the Civil Union Ceremonies as described above.

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 Councilwoman Tana Raymond.

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

(Sgd) Joseph Delaney
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 09-238

RESOLVED by the City Council of the City of Garfield that the following bill No. 1320 covering Escrow Developers Trust Account totaling \$22,334.92 and Current Fund Reserve totaling \$1,034.33 and Current Fund totaling \$1,528,965.54 and Water Fund Current totaling \$401,638.99 and General Capital totaling \$1,852.50 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 (14) items prior to the meeting be ratified.

See

The

Following

Pages numbered _____

For

Bills

And

Claims

ORDINANCES

Ordinance No. 2555

The following entitled ordinance was introduced at a Regular Meeting held June 9, 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 AMEND CHAPTER 249
OF THE CODE OF THE CITY OF GARFIELD ENTILED
“RECYCLING”

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 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 Raymond duly seconded the motion.

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

Councilmember Raymond introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND, CHAPTER 325 OF THE
CODE OF THE CITY OF GARFIELD ENTITLED
“VEHICLES AND TRAFFIC”

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this entitled ordinance entitled: “AN ORDINANCE TO AMEND, CHAPTER 325 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “VEHICLES AND TRAFFIC”, 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 July 21, 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 4, Absent 1 – Councilmember Moskal

Councilmember Raymond introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND, CHAPTER 73 OF THE
CODE OF THE CITY OF GARFIELD AND, SPECIFICALLY,
TO AMEND SECTION 73-5 OF THE CODE

City Clerk Pavlica read the ordinance by title.

Councilmember Raymond moved that this entitled ordinance entitled: “AN ORDINANCE TO AMEND, CHAPTER 73 OF THE CODE OF THE CITY OF GARFIELD AND SPECIFICALLY,

ORDINANCES

TO AMEND SECTION 73-5 OF THE CODE”, 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 July 21, 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 4, Absent 1 – Councilmember Moskal

CITIZENS AND TAXPAYERS

Mr. James Bartelone, 204 Malcolm Avenue complimented the improvements to Belmont Oval park off Spring Street. He spoke on children playing unsupervised in the street on Gaston Avenue.

COUNCILMEMBER COMMENTS

Councilmember Raymond thanked Mr. Bartelone for bringing the issue concerning unsupervised children playing in the street to the attention of the City Council. She said that she was glad to see concerned citizens here from Grand Street and Madeline Avenue.

Councilmember Delaney spoke on certain residents of Grand Street who were using a sofa and barbeque grill in the middle of the sidewalk. He spoke on graduation ceremonies at the Middle School and High School and Scholarship Night and he said that at times people hear so much about bad kids in town, that it is great to see good kids being recognized and it shows how good the City of Garfield is. He also spoke on Project Graduation and donations from generous people in town and the parents who volunteer.

Councilmember Aloia spoke on the ordinance introduced tonight which hopefully solves the trucking problem affecting Madeline Avenue. He said that it is better for people to come to meetings because it is better for the Council to keep abreast of what is going on in town. He said that the Council can be concentrating on a water leak happening on one end of town and not even be aware that a barbeque is happening in another part of town that should not be happening on a public sidewalk.

Mayor Calandriello spoke on how the City Council is still in the process of formulating the Budget. He said that the Council would like to know about the raises given to those in higher administration positions for the School System. He spoke on the “Abbott School District” designation that was removed from the Garfield School System, and that if the Garfield Schools ever lost their State Aid, how devastating it would be to the Garfield taxpayers.

CLOSED SESSION

Resolution No. 09-239

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a meeting in certain circumstances, and

WHEREAS, the City Council is of the opinion that such circumstances now exist,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a “Closed Session” is hereby called at 9:00 PM on Tuesday, June 23, 2009, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Collective bargaining agreements including the negotiation of the terms and thereof with employees or representatives of employees of the public body; (PBA Binding Arbitration hearing scheduled for September 6, 2009).

CLOSED SESSION

- * Matters involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds; (Reversionary Clause that was allegedly removed by the City Council in 1957 concerning property at 163 Cedar Street occupied by American Legion Post No. 255).
- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law: (proposed search for assets of former Police Officer Todd Mosby to recover salary paid to him while suspended prior to his conviction in court).
- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (proposed contract with Police Chief Kevin Amos).
- * 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; (proposed contract with Police Chief Kevin Amos; appeal of dismissal by former Police Officer Mariggi Lopez and hearing scheduled for September; proposed salary enhancements of the Superintendent of Public Works, Water Consultant, Water Superintendent, Recreation Director and Payroll Clerk; proposed re-establishment of Water Department; proposed hiring 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 or roll, Ayes 4,
Absent 1 – Councilmember Moskal

(Sgd) Joseph Delaney
Louis G. Aloia

SHORT RECESS, CHANGE OF VENUE AND RETURN TO ORDER

Immediately after the City Council voted to go into Closed Session, a short recess was called to move the meeting down the hall to the second floor Conference Room. At 9:15 PM, Mayor Calandriello again called the meeting to order in Closed Session and all City Officials were present as before the recess. It was duly noted for the record.

EXIT OF POLICE CHIEF AMOS

At 10:20 PM, Police Chief Kevin Amos left the meeting during Closed Session at the conclusion of the discussion concerning a proposed Police Chief contract. It was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 11:00 PM, there being no further business, Councilmember Delaney moved to adjourn the meeting. Councilmember Raymond duly seconded the motion.

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

