

A Regular Meeting of the City Council was held Tuesday, September 22, 2009 at 8:00 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Deputy Mayor Stanley J. Moskal 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 Stanley J. Moskal

Councilmembers Absent: Frank J. Calandriello

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

#### 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 – Mayor Calandriello

#### RESOLUTIONS

Resolution No. 09-308

WHEREAS, the Garfield PBA Local No. 46 will hold their Annual Awards Dinner on Thursday, October 22, 2009 at The Venetian Restaurant located at 546 River Drive, Garfield, New Jersey, and WHEREAS, the P.B.A. is honoring Captain Raymond Kovach, Captain Jack Van Wycke, and Detective Kenneth Adamo with Gold PBA Lifetime Members Cards and Dr. Daniel Conte and John J. Reilly with Silver PBA Lifetime Member Cards for their many years of dedicated service, and WHEREAS, the City Council is desirous of joining with the P.B.A. in honoring these five fine individuals,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Captain Raymond Kovach, Captain Jack Van Wycke, Detective Kenneth Adamo, Dr. Daniel Conte and John J. Reilly are hereby publicly congratulated and acknowledged for being deservedly honored with a dinner celebration by Garfield PBA Local No. 46 for their dedicated service to our community and the Garfield Police Department.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 09-309

WHEREAS, the Polish Peoples Home, Inc., 1-3 Monroe Street, Passaic, New Jersey, will be commemorating their 100th Anniversary with a celebration entitled “A Hundred Years of Celebrating Polish Cultural Pride”, on Sunday, October 11, 2009, and

WHEREAS, the Polish Peoples Home, throughout the years, has helped to perpetuate its principles of incorporation as a home for all Polish societies in the City of Passaic, and its environs, to help preserve and enhance their Polish heritage, and

WHEREAS, the Polish Peoples Home has served as a vital link to the people of Poland who immigrated to America in their struggle to fashion a new way of life in their adopted Country of America, and

WHEREAS, many people have fond memories of the organizations and events which have been a part of the rich history of the Polish Peoples Home, including plays, movies, concerts, athletic events, family parties, weddings, meetings, fundraisers, banquets, choruses, Polish schools, Church organizations, Fraternal Insurance groups, ladies clubs, Centrala, Pulaski Parade committees, big bands, polka and Euro dances, to name just a few, and

WHEREAS, the Garfield Mayor and Council are desirous of publicly recognizing and honoring this fine organization on the occasion of this historic celebration, for their outstanding service to the Polish Community in Garfield, and the surrounding area,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that upon the occasion of the celebration of their 100th ANNIVERSARY, the POLISH PEOPLE'S HOME, INC., is hereby CONGRATULATED and publicly acknowledged for being a most noteworthy proponent of the causes of the Polish nation and the Polish people, here at home in America, and abroad.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 09-310

WHEREAS, Ex-Fire Chief Ernest P. Rosolen, is being honored for his 50 years of active service to the Garfield Volunteer Fire Department with a dinner at the Royal Manor Restaurant located at 454 Midland Avenue in Garfield, on Friday, October 16, 2009, and

WHEREAS, Ex-Chief Rosolen's devotion and dedication is extended not only to the Garfield Fire Department, but also to his community as evidenced by his involvement as a member of the Holy Name Cadets Drum and Bugle Corps, as a Councilman, Planning Board Member, Local ABC Board Member, Community Development Representative, Rotary Club President, Eucharistic Minister, Fire Prevention Officer, member of the Garfield Boys and Girls Club Board of Directors, member of the Garfield YMCA Board of Directors, occasional Acting City Manager, and in so many other capacities, and

WHEREAS, the Mayor and City Council are desirous of publicly recognizing Ex-Chief Rosolen for his decades of dedicated and faithful service to the Garfield Volunteer Fire Department, and for his public-spiritedness which has served to enhance the lives of the citizenry of our community,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that EX-FIRE CHIEF "ERNIE" ROSOLEN is hereby publicly COMMENDED and HONORED, with deep and grateful appreciation, for his FIVE DECADES of distinguished service, during which he has provided a model of commitment and dedication that will serve to inspire and encourage all future firefighters.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 09-311

WHEREAS, Fire Company No. 4 has advised that they have accepted the resignation of Darius Jamrosz of 50 Semel Avenue as an active member, effective August 7, 2009,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 09-312

WHEREAS, Fire Company No. 4 has advised that they have accepted Charles Zingone of 231 Shaw Street, as a regular active member, effective September 11, 2009.

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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Stanley J. Moskal  
Louis G. Aloia

Resolution No. 09-313

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, STANLY 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 October 24<sup>th</sup>, 2009, it will be necessary and appropriate to temporarily appoint LOUIS G. ALOIA as Deputy Mayor for the City of Garfield in order to perform a single act, to wit, the marriage ceremony of DINA EVE SZABO and ALFRED MARTORANA.  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen and State of New Jersey as follows:

1. Councilman LOUIS G. ALOIA be and is hereby appointed Deputy Mayor for the City of Garfield for October 24<sup>th</sup>, 2009 to perform the marriage ceremony of DINA EVE SZABO and ALFRED MARTORANA.
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony 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 marriage ceremony 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 Councilman LOUIS G. ALOIA and the City Attorney.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-314

A RESOLUTION ENDORSING THE FILING OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN CONNECTION WITH RENOVATIONS TO THE MARGARET P. MUSCARELLE CHILD DEVELOPMENT CENTER

WHEREAS, the Margaret P. Muscarelle Child Development Center, located at 1 Walnut Street requires renovations, and

WHEREAS, A Bergen County Community Development Grant of \$49,150.00 has been proposed by the Margaret P. Muscarelle Child Development Center in the municipality of Garfield, New Jersey for outside storage project, 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;

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditures of the aforesaid Community Development Funds,

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 a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the Aforesaid project may be expedited.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-315

A Resolution Authorizing Change Order Nos. 1 and 2 in Connection with the Lanza Avenue Water Main Improvement Project

WHEREAS, the City of Garfield awarded a contract to Daibies Brothers, Inc. in the amount of \$691,674.50, and;

WHEREAS, the City wishes to extend the limits of the project to River Drive and along River Drive in order to service the future water customers of the Garden State Paper Redevelopment Project, and;

WHEREAS, the City wishes to extend the limits of the project to River Drive and along River Drive in order to service the future water customers of the Garden State Paper Redevelopment Project, and;

RESOLUTIONS

WHEREAS, Change Order No. 1 in the amount of \$99,373.50 provides for this extension of project limits, and;

WHEREAS, Change Order No. 2 provides a revised completion date of March 25, 2010 without additional monetary compensation.

NOW THEREFORE BE IT RESOLVED, by the City of Garfield, Bergen County, New Jersey, that Change Order Nos. 1 and 2 are hereby authorized in connection with the above referenced improvement.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-316

A Resolution Awarding a Contract to Smith-Sondy Asphalt Construction Company in Connection with the Improvements to Palisade Avenue Section 5

WHEREAS, the City of Garfield publicly bid the above referenced improvement on September 10, 1009 at 11:00 AM, and;

WHEREAS, six bids were received, and;

WHEREAS, Smith-Sondy Asphalt Construction Company submitted the low bid in the base bid amount of \$485,070.55 alternate A in the amount of \$76,423.35, alternate B in the amount \$110,467.40 and alternate C in the amount \$292,265.35, and;

WHEREAS, the City if the recipient of NJDOT grants and CDBG-R grants in connection with this project, and;

WHEREAS, the City Attorney has reviewed the bids and determined Smith-Sondy Asphalt Construction Company to be the lowest responsible bidder, and;

WHEREAS, appropriate funding exists to allow the award of the base bid plus alternates A, B and C for a total contract amount of \$964, 226.65.

NOW THEREFORE BE IT RESOLVED, the City of Garfield hereby awards Smith-Sondy Asphalt Construction Company a contract for the base bid plus alternates A, B and C for a total contract amount of \$964,226.65.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-317

RESOLUTION – AUTHORIZING CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, it has been alleged that the City of Garfield has sustained financial and other losses as a result of chromium contamination from the E.C. Electroplating site; and

WHEREAS, specifically, it has been alleged that the contamination relates to old Fire House #3; and

WHEREAS, the Law Firm of Motley Rice, LLC has proposed, to the Governing Body, that they would investigate this potential claim and make a determination as to whether financial recovery is feasible; and

WHEREAS, Motley Rice, LLC has agreed to undertake this investigation and, possible, file a claim on behalf of the City on a contingent fee basis which would, therefore, not result in the payment of any legal fees unless a recovery is obtained; and

WHEREAS, this contract also provides for professional services which, therefore, is not subject to the requirements of competitive bidding pursuant to the Local Public Contracts Law; and

WHEREAS, the Governing Body has reviewed this proposal and has determined that it would be in the best interest of the City of Garfield to proceed with this claim.

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 contract of representation in the form previously submitted is hereby authorized with the Law Firm of Motley Rice, LLC and Jon L. Gelman, LLC.

RESOLUTIONS

2. The City Manager is hereby authorized to execute this document on behalf of the City of Garfield.

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 Attorney and to the Law Offices of Motley Rice, LLC.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-318

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and  
WHEREAS, The Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and  
WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and  
WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all the members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments  
Recommendations

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments  
Recommendations

as evidenced by the group affidavit form of the governing body, and

WHEREAS, Such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, All members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52:27BB-52 – “A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.”

NOW, THEREFORE BE IT RESOLVED, That the governing body of the City of Garfield, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

RESOLUTIONS

Resolution No. 09-319

A RESOLUTION AUTHORIZING SETTLEMENT OF REAL PROPERTY TAX APPEAL

Address: Schley Street, Garfield, New Jersey

Taxpayer: Sketchley Services c/o B. Cavitt

Tax Block: 119.03

Tax Lot: 52

WHEREAS, Sketchley Services Inc. was the owner of property located on Schley Street and known and designated as Lot 52 and Block 119.03 on the official tax map of the City of Garfield; and

WHEREAS, Real Property Tax Appeals were filed in connection with the aforementioned property for 2002, 2003, 2004, 2006 and 2007; and

WHEREAS, after a substantial amount of discovery, depositions, court conferences and other settlement conferences, a settlement has been recommended in connection with these tax appeals; and

WHEREAS, this settlement has been reviewed and approved by the Tax Assessor as well as the City's expert, Robert McNerney; and

WHEREAS, the terms and conditions of the aforesaid settlement are as set forth on the Stipulations of Settlement attached hereto.

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 settlement of Real Property Tax Appeals involving Sketchley Services, Inc. under the following Docket Nos. is hereby authorized:  
004343-02  
005201-03  
006617-04  
006144-06  
010534-07
2. The City Attorney is hereby authorized to execute, on behalf of the City, the Stipulation of Settlement in the form attached hereto
3. The Chief Financial Officer of the City of Garfield has confirmed that sufficient funds exist for the purpose.

NOW THEREFORE BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward copies of the within Resolution to the City Attorney, the Irwin Law Firm, the Tax Assessor for the City of Garfield, the Chief Financial Officer for the City of Garfield.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-320

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpaid taxes due to Tax Court Judgment Allowed for the year 2007.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding the overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
77.01	11	Joshua D. Novin, Esq., P.A. Attorney Trust Account	TCJ	\$2,775.00
86	37	“William S. Winters, Esq.”	TCJ	\$5,239.20

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

RESOLUTIONS

Resolution No. 09-321

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpaid taxes due to Tax Court Judgment Allowed for the year 2008.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding the overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
86	37	“William S. Winters, Esq.”	TCJ	\$5,564.88

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-322

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpaid taxes due to Tax Court Judgment for the year 2009.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding the overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
56.02	6	A.A.I. Holding Inc.	O/P	\$8.00
86	37	Gram LLC	O/P	\$855.20

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-323

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to County Board Judgment for the year 2009.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding the overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
107	24	Sheung Chau Ching & Yip Kum Suk	O/P	\$821.92

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-324

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to Disabled Vet for the year 2009.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding the overpayment and forward same

RESOLUTIONS

to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
75	15	Julio Quiles	O/P	\$4,571.43

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-325

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpayment of taxes for the year 2009.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding the overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
94	18	First American Real Estate Tax Service	O/P	\$ 933.00
139	3	Wells Fargo Real Estate Tax Service, LLC	O/P	\$1,418.00

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 09-326

See

The

Following

Pages numbered \_\_\_\_\_

For

The

Capital Budget Amendment

BILLS AND CLAIMS

Resolution No. 09-327

RESOLVED by the City Council of the City of Garfield that the following bills No. 1333 and 1335 covering Escrow Developers Trust and Trust Other totaling \$78,629.68 and Current Fund totaling \$267,240.61 and Water Fund Current totaling \$127,969.96 and Water Capital totaling \$4,030.00 and General Capital totaling \$1,374.50 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 nineteen (19) items prior to the meeting, be ratified.

See

The

Following

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

For

Bills

and

Claims

ORDINANCES

Councilmember Delaney introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND, THE CODE  
OF THE CITY OF GARFIELD AND, SPECIFICALLY,  
TO AMEND THE PROVISIONS OF ORDINANCE #2560

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this entitled ordinance entitled: “AN ORDINANCE TO AMEND, THE CODE OF THE CITY OF GARFIELD AND SPECIFICALLY, TO AMEND THE PROVISIONS OF ORDINANCE #2560”, 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 October 13, 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 “ Our Town”, 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 4, Absent 1 – Mayor Calandriello

Councilmember Delaney introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS  
IMPROVEMENTS TO 20<sup>TH</sup> CENTURY FIELD IN, BY AND FOR THE CITY OF GARFIELD,  
IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF  
\$1, 300,000.00 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.

Councilmember Delaney moved that this entitled ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO 20<sup>TH</sup> CENTURY FIELD IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1, 300,000.00 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”, 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 October 13, 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 “ Our Town”, 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 4, Absent 1 – Mayor Calandriello

COUNCILMEMBER COMMENTS

Councilmember Raymond spoke on Garfield YMCA Community Day scheduled to be held Saturday, September 26, 2009 at Twentieth Century Field.

COUNCILMEMBER COMMENTS

Councilmember Delaney said that he has attended several "Back to School Nights" recently and was impressed with the amount of parents there. He complimented the nurse and staff of School No. 8 on Cedar Street for the preparation being taken with the children and staff concerning the H1N1 Swine Flu virus. He said that they are doing a great job. He congratulated Deputy Mayor Moskal on his wedding.

Councilmember Aloia publicly praised the Garfield Volunteer Ambulance Corps on their response to a call concerning his family.

City Manager Duch spoke on the preparation work of City Public Health Nurse Darlene Revielle with the School Nurses concerning the H1N1 Swine Flue virus and how Garfield may be the only municipality where the School Nurses and City Public Health Nurses are cooperating on this issue. He commented that the vaccine is being paid for by the New Jersey Department of Health and will be administered to all interested children in the City School System so that every child in the School System has an opportunity to be vaccinated. He said that Garfield's Program is second to none and should be commended. He also spoke on the Community Forum to be hosted by Bergen Community College concerning "The Economic Stimulus Plan and Its Benefits to You" to be held Tuesday, September 29, 2009 at the Garfield Middle School located at 175 Lanza Avenue.

Deputy Mayor Moskal said that Mayor Calandriello would have liked to be here tonight, but had to attend "Back to School Night" for his son, "Frankie". He commented on Garfield's preparations for the H1N1 Swine Flu virus and said that Garfield is light years ahead of other towns who have no plan and are waiting to see what happens. He spoke on Garfield YMCA Community Day scheduled to be held this coming Saturday. He commented that he would like to see Mr. Martin Rybak of Piast Foods honored with a ceremonial resolution because he has done so much to help St. Stan's Church, Polish Night, the Pulaski Parade Committee and other causes. He spoke on the Pulaski Day Parade scheduled to be held on Sunday, October 4, 2009. On behalf of his wife Elizabeth Zak and himself, he thanked everyone for their support concerning his wedding.

CLOSED SESSION

Resolution No. 09-328

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 8:20 PM on Tuesday, September 22, 2009, to discuss the following as outlined in N.J.S.A. 10:4-12:

- \* Matters involving the purchase, lease or acquisition of real property with public funds, the settling of banking rates or investment of public funds; (reported sale agreement of property of American Legion Post No. 255 located at 163 Cedar Street).
- \* Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (Sun Food Kitchen, 237 Palisade Avenue Alcoholic Beverage Control Disciplinary hearing set for October 27, 2009; proposed safety improvements to the Police Station; proposed new Police Station).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Grievances filed by Police personnel concerning regular days off and past practice to attend PBA Convention; settlement of Allison Schenk-Obiyo handicapped parking space lawsuit and dispute over legal fees).
- \* Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or

CLOSED SESSION

disciplinary action of personnel unless the individual in the right request a public meeting in writing; (appeal by former Police Officer Mariggi Lopez concerning her termination hearing postponement to October 13, 2009).

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 4,  
Absent 1 – Mayor Calandriello

(Sgd) Joseph Delaney  
Louis G. Aloia

ADJOURNMENT

After the City Council came out of Closed Session at 9:00 PM, Councilmember Delaney moved to adjourn the meeting. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 4,  
Absent 1 – Mayor Calandriello

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Andrew J. Pavlica, CITY CLERK