

A Regular Meeting of the City Council was held Tuesday, September 8, 2009 at 8:25 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, Labor Counsel Joseph Randazzo 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 Raymond duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 09-287

WHEREAS, The Garfield Little League 11 and 12 year old All Stars defeated Rutherford American 4-3 to win the 11 and 12 year old District 5 Championship for the first time since 1997, and with this win, Garfield became the first team in District 5 history to win both the 10 and 11, and 11 and 12 year old District 5 Championships in consecutive years, and

WHEREAS, After finishing pool play undefeated at 6-0, the Garfield All Stars lost their first game of the finals to Rutherford American, and with their backs against the wall, Garfield rattled off four wins, in consecutive days, including two against Rutherford American to win the District Championship, and

WHEREAS, the team is comprised of Kevin Buron, Ricky Reyes, Alex Gonzalez, Kevin Romero, Kyle Delahanty, Daniel Gulli, Jason Schomp, Christian Castillo, Jesse LoConte, David Dolci, Dion Sanzari, 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 Garfield 11 and 12 year old All Stars 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 Garfield 11 and 12 year old Little League All Stars Team on their achievements.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, CERTIFIED copies of Resolution No. 09-287 were presented to the players and coaches of the Garfield Little League 11 and 12 year old All Stars team.

Resolution No. 09-288

WHEREAS, St. Stanislaus Kostka Roman Catholic Church will celebrate their annual Polish Night on Saturday, September 13, 2009, and

WHEREAS, the Pulaski Day Parade Committee has consistently proven to be a most worthwhile proponent of the causes of the Polish nation and Polish people, and

WHEREAS, the Mayor and City Council of the City of Garfield wish to acknowledge the successful endeavors of the committee and the contributions of citizens of Polish ancestry,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield, Bergen County, New Jersey, that the entire month of October 2009, shall be deemed and designated as "POLISH HERITAGE MONTH", in honor of all citizens of Polish ancestry, St. Stanislaus Kostka Roman Catholic Church, and the Pulaski Day Parade Committee of the City of Garfield,

RESOLUTIONS

BE IT FURTHER RESOLVED that Congratulations are also extended to Rev. Marek Wiorkiewicz for being named Grand Marshall of the 2009 Parade, and to Miss Karolina Piecha on being named 2009 "Miss Polonia".

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 09-289

WHEREAS, Fire Company No. 1 has advised that they have expelled Kris Sipos of 15 Faber Place, as an active member effective July 22, 2009,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 1 with respect to the above matter, is hereby accepted.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-290

WHEREAS, Fire Company No. 2 has advised that they have accepted Manuel Bonilla of 78 Krakow Street, as a regular active member, effective August 3, 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. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-291

WHEREAS, Fire Company No. 2 has advised that they have accepted Giordano Zea of 6 Bergen Street, as a regular active member, effective August 3, 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. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-292

WHEREAS, Fire Company No. 2 has advised that they have accepted John Zea of 6 Bergen Street, as a regular active member, effective August 3, 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. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-293

WHEREAS, Fire Company No. 2 has advised that they have accepted Kris Sipos of 15 Faber Place, as a regular active member, effective August 3, 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. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 09-294

WHEREAS, Edward Dunne, 11 Cambridge Avenue who is the holder of a Disabled Person I.D. Card No. P506676, has filed application for a handicapped parking sign to be placed at his 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 Avenue commencing 100 feet north of the intersection of Cambridge Avenue and River Drive 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 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-295

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.	0221-33-048-002	PJG Corporation 50 River Drive
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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, place-to-place transfer or change of corporate structure approved prior to the passage of this resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-296

RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE SUBURBAN ESSEX MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the City of Garfield is a member of the Suburban Essex Municipal Joint Insurance Fund: and

WHEREAS, said renewed membership terminates as of December 31, 2009 unless earlier renewed by agreement between the Governing Body and the Fund; and

WHEREAS, the board desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The City of Garfield agrees to renew its membership in the Suburban Essex Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Governing Body shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Suburban Essex Municipal Joint Insurance Fund evidencing the board's intention to renew its membership.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 09-297

WHEREAS, a Bergen County Community Development Block Grant of \$300,000.00 has been proposed by Calvary Community Development Center, Inc. for planning, development and technical assistance costs for Calvary CDC current and proposed activities in 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 City Council, and the Calvary Community Development Center, Inc., and

WHEREAS, the aforesaid project is in the best interest of the people of Bergen County and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the aforesaid project is hereby endorsed and that the City Clerk is hereby authorized and directed to forward a CERTIFIED copy of this approved resolution 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 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-298

RESOLUTION AUTHORIZING A CONTRACT TO ATLANTIC INFRARED IN CONNECTION WITH THE INFRARED REPAIR OF NINE ROADWAYS THROUGHOUT THE CITY OF GARFIELD

WHEREAS, the City of Garfield has solicited a proposal from Atlantic Infrared for the repair of various roadways throughout the City, and;

WHEREAS, this proposal was submitted on September 3, 2009 in the amount of \$9,151.00; and;

NOW THEREFORE BE IT FURTHER RESOLVED a contract is hereby awarded to Atlantic Infrared in the amount of \$9,151.00 to repair the deficient areas, and;

BE IT FURTHER RESOLVED, the City DPW Superintendent is hereby directed to coordinate the repair activities with the City Engineer on an as requested basis.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-299

RESOLUTION AUTHORIZING A CONTRACT FOR EMERGENCY ELECTRICAL REPAIR SERVICES AT WELL NO. 1 TO JOHN LAIOSA, ELECTRICAL CONTRACTORS

WHEREAS, the electrical service for Well No. 1 within the Elmwood Park Wellfield recently failed, and;

WHEREAS, this electrical services is essential to the operation of the City Water Utility, and;

WHEREAS, John Laiosa Electrical Contractors, has previously performed work within the limits of non-essential services consistent with the New Jersey Public Bidding Law, and;

WHEREAS, the operation of Well No. 1 is imperative to the proper functioning of the utility, and;

NOW THEREFORE BE IT FURTHER RESOLVED an emergency contract to repair the electrical service of Well No. 1 is hereby awarded to John Laiosa Electrical Contractors, 63 Grand Street, New Jersey, 07026 in an amount not to exceed \$2,800.00 consistent with a proposal dated August 29, 2009.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution 09-300

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.

RESOLUTIONS

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 this 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	“Carmin R. Alampi, LLC Attorney for AAI Holding, Inc.”	TCJ	\$3,022.90
170.01	75	“Stern & Kilcullen, LLC and Conte, Daniel P.”	TCJ	\$5,550.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 09-301

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 this 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	“Carmin R. Alampi, LLC Attorney for AAI Holding, Inc.”	TCJ	\$3,210.81

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

BILLS AND CLAIMS

Resolution No. 09-302

RESOLVED by the City Council of the City of Garfield that the following bills No. 1330 and 1332 covering Dog Trust Fund, and Trust Other totaling \$30,921.05 and Current Fund totaling \$2,041,671.94 and Water Fund Current totaling \$5,213.65 and Water Capital totaling \$9,697.05 and General Capital totaling \$35,480.33 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 thirty three (33) items prior to the meeting be ratified.

See

The

Following

Pages numbered _____

CITIZENS AND TAXPAYERS

Ms. Angela Benigno, 185 Market Street, complained about storm water flooding on Market Street.

Mr. Anthony Molinaro, 53 Emanuel Street, said that he owns property at 75 Monroe Street. He complained that David's Towing, his next door neighbor, put up a fence along his property, four inches from his building, which is blocking his windows. He claimed that he has no access now to the back of his property.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that the Garfield Girls Softball Team will be honored at an upcoming City Council Meeting. She congratulated Deputy Mayor Moskal on getting married this coming Saturday, September 12, 2009.

Councilmember Delaney thanked the Girls Softball League for giving the City Council a plaque prior to this meeting thanking the City for their support. He said that Deputy Mayor Moskal will be losing the title of "Garfield's Most Eligible Bachelor" on Saturday. He spoke on the Community Forum 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.

Councilmember Aloia congratulated Deputy Mayor Moskal on his upcoming marriage.

Deputy Mayor Moskal spoke on upcoming events in the City, other than his marriage, including the Feast of Our Lady of Mount Virgin, Polish Night, the Pulaski Day Parade and Garfield YMCA Community Day to be held on September 26th. He thanked everybody for their warm wishes.

Mayor Calandriello spoke on the Community Forum concerning the Economic Stimulus Plan to be held on September 29th at the Garfield Middle School. He commented that September is upon us and it is a great time of year and the start of Football Season. He encouraged everyone to go to the many events in town because they are all great. He wished Deputy Mayor Moskal best wishes on his upcoming marriage. Mayor Calandriello announced that the City Council needs to go into Closed Session, but formal action will be taken after the City Council comes out of Closed Session.

CLOSED SESSION

Resolution No. 09-303

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 9:10 PM on Tuesday, September 8, 2009, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Collective bargaining agreements including the negotiations of the terms and thereof with employees or representatives of employees of the public body; (Proposed settlement of collective bargaining negotiations with PBA Local No. 46; White Collar collective bargaining negotiations; affect on 2009 Municipal Budget).
- * 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 hiring of an Accountant Assistant in the Finance Office; affect on 2009 Municipal Budget; possible employee layoffs and/or furloughs).

RESOLUTIONS

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 5

(Sgd) Stanley J. Moskal
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, and all City Officials were present as before the recess.

RESOLUTIONS

After the City Council came out of Closed Session at 10:40 PM, they acted on the following resolution:

Resolution No. 09-304

Resolution authorizing the City Manager and Special Counsel to sign the PBA Contract with the following conditions:

- | | | |
|------------------|-----------------|-------|
| 1. Wage Increase | January 1, 2008 | 3.85% |
| | January 1, 2009 | 3.85% |
| | January 1, 2010 | 3.85% |
| | January 1, 2011 | 3.85% |
2. Prescription co-payments \$5.00/\$10.00.
 3. Clothing Allowance rolled into the base pay.

On call of roll, Ayes 4,
Excused 1 – Councilmember Delaney

(Sgd) Tana M. Raymond
Louis G. Aloia

MOTION TO CONTINUE THE MEETING

At 10:45 PM, Councilmember Aloia moved to continue the meeting until Friday, September 11, 2009 at 12:00 Noon in the Conference Room in City Hall, to discuss and vote on the 2009 Municipal Budget and other matters. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5

