

A Special Meeting of the City Council was held Monday, February 9, 2009 at 6:50 PM in the Conference Room 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, Louis G. Aloia, Stanley J. Moskal and Frank J. Calandriello

Councilmembers Absent: Joseph Delaney

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, Interim Chief Financial Officer Roy Riggitano, City Auditor Dieter Lerch and Superintendent of Public Works Sam Garofalo

#### REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The proposed Water Rate Ordinance and the metering of water used during construction of homes, businesses and redevelopment sites.

#### ARRIVAL OF COUNCILMEMBER DELANEY

At 7:00 PM, Councilmember Joseph Delaney joined the meeting and it was duly noted for the record.

#### REPORTS OF OFFICERS

2. The Reassignment of Water System Operators to the Department of Public Works and the Recreation Department.
3. The investigation of why it appears that the City provided 1.2 billion gallons of water yet may have only billed for 725 million gallons of water.
4. The proposed water leak repair at Oak Street, and water leaks detected throughout the Water System.

#### EXIT OF SUPERINTENDENT OF PUBLIC WORKS GAROFALO

At 7:30 PM, Superintendent of Public Works Sam Garofalo left the meeting and it was duly noted for the record.

#### 2009 MUNICIPAL BUDGET

The City Council and Cabinet discussed the proposed 2009 Municipal Budget.

#### CLOSED SESSION

Resolution No. 09-68

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 Monday, February 9, 2009, to discuss the following as outlined in N.J.;S.A. 10:4-12:

Special Meeting February 9, 2009, Continued

CLOSED SESSION

- \* Collective bargaining agreements including the negotiation of the terms and thereof with Employees or representatives of employees of the public body; (Proposed binding arbitration with PBA Local No. 46; proposed Blue Collar collective bargaining memorandum of agreement for January 1, 2007, 2008, 2009 and 2010; White Collar collective bargaining negotiations).
- \* Matters involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds; (Proposed negotiation with Spencer Savings Bank for better interest rate for the City).
- \* Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (Law enforcement requirement to upgrade city police computer).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Settlement of Mark Wallace vs. James Mazzer and the City of Garfield; City of Garfield vs. Ellen Heine lawsuit; the need to reduce spending on annual Fire Department Dinner and the need to establish a new policy for authorized guests).
- \* 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; (the need to engage the services of a Sanitarian to succeed Frank Bland and consideration of three candidates; discussion on city employees salaries and whether department heads should get raises since they are not in collective bargaining units).

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal  
Louis G. Aloia

EXIT OF CITY AUDITOR LERCH

At 8:45 PM, City Auditor Dieter Lerch left the meeting during Closed Session immediately at the conclusion of the discussion on proposed Binding Arbitration with PBA Local No. 46. 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 Moskal moved to adjourn the meeting. Councilmember Raymond duly seconded the motion.

On call of roll, Ayes 5

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Andrew J. Pavlica, CITY CLERK