

A Special Meeting of the City Council was held Thursday, May 7, 2009 at 8:30 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  
City Officials Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, Special Labor Counsel Joseph Randazzo, Interim Chief Financial Officer Roy Riggitano, Police Chief Kevin Amos, Superintendent of Public Works Sam Garofalo and Recreation Director Anthony Furfaro  
School Officials Present: Superintendent of Schools Nicholas Perrapato, Assistant Superintendent of Schools Raymond Hryczyk, Board of Education Members Anthony Barckett and Anthony Damato and Christopher Columbus School No. 8 Principal Peter DeFranco

#### PROPOSED CUTS IN DEFEATED 2009-2010 SCHOOL BUDGET

The City Council, Cabinet and School Officials discussed proposed cuts in the 2009-2010 School Budget defeated at the polls on April 16, 2009.

#### ARRIVAL OF COUNCILMEMBER DELANEY

At 8:35 PM, Councilmember Joseph Delaney joined the meeting and it was duly noted for the record.

#### EXIT OF SCHOOL OFFICIALS

At 9:30 PM, the School Officials left the meeting and it was duly noted for the record.

#### REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The condition of City recreation facilities in Twentieth Century Field after last year's Macedonian Festival and the cost for the City to repair the facilities.
2. The proposed cancellation of the Independence Day Fireworks.
3. The Cool Cities tree planting grant program.
4. Today's Pre-Construction Meeting concerning the rehabilitation of eleven wells in the Elmwood Park Well Field.
5. The Garfield Police secured a vehicle from the Port Authority of New York and New Jersey, and it will be rehabilitated and will be used as an Emergency Service Truck. It is a pickup truck cab with compartments.
6. Proposed amendments to the Property Maintenance Code.
7. The proposed resolution concerning Festa Italiana to be held in September.

EXIT OF SUPERINTENDENT OF PUBLIC WORKS GAROFALO;  
RECREATION DIRECTOR FURFARO AND POLICE CHIEF AMOS

At 10:20 PM, Superintendent of Public Works Sam Garofalo, Recreation Director Anthony Furfaro, and Police Chief Kevin Amos left the meeting and it was duly noted for the record.

REPORTS OF OFFICERS

8. The Garfield High School Athletic Hall of Fame Dinner to be held Friday, May 8, 2009 at the Windsor Gardens Restaurant in Lodi.
9. The written schedule of upcoming events in the City of Garfield compiled by the City Manager's Office.
10. The First Presbyterian Church will be conducting a Prayer Festival at the Holy Trinity Evangelical Lutheran Church from June 25-27, 2009 and from August 26-29, 2009.
11. The proposal by T-Mobile to demolish the abandoned Harrison Avenue Water Tank and to place an 80 foot tall Flag Pole in the back of the property for use as a telephone cell tower for approximately \$1,800.00 a month from one carrier. The front of the property is proposed to be used as a "pocket park".
12. Today's meeting with Capital Alternatives Corporation representatives concerning grant acquisition services.
13. Tomorrow's meeting with representatives of the Capital Alternatives Corporation and Passaic Valley Water Commission regarding the Passaic River Park.
14. It appears that Garfield will be receiving very limited stimulus funding in regard to Water Utility Improvement Projects, but has been informally awarded approximately \$2.5 million for Sewer Improvement Projects, although it is uncertain, at this time, how much of the money will be in the form of grants or loans.
15. The proposed traffic control signal at the intersection of Lanza Avenue and River Drive.
16. The letter he wrote to Passaic City Business Administrator Greg Hill concerning noise complaints from Garfield residents concerning the recent Festival of Holy Rosary Roman Catholic Church located on Wall Street in the City of Passaic.
17. He recently met with representatives of Our Lady of Sorrows Roman Catholic Church concerning issues involving parishioners parking around the Church during mass.

Mayor Frank J. Calandriello reported on the following:

1. The New Jersey Transit Arts Program concerning the construction of the new Garfield/Plauderville Train Station near Outwater Lane and the proposed statue of former President James A. Garfield at the Station.
2. The performance of the prior City Health Insurance Broker.

RESOLUTIONS

Resolution No. 09-168

RESOLUTION AMENDING THE PROVISIONS OF RESOLUTION NO. 09-112 IN CONNECTION WITH THE MOUNT VIRGIN FESTA ITALIANA

WHEREAS, pursuant to Resolution No. 09-112 the City Council approved street closures for the Mount Virgin Festa Italiana; and

WHEREAS, said Resolution provided for numerous conditions and requirements for conducting that event in a manner which has been consistent with prior years' approvals; and

WHEREAS, upon review of the Resolution, Chief Kevin Amos has recommended a modification to the same regarding the procedure for confirming that underage individuals do not gain access to a segregated area within which beer and wine sales will take place.

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

Condition No. 7 of Resolution No. 09-112 is hereby deleted and replaced with the following:

- a. The sponsoring organization shall be fully responsible for the "proofing" of individuals who purchase beer and wine and the organization shall also be responsible for determining the age of individuals who access the segregated area within which beer and wine sales will take place. The Police Department shall assign a Police Officer to the area who will attempt to insure that no alcoholic beverages are consumed in any area other than in segregated area described in the Resolution.

In all other respects, the provisions of Resolution No. 09-112 shall remain in effect.

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 Our Lady of Mount Virgin Parish, the Chief of Police of the City of Garfield and the City Attorney.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal  
Louis G. Aloia

ORDINANCES

Councilmember Moskal introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 242 OF THE CODE OF  
THE CITY OF GARFIELD ENTITLED  
"PROPERTY MAINTENANCE"

City Clerk Pavlica read the ordinance by title.

Councilmember Moskal moved that this entitled ordinance: "AN ORDINANCE TO AMEND CHAPTER 242 OF THE CODE OF THE CITY OF GARFIELD ENTITLED 'PROPERTY MAINTENANCE'", 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 26, 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 Aloia, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

CLOSED SESSION

Resolution No. 09-169

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

CLOSED SESSION

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 10:40 PM on Thursday, May 4, 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;  
(White Collar Collective Bargaining Negotiations PBA Local No. 46 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; (City vs. Mark  
Wallace "El Margo" property lawsuit re: property at 909 River Drive).

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

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 5

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Andrew J. Pavlica, CITY CLERK