

A Special Meeting of the City Council was held Monday, June 29, 2009 at 7:40 PM in the Council Chamber 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, City Engineer Kevin J. Boswell, City Planner Joseph Burgis, Malvika Apli of Burgis Associates, Superintendent of Public Works Sam Garofalo, Police Chief Kevin Amos, Garfield Redevelopment Agency Vice Chairman Arthur N. Andreano, Sr.; Garfield Redevelopment Agency Member Nicholas Discenza, Garfield Redevelopment Agency Member Rosemarie Aloia, Garfield Redevelopment Agency Attorney Representative Brian Jakuleviciuj, Zoning Board of Adjustment Vice Chairman Zvonko Veskov, Zoning Board of Adjustment Members Carmin C. Breonte, Robert Cochrane and Anthony Shupenko, Jr. and Planning Board Members Kurt Hielle, Ernest P. Rosolen, James Clark and Frank Puzio

COAH FAIR SHARE HOUSING PLAN

Garfield City Planner Joseph Burgis gave a Power Point presentation concerning the New Jersey Council on Affordable Housing Fair Share Housing Plan including a brief history of how COAH came about, Affordable Housing obligations by Round, status of Third Round rules and timeline, procedure, key issues for Garfield, Third Round COAH methodology, adjustment to Growth Projections, and how to address obligation. He concluded by leading a discussion during a question and answer session.

ARRIVAL OF MAYOR CALANDRIELLO

At 7:55 PM, Mayor Frank J. Calandriello joined the meeting and chaired the meeting from this point forward. It was duly noted for the record.

SHORT RECESS AND RETURN TO ORDER

At 8:30 PM. a short recess was called. At 8:35 PM, Mayor Calandriello called the meeting to order, at which time all five Councilmembers were present, along with City Manager Duch, City Clerk Pavlica, City Attorney Rotolo, City Engineer Boswell and Police Chief Amos.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The need to cut down a large tree on Spring Street near the intersection of Garden Court North.
2. The proposed installation of shields on the lights in Belmont Oval Park off Spring Street.
3. The need to repair the public drinking fountains in Belmont Oval Park.
4. The retirement of Fire Inspector Yuri Metelow.
5. He has approved additional Special DWI Court Sessions.
6. The recently obtained copies of a resolution from the Garfield Board of Education authorizing salary increases.
7. Quotations sought for the annual Fire Department Dinner.

REPORTS OF OFFICERS

8. The issues raised by Monsignor William Reilly of Most Holy Name Roman Catholic Church concerning the use of their old parking lot.
9. Bids which were received on Friday, June 26, 2009 concerning the Lanza Avenue Water Line Improvement Project.

EXIT OF CITY ENGINEER BOSWELL

At 8:50 PM, City Engineer Kevin J. Boswell left the meeting and it was duly noted for the record.

REPORTS OF OFFICERS

10. The proposed resolution concerning the annual Multicultural Festival.
11. The request for an extension of time from the Garfield Little League to permit the lights in Belmont Oval Park to remain on longer to allow Little League personnel to clean the park after games and practices.
12. All five Fire Chiefs have official City cars, but one was totaled in an accident, and the proposed replacement of that vehicle with a vehicle already in the City Fleet of Vehicles.
13. The complaint which was received concerning the relocation of the business sponsor signs from the Little League outfield to the front fence of LoFaso Field in Belmont Oval off Spring Street. It was explained that the relocation is temporary and in about thirty-five days, will be returned to the outfield fence after the State Tournament is over in July.
14. The \$50,000.00 loan to the Garfield Redevelopment Agency from the City.
15. The agreement by the developer of the Vornado/South Garfield Redevelopment to comply with the City Street Scope Plan for Passaic Street in regard to light poles.

Mayor Frank J. Calandriello reported on the following:

1. The possessions of Helen Kuruc of 125 Plauderville Avenue which were damaged by a leak caused by a water meter replaced on May 22, 2009.

Councilmember Tana M. Raymond reported on the following:

1. The need to discuss and address the excessive overtime in the Finance Office.

EXIT OF POLICE CHIEF AMOS

At 9:10 PM, Police Chief Kevin Amos left the meeting and it was duly noted for the record.

CLOSED SESSION

Resolution No. 09-240

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 Monday, June 29, 2009, to discuss the following as outlined in N.J.;S.A. 10:4-12:

- * Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (proposed contract with Police Chief Kevin Amos).

CLOSED SESSION

- * 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 salary ordinance re: City Manager, DPW Superintendent; Water Superintendent, Recreation Director, Recycling Coordinator and Payroll Clerk).

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 AND RETURN OF CITY MANAGER DUCH

At 9:45 PM, City Manager Duch left the meeting during Closed Session during the discussion on his performance and salary. At 10:00 PM, City Manager Duch returned to the meeting during Closed Session and it was duly noted for the record.

RESOLUTIONS

At 10:20 PM, the City Council came out of Closed Session and acted on the following resolutions:

Resolution No. 09-242

RESOLUTION – AUTHORIZING DISPOSITION OF PERSONAL PROPERTY

WHEREAS, the Garfield Fire Department is in possession of a truck which is no longer needed for the operation of that Department; and

WHEREAS, the Chief of the Fire Department has determined that this vehicle, due to its age and current condition has only nominal value; and

WHEREAS, the cost of advertising this article of personal property for sale and the time and effort involved in the same would exceed the anticipated return in connection with any sale by auction; and

WHEREAS, as a result of the foregoing the Chief of the Fire Department has recommended the disposition of this equipment; and

WHEREAS, the Chief has now been contacted by the Fire Department of the Borough of Palisades Park which has offered to accept this vehicle and has also offered to provide, to the Garfield Fire Department, certain items of radio equipment valued at approximately \$1,000.00 that can be used by the Garfield Fire Department; and

WHEREAS, the value of this transferred equipment far exceeds any nominal value that there may be in the vehicle currently held by Garfield; and

WHEREAS, New Jersey law limits disposition of certain items of personal property without the necessity of auction and the City Attorney has provided the opinion that the exchange of the articles of personal property is permissible and in accordance with the requirements of law.

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 Garfield Fire Department is hereby authorized to transfer one (1) fire truck to the Borough of Palisades Park Fire Department which truck is no longer needed by the City of Garfield Fire Department;

2. In exchange for the truck, the Garfield Fire Department will receive various items of personal property, to wit: radio equipment, valued at approximately \$1,000.00 from the Borough of Palisades Park.

NOW THEREFORE BE IT FURTHER RESOLVED that the details and the exact articles of property will be determined by the Chief of the Garfield Fire Department in consultation with the City Manager;

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 Garfield Fire Department, the Chief Financial Officer of the City of Garfield, the City Attorney and the City Manager.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

RESOLUTIONS

Resolution No. 09-242

RESOLUTION AUTHORIZING STREET CLOSURES FOR CALVARY BAPTIST CHURCH MULTICULTURAL FESTIVAL

WHEREAS, the Calvary Baptist Church of New Jersey at Garfield, located at 217-245 Passaic Street has requested a permit to host its annual Multicultural Festival on Saturday, August 8, 2009 between the hours of 11:00 a.m. and 6:00 p.m.; and

WHEREAS, the Calvary Baptist Church has conducted this event on prior occasions and the City Council supports this activity; and

WHEREAS, the purpose of the Festival is to promote unity with a variety of cultures within the City of Garfield; and

WHEREAS, as part of the Festival, street closures have been requested and said closures must be approved by Resolution of the Governing Body pursuant to the requirements of local Ordinance.

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. Approval is hereby granted for the Calvary Baptist Church of New Jersey to conduct its annual Multicultural Festival on Saturday, August 8, 2009 between the hours of 11:00 a.m. and 6:00 p.m.
2. The rain date for this event shall be August 15, 2009 between the same hours.
3. The closure of the following streets is hereby approved:
 - Westminister Place at Garfield Avenue
 - Westminister Place to Passaic Street – Naples and Farnham

The exact location of the closures shall be determined in consultation between the City Manager, Garfield Police Department and the Calvary Baptist Church of New Jersey.

4. This resolutions contingent upon Calvary Baptist Church of New Jersey compliance with all reasonable directions and requirements of the Garfield Police Department and Garfield Fire Department
5. No alcoholic beverages shall be sold at this event.

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 Calvary Baptist Church of New Jersey, Garfield Police Department, Garfield fire Department, the Office of the City Manager and the City Attorney.

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

ORDINANCES

Councilmember Delaney introduced in writing the following ordinance entitled:

AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this entitled ordinance: “AN ORDINANCE TO FIX THE SALARY, WAGES AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY” 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 Raymond, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

Special Meeting June 29, 2009, Continued

ADJOURNMENT

After the City Council came out of Closed Session at 10:25 PM, there being no further business, Councilmember Aloia moved to adjourn the meeting. Councilmember Delaney duly seconded the motion.

On call of roll, Ayes, 5

Andrew J. Pavlica, CITY CLERK