

A Regular Meeting of the City Council was held Tuesday, January 8, 2008 at 8:35 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: James Krone, Stanley J. Moskal, Joseph Delaney and Frank J. Calandriello

Councilmembers Absent: Louis G. Aloia

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Kevin J. Boswell and Interim Chief Financial Officer Roy Riggitano

COMMUNICATIONS/APPOINTMENTS

City Clerk Pavlica reported that in a letter dated January 2, 2008, Mayor Calandriello appointed Nick Milevski, 15 Garwood Court, to the Planning Board, as the First Alternate Member, to succeed John Scarpulla (who has resigned from the Board), for a full two year term, effective January 1, 2008, said term to expire December 31, 2009.

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 Krone duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

RESOLUTIONS

Resolution No. 08-4

WHEREAS, the Mayor of Buccino in the Province of Palermo, Sicily, the Honorable Dr. Pasquale Via, is currently visiting the greater North Jersey metropolitan area of the United States of America, and

WHEREAS, the Mayor and Council of the City of Garfield are desirous of extending a hearty welcome to him with an exchange of culture and good will between our City and his home City of Buccino, Sicily, Italy,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, USA, that warm greetings and a hearty welcome are hereby extended to the Honorable Dr. Pasquale Via, Mayor of Buccino, Sicily, on the occasion of his visit to the United States, and do hereby publicly recognize him for serving his respective constituents well and wish him good health, success and prosperity for many years to come.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Frank J. Calandriello
Joseph Delaney

At this time a framed copy of Resolution No. 08-4 was presented to Dr. Pasquale Via the Mayor of Buccino, Sicily, along with a paperweight engraved with the Seal of the City of Garfield, a Key to the City of Garfield, and a 75th Anniversary of the City of Garfield Souvenir Journal. Mayor Via and the members of the Garfield Mayor and Council exchanged warm wishes between the two municipalities.

Resolution No. 08-5

RESOLVED by the Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following Skill Games Distributor's License for the year 2008:

Millenium Amusements LLC	
44 East Railway Avenue	
Paterson, NJ 07522	\$350.00

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

RESOLUTIONS

Resolution No. 08-6

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2008 described in application, duly filed:

B.J.'s Polonia 126 Ray Street Garfield, NJ 07026	Pool	<u>\$ 75.00</u> \$ 75.00
Taps Saloon 142 Outwater Lane Garfield, NJ 07026	Pool Jukebox Video Pinball	\$ 75.00 \$ 50.00 \$ 50.00 <u>\$ 50.00</u> \$225.00
Detour 437 Lanza Avenue Garfield, NJ 07026	Pool Jukebox Megatouch	\$ 75.00 \$ 50.00 <u>\$ 50.00</u> \$175.00
MVP's 402 River Drive Garfield, NJ 07026	Pool Jukebox Video	\$ 75.00 \$ 50.00 <u>\$ 50.00</u> \$175.00
Midnight Sun 323 Semel Avenue	Pool Jukebox	\$ 75.00 <u>\$ 50.00</u> \$125.00

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-7

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

WHEREAS, as a member in this fund, the City of Garfield must appoint a Fund Commissioner and an Alternate to represent the City on all matters before the Fund; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey that City Manager Thomas J. Duch is hereby appointed a J.I.F. Fund Commissioner and Andrew J. Pavlica, City Clerk be and is hereby appointed as Alternate J.I.F. Fund Commissioner for the City of Garfield of the Suburban Essex Municipal Joint Insurance Fund for the year 2008.

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward a copy of this approved Resolution to the Suburban Essex Municipal Joint Insurance Fund, Risk Management Consultant and to the Office of the City Manager.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-8

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

WHEREAS, the Fund has certified an annual 2008 Assessment in the amount of \$913,999.00 for the coverages included in its JIF membership,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the above referenced JIF assessment for the year 2008 is hereby authorized for payment in accordance with the terms and conditions as set forth by the fund and the Interim Chief financial Official is hereby authorized and directed to make payment in accordance with the attached schedule.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-9

RISK MANAGEMENT CONSULTANT

WHEREAS, the City of Garfield is a member of the Suburban Essex Municipal Joint Insurance fund; and

WHEREAS, the bylaws of said Funds require that each member municipality appoint a RISK MANAGEMENT CONSULTANT to perform various professional services as detailed in the bylaws and the attached risk consultant management agreement; and

WHEREAS, the bylaws indicate a minimum fee equal to six percent (6%) of the Municipal assessment which expenditure represents reasonable compensation for the services required and which is included in the City's annual JIF assessment; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey does hereby appoint Frank Covelli of Professional Insurance Associates, Inc., 429 Hackensack Street, Carlstadt, NJ 07072 as its Risk Management Consultant in accordance with the Fund's bylaws and the attached risk consultant management agreement; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute the Risk Management Consultant's Agreement annexed hereto and to cause a notice of this decision to be published pursuant to NJSA 40A:11-5(1)(a)(i).

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-10

WHEREAS, the Mayor and Council previously authorized the solicitation of quotes for the purchase of an Electronic Document Management System and Backfile Conversion for use in the Building Department; and

WHEREAS, specifications for this acquisition were prepared by the Chief Financial Officer of the City of Garfield, Roy Riggitano, and an advertisement for this quote solicitation was published and provided in accordance with the provisions of law; and

WHEREAS, quotes in connection with this solicitation were due on _____ and three (3) quotes were received in response to the solicitation, as follows:

- a) General Code Publishers;
- b) Large Doc Solutions; and
- c) Smooth Solutions, Inc.

WHEREAS, the amount of the quotes submitted, were as follows:

- a) General Code Publishers; \$23,865.00
- b) Smooth Solutions, Inc.; \$24,965.00
- d) Large Doc Solutions

RESOLUTIONS

WHEREAS, the submissions from each bidder were reviewed by the City Chief Financial Officer and the City Attorney, and based upon those reviews, it has been recommended that the contract for this acquisition be awarded to General Code Publishers on its base bid of \$23,865.00; and WHEREAS, it has been determined that General Code Publishers has had a long relationship with the City of Garfield and the City believes that it would be the best company for this particular project;

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

1. A contract with General Code Publishers of Rochester, New York for the purchase of an Electronic Document Management System and Backfile Conversion be and is hereby authorized.
2. The above referenced contract shall be in the amount of 423,865.00 and shall be based upon the quote submitted by General Code Publishers in response to the bid solicitation and specifications prepared by the City Chief Financial Officer.
3. This award is contingent upon certification, by the Chief Financial Officer that sufficient funds exist for this purpose.

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, the Chief Financial Officer and General Code Publishers.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution 08-11

THE STATE OF NEW JERSEY DEPARTMENT OF STATE DIVISION OF ARCHIVES AND RECORDS MANAGEMENT

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities that do not have the resources to create one for themselves; and

WHEREAS, in the 2008-2009 grant cycle, priority funding will be given to shared services projects, including those between a county and its municipalities;

WHEREAS, the City of Garfield desires to collaborate with the county of Bergen in the performance of the Clerk to Clerk Project

WHEREAS, the City of Garfield urges the County to develop a proposal to the Clerk to Clerk Project;

WHEREAS, the City of Garfield is acknowledging that the County of Bergen would be both the lead agency and the applicant for such a proposal; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, Bergen County, that the City of Garfield does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-12

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

RESOLUTIONS

WHEREAS, deposits have been received from Wawel Savings Bank, SLA, c/o Dennis A. Maycher, Esq., 935 River Drive, Garfield, NJ 07026; in the amount of \$2,179.30 for Engineering fees on 11/30/05 and \$1,578.72 for a total of \$3,758.02; said funds are being held in the Escrow Developer's Trust Account, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield that these monies are refunded to the above named claimant.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-13

WHEREAS, Arlene Patire, was appointed to the Zoning Board of Adjustment as a Regular Member pursuant to Resolution No. 03-456, adopted by the City Council at a Regular Meeting held Tuesday, December 9, 2003, and

WHEREAS, her term of office expired December 31, 2007,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Arlene Patire of 184 Midland Avenue, is hereby appointed to the Zoning Board of Adjustment as a Regular Member, effective January 1, 2008, to succeed herself, for a full four year term, said term to expire December 31, 2011.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-14

WHEREAS, Manual Martins was last appointed to the Zoning Board of Adjustment pursuant to Resolution No. 04-168, adopted by the City Council at a Regular Meeting held April 13, 2004, and WHEREAS, pursuant to written correspondence received from him, he has resigned from said Board effective October 23, 2007,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Robert Cochrane of 72 Manner Avenue, is hereby appointed to the Zoning Board of Adjustment as a Regular Member, effective January 1, 2008, to succeed Manual Martins for a full four year term, said term to expire December 31, 2011.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) James Krone
Joseph Delaney

Resolution No. 08-15

WHEREAS, Edward Puzio, was appointed to the Zoning Board of Adjustment as the First Alternate pursuant to Resolution No. 05-481, adopted by the City Council at a Regular Meeting held Tuesday, December 20, 2005, and

WHEREAS, his term of office expired December 31, 2007,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Edward Puzio of 535 MacDonald Street, is hereby appointed to the Zoning Board of Adjustment as a First Alternate, effective January 1, 2008, to succeed himself, for a full two year term, said term to expire December 31, 2009.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) James Krone
Joseph Delaney

RESOLUTIONS

Resolution No. 08-16

WHEREAS, Robert Cochrane, was appointed to the Zoning Board of Adjustment as the Second Alternate pursuant to Resolution No. 05-482, adopted by the City Council at a Regular Meeting held Tuesday, December 20, 2005, and

WHEREAS, his term of office expired December 31, 2007,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Scott Leibowitz of 130 Krakow Street, is hereby appointed to the Zoning Board of Adjustment as a Second Alternate, effective January 1, 2008, to succeed Robert Cochrane, for a full two year term, said term to expire December 31, 2009.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 08-17

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the municipal fees for Bingo Licenses for the Year 2008 for the Garfield Boys and Girls Club, 490 Midland Avenue, Garfield, NJ are hereby waived.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

(Sgd) Stanley J. Moskal
Joseph Delaney

BILLS AND CLAIMS

Resolution No. 08-18

RESOLVED by the City Council of the City of Garfield that the following bills No. 1227 to and including 1232 covering POAA Trust, Trust/Community Development and Trust/ Other totaling \$138,629.53 and Current Fund Reserve totaling \$96,007.02 and Current Fund totaling \$1,311,052.90 and Water Fund Reserve totaling \$25,450.44 and Water Capital totaling \$15,185.42 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 fourteen (14) 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 ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES”

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this ordinance entitled, “AN ORDINANCE ADOPTING A CODIFICATION AND REVISION OF THE ORDINANCES OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY; PROVIDING FOR THE MAINTENANCE OF SAID CODE; REPEALING AND SAVING FROM REPEAL CERTAIN ORDINANCES NOT INCLUDED THEREIN; ESTABLISHING A PENALTY FOR ALTERING OR TAMPERING WITH THE CODE; AND MAKING CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES” 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 January 22, 2008 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 at least seven days prior to the hearing, in the Garfield Messenger.

The motion, duly seconded by Councilmember Moskal, 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 – Councilmember Aloia

CITIZENS AND TAXPAYERS

Ms. Tana Raymond, 93 Spring Street, commented that if bingo license fees are waived for the Boys and Girls Club of Garfield, then it may not be fair to exclude the churches. She spoke on how unhealthy it is to send DPW workers out in bad weather. She spoke on the need to help the Loaves and Fishes Interfaith Food Pantry. She made Property Maintenance Complaints concerning the First Ward. She expressed concern about crime. She complained about her water bill and said that she wants her water meters checked and her bills reviewed. She complained about enforcement of laws prohibiting illegal apartments.

Ms. Christine Korsak, 185 Chestnut Street, complained about illegal apartments in her neighborhood.

Mr. Joseph Dorman, 174 Palisade Avenue, asked questions concerning PARIS grants and the Codification Ordinance.

COUNCILMEMBER COMMENTS

Councilmember Krone wished everybody a Happy New Year. He said that the City Council tries to help everybody solve their problems. He said that the City Council is trying to build up the police force and will continue to do our best. He reminded everybody that the Relay for Life cancer prevention fundraiser will be held again in June.

COUNCILMEMBER COMMENTS

Councilmember Moskal said that the close of 2007 and the start of 2008 presents its first set of challenges, but with it also comes progress. He said that the City has a new Haz Mat Truck, a new Police Station is in the works and the City took the lead in upgrading its Water Works. He tries to resolve things in a timely manner and the Council tries to make this town better and move forward.

Deputy Mayor Delaney commented that the City needs help enforcing Property Maintenance Ordinances. He wished everybody a Happy New Year.

Mayor Calandriello spoke on Property Maintenance enforcement. He said that all complaints have to be handled in a proper manner. He vowed, in 2008, to try to make Garfield a better place. He wished everybody a Happy and Healthy New Year.

ADJOURNMENT

At 9:50 PM, there being no further business, Councilmember Krone moved to adjourn the meeting. Councilmember Moskal duly seconded the motion.

On call of roll, Ayes 4,
Absent 1 – Councilmember Aloia

Andrew J. Pavlica, CITY CLERK