

A Regular Meeting of the City Council was held Wednesday, November 12, 2008 at 9:25 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 Engineer Kevin J. Boswell 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. 08 – 420

WHEREAS, the Garfield PBA Local No. 46 will hold their Annual Awards Dinner on Friday, November 14, 2008 at The Brownstone located at 351 West Broadway, Paterson, New Jersey, and WHEREAS, the P.B.A. is honoring David F. Brigati, Jr. and Martin P. Geisler, Esq., with Silver PBA Lifetime Membership Cards for their many years of dedicated service, and WHEREAS, the City Council is desirous of joining with the P.B.A. in honoring these two fine individuals,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that David F. Brigati, Jr. and Martin P. Geisler, Esq. are hereby publicly congratulated and acknowledged for being deservedly honored with a dinner celebration by Garfield PBA Local No. 46 for their dedicated service to our community and the Garfield Police Department.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 08 – 421

WHEREAS, Fire Company No. 3 has advised that they have accepted the resignation of Radoslaw Polanski of 87 Grand Street, as an active member, effective October 6, 2008, NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 08 – 422

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Public Service Electric and Gas Company is hereby authorized and requested to install a “Yellow” High Pressure Sodium Lamp on Pole Number 61220G located near 318 MacArthur Avenue and Pole Number 60215G located near 307 MacArthur Avenue (near the intersection with Elizabeth Street), BE IT FURTHER RESOLVED that City Clerk Andrew J. Pavlica is hereby authorized and directed to forward a certified and exact copy of this approved resolution to P.S.E. & G. Co. at the following address.

RESOLUTIONS

Mr. Tom Zotollo
P.S.E. & G. Company
325 County Avenue
Secaucus, New Jersey 07094

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 08 – 423

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Garfield desires to further the public interest by obtaining a loan in the amount of \$81,800 and/or a grant of \$1,218,200 from the State to fund the following project: Historic Dundee Dam Pedestrian way and Preserve;

NOW, THEREFORE, the City Council of the City of Garfield resolves that City Manager Thomas J. Duch or the successor to the office of City Manager is hereby authorized to:

- (a) Make application for such a loan and/or such a grant,
- (b) Provide additional application information and furnish such documents as may be required, and
- (c) Act as the authorized correspondent or the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield:

1. That the City Manager of the City of Garfield is hereby authorized to execute an agreement and any amendment thereto with the State known as Historic Dundee Dam Pedestrian Way and Preserve;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$1,136,400.00.
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 08 – 424

BE IT RESOLVED by the Mayor and Council of the City of Garfield that application is made to the NJ Division of Parks & Forestry, Office of Natural Lands Management for aid under the National Recreation Trails Program for:

RESOLUTIONS

Dundee Dam Pedestrian Way & Preserve

WHEREAS, the Council has determined that such application(s) should be prepared by Capital Alternatives Corporation, the grants specialists engaged by the municipality for assistance in such matters.

RESOLVED, that Capital Alternatives Corporation is authorized to prepare, assemble, and submit the necessary documentation on behalf of the City of Garfield for the stated project(s).

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 08 – 425

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 Judgement for the year 2006.

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 |
|--------|-----|----------------------------|--------|------------|
| 119.05 | 212 | “William S. Winters, Esq.” | TCJ | \$3,220.14 |

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 08 – 426

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 Judgement for the year 2007.

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 |
|--------|-----|----------------------------|--------|-------------|
| 119.05 | 212 | “William S. Winters, Esq.” | TCJ | \$3, 337.40 |

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 08 – 427

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 judgement for the year 2007.

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 |
|-------|-----|--|--------|------------|
| 200 | 16 | Zipp & Tannenbaum LLC for 848 River Drive LLC | TCJ | \$1,990.60 |
| 200 | 18 | Zipp & Tannenbaum LLC for 848 River Drive LLC | TCJ | \$2,874.90 |
| 200 | 21 | Zipp & Tannenbaum LLC for 848 River Drive LLC | TCJ | \$2,049.80 |

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

RESOLUTIONS

Resolution No. 08 – 428

RESOLUTION – AUTHORIZING INSURANCE CONSULTING SERVICES

WHEREAS, Joseph Bigica, Inc. was authorized, pursuant to Resolution 07-463 to investigate and evaluate the medical and prescription and insurance programs presently in effect within the City of Garfield and submit proposals and recommendations to the City Council and City Manager; and

WHEREAS, the Mayor and Council believe that, due to the changing insurance marketplace, the residents and taxpayers of the City of Garfield would be best served by allowing other consultants to investigate alternate plans for coverage and submit proposals to the Mayor and Council for consideration; and

WHEREAS, by allowing additional consultants to provide such services, it is the opinion of the Mayor and Council that the residents and taxpayers of the City will achieve the maximum cost for protection and secure the best possible price for these coverages; and

WHEREAS, Joseph Bigica, Inc. shall still have authority to evaluate the programs and make recommendations, however, the right to do so shall be on a non-exclusive basis.

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 City Manager and Chief Financial Officer of the City of Garfield are hereby authorized to contact and discuss medical and prescription insurance programs with other consultants, brokers and companies.

2. The City Manager and Chief Financial Officer are authorized to communicate with other providers and consultants and to make recommendations to the Mayor and Council for such programs.

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 Chief Financial Officer, the City Attorney, the City Manager and Joseph Bigica, Inc., 309 Indian Trail Drive, Franklin Lakes, New Jersey 07417.

On call of roll - Ayes 4,
Nays 1 - Councilmember Delaney

(Sgd) Tana M. Raymond
Stanley J. Moskal

BILLS AND CLAIMS

Resolution No. 08 – 429

RESOLVED by the City Council of the City of Garfield that the following bills No. 1275 to 1276 covering Trust Other and Dog Trust totaling \$31,079.34 and Current Fund totaling \$2,271,055.98 and Water Fund Current totaling \$17,136.18 and General Capital totaling \$14,884.75 and Water Capital totaling \$7,865.00 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 thirteen (13) items prior to the meeting be ratified.

See

the

following

pages numbered 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209,
211, 213, 215

for

Bills

and

Claims

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

“AN ORDINANCE TO AMEND ORDINANCE 2523 OF THE CITY OF GARFIELD 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 Aloia moved that this ordinance entitled, “AN ORDINANCE TO AMEND ORDINANCE 2523 OF THE CITY OF GARFIELD 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 November 25, 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 Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

CITIZENS AND TAXPAYERS

Mr. John Caravella, 4 Center Court, asked questions concerning savings realized when the City changed Employee Health Benefits by leaving the State Health Benefits Program about two years ago.

Ms. Judith Rodermond, 6 Plauderville Avenue complained about the Wisla Center located at the corner of Plauderville Avenue and Main Street. She complained about loud bands, patrons trespassing and destroying property, smashing siding and throwing up. She said that she has pictures showing how everything is and she has to clean up every Sunday. She said that she has police reports. She said that she had sensors installed but they were destroyed in days. She said that vehicles have been damaged and enough is enough. She claimed that she cannot utilize half her property because of drunken patrons. She said that there are security issues and the police take too long to respond. She said that there are fights, smashed bottles, bottles are brought outside, lights are smashed and people dance on the hoods of cars every Saturday.

Mr. Stewart Walters, 273 Palisade Avenue, questioned the commission percentage that the broker received for providing Employee Health Insurance Benefits Coverage. He questioned when the Palisade Avenue Improvement would be completed.

COUNCILMEMBER COMMENTS

Councilmember Raymond said that it was good to see Stewart Walters here tonight because six weeks ago he had a heart attack. She extended a sincere thank you to all our men and women who wear the United States uniform and it is because of them that we live in freedom and we need to be thankful. She spoke on the Quality of Life Committee which was established by Laura Danis. She said that the City will work diligently to save money on City Employee Health Benefits. She spoke on the PBA Dinner to be held Friday, November 14th. Councilmember Delaney thanked the veterans and it is because of them that we have freedom. He said that Garfield is a town which commemorates Veterans Day. He said that he voted against the resolution concerning City Health Insurance Benefits because he is satisfied with what the broker did to save money in the past few

COUNCILMEMBER COMMENTS

years and he has done a good job. He spoke on the Project Graduation Beefsteak Dinner fundraiser to be held this Saturday, November 15th.

Councilmember Aloia said that it is important to recognize the City's living veterans because that is what Veteran's Day is about. He said that a ceremony was held in front of the VFW at 340 Outwater Lane on November 11th at 11:00 AM. He said that it is nice to know that there are not a lot more veterans because then there were times we were not in conflict and were not having wars. He said that Committees and outside groups are good but let City Officials know right away so City Officials can jump on the issue quickly.

Councilmember Moskal said that he did not have an opportunity to attend Tuesday's Veterans Day Service because of work obligations, but he extends his appreciation to the Veterans for their service to our nation. He said that Vornado is very aggressive in moving their Redevelopment Project forward on Passaic Street which is a huge plus for the City because of the jobs and ratables it will bring. He said that it is refreshing and good to hear that they are moving forward even with everything negative that is going on in this economy. He said that it is very encouraging for the Council and citizens of Garfield to know. He said that in regard to Health Insurance, there is something called the time value of money. He said that you can execute something and money you receive today is worth more than a dollar you receive six months or a year from now. He said that the City has an opportunity to execute and there are three or four private companies to come in to present a money savings package to the City Council. He said that there is an opportunity to save dollars from right now, instead of waiting on it. He said to always shop around because it is to the City's benefit for the taxpayers.

Mayor Calandriello said that the Veterans Ceremony was moved to the front of the VFW at the request of the veterans. He said that every year, the City gave its respect and showed gratitude for those who have served our country, and will continue to do the same. He spoke on Rick Lottermann, the Group Sales Manager of the New Jersey Nets NBA team, who contacted the City and through the "Auto Zone Mayor's Program" they are going to give the City 575 tickets to attend a New Jersey Nets game on December 29th against the Chicago Bulls. He said that it will be a nice treat for children who may not have an opportunity to attend a Nets game. He said that it is all complimentary and it will be Garfield Night and be a really good thing for the town and the children.

ADJOURNMENT

At 10:15 PM there being no further business, Councilmember Moskal moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK