

A Regular Meeting of the City Council was held Tuesday, March 25, 2008 at 8:05 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: Louis G. Aloia, James Krone, Stanley J. Moskal, Joseph Delaney and Frank J. Calandriello

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

### CEREMONY FOR RETIRING POLICE CHIEF ROBERT ANDREZZI

City Manager Duch temporarily acted as Master of Ceremonies.

Police Chief Robert Andrezzi, Deputy Police Chief Kevin Amos and officers of the Garfield Police department were escorted into the Council Chambers by a Police Honor Guard and a bag piper.

Garfield Girl Scout Troop #494 led everyone in the Flag Salute.

Monsignor William Reilly, the Pastor of Most Holy Name Roman Catholic Church, offered a Special Invocation.

City Manager Duch introduced the many dignitaries in the audience and then read a biography of Police Chief Andrezzi.

### RESOLUTIONS

Resolution No. 08-103

WHEREAS, Police Chief Robert Andrezzi is retiring from a career in law enforcement after nearly 38 years of dedicated service to the people of Garfield on March 31, 2008, and

WHEREAS, he was appointed to the Garfield Police Force on November 9, 1970, graduating second in his class, and subsequently became a Sergeant in 1977, a Lieutenant in 1983, a Captain in 1993, Deputy Police Chief in 2000 and Chief of Police in 2006, and

WHEREAS, he has excelled in marksmanship having achieved a pistol team score of 299 out of a perfect 300 in the Bergen County Law Enforcement Qualifications Match on October 29, 1986, and WHEREAS, he is a recipient of numerous medals including the meritorious service medal, exceptional duty medal, life saving medal and the honorable duty medal, some of which he has received several times, and

WHEREAS, he has a wife Maria, a daughter Kimberly, a son Robert, and a grandson Joseph, all who, after his retirement, should have many more opportunities to enjoy his company,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that POLICE CHIEF ROBERT ANDREZZI is hereby extended BEST WISHES upon the occasion of his retirement from a long and exemplary career in law enforcement that has spanned nearly four decades of dedicated community service and which has provided a standard of excellence for all to know and to emulate.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, a framed copy of Resolution 08-103 was presented to retiring Police Chief Robert Andrezzi.

Police Chief Andrezzi addressed the audience and gave thanks for the public recognition of his retirement.

CEREMONIAL SWEARING IN OF POLICE CHIEF AMOS

City Manager Duch read a letter appointing Kevin Amos as Chief of Police, effective April 1, 2008.

At this time, City Manager Duch administered the official oath of Police Chief to Kevin Amos, as he was surrounded by his father, Richard, his wife Rosemarie, his daughter Kara and his son Marc, who held the Bible.

At this time retiring Police Chief Andrezzi presented the Badge of Police Chief to incoming Police Chief Amos.

Incoming Police Chief Amos addressed the audience and each Councilmember offered words of congratulations to Chief Amos.

At this time, Garfield Girl Scout Troop 494 made a presentation to Chief Andrezzi.

ARRIVAL OF CITY ENGINEER BOSWELL

At 9:00 PM, City Engineer Kevin J. Boswell joined the meeting and it was duly noted for the record.

RESOLUTIONS

Resolution No. 08-104

WHEREAS, Saint Joseph Regional High School senior and Garfield resident Ryan Mati has been appointed to the United States Naval Academy with the Class of 2012, the first step to become an officer in the US Navy or Marine Corps,

WHEREAS, in his four years at Saint Joe's, Ryan Mati had consistently seized leadership roles as an officer in the National Honor Society, Class President, and Captain of the Varsity Tennis team, of which he has been a four year member, and

WHEREAS, he was featured performer in the SJR productions of "Urinetown", "Miss Saigon", "West Side Story" and "Jesus Christ Superstar", a rock opera to raise money for Covenant House, and

WHEREAS, he has received the Clarkson University Leadership Award, Quill and Scroll Award, a spot in Who's Who Among American High School Students, and the Edward J. Bloustein Distinguished Scholar Award,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that Ryan Mati is hereby CONGRATULATED on his appointment to the US Naval Academy, for his exemplary academic record of leadership and for volunteering to give a generous portion of his precious lifetime in service and defense of his country.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, a framed copy of Resolution No. 08-104 was presented to Ryan Mati.

Resolution No. 08-105

WHEREAS, the Garfield High School Hall of Fame Committee has proudly announced their inductees into the Hall of Fame for 2008, and

WHEREAS, the inductees were selected with consideration of athletic, civic and student activity contributions while in Garfield High School, and

WHEREAS, by their active participation in these areas, they have brought honor and pride, not only to themselves, but to the entire educational and civic community, and

WHEREAS, the Induction Dinner-Dance will be held Friday, May 2, 2008 at the Cotillion Restaurant in Garfield,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the following individuals are hereby publicly congratulated and recognized for their steadfast dedication to excellence as demonstrated by their induction into the Garfield High School Hall of Fame:

RESOLUTIONS

Christopher Annibal '91, Anthony Quatrone '50, Jack M. Cimino '53  
John Rigoliosi '76, Frank Dawson III '89, Tommy Ryan '96  
Francis Pinto, Jr. '79, Donald Veleber '52  
Wally Tabaka '40

BE IT FURTHER RESOLVED that congratulations are also extended to the 1992 Wrestling Team Garfield Holiday Tournament Champions, Bergen County Group 2 Champions, Undefeated BPSC King Division Champions, NJSIAA North 1, Group 2 State Champions, Bergen County Group 1-2 "Team of the Year" as they received the Team Awards from the Hall of Fame.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 08-106

WHEREAS, Belmont Suds Factory, 62 Belmont Avenue has filed an application for a laundromat license for the year 2008, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to, Belmont Suds Factory, for the year 2008.

On call of roll, Ayes 5

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 08-107

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 G1310G located near 377 Midland Avenue,

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:

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

On call of roll, Ayes 5

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 08-108

A RESOLUTION AUTHORIZING ADVERTISEMENT OF BIDS FOR PALISADE AVENUE WATER MAIN IMPROVEMENTS PHASE 2

BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is hereby authorized and directed to advertise for receipt of bids for the Palisade Avenue Water Main Improvements, Phase 2 on Friday, April 18, 2008 at 10:00 AM, in the 2<sup>nd</sup> Floor Conference Room in City Hall.

On call of roll, Ayes 5

(Sgd) James Krone  
Louis G. Aloia

RESOLUTIONS

Resolution No. 08-109

RESOLUTION – ENVIRONMENTAL TESTING – 39 ATLANTIC STREET

WHEREAS, the City of Garfield has received an application for a road opening permit at the former Howil Corp. property at 39 Atlantic Street, Garfield, New Jersey; and

WHEREAS, in connection with that project, the contractor, Environmental Waste Management Associates, LLC, has requested permission to install a single monitoring well within the City right of way on Commerce Street; and

WHEREAS, this request has been received and reviewed by the City Engineer who has approved of the same subject, however, to a Resolution of the Governing Body, execution of a Hold Harmless Agreement and payment of the necessary fees and escrows.

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. Permission is hereby granted for the installation of one monitoring well on Commerce Street near the former Howil Corp. property located at 39 Atlantic Street, Garfield, New Jersey.
2. The installation of this monitoring well shall be performed in accordance with all directions of the City Engineer, Kevin J. Boswell, P.E. as well as the City of Garfield Department of Public Works and Building Department.
3. The approval granted herein shall be in accordance with the request from environmental Waste Management Associates, LLC dated February 12, 2008 and the placement of the well shall be in accordance with the plan attached to that request.
4. Prior to commencement of any work pursuant to this authorization, the City of Garfield and the contractor shall execute an Indemnification and Hold Harmless Agreement in a form either prepared by or approved by the City Attorney. The City Manager is hereby authorized to execute said document on behalf of the City of Garfield.
5. The approval granted herein is further contingent upon payment of all fees, bonds, and escrows in accordance with the direction of the City Engineer and Local Ordinance.

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 City Engineer and the Department of Public Works of the City of Garfield.

On call of roll, Ayes 5

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 08-110

RESOLUTION – SPECIAL COUNSEL FOR CABLEVISION NEGOTIATIONS

WHEREAS, the Cable Television Franchise Agreement between the City of Garfield and Cablevision of Oakland, LLC expired on October 13, 2007; and

WHEREAS, the City Attorney has reviewed this matter with the State and local Planning Coordinator at the State of New Jersey Board of Public Utilities, Karen A. Marlowe, who has indicated that the City should not proceed with the necessary hearings and other steps required in connection with the renewal of the franchise; and

WHEREAS, Emil S. Cuccio, Esq. is an attorney licensed to practice law in the State of New Jersey and is a recognized expert in the field of cable television franchising and related matters; and

WHEREAS, Emil S. Cuccio, Esq. formally represented Cablevision in its negotiations with the City of Garfield for prior terms; and

WHEREAS, the City Council has determined that it would be in the best interests of the residents and taxpayers of the City of Garfield to retain special counsel in connection with this matter.

RESOLUTIONS

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. Emil S. Cuccio, Esq., 45 Essex Street, Hackensack, New Jersey be and is hereby appointed Special Cable Television Counsel to the City of Garfield.
2. The appointment of Mr. Cuccio shall commence immediately upon the adoption of this Resolution and shall continue for a period on one (1) year or unless such time as the subject matter of his retention has been concluded.
3. Mr. Cuccio shall be appointed at the rate of \$175.00 per hour up to a maximum of \$5,000.00 which maximum may be increased in the event that further services shall be required.
4. Mr. Cuccio shall be retained to handle all matters related to Cable Television Franchise within the City of Garfield.
5. This Resolution in contingent upon certification, by the Chief Financial Officer, that sufficient funds exist for this purpose.
6. The within contract may be awarded without the necessity of competitive bidding since it calls for professional services, an exception from the competitive bidding requirement of the Local Public Contracts Law.
7. The offices of Emil S. Cuccio, Esq. shall execute a professional services contract prepared by the City Attorney.

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 Emil S. Cuccio, Esq., 45 Essex Street, Hackensack, New Jersey, 07601, the City Attorney and the City Manager.

On call of roll, Ayes 5

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 08-111

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF HOME PROGRAM PROJECTS

WHEREAS, a Bergen County Home Program grant of \$100,000.00 has been proposed by THE HABITAT FOR HUMANITY OF BERGEN COUNTY for the purchase and rehabilitation of a house on 58 Farnham Avenue in the City of Garfield for renovation into affordable housing, and WHEREAS, pursuant to the State Interlocal Services Act, Home Program funds may not be spent in a municipality without authorization by the Governing Body, and WHEREAS, the aforesaid project is in the best interest of the people of the City of Garfield, and WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid HOME funds, NOW THEREFORE, BE IT RESOLVED by the Governing Body of Garfield, Bergen County, New Jersey, that the aforesaid project is hereby endorsed and that the City Clerk is hereby authorized and directed to forward a CERTIFIED copy of this approved resolution to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) James Krone  
Louis G. Aloia

RESOLUTIONS

Resolution No. 08-112

AUTHORIZING THE CITY OF GARFIELD TO APPLY TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR SAFE ROUTES TO SCHOOL PROGRAM FUNDING

WHEREAS, the City of Garfield, County of Bergen, State of New Jersey desires to apply to the New Jersey Department of Transportation (NJDOT) for grant funding under the Safe Routes to School Program; and

WHEREAS, the funds are provided under the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users commonly referred to as FAFEEA-LU; and

WHEREAS, the Garfield Safe Routes to School 2008 project meets all the criteria necessary to receive funding under the Safe Routes to School Program; and

WHEREAS, the Garfield Safe Routes to School 2008 project will promote safe walking and biking along the routes to and from school and improve the quality of life for the residents of Garfield; and

WHEREAS, the City of Garfield agrees to assume a commitment for maintenance of the project after construction is completed for at least a period of twenty (20) years from project completion; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield, Bergen County, New Jersey, authorizes the City Manager to submit a grant application to the NJDOT for funding under the Safe Routes to School Program for the Garfield Safe Routes to School 2008 Program.

On call of roll, Ayes 5

(Sgd) James Krone  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 08-113

RESOLVED by the City Council of the City of Garfield that the following bills No. 1246 to and including 1247 covering PDEF Trust Account and Dog Trust Account totaling \$12,024.42 and Current Fund Reserve totaling \$99,926.87 and Current Fund Current Year totaling \$1,149,734.07 and Water Fund Current Year totaling \$131,018.34 and General Capital totaling \$34,968.08 and Water Capital totaling \$111,527.20 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 fifty five (55) items prior to the meeting be ratified.

See

The

following

pages numbered \_\_\_\_\_

for

Bills

and

Claims

ORDINANCES

Ordinance No.

The following entitled ordinance was introduced at a Regular Meeting held February 27, 2008; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full, the public hearing on this ordinance was held on March 11, 2008 at which meeting the ordinance was tabled, and the City Council can now proceed with the final passage:

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 Aloia moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Moskal duly seconded the motion.

On call of roll, Nays 5

ORDINANCE DEFEATED

Councilmember Aloia 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 Krone moved that this 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" 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 April 8, 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 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

CITIZENS AND TAXPAYERS

Ms. Genevieve Anastos, 78 Dewitt Street, complained about tractor trailers and delivery of boxes at all hours of the day and night to the back of the factory at 70 Outwater Lane. She said that Garfield City Council Resolution No. 79-119, which was adopted April 9, 1979, restricts trucking in the DeWitt Street area. She said that she objects to a building permit being issued for three new loading bays at the back of 64 and 70 Outwater Lane. She said that she would like regulations enforced, and a street sign which was knocked down, replaced.

Mr. Joseph Dorman, 174 Palisade Avenue, spoke in favor of publicly displaying the names of Garfield men and women, who are serving in the Armed Forces, on a sign in front of City Hall. He spoke on the Wall of Mayors being paid for with private donations. He told the Mayor and Council to post the names of those in the Armed Forces and to send him the bill.

CITIZENS AND TAXPAYERS

Ms. Tana Raymond, 93 Spring Street, spoke on the attendance of the public at the Memorial Day Services and Veterans Day Services. She said that she is willing to split the cost of a sign of veterans with Mr. Dorman. She said that she has never seen any parents of those in military service brought before the Council and honored. She complained about her water bill and the water billing system. She spoke on the cost to maintain the City Water System and bills the City was paid for water meter repairs to the Passaic Valley Water Commission. She complained about enforcement of ordinances prohibiting unlawful dwellings and she questioned how often illegal apartment convictions would be published in the newspaper.

Mr. Robert Annicchiarico, 26 Northview Terrace, said that his neighbor installed a deck on his house and was told that he had to tear the deck down and was told that he had to notify his neighbors within two hundred feet that he was applying to build a deck. He complained about a house that was torn down and rebuilt taller than any house in the area and he said that it is an eyesore and he objected that the house was built without notifying the neighbors within two hundred feet of the house.

Ms. Christine Korsak, 185 Chestnut Street, complained about alleged illegal apartments at 187 Chestnut Street.

Mr. Ignatius Tripodi, 155 Malcolm Avenue, asked questions concerning the resolution authorizing Special Counsel for negotiating a new cable TV franchise agreement with the City. He asked about the salary ordinances which were acted upon. He spoke on water billing services to the City through the Passaic Valley Water Commission and he spoke on water pump station repairs.

Ms. Laura Danis, 33 Spring Street, complained about the lighting of the Little League fields in Belmont Oval.

COUNCILMEMBER COMMENTS

Councilmember Aloia spoke on why the Memorial Day Parade is no longer held in the City of Garfield and he remarked that the Veterans are getting older and that they insisted that it be discontinued.

Councilmember Krone recognized Mrs. Paul Houlis in the audience and commented on how her son was going to France and becoming a Priest.

Councilmember Moskal spoke on the resolution concerning the Cable TV Franchise Renewal. He spoke on quality of life issues and an enforcement of regulations prohibiting unlawful dwellings. He commented that the Garfield YMCA Swim-A-Thon fundraiser was this coming Sunday, March 30, 2008.

Deputy Mayor Delaney spoke on enforcement of regulations against unscrupulous realtors and how there are penalties for misspeaking about the number of apartments in a house being sold and how they can lose their realtors license. He suggested that maybe a warning notice could be sent to realtors. He said that the Police Traffic Division should check out the trucking on DeWitt Street. He spoke on the need to address the lighting in Belmont Oval and spoke on the Garfield YMCA Swim -A-Thon this coming Sunday.

Mayor Calandriello asked Superintendent of Public Works Sam Garofalo, who was in the audience, to explain the Water Pump Repair. Mayor Calandriello asked Interim Chief Finance Officer Roy Riggitano to explain the Salary Ordinances.

Regular Meeting March 25, 2008, Continued

ADJOURNMENT

At 10:45PM, there being no further business, Councilmember Krone moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5,

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Andrew J. Pavlica, CITY CLERK