

A Regular Meeting of the City Council was held Thursday, August 21, 2008 at 8:40 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 Attorney Joseph J. Rotolo, City Engineer Representative Bernard Mirandi (for City Engineer Kevin J. Boswell), Interim Chief Financial Officer Roy Riggitano and City Auditor Representative Robert Haag (for City Auditor Dieter Lerch)

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 Delaney duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 08-296

WHEREAS, the Garfield Little League 11 Year Old Stars beat Wood Ridge/Moonachie 5-2 on July 19th in Hasbrouck Heights and finished the 2008 season with an 8-1 record and were District 5 Champions, and

WHEREAS, the team is comprised of Ricky Reyes, Dion Sanzari, Kevin Buron, Kevin Romero, David Dolci, Christian Castillo, Kyle Delahanty, Daniel Gulli, Jason Schomp, Patrick Jurkowski and Jesse LoConte under the direction of their Outstanding Coaches Jack LoBue and Vic Parenti, and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the Garfield Little League 11 Year Old All Stars,

NOW THEREFORE, BE IT RESOLVED by the Little League City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Garfield Little League 11 Year Old All Stars Team on their District 5 Championship.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time CERTIFIED copies of Resolution No. 08-296 were presented to the players and coaches of the Garfield Little League 11 Year Old All Stars.

PUBLIC HEARING ON THE 2008 MUNICIPAL BUDGET

Mayor Calandriello declared a public hearing on the 2008 Municipal Budget and asked if there was anyone wishing to speak for or against the 2008 Municipal Budget.

Mr. Ignatius Tripodi, 155 Malcolm Avenue, spoke and asked questions on the 2008 Municipal Budget.

There being no one else wishing to speak on the 2008 Municipal Budget, Mayor Calandriello declared the public hearing closed.

AMENDMENT TO THE 2008 MUNICIPAL BUDGET

Resolution No. 08–297

RESOLUTION RE: RESOLUTION TO AMEND 2008 BUDGET

WHEREAS, the local municipal budget for the year 2008 was approved on the 22nd day of July, 2008, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the city of Garfield, County of Bergen, that the following amendments to the approved budget of 2008 be made:

CURRENT FUND	<u>From</u>	<u>To</u>
General Revenues		
1. Surplus Anticipated	\$1,800,000	\$1,900,000
Total Surplus Anticipated	\$1,800,000	\$1,900,000
3. Miscellaneous Revenues		
Section A: Local Revenues		
Fees and Permits	300,000	320,000
Fines and Costs		
Municipal Court	800,000	845,000
Interest and Cost on Taxes	200,000	215,000
Total Section A: Local Revenues	1,357,000	1,437,000
Section G. Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Other Special Items		
Utility Operating Surplus of Prior Year – Water	300,000	340,000
General Capital Fund Balance		69,593
Sewer Charges	50,000	34,000
Reserve for Payment of Dept	200,000	-
Total Section G: Special Items of General Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Other Special Items	1,491,896	1,385,489
Total Miscellaneous Revenues	6,577,708	6,551,301
5. Subtotal General Revenues	9,227,708	9,301,301
6. Amount to be Raised by Taxes for Support of Municipal Budget	19,858,125	19,493,032
7. Total General Revenues	<u>\$29,085,833</u>	<u>\$28,794,333</u>
8. General Appropriations		
Operations – within “CAPS”		
General Administrations		
Salaries and Wages	294,325	270,325
Financial Administrations		

Regular Meeting August 21, 2008, Continued

AMENDMENT TO THE 2008 MUNICIPAL BUDGET

Salaries and Wages	243,800	209,800
Tax Assessment Administration		
Salaries and Wages	135,150	127,150
Legal Services		
Salaries and Wages	132,100	124,400
	<u>From</u>	<u>To</u>
Engineering Services		
Salaries and Wages	33,100	29,400
Municipal Land Use Law (NJS 40:55-1)		
Planning Board		
Salaries and Wages	14,000	12,400
Zoning Board		
Salaries and Wages	13,700	12,200
Public Safety		
Police		
Salaries and Wages	7,195,000	7,087,000
Streets and Roads		
Road Repairs & Maintenance	1,000,000	970,000
Health and Welfare		
Recreation & Education		
Parks & Playgrounds		
Salaries and Wages	700,000	627,000
Total Operations – within “CAPS”	20,488,380	20,156,880
Total Operations including Contingent – within “CAPS”	20,488,380	20,156,880
Detail:		
Salaries and Wages	11,342,980	11,051,480
(L) Subtotal General Appropriations	27,585, 833	27,294,333
9. Total General Appropriations	<u>\$29,085,833</u>	<u>\$28,794,333</u>

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2008 local municipal budges so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with NJSA 40A:4-9, be published in the Messenger in the issue of August 28, 2008 and that said publication contain notice of a public hearing on said amendment to be held at the Municipal Building on September 9, 2008, at 8:00 P.M.

On call of roll, Ayes 4,
Nays 1 – Councilmember Raymond

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 08-298

WHEREAS, St. Stanislaus Kostka Roman Catholic Church will celebrate their annual Polish Night on Saturday, September 13, 2008, and

WHEREAS, the Pulaski Day Parade Committee has consistently proven to be a most worthwhile proponent of the causes of the Polish nation and Polish people, and

WHEREAS, the Mayor and City Council of the City of Garfield wish to acknowledge the successful endeavors of the committee and the contributions of citizens of Polish ancestry,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield, Bergen County, New Jersey, that the entire month of October 2008, shall be deemed and designated as "POLISH HERITAGE MONTH", in honor of all citizens of Polish ancestry, St. Stanislaus Kostka Roman Catholic Church, and the Pulaski Day Parade Committee of the City of Garfield,

BE IT FURTHER RESOLVED that Congratulations are also extended to Thomas J. Duch for being named Grand Marshall of the 2008 Parade, and to Miss Stephanie Lottermann on being named 2008 "Miss Polonia".

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 08-299

WHEREAS, treatment and long-term recovery from substance use disorders can offer a renewed outlook on life for those who are addicted and their family members; and

WHEREAS, substance use disorders impact 22.6 million people ages 12 or older in the United States (or 9.2 percent of the populations), which is more than the number of people living with coronary heart disease, cancer, or Alzheimer's disease combined; and

WHEREAS, people who receive treatment for substance use disorders can lead more productive and fulfilling lives, personally and professionally, and

WHEREAS, studies have consistently found that individualized treatment is essential for people to be successful in their path of recovery; and

WHEREAS, real stories of long-term recovery can inspire others to ask for help and improve their own lives, the lives of their family, and the entire community; and

WHEREAS, it is critical that we educate our community members that substance use disorders are treatable, yet serious health care problems, and by treating them like other chronic diseases, we can improve the quality of life for the entire community; and

WHEREAS, to help achieve this goal, the U.S. Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the White House Office of National Drug Control Policy invite all residents of the City of Garfield to participate in National Alcohol and Drug Addiction Recovery Month; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the month of September 2008 is hereby proclaimed **NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH** in the City of Garfield, and the people of the City of Garfield are called upon to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme "**Join the Voices for Recovery: Real People, Real Recovery.**"

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Stanley J. Moskal

Resolution No. 08-300

WHEREAS, Ovarian Cancer is called the "silent killer" because its symptoms are often vague and subtle; and

WHEREAS, Ovarian cancer is the fourth leading cause of cancer death among women and the leading cause of gynecologic cancer death in the United States; and

WHEREAS, Each Year, more than 22,000 Americans are diagnosed with the disease and approximately 16,000 die from it; and

WHEREAS, if detected in its early stages, survival from ovarian cancer is 90-95 percent. Yet the five-year survival rate for the disease is only 28 percent, because it is so difficult to detect early; and

WHEREAS, The Kaleidoscope of Hope Foundation (KOH), a local non-profit group co-founded by ovarian cancer survivors Gail MacNeil of Chatham Township and Louis Myers and Patricia Stewart of Harding Township, raises funds for ovarian cancer research and to increase awareness of

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the disease and its symptoms, and wishes to remind the public that September is Ovarian Cancer Awareness Month; and

WHEREAS, KOH will be holding its annual Walkathons in September this year in Morristown, Avon-by-the-Sea and Lyndhurst, and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the Mayor and Council HEREBY declare their support for the Kaleidoscope of Hope Walkathons and proclaim September as Ovarian Cancer Awareness month.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-301

WHEREAS, Fire Company No. 1 has advised that they have accepted John McCutcheon of 176 Shaw Street, as a regular active member, effective June 25, 2008

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-302

WHEREAS, Fire Company No. 1 has advised that they have accepted James McGivney of 424 River Drive, as a regular active member, effective June 25, 2008

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-303

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Glenn Zalarick of 138 Belmont Avenue, as an active member, effective August 4, 2008,

NOW THEREFORE, BE IT RESOLVED by the City council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-304

WHEREAS, Fire Company No. 4 has advised that they have accepted Darius Jamroz of 50 Semel Avenue, as a regular active member, effective July 11, 2008.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

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Resolution No. 08-305

WHEREAS, Douglas A. Lavery held the Position of Fire Alternate Member of the Garfield Environmental Commission, until his removal, pursuant to Resolution No. 04-217, adopted May 12, 2004, and

WEHREAS, this position is now vacant,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Dolores Marsh of 142 Plauderville Avenue is hereby appointed as a First Alternate Member of the Garfield Environmental Commission, effective immediately, for the unexpired two year term, said term to expire February 11, 2009

On call of roll – Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-306

WHEREAS, Carolyn Realbuto, 269 Shaw Street, who is the holder of a Disabled Person I.D. Card No. P687156, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the west curb line of Shaw Street commencing 75 feet south of the intersection of Shaw Street & Spring Garden Lane and an additional 25 south from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-307

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 2581 located near 35 Union Avenue and Shaw 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.

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
Tana M. Raymond

Resolution No. 08-308

WHEREAS, the City Manager, Police Chief, Superintendent of Public Works and City Council of the City of Garfield, Bergen County, New Jersey have determined that there is no longer a need for the following unclaimed property:

<u>Year</u>	<u>Vehicle & Model</u>	<u>VIN Number</u>
1991	4 Door Chevy Caprice	21G1BL5371MR136847
1989	Eco Van (old 323)	1FDKE30M0KHB65593
1998	Ford Crown Victoria	2FAFP71W2WX173973
1998	Ford Crown Victoria	2FAFP71WXWX129249
2001	Chevy Impala	2G1WF55K919262440

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2000	Ford Crown Victoria	2FAFP71W5YX110093
1994	Chevy Caprice	1G1BL52PORR194750
1995	Ford Crown Victoria	2FALP71W65X157451
1987	Chevy Caprice	1G1BL5167H9165172
(1)	6 Foot Reading Body Cap	

WHEREAS, the Garfield Police Department also has had for sometime, approximately thirty (30) unclaimed bicycles and miscellaneous items, which are not needed for public purposes, and WHEREAS, surplus property no longer for public use may be sold only at a public auction, NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that the City Manager or his designee is hereby authorized to conduct a Public Auction of the foregoing surplus property at 9:30 AM on Saturday, September 20, 2008 at the City DPW Garage, 413 Midland Avenue, Garfield, New Jersey 07026.

BE IT FURTHER RESOLVED that the rules of said auction shall be as follows:

1. The City makes no guarantee and all items are to be sold as is condition to the highest bidder.
2. All sales shall be for cash only.
3. Upon completion of bidding on an item, the highest bid may be accepted or all bids on the item may be rejected.
4. Item(s) shall be released to the highest bidder(s) upon payment of the full bid price on the day of the auction.
5. No conditional bids accepted.
6. The successful bidder(s) must arrange to remove the items(s) from City storage within 5 days of purchase.
7. The City reserves the right to withdraw any item from the auction without notice.

FURTHER RESOLVED that the City Clerk is hereby authorized and directed to advertise the foregoing public auction in the Garfield Messenger at least seven (7) days prior to the sale.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-309

BE IT RESOLVED, that the Mayor and Council of the City of Garfield wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$225,000.00 in 2007 Open Space Trust Funds for the Dundee Dam Park and Bikeway Improvements, in the City of Garfield; and BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorizes the City Manager Thomas J. Duch to be signatory to the aforesaid grant agreements; BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize City Manager Thomas J. Duch to sign all County vouchers submitted in connection with the aforesaid project; and BE IT FURTHER RESOLVED, that the Mayor and Council recognizes that the City of Garfield is liable for a dollar for dollar match for any funds awarded in accordance with the Trust requirements.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-310

WHEREAS, the City has determined the need for asbestos abatement of a building acquired by the City of Garfield for the Passaic River Historic Park located at 821 River Drive in the City of Garfield, Bergen County, New Jersey; and, WHEREAS, the City Engineer, Boswell McClave Engineering, has received the following informal bids for the necessary asbestos abatement:

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- | | | | |
|----|---|-----------|------------|
| 1. | Environmental Contractors, Inc.
235 Watchung Avenue
West Orange, New Jersey | Total Bid | \$6,100.00 |
| 2. | Paragon Contracting, Inc.
590 River Road
Clifton, New Jersey | Total Bid | \$6,500.00 |
| 3. | Two Brothers Construction
250 Rutherford Boulevard
Clifton, New Jersey | Total Bid | \$7,600.00 |

; and

WHEREAS, City Engineer Representative Kevin J. Boswell, P.E. has reviewed the bids and recommends award of contract for this project to Environmental Contractors, Inc.; and,

WHEREAS, this work can be awarded without public bidding; and,

WHEREAS, Chief Financial Officer, Roy Riggitano, has certified to the existence of sufficient funds in the appropriate accounts for this expenditure; and

WHEREAS, the project is in the best interest of the health, safety and welfare of the general public in the City of Garfield; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a contract is hereby awarded to Environmental Contractors, Inc. in the amount of \$6,100.00 for asbestos abatement at 821 River Drive; and,

BE IT FURTHER RESOLVED that City Attorney, Joseph J. Rotolo, Esq. is hereby authorized and directed to prepare the appropriate contract for execution by the Mayor and City Clerk.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-311

RESOLUTION AUTHORIZING AWARD OF CONTRACT

WHEREAS, the Mayor and Council previously authorized the solicitation of bids for Backfile conversion and electronic document management systems; and

WHEREAS, specifications in connection with this project were prepared by the chief Financial Officer and reviewed by the City Clerk; and

WHEREAS, the solicitation for bids provided that bids would be due at 10:00 AM on August 7th, 2008; and

WHEREAS, a total of six companies obtained bid packages, however, only three bids were received from the following companies:

- a. General Code Publishers of Rochester, New York
- b. Digiscribe of Elmsford, New York; and
- c. Large Doc Solutions of Clark, New Jersey; and

WHEREAS, the bid submitted by Digiscribe of Elmsford, New York must be rejected as being non-responsive in that it failed to include a business registration certificate in accordance with the requirements of law; and

WHEREAS, the bid specifications provided to options, one with microfilm and the other without microfilm and the Mayor and Council have determined, after consultation with the City Clerk and the chief Financial Officer, that the option with microfilm should be accepted; and

WHEREAS, the two remaining responsive bidders submitted bids for all projects with microfilm as follows:

- a. Large Doc Solutions -- \$44,911.02; and
- b. General Code Publishers -- \$70,015.59; and

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WHEREAS, the Chief Financial Officer of the City of Garfield has certified as to the availability of funds for this purpose.

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 be and is hereby authorized with Large Doc Solutions, 15 Walnut Avenue, Clark, New Jersey for Backfile conversion and document management system
2. The contract to be awarded shall be in the amount of \$44,911.02 which is for the total conversion cost with microfilm.
3. The successful bidder shall be required to execute a contract in accordance with the bid specifications and all services provided shall be strictly in accordance with the bid submitted and the bid specifications.

BE IT FURTHER RESOLVED The City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Large Doc Solutions, 15 Walnut Avenue, Clark, New Jersey, the Chief Financial Officer for the City of Garfield, and the City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-312

WHEREAS, bids were received on Thursday, July 31, 2008 at 10:00 AM in the second floor Conference Room in City Hall for the removal and replacement of the roof at the Garfield Health Center located at 60 Elizabeth Street in the City of Garfield; and,

WHEREAS, present at the bid opening were City Clerk, Andrew J. Pavlica and City Engineer Representative Bernard N. Mirandi, P.E.; and,

WHEREAS, the following bids were received:

- | | | | |
|----|--|-----------|------------------|
| 1. | Laurent Construction Co. Inc.
3 Meadows Court
Pennington, NJ 08534 | Total Bid | \$55,020.00 |
| 2. | VMG Group
27 East 33 rd Street
Paterson, NJ 07514 | Total Bid | \$70,026.00 |
| 3. | Arch Concept Const. Inc.
22 Squaw Brook Road
N. Haledon, NJ 07508 | Total Bid | \$74,940.00 |
| 4. | Glenn Roofing LLC
896 Sanford Avenue
Irvington, NJ 07111 | Total Bid | \$206,705,000.00 |
| 5. | JDS Contracting
23 Cindy Land #4
Ocean City, NJ 07712 | Total Bid | \$220,960,400.00 |
| 6. | APS Contractors Inc.
27 East 33 rd Street
Paterson, NJ 07514 | Total Bid | \$250,930,500.00 |
| 7. | Arista Builders and Designers, Inc
45 North Main Street
Marlboro, NJ 07746 | Total Bid | \$270,060,000.00 |

RESOLUTIONS

; and,

WHEREAS, City Engineer Representative Kevin J. Boswell, P.E., has reviewed the bids and it is noted that in the preparation of the bid summary spreadsheet four (4) of the seven (7) contractors incorrectly filled in the total item cost under the unit price description. The price extension for these four (4) bidders is shown with the resulting excessive total cost; and,

WHEREAS, The City Attorney, Joseph J. Rotolo, Esq. and the City Engineer Representative Kevin J. Boswell, P.E., have reviewed the bids and recommend award of contract for this project to Laurant Construction Co. Inc.; and,

WHEREAS, Chief Financial Officer, Roy Riggitano, has certified to the existence of sufficient funds in the appropriate accounts for this expenditure; and

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the City of Garfield.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the contract is hereby awarded to Laurent Construction Co. Inc. for the removal and replacement of the roof at the Garfield Health Center in the amount of \$55,020.00: and BE IT FURTHER RESOLVED that City Attorney, Joseph J. Rotolo, Esq. is hereby authorized and directed to prepare the appropriate contract for execution by the Mayor and City Clerk.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-313

WHEREAS, bids were received on Thursday, August 14, 2008 at 10:00 AM in the second floor Conference Room in City Hall for roof and leader improvements on the Garfield City Hall Building in the City of Garfield; and

WHEREAS, present at the bid opening were City Clerk Andrew J. Pavlica, City Engineer Representative Bernard N. Mirandi, P.E. and Joseph Frangiosa, A.I.A. of Arcari + Iovino Architects, P.C.; and,

WHEREAS, the following bids were received:

- | | | | |
|----|-----------------------------------|-----------|--------------|
| 1. | Strama & Brothers Construction | Total Bid | \$144,500.00 |
| 2. | TCI Construction & Management Co. | Total Bid | \$254,000.00 |

; and,

WHEREAS, Arcari + Iovino Architects, P.C., the City Engineer Kevin J. Boswell and the City Attorney, Joseph J. Rotolo, Esq. have reviewed the bids and recommend award of contract for this project to Strama & Brothers Construction; and,

WHEREAS, Chief Financial Officer, Roy Riggitano, has certified to the existence of sufficient funds in the appropriate accounts for this expenditure: and

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the City of Garfield.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the contract is hereby awarded to Strama & Brothers Construction for roof leader improvements on the Garfield City Hall Building in the amount of \$144,500.00; and

BE IT FURTHER RESOLVED that City Attorney, Joseph J. Rotolo, Esq. is hereby authorized and directed to prepare the appropriate contract for execution by the Mayor and City Clerk.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-314

RESOLUTION OF SETTLEMENT

WHEREAS, the City of Garfield filed a Preliminary Notice of Disciplinary Action on July 3, 2008.

WHEREAS, Gazdagan requested a hearing;

WHEREAS, a hearing was scheduled for August 14, 2008 with the Honorable James T. Murphy as the Hearing Officer;

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WHEREAS, the City of Garfield has determined that it is the best interests of the City to avoid subsequent litigation related thereto: and

WHEREAS, prior to commencement of the Hearing the parties discussed settlement of this matter;

WHEREAS, a Settlement Agreement and Release (attached hereto as Exhibit A) of all issues and past and future claims has been negotiated and is deemed reasonable by Special Counsel for the City;

NOW THEREFORE BE IT RESOLVED, the City hereby approves the proposal for settlement in the form attached hereto as Exhibit A, or in such similar form as Counsel to the City may determine necessary or appropriate; and be it further

RESOLVED, that Special Counsel for the City Giuseppe C. Randazzo, Esq. and City Manager Thomas J. Duch are authorized to execute the Settlement Agreement and Release on behalf of the City.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Frank J. Calandriello

Resolution No. 08-315

WHEREAS, the governing body of the City of Garfield, County of Bergen, State of New Jersey, Desires to collect all taxes, assessments, and other municipal charges that are now delinquent; and WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2007 in the manner prescribed by N.J.S.A. 54-5-19, and as amended by Chapter 99, Public Laws of 1997:

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Garfield, that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with New Jersey law, and as stated above, on October 9, 2008 at 9:30 A.M.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-316

WHEREAS, the Chief Financial Officer of the City of Garfield has identified the following checks to be stale, and

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks which are dated prior to February 28, 2008

NOW THEREFORE BE IT RESOLVED, by the City council of the City of Garfield, Bergen County, New Jersey that all balances shall be treated as MRNA, as to the treasurer's bank statement reconciliation:

Payroll Account 61-24976

<u>Check #</u>	<u>Dollar Amount</u>
388	\$1,038.51
150388	\$138.58
150791	\$260.47
152483	\$0.01
152636	\$1,012.11
153624	\$1,299.89
423	\$697.61
154364	\$401.65
155498	\$129.88
156162	\$160.47
156233	\$129.88
156576	\$166.99
156755	\$292.44
156929	\$22.35

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 08-317

WHEREAS, the City Treasurer of the City of Garfield has identified the following checks to be stale, and

WHEREAS, the City Treasurer has been deemed to cancel of record the following checks which are dated prior to December 31, 2007

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that all balances on TD Banknorth shall be treated as MRNA, to close account and deposited in Spencer Savings & Loan, as to the treasurer's bank statement reconciliation:

Current Account 61-24801

<u>Check#</u>	<u>Dollar Amount</u>
7679	\$10.00
7690	\$810.00
7759	\$56.25
7766	\$56.25
7778	\$56.25
7786	\$56.25
7808	\$56.25
7818	\$56.25
7819	\$56.25
8189	\$250.00
8360	\$43,003.65
8851	\$115.50
10645	\$56.25
10665	\$56.25
10670	\$56.25
10892	\$350.00
10992	\$75.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-318

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund 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 officer are hereby authorized to issue a check refunding this over payment 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	\$1,099.56
200	18	Zipp & Tannenbaum, LLC For 848 River Drive LLC	TCJ	\$1,585.08
200	21	Zipp & Tannenbaum, LLC For 848 River Drive LLC	TCJ	\$1,131.69

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

Resolution No. 08-319

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to over paid taxes 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 over payment 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
152	28	Dexter & Kilcoyne Attorney Trust Account	O.P.	\$1,584.40

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-320

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to over paid taxes for the year 2008.

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 over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owners.

BLOCK	LOT	OWNER	REASON	AMOUNT
44	32	Community Bank of Bergen County NJ	O.P.	\$1,484.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

Resolution No. 08-321

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to over paid taxes for the year 2008.

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 over payment 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
27	1	John A. Conte, Jr., Esq.	O.P.	\$4,375.00
27	22	John A. Conte, Jr., Esq.	O.P.	\$1,467.00
15	3	Lawrence & Florence Bosco	O.P.	\$1,250.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Tana M. Raymond

RESOLUTIONS

See

The

Following

Pages Numbered _____

For

Resolution

No. 08-322

BILLS AMD CLAIMS

Resolution No. 08-323

RESOLVED by the City Council of the City of Garfield that the following bill No. 1262 thru 1264 covering Dog Trust, Trust Other and POAA Trust totaling \$2,487.20 and Current Fund Reserve totaling \$10,455.56 and Current Fund totaling \$3,358,004.11 and Water Fund Reserve totaling \$955.00 and Water Fund Current totaling \$187,051.44 and General Capital totaling \$38,178.00 and Water Capital totaling \$269,486.76 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 thirty four (34) items prior to the meeting be ratified.

See

The

Following

Pages Numbered _____

For

Bills

And

Claims

EXIT OF CITY AUDITOR REPRESENTATIVE HAAG

At 9:45 P.M., City Auditor Representative Robert Haag left the meeting and it was duly noted for the record.

STATEMENT ON CHROMIUM CONTAMINATION INVESTIGATION
BY CITY MANAGER DUCH

City Manager Thomas J. Duch made the following statement:

Mr. Mayor and members of the Council, I would like to thank you for the opportunity to speak and to address you this evening. Primarily I want to address the public, the citizens who are here. We were notified in July by the United States Environmental Protection Agency that they wanted to come into Garfield and they wanted to conduct what they call a Community Information Hearing regarding Chromium Groundwater Contamination in Garfield.

A meeting was set up and on August 11th a meeting was held here in City Hall. Present at the meeting to discuss this issue were Joseph Cosentino from the EPA, Melissa Dimas who is with Community Involvement in the EPA and Patricia Carr also from the EPA. She is the Intergovernmental Liaison. Present from the City, Frank J. Calandriello, Mayor, Joseph Rotolo, Esq., City Attorney, Kevin Boswell, City Engineer, Thomas Duch, City Manager, Tom O'Neill from Boswell Engineering. Representing the Office of Congressman Rothman was his Chief of Staff Kevin Donnelly. Unable to attend but contacted, and they have since followed up directly with me, the Office of Senator Frank Lautenberg and also the Office of Senator Robert Menendez.

What they are looking to do is, historically in the City of Garfield, there were probably four different business entities, at least suspected, that may have at some point allowed some chromium to seep into the ground water. It may have been done by spills. In any event, it looks like the most recent spill took place sometime in the early 1980's. The EPA has asked to come in and conduct this Community Information Hearing and we have done everything we can to accommodate what needs to be done.

Several years ago when I first took the job as City Manager, we had an incident at the Golden Tower where a substance leaked into the basement of the building. The substance ultimately crystallized. That substance was chromium. Chromium uncrystallized, at least my understanding as a lay person, is that it is not dangerous. But once chromium crystallizes, and then you step on it or you do something to disturb it and it goes into the air, it can be hazardous. When this substance leaked into the Golden Tower, we immediately notified, of course, our Health Inspector, the Bergen County Department of Health, the New Jersey Department of Environmental Protection, the Federal Department of Housing and Urban Development, and ultimately the Environmental Protection Agency of the Federal Government. The clean up took place, supervised by the EPA and all the various health organizations. I never received a copy of the final report. In fact, Mr. DeMarco was the Executive Director of the Housing Authority. He and I were present at the various sessions when this examination and testing took place.

I did receive today in the mail, a copy of a report indicating that some time in 2005 the EPA had come in and they randomly tested apartments throughout the building. They tested two apartments on every floor and they made a determination that there was no problem and that the chromium really had no impact on anyone in the building and that the building was safe.

The questions we asked was, what took you so long? If, in fact, you think there should be an investigation, where have you been? And they said that up until two years ago this was all in the hands of the NJ Department of Environmental Protection. I believe in about 1993 the Mayor and Council at that time took the action to close Firehouse #3 on Willard Street. Old Firehouse #3. It was closed due to chromium contamination or the presence of chromium in the basement of that building. Firehouse #3 has been the subject of an extensive environmental study assessment and we are presently putting together a clean-up plan for that particular site because it is a City site. The Mayor and Council allowed me to pursue grant funding. We were able to obtain a grant for \$47,000 and engage a special Environmental Consulting firm to prepare all of the necessary paperwork and submit it to the DEP. In fact, just this week, I received a supplemental report which is being submitted to the NJDEP.

STATEMENT ON CHROMIUM CONTAMINATION INVESTIGATION
BY CITY MANAGER DUCH

The area in question runs from about Sherman Place in the City of Garfield all the way down to the Passaic River bounded by Monroe Street and by Van Winkle Avenue. Typical underground water flow in the City is from the east to the west. So any contamination that took place in the easterly portion of that area I just defined would ultimately work its way towards the Passaic River, eventually from the Passaic River into Newark Bay and be disbursed over a wide area.

The purpose of the Information Hearing is to advise the residents in 614 properties in the City that we would like to come in – when I say we, the Environmental Protection Agency of the United States Government would like to come in, and do a study of your basement. If you do not have a basement, there is no problem. If you have a basement, and there is no leak, we are advised that there is no problem. If you have a basement in that area and there is a leak and there has been a residue, they are going to come in, they are going to test that residue and they are going to tell us if there is a problem.

Some of the questions that were asked by Mayor Calandriello and by Councilman Aloia, I do not mean to put words in their mouth but they asked very pertinent questions including what happens if there is, in fact, contamination? We were assured that the Federal Government would do everything that they can to clean it up as quickly as possible. But there is no appropriation for clean up. The questions then arose, what if there is an emergency? What if someone has to be removed from their home? We were advised that the Federal EPA does have funding and that they would be able to move people out and relocated them, if necessary. But they do not anticipate that the problem is that severe.

Over the year, measurements for contamination have gotten stricter rather than looser. In the past, you measured contamination, 20 years ago, by parts per million. Today you measure it by parts per billion. So the standards are much, much stricter. They said that depending on the level, there could be no contamination or there could be contamination that would require, and I don't know how many of you would remember this, but many years ago when I was the Mayor, like 100 years ago, when I was the Mayor, on Grand Street there was a problem with petroleum in the ground water. And, for years, there was a little shed right in the middle of the street and for years the ground water was being treated.

This situation may be similar and there may be that type of little shed or treatment facility that may be necessary. But it is too early to determine that. What is important is that anyone, the notices will be published in the newspapers. Immediately following the meeting, as per my discussion with the Mayor and Council, I went over to the Board of Education and I requested permission to test #7 School. This past Friday, the EPA sent their representatives in, they did their visual inspection, and they found nothing. That is good. They are coming back this coming week and they will be doing a wipe test. They basically come in and they swab different areas and they test that and we will get those results.

The Public Informational Session will be held on September 17th. There will be two sessions, there will be one at 4:00 p.m. and there will be one at 7:00 p.m. The sessions will be handled by the EPA representatives. Senator Lautenberg, Senator Menendez and Congressman Rothman's office will all have representatives in attendance. I have told all of them that our biggest concern is that if there is a problem it be addressed immediately so that our people's health, safety and welfare is protected. And that is as per the discussions with Councilman Aloia, Mayor Calandriello and the other Councilmembers following that meeting.

The next step that we did, we provide the EPA with the names of all newspapers in the area, The Record, The Herald News, The Community News, Macedonian Glas, the Polish Magazine, Nowy Dziennik the Polish Daily. Every possible paper that this can be put in, all of the contact information was provided by my office to the EPA. Additionally, I have also had the Tax Assessor complete a listing of all of the property owners in the area and we have provided that listing to the EPA. They received it this past Friday, a week ago. We are presently compiling a list of all of the tenants in the area. We are using the Parking Sticker Program database and we have adapted it in such a way that we can go block by block and we can provide the names of the tenants in those

STATEMENT ON CHROMIUM CONTAMINATION INVESTIGATION
BY CITY MANAGER DUCH

areas so that the EPA can separately notify the landlord, the property owners and the tenants in that area so that everyone can come in. The reason we are providing the names of tenants in that area is because there could be a concern that an absentee landlord may get the letter, not advise the tenants. This way if the tenant knows, we will be sure to get into the premises so that it can be looked at and tested, if necessary. What happens after they come in and look at it and there will be more details about this at the September 17th meeting, but what happens after they look at it depending on the level of testing, the property owner will ultimately get a letter saying there is no concern, hopefully not, but there is a concern and this is what has to happen.

We have spent a lot of time on this over the past couple of weeks. We will spend whatever time is necessary so that whatever must be done for all the people in that area, will be done as I have been instructed by the Mayor and Council.

With that, Mr. Mayor, unless you have any questions, I encourage everyone who believes they may be in the affected area or anyone who is simply interested as a citizen to attend. The hearings, I have made arrangements with the Board of Education to have that hearing at the Garfield Middle School Cafeteria. It is really the largest area in the City for a gathering that could potentially be very, very large. So, for everyone's comfort, we did not think that we could accommodate the number of people that are being notified, in this room comfortably. Obviously, we want to make sure that everybody has a chance to hear the entire proceedings. Congressman Rothman's Office has assigned a gentleman to work directly with me. He is an Environmental Assistant in that office. His name is Mark Cevasco. I provided him with copies of the various documents I have accumulated thus far so that they can assist us. Today I spoke with Lisa Plevin. Lisa Plevin is the Environmental Assistant at the Office of Senator Lautenberg. Senator Menendez's Office has been on the phone. They have also emailed me and Michael Solimon who used to be the Chief of Staff for Steve Rothman, is the new Chief of Staff for Senator Menendez. The day I called him he immediately had his environmental person call me. So they are on-board.

It's not something that we look forward to but it is something that we have to immediately address. So as we have agreed, I will continue to move forward and as this develops, I will make periodic statements to the press and to the public as needs to be done. This part of the report should probably be done at a public meeting like this all the time.

EXIT OF CITY MANAGER DUCH

At 9:55 P.M., City Manager Duch left the meeting and it was duly noted for the record.

ORDINANCES

Ordinance No. 2531

The following entitled ordinance was introduced at a Regular Meeting held July 22, 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 and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE CITY OF GARFIELD, LAND USE LEGISLATIONS, CHAPTER 157 ENTITLED 'LAND USE AND DEVELOPMENT REGULATIONS'

City Clerk Pavlica read the ordinance by title.

Mayor Calandriello declared a public hearing on same and asked if there were any objections.

ORDINANCES

There being none, Mayor Calandriello declared the public hearing closed.

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 Raymond duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2532

The following entitled ordinance was introduced at a Regular Meeting held July 22, 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 and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND, THE CODE OF THE CITY OF GARFIELD TO ADD
CHAPTER 178 ENTITLED 'PARADES AND OTHER SPECIAL EVENTS'

City Clerk Pavlica read the ordinance by title.

Mayor Calandriello declared a public hearing on same and asked if there were any objections.

There being none, Mayor Calandriello declared the public hearing closed.

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 Raymond duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2533

The following entitled ordinance was introduced at a Regular Meeting held July 22, 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 and the City Council can now proceed with the public hearing and final passage:

CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2008
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE
AND TO ESTABLISH A CAP BANK
(N.J.S.A 40A-4-45.14)

City Clerk Pavlica read the ordinance by title.

Mayor Calandriello declared a public hearing on same and asked if there were any objections.

There being none, Mayor Calandriello declared the public hearing closed.

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 Raymond duly seconded the motion.

On call of roll, Ayes 5

Councilmember Aloia introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 23 OF THE CODE OF THE CITY OF GARFIELD IN
ORDER TO PERMIT THE ESTABLISHMENT OF A JUNIOR FIRE FIGHTERS PROGRAM

ORDINANCES

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, "AN ORDINANCE TO AMEND CHAPTER 23 OF THE CODE OF THE CITY OF GARFIELD IN ORDER TO PERMIT THE ESTABLISHMENT OF A JUNIOR FIRE FIGHTERS PROGRAM", does now pass on first reading and remain on file with the City Clerk for inspection until public hearing thereon and further consideration thereof which shall be held on September 9, 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 in the Garfield Messenger.

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

Councilmember Aloia introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF FIRE HOUSE NO. 2 IN, BY AND FOR THE CITY OF GARFIELD, M IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$120,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, "BOND ORDINANCE TO AUTHORIZE THE IMPROVEMENT OF FIRE HOUSE NO. 2 IN, BY AND FOR THE CITY OF GARFIELD, M IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$120,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS." does now pass on first reading and remain on file with the City Clerk for inspection until public hearing thereon and further consideration thereof which shall be held on September 9, 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 in the Garfield Messenger.

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

Councilmember Aloia introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF POLICE STATION IMPROVEMENTS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, "BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF POLICE STATION IMPROVEMENTS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY,

ORDINANCES

TO APPROPRIATE THE SUM OF \$510,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.”, does now pass on first reading and remain on file with the City Clerk for inspection until public hearing thereon and further consideration thereof which shall be held on September 9, 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 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 5

Councilmember Aloia introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE REHABILITATION OF THE LANZA AVENUE WATER MAIN IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$630,000 TO APY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, “BOND ORDINANCE TO AUTHORIZE THE REHABILITATION OF THE LANZA AVENUE WATER MAIN IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$630,000 TO APY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” does now pass on first reading and remain on file with the City Clerk for inspection until public hearing thereon and further consideration thereof which shall be held on September 9, 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 in the Garfield Messenger.

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

CITIZENS AND TAXPAYERS

Mr. Romeo Rivera, 75 Bogart Avenue, spoke on the need to find a location for his youth soccer team, a member of the New Jersey Youth Soccer League, to practice, and a day, every now and then, to play a game.

EXIT OF INTERIM CHIEF FINANCIAL OFFICER RIGGITANO

At 10:15 PM, Interim Chief Financial Officer Riggitano left the meeting and it was duly noted for the record.

CITIZENS AND TAXPAYERS

Mr. James Kovacs, 226 Banta Avenue, spoke on a grant to improve the sewer system. He spoke on an alleged storm water drainage problem in his neighborhood. He said that in 1995, the City Council adopted Resolution 95-209 which established a loading zone for Dabal's Recycling in front of his house and he would like it removed. He claimed that Dabal's Recycling was granted a loading zone which is 86 feet long. He said that Dabal's business has outgrown its operation and he said that trailers are too long for the street. He said that about two weeks ago, Mr. Dabal came over to his house and said that he was putting in new curbing and sidewalks. He said that he saw people digging a three foot deep trench inside Dabal's property and he claimed that the work was being done without permits or fees being paid. He said that putting in curbs and sidewalks does not involve digging a ditch inside someone's property. He said that Dabal may have put oil in the groundwater and if he is doing work without permits and is breaking the law it should be addressed. He claimed that Dabal's Recycling had an unregistered back hoe driving up and down the street and then broke the sidewalks. He claimed that Dabal's was also parking roll offs on the street.

Mr. Richard Derrig, 71 Herman Street, said that when the repair of the DPW Salt Shed goes out to bid, he wants to make sure that it is not built too close to the railroad property. He claimed that Garfield has over 50 handicapped curb cuts that need to be installed at various intersections in the City. He claimed that homeless people keep getting into the Garfield owned building at 747 River Drive because the back of the building is open again.

COUNCILMEMBER COMMENTS

Councilmember Raymond reminded everyone that Our Lady of Mount Virgin Church is having their feast again from September 4-7, 2008. She spoke on the 2008 Municipal Budget. She spoke on her citizens committee against illegal apartments. She claimed that the committee had a 93% successful rate. She said that they are being reported to the IRS so that they do not benefit from income in which they did not pay taxes. She said that those who rented illegal apartments with children may be held responsible to pay the Garfield School System for the cost to educate those children.

CLOSED SESSION

Resolution No. 08-324

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 11:00 PM on Thursday, August 21, 2008, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law.

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) Frank J. Calandriello
Stanley J. Moskal

Regular Meeting August 21, 2008, Continued

SHORT RECESS, CHANGE OF VENUE AND RETURN TO ORDER

Immediately after the City Council voted to go into Closed Session, a short recess was called to move the meeting down the hall to the second floor Conference Room. At 11:05 P.M., Mayor Calandriello called the meeting to order in Closed Session, and all City Officials were present as before the recess.

ADJOURNMENT

After City Council came out of Closed Session at 11:10 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

Andrew J. Pavlica, CITY CLERK