

A Regular Meeting of the City Council was held Tuesday, January 30, 2007 at 9:15 PM in the Council Chamber, 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, Stanley J. Moskal, Joseph Delaney and Frank J. Calandriello

Councilmembers Absent: James Krone

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

REPORTS OF OFFICERS

Councilmember Aloia moved to approve the Reports of the Cabinet as presented orally and in writing during the Work Session held earlier this evening. Councilmember Moskal duly seconded the motion.

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

RESOLUTIONS

Resolution No. 07-16

WHEREAS, Plenary Retail Consumption License No. 0221-33-028-002 was most recently used for the operation of the “Cedar Café” located at 224 Cedar Street, Garfield, New Jersey; and

WHEREAS, this license has not been active for a substantial period of time; and

WHEREAS, the last renewal of this liquor license was for the 2000-2001 license term and, subsequent thereto, the licensee has not utilized the license nor has the license been renewed; and

WHEREAS, as a result of the foregoing, this license has lapsed and is no longer of any legal effect; and

WHEREAS, the State of New Jersey Division of Alcoholic Beverage Control has requested a specific Resolution indicating that this license has been retired and is no longer active.

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. Plenary Retail Consumption Liquor License No. 0221-33-028-002 be and is hereby retired.
2. The above referenced license is no longer of any legal force or effect and is hereby declared void, cancelled and retired.
3. The City Clerk is hereby authorized and directed to delete this liquor license from the list of active licenses within the City of Garfield and shall immediately advise the State of New Jersey Department of Community Affairs that this license has been permanently retired.

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 the State of New Jersey Division of Alcoholic Beverage Control, the City Attorney and the City of Garfield Police Department.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-17

RESOLVED, by the Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following Skill Games Distributor’s License for the year 2007:

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

On call of roll, Ayes 4, Absent 1 – Councilmember Krone	(Sgd) Louis G. Aloia Stanley J. Moskal
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Resolution No. 07-18

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

Detour	1	Pool Table	\$75
437 Lanza Avenue	1	Jukebox	50
Garfield, NJ 07026	1	Mega Touch	50
			\$175.00 Total
Nicry Enterprises, LLC	1	Pool Table	\$75
149 Van Winkle Avenue	1	Jukebox	50
Garfield, NJ 07026	1	Video	50
	1	Dart Game	50
			\$225.00 Total
DPC Corp	1	Pool Table	\$75
402 River Drive	1	Jukebox	50
Garfield, NJ 07026	1	Video	50
			\$175.00 Total
CP Sunrise	1	Pool Table	\$75
323 Semel Avenue	1	Jukebox	50
Garfield, NJ 07026	1	Video	50
	1	Pin Ball	50
			\$225.00 Total

On call of roll, Ayes 4, Absent 1 – Councilmember Krone	(Sgd) Louis G. Aloia Stanley J. Moskal
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Resolution No. 07-19

WHEREAS, Fire Company No. 3 has advised that they have expelled Daniel Civinski, 45 Belmont Avenue, as an active member effective January 14, 2007,
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 accepted.

On call of roll, Ayes 4, Absent 1 – Councilmember Krone	(Sgd) Louis G. Aloia Stanley J. Moskal
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Resolution No. 07-20

WHEREAS, Fire Company No. 3 has advised that they have expelled Mike Martinez, 43 Malcolm Avenue, as an active member effective January 14, 2007,

RESOLUTIONS

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 accepted.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-21

WHEREAS, Fire Company No. 3 has advised that they have accepted Kenneth Robertson of 345 MacArthur Avenue as a regular active member, effective January 2, 2007,

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. 3 with respect to the above matter, is hereby approved.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-22

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the proper officers are hereby authorized to issue checks for the annual clothing allowance for the Garfield Volunteer Fire Department for active members for the calendar year 2006 pursuant to Ordinance No 2021, as per recommendation and list submitted by the Fire Chief, provided that the Chief Financial Officer certified that there are sufficient funds available in the appropriate accounts for this expenditure.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-23

WHEREAS, Lena Florevicz, 199 MacArthur Avenue, who is the holder of a Disabled Person I.D. Card No. P573597, 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 MacArthur Avenue commencing 175 feet north of the intersection of MacArthur Avenue and Frederick Street and an additional 25 feet north 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 4,
Absent 1 – Councilmember Krone

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-24

WHEREAS, Resolution No. 06-35 was adopted granting a towing license to Belfi’s Auto and Truck Repair, Inc. of 208 Palisade Avenue, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

WHEREAS, the latest one year term of the license has expired, and

WHEREAS, Belfi’s Auto and Truck Repair, Inc. has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and

WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify Belfi’s Auto and Truck Repair, Inc. of 208 Palisade Avenue, Garfield, New Jersey that it has received a 2007 Towing License pursuant to the City Code, and

RESOLUTIONS

FURTHER RESOLVED that Belfi's Auto and Truck Repair, Inc. shall comply with all the pre-conditions and requirements of the towing license.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-25

WHEREAS, Resolution No. 06-36 was adopted granting a towing license to Bob's Automotive of 619 Midland Avenue, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

WHEREAS, the latest one year term of the license has expired, and

WHEREAS, Bob's Automotive has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and

WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify Bob's Automotive of 619 Midland Avenue, Garfield, New Jersey that it has received a 2007 Towing License pursuant to the City Code, and

FURTHER RESOLVED that Bob's Automotive shall comply with all the pre-conditions and requirements of the towing license.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-26

WHEREAS, Resolution No. 06-33 was adopted granting a towing license to Dabal's Service Station of 181 Prospect Street, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

WHEREAS, the latest one year term of the license has expired, and

WHEREAS, Dabal's Service Station has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and

WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify Dabal's Service Station of 181 Prospect Street, Garfield, New Jersey that it has received a 2007 Towing License pursuant to the City Code, and

FURTHER RESOLVED that Dabal's Service Station shall comply with all the pre-conditions and requirements of the towing license.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-27

WHEREAS, Resolution No. 06-34 was adopted granting a towing license to David's Auto Body of 70 Lincoln Place, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

WHEREAS, the latest one year term of the license has expired, and

WHEREAS, David's Auto Body has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and

WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify David's Auto Body of 70 Lincoln

RESOLUTIONS

Place, Garfield, New Jersey that it has received a 2007 Towing License pursuant to the City Code, and

FURTHER RESOLVED that David's Auto Body shall comply with all the pre-conditions and requirements of the towing license.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-28

WHEREAS, Robert Cochran, residing at 72 Manner Avenue, has requested to be appointed as a constable, and he has met the requirements of C. 200, laws of 1971 (NJSA 40A:9-120 et. seq.) and he has been recommended for appointment by City Manager Thomas Duch,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Robert Cochran, residing at 72 Manner Avenue, Garfield, NJ is hereby appointed a constable for the year 2007.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-29

WHEREAS, Robert Scarpa, residing at 7 Asa Street, Montville, NJ 07045 has requested to be appointed as a Constable, and a Class Two Officer and he has met the requirements of C. 200, laws of 1971 (NJSA 40A:9-120 et. Seq.) and he has been recommended for appointment by City Manager Thomas Duch,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Robert Scarpa, residing at 7 Asa Street, Montville, NJ 07045 is hereby appointed a Constable and a Class Two Officer for the year 2007.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-30

A RESOLUTION AUTHORIZING THE EXECUTION OF A REGIONAL CONTRIBUTION AGREEMENT FOR THE CITY OF GARFIELD AS A RECEIVING MUNICIPALITY AND FRANKFORD TOWNSHIP AS THE SENDING MUNICIPALITY
WHEREAS, Frankford Township proposes to transfer six (6) units of its fair share obligation at a cost of \$35,000.00 per unit for a total of \$210,000.00; and
WHEREAS, the Fair Housing Act provides that municipalities within the same housing region, as defined by the Council on Affordable Housing (COAH), may meet up to fifty percent (50%) of that obligation through a Regional Contribution Agreement (RCA), under which the sending municipality makes a cash payment to another municipality, known as the receiving municipality, which undertakes to provide low and moderate income housing which is credited toward the sending municipality's fair share obligation; and
WHEREAS, Frankford Township proposes to transfer six (6) units of its fair share obligation at a cost of Thirty Five Thousand (\$35,000.00) Dollars per unit for the total of \$210,000.00 in the form of an RCA with the City of Garfield, Bergen County, New Jersey; and
WHEREAS, Frankford Township and the City of Garfield are in the same housing region as defined by COAH; and
WHEREAS, the City of Garfield desires to provide affordable housing for its low and moderate income residents, which action will be further funded by funds made available through the RCA; and
WHEREAS, the RCA is in the best interests of the City of Garfield and Frankford Township.
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, County of Bergen and State of New Jersey that the Mayor and City Clerk are hereby authorized to execute such documents and exhibits as may be necessary to effectuate the RCA.

RESOLUTIONS

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 Manager, the City Attorney and Frankford Township.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-31

RESOLUTION TO AUTHORIZE HIRING OF HEARING OFFICER

WHEREAS, the City of Garfield as a public civil service employer is required to hold disciplinary hearings locally to provide administrative forum for the determination of disciplinary disputes between the City and its employees; and

WHEREAS, the City of Garfield, as a public employer is required under the Public Employee Relations Act to pay the costs of arbitrators appointed by the Public Employment Relations Commission to hear and decide through arbitration employee and contractual disciplinary matters that require the appointment of a neutral hearing officer; and

WHEREAS, the City of Garfield has pending employee disciplinary matters that require the appointment of a neutral hearing officer; and

WHEREAS, upon recommendation of counsel the hearing officer can be retained at the same rates payable for arbitrators to hear and decide grievances; and

WHEREAS, the use of the hearing officer shall only be required for disciplinary matters where there is a conflict of interest or concern for the appearance of impartiality,

NOW, THEREFORE, BE IT RESOLVED, that the City of Garfield hereby engages James T. Murphy, Esq., retired New Jersey Superior Court Judge as a consultant and hearing officer for disciplinary matters within the City of Garfield at the per diem rate payable to arbitrators or \$1,000.00 per day, and

BE IT FURTHER RESOLVED, that the services of the hearing officer shall not be utilized except in such instances where there is a conflict of interest or good cause, and said services shall not exceed the sum of \$6,000.00 in any one year without further authorization of the Mayor and Council by Resolution.

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

(Sgd) Stanley J. Moskal
Joseph Delaney

Resolution No. 07-32

WHEREAS, pursuant to Resolution No. 96-255, John A. Nunno retired from the positions of City Manager, Chief Financial Officer and head of the Water Department of the City of Garfield; and

WHEREAS, pursuant to the above referenced Resolution, Mr. Nunno was to receive lifetime medical benefits; and

WHEREAS, the above referenced Resolution provided that those medical benefits would be secured by way of a deduction from Mr. Nunno's retirement allowance and, thereafter, the City of Garfield would reimburse Mr. Nunno for these payments; and

WHEREAS, as a result of a recent change the City's medical benefits program, this coverage may no longer be paid pursuant to the procedure which was adopted in 1996 but must be facilitated by virtue of direct enrollment in this program.

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

1. The agreements described in Resolution No. 96-255 are hereby ratified and confirmed other than as set forth herein.
2. Commencing as soon as practicable after the adoption of this Resolution, the City of Garfield shall take any steps necessary to secure direct enrollment in the City's medical benefit program for John A. Nunno in order to avoid the necessity of pension deductions and subsequent reimbursement.

RESOLUTIONS

3. The City Personnel Department shall take any steps which are necessary in order to facilitate this agreement.

NOW THEREFORE, BE IT RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to John A. Nunno, the City of Garfield Personnel Department, the Medical Insurance Benefit Coordinator for the City of Garfield and the City Manager.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-33

WHEREAS, bids were received on Monday, December 11, 2006 at 10:45 AM in the second floor Conference Room in City Hall for a 2007 High Reach Wheel Loader for the City of Garfield Department of Public Works; and

WHEREAS, present at the bid opening was City Engineer Representative Bernard N. Mirandi, P.E., City Clerk Andrew J. Pavlica, Department of Public Works Superintendent Sam Garofalo, and Recreation Director Anthony Furfaro; and

WHEREAS, the following bids were received:

1.	Jesco	\$140,895.00
	118 St. Nicholas Avenue	<u>\$ 10,000.00 (Trade In)</u>
	South Plainfield, New Jersey 07080	\$130,895.00 Total Bid
2.	Trico	\$137,560.00
	551 North Harding Highway	<u>\$ 6,000.00 (Trade In)</u>
	Vineland, New Jersey 08360	\$131, 563.00 Total Bid

WHEREAS, City Engineer Representative Bernard N. Mirandi, P.E. and other appropriate City Officials, have reviewed the bids and recommend that the City of Garfield reject all bids and re-bid the project at a later date; and

WHEREAS, it was determined that the 1988 Case Loader trade in should be included as a separate line item - Alternate A, to simplify a comparison of bids; and

BE IT FURTHER RESOLVED by the Mayor and City Council of the City of Garfield, Bergen County, New Jersey that all bids associated with the above referenced project be rejected and be re-bid on Friday, February 16, 2007 at 10:00 AM in the second floor Conference Room in City Hall.

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

(Sgd) Joseph Delaney
Frank J. Calandriello

Resolution No. 07-34

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

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey that City Manager Thomas J. Duch is hereby appointed as J.I.F. Fund Commissioner and Andrew J. Pavlica, City Clerk be and is hereby appointed as Alternate J.I.F. Fund Commissioner for the City of Garfield of the Suburban Essex Municipal Joint Insurance Fund for the year 2007.

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

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-35

WHEREAS, the City Manager and City Council of the City of Garfield, Bergen County, New Jersey have determined that there is no longer a need for the following City-owned vehicles:

<u>Year</u>	<u>Vehicle & Model</u>	<u>VIN Number</u>
1988	Chevy Blazer Truck	1GNCT18R5J0162129
1989	Dodge Ram Truck	13B4HM17Z1KM944310
1992	Supreme Bus	1FDKE30M6NHA95148

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 vehicles at 10:00 AM on Saturday, March 10, 2007 at the City 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 in 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) with a bill of sale upon payment of the full bid price.
5. No conditional bids accepted.
6. The successful bidder(s) must arrange to remove the item(s) from City storage within 10 (ten) 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 the sale.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-36

A Resolution Requesting the combining of Phase 3 Citywide School Safety Program Grant Monies with Phases 1 and 2

WHEREAS, NJDOT has awarded grant monies in the amount of \$100,000 for Phases 1, 2 and 3, respectively for a total grant amount of \$300,000 in connection with the City wide School Safety Program; and

WHEREAS, the City has successfully implemented Phases 1 and 2 under a project known as the 2004 and 2005 Safe Streets to Schools Program; and

WHEREAS, the final contract amount for the project was \$289,895.00; and

WHEREAS, the NJDOT has previously reviewed and approved the contract documents in connection with this improvement

WHEREAS, the City is desirous of utilizing Phase 3 monies to provide for the additional costs associated with the construction and inspection for this improvement

NOW, THEREFORE, BE IT RESOLVED, the City of Garfield respectfully requests the combining of Phase 3 with Phases 1 and 2 for a total grant amount of \$300,000.

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

(Sgd) Stanley J. Moskal
Joseph Delaney

RESOLUTIONS

Resolution No. 07-37

A Resolution Rescinding the award of Palisade Avenue (Section 1)

WHEREAS, Smith Soudy Asphalt Construction Company was awarded a contract by a Resolution No. 04-451 on October 26, 2004; and

WHEREAS, the City of Garfield determined it was necessary to undertake certain water main improvements prior to the performance of roadway improvements for this section of roadway; and

WHEREAS, these water main improvements have been completed under a separate contract and the City is currently desirous of undertaking roadway improvements to Palisade Avenue for a combined contract utilizing Grant awards from NJDOT for Sections 1, 2, 3 and 4,

NOW, THEREFORE, BE IT RESOLVED this aforementioned contract with Smith Soudy Asphalt Construction Company is rescinded by mutual consent of the City and the contractor.

BE IT FURTHER RESOLVED, the NJDOT has hereby requested to approve combining Phases 1, 2, 3 and 4 into a single contract which will be bid and implemented during 2007.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-38

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to NJ Saver applied 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
149.02	7	Barkovich, Lois	O/P due to NJ Saver	\$ 350.00

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-39

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to Veterans Deduction Allowed 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 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
87	29	Bottlick, Thomas	Vet Allowed	\$250.00
168	7	Harlop, John	Vet Allowed	\$250.00

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-40

WHEREAS, the Water Department has advised of the following errors in billing due to various reasons, as listed on communications:

RESOLUTIONS

AcctNo.	Name	Address	BilledFor	CorrectAmt	Credit
3-9-143	Montagniao	73 Division Avenue	52.00	17.33	34.67
6-22-33	Malpartida	60 Grand Street	76.00	16.00	60.00
6-21-33	Campos	43 Maple Street	52.00	17.33	34.67
6-20-213	Riccardi	70 Van Winkle Avenue	1338.40	573.40	765.00
3-10-178	Salvaggio	83 Market Street	706.00	199.50	506.50
3-8-152	Quiles	348 Lanza Avenue	52.00	0	52.00
3-9-115	Soltys	70 Division Avenue	52.00	17.33	34.67
3-8-154	Kiwowicz	402 Lanza Avenue	275.05	95.20	179.85
3-10-192	Sowa	173 Market Street	52.00	17.33	34.67
6-22-11	Mustafa	32 Grand Street	52.00	17.33	34.67
2-7-91	Zuccaro	515 Midland Avenue	234.60	156.40	78.20
6-21-33	Campos	43 Maple Street	52.00	17.33	34.67
2-7-193	Patel	230 Midland Avenue	52.00	0	52.00
3-8-159	Hussain	411 Lanza Avenue	102.40	52.00	50.40
2-7-368	Arrieta	489 Grace Avenue	128.80	97.60	31.20

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield that the proper officers are hereby authorized and directed to send a corrected bill to the above and to note their records accordingly.

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

(Sgd) Louis G. Aloia
Stanley J. Moskal

BILLS AND CLAIMS

Resolution No. 07-41

RESOLVED by the City Council of the City of Garfield that the following bills No. 1175 to and including No. 1179 covering Trust Other, Community Development Trust and Dog Trust totaling \$126,907.55 and Current Fund Reserve totaling \$148,056.89 Current Fund Current totaling \$2,373,477.44 and Water Fund Reserve totaling \$115,911.15 and Water Fund Current totaling \$119,955.02 and General Capital totaling \$14,360.71 and Water Capital totaling \$309,278.03 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 twenty three (23) items prior to the meeting be ratified.

See the following

pages numbered _____

for Bills and Claims

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

“AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD AND, SPECIFICALLY, TO AMEND THE PROVISIONS OF ORDINANCE NO. 2473 TO AUTHORIZE CRIMINAL HISTORY RECORD BACKGROUND CHECKS FOR EMPLOYEES INVOLVED WITH CITY PROGRAMS OR SERVICES FOR MINORS”

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, “AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD AND, SPECIFICALLY, TO AMEND THE PROVISIONS OF ORDINANCE NO. 2473 TO AUTHORIZE CRIMINAL HISTORY RECORD BACKGROUND CHECKS FOR EMPLOYEES INVOLVED WITH CITY PROGRAMS OR SERVICES FOR MINORS” 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 February 13, 2007 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 4, Absent 1 – Councilmember Krone

Councilmember Aloia introduced in writing the following ordinance entitled:

“AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY AND ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE OF 2006”

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, “AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY AND ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE OF 2006” 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 February 13, 2007 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing at least seven days prior to the hearing, in the Garfield Messenger.

The motion, duly seconded by Councilmember Moskal, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Krone

Councilmember Aloia introduced in writing the following ordinance entitled:

“AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE CITY OF GARFIELD AND, SPECIFICALLY, TO AMEND ORDINANCE NO. 2213 ENTITLED “DWELLING CERTIFICATE”

City Clerk Pavlica read the ordinance by title.

ORDINANCES

Councilmember Aloia moved that this ordinance entitled, "AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE CODE OF THE CITY OF GARFIELD AND, SPECIFICALLY, TO AMEND ORDINANCE NO. 2213 ENTITLED "DWELLING CERTIFICATE" 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 February 13, 2007 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing at least seven days prior to the hearing, in the Garfield Messenger.

The motion, duly seconded by Councilmember Moskal, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Krone

Councilmember Aloia introduced in writing the following ordinance entitled:

"AN ORDINANCE TO AMEND ORDINANCE NO. 2218 OF THE CITY OF GARFIELD
ENTITLED "RESIDENT PARKING PROGRAM"

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, "AN ORDINANCE TO AMEND ORDINANCE NO. 2218 OF THE CITY OF GARFIELD ENTITLED "RESIDENT PARKING PROGRAM" 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 February 13, 2007 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing at least seven days prior to the hearing, in the Garfield Messenger.

The motion, duly seconded by Councilmember Moskal, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Councilmember Krone

CITIZENS AND TAXPAYERS

Mr. Joseph Dorman, 174 Palisade Avenue, spoke and asked questions in connection with the Albanian American Islamic Center, located at 43 Monroe Street, broadcasting calls to prayer over loudspeakers three times a year, five minutes each time, for fifteen minutes total a year. He requested that City Officials prohibit the broadcast of calls to prayer in the City of Garfield for the following reasons: 1. The broadcast is intrusive to the quiet enjoyment of his property and the property of others. 2. The practice could adversely impact the property values in the area. 3. This practice could adversely impact the quality of life for the residents of the area as well as residents in other wards. 4. This practice is proselytizing and imposing a particular religious belief upon those of different religious affiliations and those without religious affiliations and those whose lifestyle are not approved by the religious institution which is allowed to broadcast.

Ms. Tana Raymond, 93 Spring Street, said that Mr. Dorman's issue is the kind which causes residents to get upset. She asked why, before something like this got to the point of hurt feelings and before this was instituted, were not all the residents on Monroe Street all called in, so that the people could sit around and discuss it? She questioned two resolutions adopted at this meeting concerning medical benefits for former City Manager John Nunno and concerning the annual assessment to the Suburban Essex Joint Insurance Fund. She said that she would like to know the money paid in commission to the Broker of the Employee Health Benefits Program.

CITIZENS AND TAXPAYERS

She spoke on two incidents which occurred last Thursday, January 24, 2007, in which there was a slow response for an ambulance. She said that the Mayor and City Council need to look at the City ambulance service, and she questioned the fee paid to Aero Ambulance Service, Inc. for ambulance services. She questioned the proposed contract with the Passaic Valley Water Commission to perform City water billing services. She questioned if the fee would be \$13,000 a month, \$156,000 a year. She questioned a \$72,000 cost to upgrade City computers. She questioned the number of broken water meters in town and the fee to replace them. She questioned the services provided for City computers by United Computers and she asked why Governmental Software was providing less computer service to the City. She said that she wants to receive copies of bills for computer services. She questioned the number of hours that Interim Chief Financial Officer Riggitano spends in Garfield. She spoke on the Garden State Paper Redevelopment Project at 950 River Drive and said that the project will entail 288 apartments. She said that she understands that City Officials estimate that the City will benefit in \$1.5 million- \$2 million in ratables from this project. She questioned the burden this project will put on services for ambulance, police, fire, public works water, sewers and schools.

Mr. Joseph Dorman was again recognized by Mayor Calandriello, and he read the words of what is broadcast three times a year by the Albanian-American Islamic Center.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that he will not vote against any religion or anyone practicing their religion. He said that he has spent most of his adult life in social commentation talking about people who stopped prayer in school and how he despised the prohibition. He spoke on the diverse background of his family. He said that he will always vote against someone violating someone's right to practice their religion, even if it offends him. He said that people have to be compassionate to other people's religions. He said that he does not want anyone silencing his church bells, and he will not silence someone's calls to prayer. He told everyone to have a Happy Valentine's Day.

Councilmember Moskal said that he would like to see the logged responses concerning ambulance services and their performance to see if it is an issue or a concern. He wished everyone a Happy Valentine's Day and spoke on the upcoming Boys and Girls Club Beefsteak Comedy Night and the upcoming Garfield YMCA Comedy Night.

Councilmember Delaney said that America was built on freedom of speech and religion and there is no right to take away someone's right to practice their religion. He said that in regard to computers, he has full faith in City Manager Duch and if he recommends something, he is one hundred percent for it. He said that he is sure that City Manager Duch has looked into computers and it is the best that the City has. He said that City Manager Duch impressed him very much when he spoke recently at a Community Development meeting in Hackensack about shared services. Councilmember Delaney spoke on how he has a new granddaughter named Adison. He wished everyone a Happy Valentine's Day.

Mayor Calandriello said that he would like to see the reports concerning ambulance services in the City. He said that in regard to the Garden State Paper Redevelopment site, he has to go with the advice of the professionals. He said originally, the proposal was for three hundred dwelling units. The development will clean their own streets and pickup their own trash. He said that when the developer agreed to build a new Police Station, he wanted 297 units, he was approved for 293, and eventually the number was reduced to 288 units. He said that he has done everything in his power to get all that he can for the City. He said that City Manager Duch negotiated and worked hard on

COUNCILMEMBER COMMENTS

this. He said that at the Planning Board hearing, only one resident spoke and that person lived on Cottage Place. He said that his only concern was that he did not want Cottage Place opened up as a throughway. He said that the values of property in the area will go up. He said that in regard to church bells and religious prayers, he will not move to take religious church bells out of this City. He said that if the City took an action against a mosque because of their call to prayer, it could lead to a lawsuit against the City. He said that everyone has a right to their religion and he will not silence that.

ADJOURNMENT

At 10:20 PM, there being no further business, Councilmember Moskal moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

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

Andrew J. Pavlica, CITY CLERK