

A Regular Meeting of the City Council was held Tuesday, October 9, 2007 at 8:20 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

Mayor Frank J. Calandriello presided. City Clerk Andrew J. Pavlica announced that the meeting was being held in accordance with provisions of the Open Public Meetings Act and that adequate notice was provided by mail and fax to the official City newspapers and to other interested parties and by posting the meeting notice on the bulletin boards in City Hall.

Councilmembers Present: Louis G. Aloia, James Krone, Joseph Delaney and Frank J. Calandriello

Councilmembers Absent: Stanley J. Moskal

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

#### REPORTS OF OFFICERS

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

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

#### RESOLUTIONS

Resolution No. 07-361

WHEREAS, the 2<sup>nd</sup> Annual Bergen County Bocce Tournament sponsored by County Executive, Dennis McNerney was held on Sunday, September 30<sup>th</sup>, 2007 in Riverside County Park, located in Lyndhurst, New Jersey, and

WHEREAS, twenty-six teams competed in a single elimination tournament representing approximately fifteen towns, and Garfield's two teams, which play regularly in 20<sup>th</sup> Century Field, placed first and second respectively, and

WHEREAS, the First Place Team, "Garfield Amici Italiano", is comprised of Captain Ray Pharo, Gaspar Laduca, Pat Losciuto and Santo Scimeca, and

WHEREAS, the Second Place Team, "Garfield Sicilians", is comprised of Captain Sal Leto, Damiano Leto, Frank DiSalvo and Archangelo DiFresco, and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the Amici Italiano Bocce Team and the Garfield Sicilians Bocce Team,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to all of the outstanding members of the Bocce Teams as representatives of the City of Garfield in their First and Second Place finish in the 2<sup>nd</sup> Annual Bergen County Bocce Tournament.

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

(Sgd) Frank J. Calandriello  
Joseph Delaney

At this time, CERTIFIED copies of Resolution No. 07-361 were presented to the Captains and Team Members of the "Garfield Amici Italiano" and "Garfield Sicilians" Bocce Teams.

Resolution No. 07-362

WHEREAS, John and Alfonsa (AKA) Frances Caravello are celebrating their fiftieth Wedding Anniversary this year, and

WHEREAS, a Mass of Celebration will be held at Our Lady of Mount Virgin Church on Saturday, October 20, 2007, at 5:00 PM, and

WHEREAS, following the Mass, a Dinner Banquet will be held at Taggianos Restaurant in South Hackensack, for invited guests, and

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WHEREAS, through the course of their enduring marriage, they became the proud parents of three sons, Joseph, Vincent and John, and  
WHEREAS, following in their parents footsteps Joseph married Halina, Vincent married Jeannine and John married Ellen, and  
WHEREAS, John and Frances were in turn blessed with their beautiful grandchildren, Matthew, Katelyn and Amanda,  
NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that upon the occasion of their 50<sup>th</sup> WEDDING ANNIVERSARY CONGRATULATIONS are hereby extended to John and Frances Caravello and are offered sincere best wishes for continued health and happiness in their life's partnership of five decades that stands as a tribute to the time honored traditions and values of family unity and marital fidelity.

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

(Sgd) Frank J. Calandriello  
Joseph Delaney

Resolution No. 07-363

WHEREAS, Fire Company No. 3 has advised that they have accepted Joel Sanchez of 115 Malcolm Avenue as a regular active member, effective September 4, 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 Moskal

(Sgd) Frank J. Calandriello  
Joseph Delaney

Resolution No. 07-364

WHEREAS, Fire Company No. 1 advises that Michael Bola of 77 Somerset Street has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and  
WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-365

WHEREAS, Fire Company No. 1 advises that Michael Colon has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and  
WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,  
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

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

(Sgd) James Krone  
Louis G. Aloia

RESOLUTIONS

Resolution No. 07-366

WHEREAS, Fire Company No. 1 advises that Mario Fernandes of 162 Palisade Avenue has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-367

WHEREAS, Fire Company No. 1 advises that Anthony Frietas of 69 Farnham Avenue has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-368

WHEREAS, Fire Company No. 1 advises that Richard Gandarinho has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-369

WHEREAS, Fire Company No. 1 advises that Douglas Wallace of 25 Monroe Street has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicate that he has served for a period of seven years,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 1 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

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

(Sgd) James Krone  
Louis G. Aloia

RESOLUTIONS

Resolution No. 07-370

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Joseph Delaney, was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on Friday, October 19, 2007, it will be necessary and appropriate to temporarily appoint Stanley J. Moskal as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Jaroslaw Maslach and Justyna Nieznanska of 415 Banta Avenue, Garfield, NJ 07026, and

WHEREAS, on Saturday, October 20, 2007, it will be necessary and appropriate to temporarily appoint Stanley J. Moskal as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Marek Maj and Renata Dymkowska of 185 Devoe Avenue, Yonkers, NY.

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

1. Councilman Stanley J. Moskal be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Jaroslaw Maslach and Justyna Nieznanska and the marriage ceremony of Marek Maj and Renata Dymkowska.
2. This temporary appointment shall be solely for the purpose of performance of these marriage ceremonies and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremonies and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremonies as described above.

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 Councilman Stanley J. Moskal and Justyna Nieznanska, 415 Banta Avenue, Garfield, New Jersey 07026 and Renata Dymkowska, 185 Devoe Avenue, Yonkers, NY 10705.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-371

WHEREAS, the City has been requested to make an expenditure/contribution to the Columbus Day Commemoration,

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County New Jersey that an expenditure of \$6,000 be and is hereby authorized for the benefit of the Columbus Day Commemoration.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-372

RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that Resolution No. 07-330 is hereby amended to include Court Clerk Rose Ann Merendino and Deputy City Clerk Diane Rosolen as being authorized to attend the 2007 New Jersey State League of Municipalities Conference, and to be registered and have all appropriate expenses authorized to be processed through the City and paid for by the City pursuant to Resolution No. 07-330.

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

(Sgd) James Krone  
Louis G. Aloia

RESOLUTIONS

Resolution No. 07-373

WHEREAS, Resolution No. 06-491 listed the meeting dates of the Mayor and Council for the year 2007, and

WHEREAS, there was a typographical error concerning the first meeting of November 2007, and

WHEREAS, the Mayor and Council wish to correct the error,

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of Garfield, Bergen County, New Jersey that the first meeting of November 2007 is hereby scheduled for Wednesday, November 7, 2007 with the Work Session commencing at 5:30 PM and the Regular Meeting commencing at 8:00 PM at City Hall.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-374

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES TO ALLEVIATE PONDING OF SURFACE RUNOFF AT THE BELMONT PARK RECREATION GARFIELD, BELMONT AVENUE, AND SPRING STREET, IN THE CITY OF GARFIELD.

WHEREAS, the area at the intersection of Belmont Avenue and Spring Street adjacent to the little league practice field experiences flooding during certain storm events; and

WHEREAS, the existing drain is not functioning to its intended capacity; and

WHEREAS, the City Engineer, Boswell McClave Engineering, shall prepare contract documents for stormwater management improvements and provide construction inspection services for same; and

WHEREAS, this project is in the best interest of the people of the City of Garfield; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Garfield that Boswell McClave Engineering is authorized to perform Professional Engineering Services for stormwater management improvements in the amount of \$4,500.00 and for the construction phase in the amount of \$3,000.00 for a total fee not to exceed \$7,500.00 to perform and complete the above described services in accordance with the October 3, 2007 proposal.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-375

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO UNDERTAKE EMERGENCY REPAIRS TO MIDLAND AVENUE AND MISCELLANEOUS LOCATIONS FOR A FEE NOT TO EXCEED \$16,000.00

WHEREAS, Emergency sanitary sewer repairs were performed on two locations on Midland Avenue, and

WHEREAS, this work was done without competitive bidding due to the road failed and created a need for work to be undertaken immediately, and

WHEREAS, Quotations were solicited from multiple contractors and the work was successfully performed, and

WHEREAS, Boswell McClave Engineering coordinated the solicitations of the bids and oversaw the repairs, and

NOW THEREFORE BE IT RESOLVED, Boswell McClave Engineering, the City Engineer is hereby authorized to receive compensation in connection with both projects in a total amount not to exceed \$16,000.00.

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

(Sgd) James Krone  
Louis G. Aloia

RESOLUTIONS

Resolution No. 07-376

A RESOLUTION AUTHORIZING PAYMENT TO MATINA AND SON, INC., IN CONNECTION WITH AN EMERGENCY SANITARY SEWER REPAIR ON PACIFIC AVENUE WITHIN THE CITY OF GARFIELD

WHEREAS, a sanitary sewer collapsed on Pacific Avenue on September 12, 2007, and WHEREAS, the town received a quotation from Matina and Son, Inc. in the amount of 48,288.50, and

WHEREAS, Matina and Son, Inc., performed this work in connection with the directive of officials from the City, and

WHEREAS, an invoice in the amount of 48,288.50 was submitted and reviewed with the City Engineer, and

NOW THEREFORE BE IT RESOLVED, payment is hereby authorized to Matina and Son, Inc., in connection with the project and in accordance with the City Engineer’s recommendation in the total amount of \$8,288.50.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-377

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING \$3,700,000 OF NOTES, CONSISTING OF \$3,085,450 GENERAL BOND ANTICIPATION NOTES AND \$614,550 WATER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED OCTOBER 1, 2007 AND PAYABLE MAY 1, 2008, AS “QUALIFIED TAX-EXEMPT OBLIGATIONS” PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986 AS AMENDED.

WHEREAS, the City of Garfield, in the County of Bergen, New Jersey (the “City”), intends to issue \$3,700.000 of notes, consisting of \$\$3,085,450 General Bond Anticipation Notes, both issues dated October 1, 2007 and payable May 1, 2008 (collectively, the “Notes”); and

WHEREAS, the City desires to designate the Notes as “qualified tax-exempt obligations” pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”);

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

SECTION 1. The Notes are hereby designated as “qualified tax-exempt obligations” for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) the Notes are not “private activity bonds” as defined in the Code and (2) the City and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2007.

SECTION 3. it is further determined and stated that the City has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2007;

<u>Amount</u>	<u>Dated – Due</u>
\$5,830,103 GEN BAN	3/16/07 – 3/14/08
988,499 WU BAN	3/16/07 – 3/14/08

SECTION 4. The City will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, the City does not covenant to do so, and hereby expressly states that a covenant if not made hereby.

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SECTION 5. The issuing officers of the City are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2007 dated as of the date of delivery of the Notes

SECTION 6. This resolution shall take effect immediately upon its adoption.

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

(Sgd) Louis G. Aloia  
Joseph Delaney

Resolution No. 07-378

WHEREAS, the City of Garfield Library is in need of repairs and reconstruction, and  
WHEREAS, the City Manager and City Librarian have discussed the necessary repairs needed at the Library, and  
WHEREAS, professional study is required to assess the necessary repairs and estimated cost for the repairs by a licensed professional, and  
WHEREAS, Acari and Iovino Architects P.C., possesses the necessary licensees and expertise in this field,  
THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that Arcari Iovino Architects PC located at One Katherine Street, Little Ferry, NJ 07643 is hereby authorized to conduct the study not to exceed \$5,200.00.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-379

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
NJS 40A:4-87  
WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and  
WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,  
NOW, THEREFORE, BE IT RESOLVED, that he Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$31,959.00, which is now available from State of New Jersey, Library State Aid in the amount of \$31,959.00.  
BE IT FURTHER RESOLVED, that the like sum of \$31,959.00 is hereby appropriated under the caption State of New Jersey, Library State Aid; and  
BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey, Library State Aid in the amount of \$31,959.00.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-380

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
NJS 40A:4-87  
WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

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WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that he Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2007 in the sum of \$6,838.53, which is now available from State of New Jersey, Solid Waste Administration, Recycling Tonnage Grant in the amount of \$6,383.53.

BE IT FURTHER RESOLVED, that the like sum of \$6,838.53 is hereby appropriated under the caption New Jersey, Solid Waste Administration, Recycling Tonnage Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey, Library State Aid in the amount of \$6,838.53.

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-381

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property Lien Holder for a refund due to County Board Judgments for the year 2007.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
2.01	1.01	75 River Road	CBJ	\$18,339.00

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-382

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property Lien Holder for a refund due to Tax Court Judgments for the year 2005.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
184	1	“William S. Winters, Esq”	TCJ	\$1,324.68

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

(Sgd) James Krone  
Louis G. Aloia

Resolution No. 07-383

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property Lien Holder for a refund due to Tax Court Judgments for the year 2006.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

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BLOCK	LOT	OWNER	REASON	AMOUNT
184	1	“William S. Winters, Esq”	TCJ	\$1,424.43
On call of roll, Ayes 4, Absent 1 – Councilmember Moskal			(Sgd) James Krone Louis G. Aloia	

BILLS AND CLAIMS

Resolution No. 07-384

RESOLVED by the City Council of the City of Garfield that the following bill No. 1216 covering Dog Trust Acct totaling \$46.80 and Current Fund Current Year totaling \$1,661,721.84 and Water Fund Current Year totaling \$2,476.14 and General Capital totaling \$6,860.06 and Water Capital totaling \$359,777.17 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 five (5) items prior to the meeting be ratified.

See

the

following

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

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2512

The following entitled ordinance was introduced at a Regular Meeting held September 25, 2007; 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 CHAPTER 229 OF THE CODE  
OF THE CITY OF GARFIELD ENTITLED “TOW TRUCKS”

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 Krone 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 Aloia duly seconded the motion.

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

Councilmember Krone introduced in writing the following ordinance entitled:

“AN ORDINANCE TO AMEND CHAPTER 229 OF THE CODE OF THE  
CITY OF GARFIELD ENTITLED “TOW TRUCKS”

City Clerk Pavlica read the ordinance by title.

Councilmember Krone moved that this ordinance entitled, “AN ORDINANCE TO AMEND CHAPTER 229 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “TOW TRUCKS” , 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 October 23 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 in the Garfield Messenger.

The motion, duly seconded by Councilmember Calandriello, 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 Moskal

CITIZENS AND TAXPAYERS

Mr. Joseph Dorman, 174 Palisade Avenue, said that he has requested and has yet to receive information concerning the investigation of the December 24<sup>th</sup> broadcast from the illegally mounted speakers on the minaret of the Albanian American Islamic Center at 43 Monroe Street. He said that he still wants an answer and an explanation. He questioned who approved the plans for the speakers of the minaret when the speakers were a clear violation of the existing ordinance. He said that he has gone to the State Attorney General’s Office, the County Prosecutor’s Office and the City about this matter. He said that Councilmember Aloia said that the City needs to be protected and that is why there are no answers. He asked “From Who?”, “From What?”, “A Lawsuit?”. He said that the City has over 20 pit bulls and he suggests an ordinance to muzzle such dogs like in the City of Clifton, Atlantic City, Englewood, Highland Park, Millville and West New York. He said that he wants Council meetings televised on cable television. He spoke on the murder in Garfield of a woman by a man who lived in an illegal apartment. He commented on a recent newspaper article about the sexual assault on a fourteen year old girl by three illegal aliens in the City. He asked if the apartment where the three illegal aliens lived on Chestnut Street was

CITIZENS AND TAXPAYERS

an illegal apartment. He publicly thanked Superintendent of Public Works Sam Garofalo for his assistance with property maintenance issues in his neighborhood. He said that a \$6,000 expenditure for one parade is a lot of money.

Mr. Charles Neiman, 12 A Jewell Street, said that the contractor did a fine job paving Jewell Street, however, two sections of curb in front of his home were ripped out and not replaced. He complained about the Dunkin' Donuts at the corner of Outwater Lane and Jewell Street. He said that on weekends, early in the morning to late at night, kids are racing their cars through the parking lot. He asked questions concerning the proposed Redevelopment of the old Samuel Hird Woolen Mill site bounded by Outwater Lane, Jewell Street, Columbus Avenue and River Drive.

Mr. William Whren, 33 Westminster Place, spoke on illegal apartments and the alleged sexual assault by three illegal aliens living on Chestnut Street.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that to make up an answer or give an answer when there is a lawsuit is the worst thing someone can do and open the city up to potential litigation. He said that he believes that people who do not want people to walk by a house or police patrol are the ones keeping pit bulls and he agrees that there should be an ordinance to muzzle pit bulls. He said that the City cannot punish landlords unless we know that the landlord was renting out to the person with the intent or knowledge of the potential hazard that this person could cause. He spoke on Megan's Law. He said that the City supports both groups who organize parades – the Columbus Day Parade Committee and the Pulaski Day Parade Committee.

Councilmember Krone said that crimes and things will happen in the City and the police caught the alleged perpetrators pretty quick. He said that the City hired twelve new police officers who are in the Police Academy right now. He said that the City may hire five more policemen in February. He said that the City is doing the best to keep the security of the City with more police on the street. He said that it would be nice to afford eighty police officers but the City is up to sixty officers. He said that as a whole the City does a good job and are trying to do the best with regard to keeping crime down. He said that the City is trying to improve the Police Department because security in Garfield is the utmost. He spoke on an incident where a 51 year old employee at Passaic Valley failed a drug test. He said that drug dealers must be stopped and he lost a son, so he knows something about this. He said that many, many boys and girls die every single year and everybody wants to stop drug abuse. He said that the City Council is really trying to really do the best for City security, to put the right people in charge, to ultimately protect the City.

Deputy Mayor Delaney spoke on unlawful dwellings and said that earlier this evening the Council spoke for an hour on a potential ordinance to address the matter. He spoke on kids hanging out and racing cars in the Dunkin' Donuts parking lot and about a proposed Curfew ordinance. He said that he attended the Middle School DARE Graduation and if you want to see something really positive in Garfield, walk into that Middle School. He said that four New York Giants players came to Garfield today as part of "Hometown Huddle" to donate \$25,000 worth of physical fitness equipment in Twentieth Century Field. He said that there was sad news this week when Eddie Lewer of Santoni's Pizza on Outwater Lane passed away on Sunday. He said that he was a big part of Garfield and he donated to just about every organization in town. He said that he was a really good guy and he is sorry to hear about Eddie.

Mayor Calandriello commented on the dedication of the Frank B. Calandriello Senior Center at 480 Midland Avenue on Thursday, October 18, 2007. He commented that the Dahnert's Lake County

COUNCILMEMBER COMMENTS

Park renovations should be completed by the end of this month. He spoke on the ground breaking ceremony for the new Police Station scheduled to be held Sunday, October 21, 2007. He commented that the demolition of the old Garden State Paper mill at 950 River Drive will happen soon. He said that the Vornado site at 174 Passaic Street will bring the City a Super Walmart, an Applebees, a Pet Smart, a Home Depot and another bank. He said that a lot of good things are in the works for Garfield. He said that bad and sad stories happen with the good. He said that he wanted to say a few words about Ex-Police Chief Alessi "Babe" Cimino who passed away most recently on September 27, 2007. He said that he was in the Department for many years. He said that he ran a good Department and was on top of everything. He said that he passed away in Lucyville, Pennsylvania and he will be missed because he did a good job as Police Chief. He extended condolences to his family.

ADJOURNMENT

At 9:05 PM, there being no further business, Councilmember Krone moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

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

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Andrew J. Pavlica CITY CLERK