

A Regular Meeting of the City Council was held Tuesday, November 27, 2007 at 8:15 PM in the Council Chamber in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

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

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

Also Present: City Manager Thomas J. Duch, City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Representative Bernard Mirandi (for City Engineer Kevin J. Boswell) and Interim Chief Financial Officer Roy Riggitano

REPORTS OF OFFICERS

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

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 07-426

WHEREAS, the Garfield Junior Boilermakers Senior Division started practicing in early August after ending the previous season with a disappointing 1 and 8 record, and

WHEREAS, with a new season at hand, and a lot of hard work ahead of them, they prevailed on Sunday, November 18, 2007, and

WHEREAS, going into the super bowl as underdogs and facing an undefeated team they gave it their all and brought the Super Bowl Trophy back to the City of Garfield with an astonishing 32-7 victory over the Fairfield Falcons, and

WHEREAS, the Junior Boilermakers finished the regular season with 8 wins and 1 loss, defeated longtime Garfield rivals the Nutley Raiders in the playoffs on their way to winning it all,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to the Garfield Junior Boilermakers Senior Division 2007 WEJFL Super Bowl Champions, Garfield A-Team on their successful season and best wishes are also extended to them for continued success.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, CERTIFIED copies of Resolution No. 07-426 were presented to the players and coaches of the Garfield Junior Boilermakers Football Team.

SHORT RECESS AND RETURN TO ORDER

At 8:35 PM, a short recess was called. At 8:45 PM, Mayor Calandriello again called the meeting to order and all City Officials were present as before the recess. It was duly noted for the record.

RESOLUTIONS

Resolution No. 07-427

WHEREAS, a Christmas Reception will be held by the Garfield Chapter of UNICO, on December 9, 2007, at which, John Caravello will be honored at "Man of the Year", and

RESOLUTIONS

WHEREAS, John Caravello has been an active member of the Garfield Chapter of UNICO for fourteen years and has served diligently as Treasurer and Protector of UNICO's finances for an unprecedented eleven years, and

WHEREAS, he has devoted his life to God, Country, Community and Family, as evidenced by his service to his Church, as a life member of the Holy Name Society, and as President; as a tireless volunteer for Mount Virgin Church's annual "Festa Italiano"; as a member of the Saint Ciro Society; as and Third Degree member of the Knights of Columbus; as an Army Veteran of the Korean War; as a member and past Commander of the Garfield and State Catholic War Veterans; as an honorary Life Member of Garfield Fire Company No. Three; as a member of the Garfield Planning Board, as a Lifetime Member of the Garfield Babe Ruth League, as an active member of the Hasbrouck Heights Elks and in so many other ways, and

WHEREAS, John has been married to Frances (Amorelli) for fifty years, and they have three sons, along with three daughter-in-laws, and three grandchildren,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Congratulations are hereby extended to John Caravello on being named 2007 "MAN OF THE YEAR" by the Garfield Chapter of UNICO National, and Best Wishes are extended to him in his future endeavors.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-428

WHEREAS, Anna Concodoro (nee: Infantolino) will be celebrating her 90th Birthday at the Cotillion on December 8, 2007 between 12 Noon and 4 PM, and

WHEREAS, she was born December 9, 1917, in Garfield, New Jersey, and married Anthony Concodoro on April 14, 1940, and started a family, and

WHEREAS, they were married in Our Lady of Sorrows Church in Garfield where she currently is an active member of the Church and the Rosary Altar Society, and

WHEREAS, Anna has two married daughters Roseann, married to Larry Szanto and living in California, and Bernadette married to Doug Cosmano and living in Garfield, and

WHEREAS, she also has five grandchildren and seven great-grandchildren,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen, County, New Jersey, that upon the occasion of her "NINETIETH BIRTHDAY" celebration on December 8, 2007, Anna Concodoro is hereby honored for her exemplary and inspiring long life and offered sincere best wishes for continued good health and happiness.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-429

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License No. 0221-33-016-002, from The Cotillion Inc., t/a The Cotillion, 454 Midland Avenue, Garfield, New Jersey, to G & B, LLC, (Dariusz Kida, 101 Haddenfield Road, Clifton, NJ 07013, Grzegorz Kida, 56 Liberty Ridge Trail, Totowa, NJ 07512 who will each own 40% of the shares of the Corporation and Ann Kida, 101 Haddenfield Road, Clifton, NJ 07013 and Sophia Kida, 56 Liberty Ridge Trail, Totowa, NJ 07512 who will each own 10% of the shares of the Corporation) t/a The Royal Manor, and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term, and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33, and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business, and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing, and

WHEREAS, a "Tax Clearance - Transfer Certificate" has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective November 28, 2007, the transfer of the aforesaid Plenary Retail Consumption License, to G & B, LLC, (Dariusz Kida, 101 Haddenfield Road, Clifton, NJ 07013, Grzegorz Kida, 56 Liberty Ridge Trail, Totowa, NJ 07512 who will each own 40% of the shares of the Corporation and Ann Kida, 101 Haddenfield Road, Clifton, NJ 07013 and Sophia Kida, 56 Liberty Ridge Trail, Totowa, NJ 07512 who will each own 10% of the shares of the Corporation) t/a The Royal Manor and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to The Royal Manor, effective November 29, 2007.",

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, live entertainment (other than in connection with catering facilities and the hiring of premises for affairs such as weddings and other similar events) or discotheque be used in connection with this license; (A fee of \$ 75.00 was collected for the City of Garfield and \$200.00 was collected for the State of New Jersey in connection with the license transfer).

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
Louis G. Aloia

Resolution No. 07-430

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Jose Castro of 97 Summit Avenue, as an active member, effective November 16, 2007,

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
Stanley J. Moskal

Resolution No. 07-431

WHEREAS, Fire Company No. 4 has advised that they have accepted John Hrebenuik of 503 Madeline Avenue as a regular active member, effective November 11, 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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-432

WHEREAS, Fire Company No. 4 has advised that they have accepted Jorge Zuniga of 311 Outwater Lane as a regular active member, effective November 7, 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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-433

RESOLUTION – AUTHORIZING AGREEMENT FOR SAFE ROUTES TO SCHOOLS PROGRAM – 2007

WHEREAS, the Garfield Health Department and the City of Garfield have applied for federal aid in connection with the Safe Routes to Schools” program for 2007; and

WHEREAS,, this application for aid has been approved by State of New Jersey Department of Transportation; and

RESOLUTIONS

WHEREAS, in connection with that program, the City of Garfield must enter into a federal aid agreement with the State of New Jersey Department of Transportation which outlines the terms, conditions and obligations of this program; and

WHEREAS, the Garfield Health Department has received a proposed agreement from State of New Jersey which outlines the terms, conditions and obligations of this program; and

WHEREAS, the Garfield Health Department has received a proposed agreement from State of New Jersey which must be executed by the Mayor and City Clerk in order to implement this program.

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 be and are hereby authorized to execute an agreement between the State of New Jersey Department of Transportation and the City of Garfield for the Garfield Safe Routes to Schools Program – 2007; and

NOW THEREFORE BE IT FURTHER RESOLVED that the agreement to be executed is the agreement submitted to the Garfield Health Department by letter dated October 22, 2007.

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 Garfield Health Department and the State of New Jersey Department of Transportation.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-434

WHEREAS, Mayor and Council of the City of Garfield, are in agreement to have Holiday spectacular decorations and;

WHEREAS, it is most economical to enter into a 3 year lease agreement and at the end of the lease, the City of Garfield shall own said decorations and;

NOW THEREFORE BE IT RESOLVED, that the City of Garfield is hereby authorized to enter into such a lease agreement with Christmas Spectacular, 267 Ridge Road, Lyndhurst, NJ 07071 not to exceed \$8,316.00 for the next 3 calendar years inclusive of 2007.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-435

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that an allocation of \$2,900.00 is hereby authorized and approved to the Garfield YMCA for Youth Soccer Uniforms.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-436

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

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that he 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
194	1	Rivera, Hector	O/P	\$1,295.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-437

WHEREAS, the Receiver of Taxes reports that she has received a request for the following property listed as Block 140 Lot 41, City of Garfield, to abate taxes for the third and fourth quarters of 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 abate the Taxes for the third and fourth quarters of the year 2007 in the total amount of \$6,454.70.

BLOCK	LOT	OWNER	REASON	Quarter	AMOUNT
140	41	City of Garfield	Taxes to Abate	3 rd	\$3,244.00
				4 th	<u>\$3,210.70</u>
					\$6,454.70

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-438

WHEREAS, the Receiver of Taxes reports that she has received a request for the following property listed as Block 140 Lot 91.02. City of Garfield, to abate taxes for the third and fourth quarters of 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 abate the Taxes for the third and fourth quarters of the year 2007 in the total amount of \$5,469.20.

BLOCK	LOT	OWNER	REASON	Quarter	AMOUNT
140	91.02	City of Garfield	Taxes to Abate	3 rd	\$2,748.00
				4 th	<u>\$2,721.20</u>
					\$5,469.20

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

See

the

following

pages numbered _____

for

BILLS AND CLAIMS

Resolution No. 07-440

RESOLVED by the City Council of the City of Garfield that the following bill No. 1219 to and including 1221 covering POAA Trust and Dog Trust Account totaling \$3,630.80 and Current Fund Reserve totaling \$749.70 and Current Fund Current Year totaling \$1,527,176.59 and Water Fund Current Year totaling \$541,498.05 and General Capital totaling \$1,044,142.77 and Water Capital totaling \$254,810.62 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 sixty six (66) items prior to the meeting be ratified.

See

the

following

pages numbered _____

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2517

The following entitled ordinance was introduced at a Regular Meeting held November 7, 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 PROVIDING FOR REAL ESTATE TAX EXEMPTIONS FOR IMPROVEMENTS TO RESIDENTIAL DWELLINGS, MULTIPLE FAMILY DWELLINGS AND RESIDENTIAL AND INDUSTRIAL PROPERTIES MORE THAN TWENTY (20) YEARS OLD IN THE CITY OF GARFIELD AND READOPTING AND EXTENDING THE PROVISIONS OF ORDINANCES 2227, 2228 AND 2229

City Clerk Pavlica read the ordinance by title.

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

Ms. Tana Raymond, 93 Spring Street, spoke and asked questions concerning the ordinance.

There being no further objections, 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 Delaney duly seconded the motion.

On call of roll, Ayes 5

Councilmember Aloia introduced in writing the following ordinance entitled:

“BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$400,000 FOR THE REPLACEMENT OF THE BOULEVARD BOOSTER PUMPING STATION AND BELMONT HILL WATER STORAGE TANKS IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL 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 APPROPRIATE AN ADDITIONAL SUM OF \$400,000 FOR THE REPLACEMENT OF THE BOULEVARD BOOSTER PUMPING STATION AND BELMONT HILL WATER STORAGE TANKS IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL 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 December 11, 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 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

CITIZENS AND TAXPAYERS

Ms. Tana Raymond, 93 Spring Street, asked questions concerning the 2007 tax increase. She commented on her experience this Thanksgiving distributing food to the less fortunate through the Loaves and Fishes Interfaith Food Pantry. She asked for a donation for the Christmas distribution of the Loaves and Fishes Interfaith Food Pantry. She asked about the earnings from the City by Co-City Attorney Dennis Oury. She complained about her water billings from the Passaic Valley Water Commission.

Mr. Nino Vasi, 21 Clark Street, complained about the Envy Lounge located at the corner of Passaic Street and Clark Street. He said that he heard three shots on the evening of Saturday, November 25, 2007, and said that a 9mm shell was found by his window. Police from Bergen County, Garfield, Lodi and Saddle Brook responded to the shootings. He complained about urination and littering and beer bottles strewn about by the patrons of the Envy Lounge. He complained about high water bills.

COUNCILMEMBER COMMENTS

Councilmember Aloia spoke on the spaghetti dinner fund raiser to be held this Friday, November 30, 2007 by the Calvary Baptist Church of North Jersey at Garfield located at 217-245 Passaic Street. He spoke on the Chamber of Commerce Christmas Party to be held on Wednesday, December 5, 2007 at the Venetian Restaurant located at 546 River Drive. He said that he hopes everyone has a safe and healthy Thanksgiving.

Councilmember Krone said that he hopes everyone has a nice Thanksgiving and to keep the spirit for the next twenty-five days.

Councilmember Moskal said that we all have to think how lucky we are and sometimes we take it for granted.

Deputy Mayor Delaney commented how he feels that the owners of the Envy Lounge lied to the Council about the type of place that was going to be there. He said that the City would definitely move forward with an ABC disciplinary hearing. He reminded everyone that the Garfield Free Public Library Christmas Tree Lighting Ceremony was scheduled to be held Thursday, November 29, 2007 at the Library at 500 Midland Avenue and the City Christmas Tree Lighting Ceremony and pictures with Santa Claus were scheduled for Monday, December 3, 2007 at 6:30 PM in front of City Hall.

Mayor Calandriello said that the City Council has been looking at quality of life issues including the prohibition of auto repairs in the public street, and the prohibition of pit bulls running around free. He spoke on the concern of gun shots being fired this past weekend at the corner of Passaic Street and Clark Street and about six months ago on Midland Avenue. He said that, unfortunately, this is a reality in Bergen County.

CLOSED SESSION

Resolution No. 07-440

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a meeting in certain circumstances, and

CLOSED SESSION

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 9:20 PM on Tuesday, November 27, 2007, to discuss the following as outlined in N.J.S.A. 10:4-12:

- * Collective bargaining agreements including the negotiation of the terms and thereof with employees or representatives of employees of the public body; (Blue Collar Collective Bargaining Negotiations).
- * Matters involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds; (Proposed Settlement of Franchini Property Condemnation of Land Along River Drive Needed for Riverfront Park; Spencer Savings Bank Proposed Presentation of Banking Services).
- * Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (Construction Code Official James Mazzer Request to Return to His Position; Leave of Absence of Municipal Court Judge William Colacino; Copy Room Clerk-typist Barbara Gazdagen Leave of Absence Due to Medical Reasons; DPW Employee Frank LiVoti Disciplinary Matter).

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) Stanley J. Moskal
Louis G. Aloia

SHORT RECESS, CHANGE OF VENUE AND RETURN TO ORDER

Immediately after the City Council voted to go into Closed Session at 9:20 PM, a short recess was called to move the meeting down the hall to the second floor Conference Room. At 9:30 PM, the meeting was again called to order in Closed Session, and all City Officials were present as before the recess with the exception of City Engineer Representative Bernard Mirandi. Special Labor Counsel Louis Flora was also now present. It was duly noted for the record.

ADJOURNMENT

After the City Council came out of Closed Session at 10:00 PM, the meeting was adjourned.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK