

A Regular Meeting of the City Council was held Tuesday, December 18, 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 and Interim Chief Financial Officer Roy Riggitano

SPECIAL INVOCATION

Father Edward Szpiech, the Pastor of Saint Stanislaus Kostka Roman Catholic Church, offered a Special Invocation.

CEREMONIAL SWEARING-IN OF POLICE OFFICERS

City Manager Thomas J. Duch introduced the following Police Academy graduates and then he and City Clerk Andrew J. Pavlica alternated publicly administering the official oath of office to the new Garfield Police Officers: Raymond Bielecki, Jason Tani, Robert Meehan, Dennis Serritella, Joseph Delaney, Nicolas Santillo, Anthony Koptyra, Brian Porco, Marc Amos, Michael Hawroniak and Robert Napolitano.

POLICE SERGEANTS

City Manager Duch read his letters of promotion to Sergeant of Police Officers Keith R. Kopacz and Edward R. Mura, Jr. and then administered the official oath of office to both men. Each Councilmember then offered words of congratulations to all the Police Officers.

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 Krone duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 07-466

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a Special Meeting of the City Council will be held Wednesday, January 2, 2008 at 5:30 PM to approve the 2008 Temporary Budget and for any other City related business.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 07-467

WHEREAS, Fire Company No. 5 has advised that they have accepted Andrzej Kalata of 66 Belmont Avenue as a regular active member, effective July 10, 2007.

RESOLUTIONS

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

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 07-468

BE IT RESOLVED by the City Council of the City of Garfield that the Tax Collector is hereby authorized to carry out the following directives for the year 2008:

1. Charge 8% interest per annum on the first \$1,500.00 of delinquency and 18% per annum on any amount in excess of \$1,500.00.
2. Charge 18% interest on tax title liens as per R.S. 54:4-67.
3. Allow a grace period of ten days before charging interest, as provided by R.S. 54:4-67, except that if the office of the Tax Collector is closed on the tenth day following the due date for a tax payment, then the grace period shall be extended to include the first business day thereafter.
4. Allow no discount for pre-payment of taxes.
5. Charge an additional end of year penalty of 6% as provided by R.S. 54:4-67 on all delinquencies of unpaid taxes, interest, and other municipal charges, when the total exceeds \$10,000.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 07-469

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 issues and with respect to police, interest arbitration; 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 Patrick F.X. Fitzpatrick, 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 of \$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 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

RESOLUTIONS

Resolution No. 07-470

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE PREPARATION OF A PRELIMINARY ASSESSMENT REPORT FOR THE 20TH CENTURY FIELD IN THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY AS MANDATED BY THE RULES AND REGULATIONS OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the City of Garfield is desirous to obtain a Green Acres grant to perform capital improvements to recreational complexes and to lessen the financial burden on its tax payers; and
 WHEREAS, the City of Garfield desires to maintain, preserve and renovate the City's recreational facilities and services; and,

WHEREAS, the City of Garfield is required by NJDEP regulations to perform a Preliminary Assessment Report in order to receive Green Acres Funds in accordance with the NJDEP's Technical Requirements for Site Remediation NJAC 7:26E-1.8; and

WHEREAS, the City of Garfield is required to submit this report in order to obtain the actual grant; and

WHEREAS, Boswell McClave Engineering is familiar with and has prepared these type of reports in order to identify areas and/or items of potential environmental concern; and,

WHEREAS, the preparation of this preliminary assessment report is in the best interests of the health, safety and welfare of the general public 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 in the amount to \$5,500.00 to prepare the required Preliminary Assessment Report and a separate \$1,100.00 to be paid directly from the City of Garfield to the subcontractor for the environmental database search, historic aerial photographs, Sanborn maps and chain of title, all in accordance with the December 17, 2007 proposal.

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
 Louis G. Aloia

Resolution No. 07-471

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to over paid taxes for the year 2007.

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

BLOCK	LOT	OWNER	REASON	AMOUNT
15	51	First American Real Estate Tax Services	O.P.	\$1824.10
24.01	9	John De Jesus	O.P.	\$ 117.74
51	22	Wells Fargo Real Estate Tax Services, LLC	O.P.	\$1775.50
66	2	First American Real Estate Tax Services	O.P.	\$1304.30
76.02	19 C0602	Debra Maniscalco	O.P.	\$ 7.21
82	13	First American Real Estate Tax Services	O.P.	\$1515.00
92	16	Wells Fargo Real Estate Tax Services. LLC	O.P.	\$ 795.80

RESOLUTIONS

94	22	First American Real Estate Tax Services	O.P.	\$1814.80
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On call of roll, Ayes 5 (Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 07-472

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to over paid taxes for the year 2007.

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

BLOCK	LOT	OWNER	REASON	AMOUNT
96	44.01	First American Real Estate Tax Services	O.P.	\$1230.00
124	39	First American Real Estate Tax Services	O.P.	\$1260.10
152	28	First American Real Estate Tax Services	O.P.	\$1584.40
154	51	First American Real Estate Tax Services	O.P.	\$1221.00
179.01	13	First American Real Estate Tax Services	O.P.	\$1239.70
192	21	First American Real Estate Tax Services	O.P.	\$1238.60

On call of roll, Ayes 5 (Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 07-473

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to over paid taxes for the year 2007.

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

BLOCK	LOT	OWNER	REASON	AMOUNT
193	6	First American Real Estate Tax Services	O.P.	\$1387.00
203	35	First American Real Estate Tax Services	O.P.	\$1339.90
215.01	13	Vakhtangi Muladze	O.P.	\$1214.50
216.08	168	Anna Valenti Services	O.P.	\$ 900.00

On call of roll, Ayes 5 (Sgd) Frank J. Calandriello
Louis G. Aloia

RESOLUTIONS

Resolution No. 07-474

RESOLVED, by the Mayor and Council of the City of Garfield that the Collector-Treasurer shall and hereby authorized to make the following transfers as per instructions from the Chief Financial Officer as follows:

	<u>Appropriation From</u>	<u>Appropriation To</u>
Police Salary and Wages	\$ 40,000.00	
Municipal Court Salary and Wages		\$ 10,000.00
Health Salary and Wages		\$ 30,000.00
Water Operating Salary and Wages	\$140,000.00	
Water Operating Other Expenses		\$140,000.00
Group Insurance	\$ 40,000.00	
Other expense		<u>\$ 40,000.00</u>
	<u>\$220,000.00</u>	<u>\$220,000.00</u>

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

Resolution No. 07-475

Resolution Re: Cancellation of Water Utility Fund Appropriations

WHEREAS, there are unexpended balances of \$92,000 in certain Water Utility Fund line items at year end, and

WHEREAS, it has been determined that said balances are no longer necessary for the 2007 Water Utility budget,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Garfield that the following unexpended appropriation balances of the Water Utility Fund be canceled of record.

Employees Group Insurance	\$62,500
Social Security	<u>29,500</u>
	<u>\$92,000</u>

On call of roll, Ayes 5

(Sgd) Frank J. Calandriello
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 07-476

RESOLVED by the City Council of the City of Garfield that Current Fund Reserve totaling \$101,232.00 and Current Fund Current Year totaling \$195,862.53 and Water Fund Current Year totaling \$114,343.43 and General Capital totaling \$100,000.00 and Water Capital totaling \$100,000.00 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 two (2) items prior to the meeting be ratified.

See the following

pages numbered _____

for Bills and Claims

CITIZENS AND TAXPAYERS

Mr. William Whren, 33 Westminster Place, said that the DPW did a great job plowing snow, but he complained about citizens plowing snow back into the streets when there is an ordinance prohibiting that.

COUNCILMEMBER COMMENTS

All Five Councilmember wished everyone a Merry Christmas, Happy New Year and Happy Holiday.

ADJOURNMENT

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

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK