

A Regular Meeting of the City Council was held Tuesday, February 13, 2007 at 8:50 PM in the Conference Room 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 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 Moskal duly seconded the motion.

On call of roll, Ayes 5

RESOLUTIONS

Resolution No. 07-44

WHEREAS, an application was filed for a person to person transfer of Plenary Retail consumption Liquor License No. 0221-33-016-002 from the Cotillion, Inc. trading as the Cotillion to Amal Corp. trading as The Grand Cotillion; and

WHEREAS, pursuant to Resolution No. 06-217 that transfer was approved to be effective upon confirmation that the business has been transferred and a copy of the bill of sale is submitted to the City Clerk; and

WHEREAS, the parties have now advised the Governing Body that the sale of the business has not yet been concluded and, as a result, pending conclusion of that transfer, the license must be transferred back to the original licensee, the Cotillion, Inc.; and

WHEREAS, Amal Corp. has consented to the retransfer of the license and the rescission, if necessary, of Resolution No. 06-217; and

WHEREAS, in the event that the business does, in fact, become transferred from the Cotillion, Inc. to Amal Corp., the transfer will once again be considered by the Governing Body and approved for transfer upon receiving written direction concerning the same from both the transferor and the transferee; and

WHEREAS, in view of the fact that Amal Corp. did not take occupancy nor operate the subject premises, no tax clearance certificate is required and since the Cotillion, Inc. has continued to operate the premises, no police investigation report shall be required.

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. 0221-33-016-002 be and is hereby transferred from Amal Corp. (Bhavesh Pates and Shital Patel, 33 Phillip Drive, Parsippany, New Jersey, 07054 who each own 50% of the corporation) trading as The Grand Cotillion to the Cotillion, Inc. trading as the Cotillion, 454 Midland Avenue, Garfield, New Jersey);

NOW, THEREFORE BE IT FURTHER RESOLVED, that, due to the circumstances of the within transfer, no fees have been charged by the City of Garfield, however, in the event that the State of New Jersey Division of Alcoholic Beverage Control requires payment of any fees, the same will be paid by or on behalf of the transferee herein, the Cotillion, Inc.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

RESOLUTIONS

Resolution No. 07-45

WHEREAS, E-Z Laundromat, 255 Midland Avenue has filed an application for a laundromat license for the year 2007, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to E-Z Laundromat, for the year 2007 (A fee of \$375.00 was collected for 2007 in connection with this transaction).

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-46

WHEREAS, Lanza Laundromat LLC, 418 Lanza Avenue has filed an application for a laundromat license for the year 2007, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Lanza Laundromat LLC, for the year 2007 (A fee of \$300.00 was collected for 2007 in connection with this transaction).

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-47

WHEREAS, Main Street Laundromat, 20 Plauderville Avenue has filed an application for a laundromat license for the year 2007, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Main Street Laundromat, for the year 2007 (A fee of \$180.00 was collected for 2007 in connection with this transaction).

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-48

WHEREAS, Suds City Laundromat, 228 Palisade Avenue has filed an application for a laundromat license for the year 2007, and

WHEREAS, the local inspectors CERTIFY that they have conformed with provisions of Ordinance No. 1288,

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Garfield that the City Clerk be and is hereby authorized to issue a license to Suds City Laundromat, for the year 2007 (A fee of \$375.00 was collected for 2007 in connection with this transaction).

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-49

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Pedro Nolasco of 119 Harrison Avenue, as an active member, effective February 5, 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
Joseph Delaney

RESOLUTIONS

Resolution No. 07-50

WHEREAS, Fire Company No. 3 advises that Robert Fanslau of 133 Pierre 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. 3 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 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-51

WHEREAS, Fire Company No. 3 advises that Edward Ortyl of 389 Semel Avenue, has served as an active member of the Garfield Fire Department for at least twenty-one years and that he is entitled to a twenty-one year badge, and

WHEREAS, the records in the Office of the City Clerk indicate that he has served for a period on twenty-one 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. 3 is hereby approved and that the proper officers are hereby authorized to issue a twenty-one year badge to the above named individual.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-52

WHEREAS, pursuant to Resolution No. 06-479 the Governing Body determined that it would be in the best interests of the City to make certain professional appointments pursuant to a "Fair and Open Process" pursuant to the provisions of the New Jersey Local Unit Pay to Play Law which became effective on January 1, 2006; and

WHEREAS, pursuant to the aforesaid Resolution, a legal notice and statement of criteria for submission of qualifications were prepared by the City Attorney which solicited submissions by the various professionals no later than Friday, January 19 2007; and

WHEREAS, pursuant to the aforesaid notice, statements of professional qualifications were, in fact, submitted; and

WHEREAS, contracts with these professionals may be entered into by the City of Garfield without the necessity of competitive bidding since these contracts are professional services which are exempt from competitive bidding pursuant to N.J.S.A. 40A:11-5(1)a;

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

- a) Kevin Boswell of Boswell McClave Engineering is hereby appointed as City Engineer for the City of Garfield with compensation to be determined pursuant to the applicable salary Ordinance. This appointment shall include appointment to serve as the Engineer for the Garfield Planning Board.
- b) Dieter Lerch of the firm Lerch Vinci and Higgins, LLP is hereby appointed as City Auditor for the City of Garfield with compensation to be determined pursuant to the applicable Salary Ordinance or pursuant to separate Resolution.

RESOLUTIONS

- c) Steven L. Rogut, Esq. of the Firm of Rogut McCarthy Troy, LLC is hereby appointed as Bond Counsel for the City of Garfield with compensation to be determined pursuant to the various Bond Ordinances established by the City Council.
- d) Joseph Burgis of the firm Burgis Associates, Inc. is hereby appointed City Planner for the City of Garfield for an annual fee in an amount to be determined pursuant to separate Resolution.
- e) Frank Covelli of Professional Insurance Associates, Inc. be and is hereby appointed Risk Management Consultant for the City of Garfield to perform various professional services as detailed in a Risk Management Consultant Agreement which indicates a minimum fee equal to six percent (6%) of the municipal assessment.
- f) Robert McNerney of McNerney Appraisal Services Corp. is hereby appointed City Tax Appraiser for the City of Garfield in connection with defending tax appeals for a monthly retainer of \$2,900.00 per month.
- g) Edward Arcari of the firm of Arcari Iovino Architects, PC is hereby appointed as Architect for the City of Garfield for a fee to be determined based upon each individual project awarded.

NOW THEREFORE BE IT FURTHER RESOLVED that each of the appointments set forth herein shall be for a period of one (1) year commencing on the date of this Resolution and each appointment is subject to confirmation, by the Chief Financial Officer, that sufficient funds exist for these purposes; and

WHEREAS, to the extent that the power of appointment rests with the City Manager, these appointments are intended to confirm said appointments made by the Office of the City Manager.

NOW THEREFORE BE IT FURTHER RESOLVED that the within appointments have been made pursuant to a "Fair and Open Process"; and

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 Offices of the City Manager, City Attorney, Chief Financial Officer for the City of Garfield and each of the professionals appointed pursuant to this Resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-53

WHEREAS, the Chief Financial Officer has reviewed a proposal from United Computer for hardware support for the 2007 fiscal year; and

WHEREAS, United Computer is recognized by the State of New Jersey as a state vendor sub contractor under the auspices of Munidex Corporation; and

WHEREAS, United Computer has successfully implemented all aspects to hardware support to the City as well as support to Edmunds Systems Corporation; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, Munidex Corporation is awarded a contract for computer support, inclusive of all hardware needs to the City of Garfield, and United Computer is considered the sub contractor to Munidex for the 2007 calendar year, for a fee not to exceed \$32,500.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-54

WHEREAS, the City of Garfield conducts a recycling program within the City under which recyclable materials are collected separately from solid waste collection; and

RESOLUTIONS

WHEREAS, pursuant to Resolutions 05-157 and 05-194 a Contract was awarded to Zozzaro Bros. Inc. of Clifton, New Jersey for the marketing of certain recyclable materials which were generated by the City's recycling program; and

WHEREAS, the agreement with Zozzaro Bros. Inc. was for a contract term to commence on May 1, 2005 and end on April 30, 2007; and

WHEREAS, the Superintendent of the Department of Public Works has recommended that we renew and extend the agreement with Zozzaro Bros. Inc. at this time, prior to the expiration of the initial Contract, in order to take advantage of the favorable market conditions that exist at this time; and

WHEREAS, Zozzaro Bros. Inc. has submitted a Proposal dated February 9, 2007 for the renewed period of three to five years (3-5) upon terms which the Superintendent of the Department of Public Works has deemed to be favorable to the City; and

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-5(1)s, this Contract may be awarded without the necessity of competitive bidding; and

WHEREAS, a review of the Proposal submitted by Zozzaro Bros. Inc. has revealed that such a Contract would provide substantial financial benefits to the City.

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. A renewal Contract with Zozzaro Bros, Inc., 175 Circle Avenue, Clifton, New Jersey be and is hereby authorized;
2. The above Contract shall be for the marketing of mixed newspapers (Grade No. 6) and commingled containers generated by the City's recyclable program;
3. The contract shall be for a three (3) year term commencing on March 1, 2007 and ending on February 28, 2010, and shall be in accordance with the terms, conditions and proposals set forth in the written Proposal submitted by Zozzaro Bros. Inc. dated February 9, 2007;

NOW THEREFORE BE IT FURTHER RESOLVED that this Contract is being awarded based upon the recommendation of the City Manager and the Superintendent of the Department of Public Works;

NOW THEREFORE BE IT FURTHER RESOLVED that the City Attorney be and he is hereby authorized and directed to prepare the necessary Contract between the City of Garfield and Zozzaro Bros. Inc. in order to facilitate the terms and conditions of this Resolution; and

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 Attorney, City Manager, Superintendent of the Department of Public Works, the Chief Financial Officer for the City of Garfield and Zozzaro Bros. Inc.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-55

WHEREAS, the City of Garfield has entered into a contract for solid waste collection services which is now scheduled to expire on April 30, 2007; and

WHEREAS, the City of Garfield has also entered into an agreement for recyclables collection which has been extended until April 30, 2007; and

WHEREAS, the City Manager, City Attorney and Superintendent of the Department of Public Works have reviewed the City's needs regarding solid waste collection services and recyclables collection and has determined that it would be in the best interests of the City of Garfield to solicit bids which would enable interested bidders to submit bids for solid waste collection recyclables collection or both which, in turn, may result in cost savings for the City of Garfield; and

WHEREAS, the New Jersey Local Public Contracts Law requires that the advertisement for bids for solid waste collection be made at least sixty (60) days prior to the date upon which bids are due; and

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

1. The City Clerk is directed to arrange for advertisement for the solicitation of bids for collection and disposal of solid waste and recyclables within the City of Garfield no later than February 19, 2007. The advertisement shall be in the form prepared by the City Attorney;
2. The City Attorney is authorized and directed to, in consultation with the City Engineer, and the Superintendent of the Department of Public Works, prepare bid specifications for collection and disposal of solid waste and recyclables within the City of Garfield;
3. The due date for submission of bids shall be April 27, 2007.
4. The bid specifications shall include all necessary and appropriate terms and conditions and shall also include the following in accordance with the recommendations of the City Manager and the Superintendent of the Department of Public Works:
 - A. The term of the Contract shall commence on May 1, 2007 and the specifications shall provide options for a three (3) year Contract or a five (5) year Contract.
 - B. Bidders shall be invited to submit bids for solid waste collection alone, recyclables collection alone or both.
5. The City of Garfield shall have the right to award solid waste collection alone, recyclables alone or the combined total to one bidder. In other words, the City shall retain the right to award solid waste collection to the lowest single bidder recyclables collection to the single lowest bidder or select the option of a joint award to the lowest bidder who has submitted a joint bid including both recyclables and solid waste collection;
6. The specifications shall also provide that disposal of solid waste shall be made through the transfer station which is located within the City of Garfield since the City is a "Host Community" pursuant to the provisions of New Jersey Law.
7. The City shall retain the right to require that mixed newspapers and commingled containers be delivered to a specific recycling facility with which the City shall maintain a contract.

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 the City Attorney, the City Manager, the Superintendent of the Department of Public Works, and the Chief Financial Officer.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-56

GRANT AGREEMENT BETWEEN THE CITY OF GARFIELD AND THE STATE OF NEW JERSEY BY AND FOR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Governing Body of the City of Garfield desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$25,000 to fund the following project: Cool Cities CSIP Tree Planting Grant,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED the Governing Body of the City of Garfield, Bergen County, New Jersey resolves that Thomas J. Duch or the successor to the office of City Manager is authorized (a) to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$25,000 and not more than \$25,000, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

BE IT FURTHER RESOLVED that the Garfield City Council authorizes and hereby agrees to match 25% of the total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 100% of the match will be made up of in kind services if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State, and Municipal laws, rules, and regulations in its performance pursuant to the agreement.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-57

RESOLVED by the Mayor and Council of the City of Garfield that Change Order No. 1 be approved in accordance with the requirements of N.J.A.C. 5:34-4:

GENERAL CONSTRUCTION:	Belmont Oval Improvement Project
ENGINEER:	Boswell McClave Engineering
CONTRACTOR:	The LandTek Group, Inc., 235 County Line Road, Amityville, NY 11701
ORIGINAL CONTRACT COST:	\$ 1,861,094.50
COST OF CHANGE ORDER NO. 1:	\$ 177,300.29
NEW CONTRACT SUM:	\$ 2,038,392.79
CHANGE ORDER NUMBER:	#1
NATURE OF CHANGES:	"Various"

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-58

AUTHORIZING THE EXECUTION OF A REGIONAL CONTRIBUTION AGREEMENT FOR THE CITY OF GARFIELD AS A RECEIVING MUNICIPALITY AND THE BOROUGH OF ALPINE THE SENDING MUNICIPALITY

WHEREAS, the Borough of Alpine has a fair share obligation to provide housing opportunities to households of low and moderate income as established by the New Jersey Fair Housing Act, N.J.S.A.. 52:27d-301 et seq; and

WHEREAS, the Fair Housing Act provided 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, which undertakes to provide low and moderate income housing which is credited toward the sending municipality's fair share obligation; and

WHEREAS, the Borough of Alpine proposes to transfer three (3) units of its fair share obligation at a cost of One Hundred Five Thousand Dollars (\$105,000.00) per unit for the total Three Hundred Fifteen Thousand Dollars (\$315,000.00) in the form of an RCA with the City of Garfield, Bergen County, New Jersey; and

RESOLUTIONS

WHEREAS, the Borough of Alpine 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 REC; and

WHEREAS, the RCA is in the best interests of the City of Garfield and the Borough of Alpine.

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 the City Clerk be and are hereby authorized to execute such documents and exhibits as may be necessary to effectuate the RCA.

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, the Borough of Alpine and Mr. William Katchen, C.P.A.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-59

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owners 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 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
153	5	Chase Manhattan Mortgage	O/P	\$ 159.42

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-60

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owners 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 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
203.03	18	McCabe, Fred & Lynn	O/P	\$ 1839.00
140	73	Tramontin Realty Co.	O/P	2,884.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

Resolution No. 07-61

WHEREAS, a dispute has arisen regarding outstanding water charges for property located at 70 Van Winkle Avenue, and

WHEREAS, the City Manager, pursuant to the authorization of the Mayor and Council, has engaged in discussions with the property owner, and

WHEREAS, an agreement has been reached in order to resolve this dispute, and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County New Jersey that the outstanding water bill related to 70 Van Winkle Avenue is reduced to \$1,500.00 to be paid at the rate of \$500.00 per month.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Joseph Delaney

RESOLUTIONS

Resolution No. 07-62

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

AcctNo.	Name	Address	BilledFor	CorrectAmt	Credit
6-24-14	Glover	13 Cambridge Avenue	821.35	179.25	642.10
4-15-43	Cahayla	114 Bergen Street	52.00	0	52.00
2-5-314	Hernandez	45 Highland Avenue	52.00	17.33	34.67
4-15-383	Bravo	148 Plauderville Avenue	52.00	17.33	34.67
4-15-189	Pan Graphics	45 Hartmann Avenue	315.80	46.40	269.40
4-13-199	Shenadeh	167 Main Street	17.68	0	17.68

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 5

(Sgd) Louis G. Aloia

Joseph Delaney

Resolution No. 07-63

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

WHEREAS, Smith SONDY Asphalt construction Company was awarded a contract by a Resolution No. 04-451 in the amount of \$285,391.50 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, the aforementioned contract with Smith SONDY 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 5

(Sgd) Louis G. Aloia

Joseph Delaney

BILLS AND CLAIMS

Resolution No. 07-64

RESOLVED by the City Council of the City of Garfield that the following bills No. 1180 covering Dog Trust totaling \$468.00 and Current Fund Reserve totaling \$60,933.54 Current Fund Current totaling \$1,964,500.78 and Water Fund Current totaling \$39,857.35 and General Capital totaling \$19,614.91 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 twelve (12) items prior to the meeting be ratified.

See the following

pages numbered _____

for Bills and Claims

ORDINANCES

Ordinance No. 2481

The following entitled ordinance was introduced at a Regular Meeting held January 30, 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 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.

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

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

Councilmember Aloia moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Krone duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2482

The following entitled ordinance was introduced at a Regular Meeting held January 30, 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 ORDINANCE NO. 2218 OF THE CITY OF GARFIELD ENTITLED “RESIDENT PARKING PROGRAM”

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, 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 Moskal duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2483

The following entitled ordinance was introduced at a Regular Meeting held January 30 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:

ORDINANCES

“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.

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

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

Councilmember Aloia moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Moskal duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2484

The following entitled ordinance was introduced at a Regular Meeting held January 30, 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, 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.

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

Ms. Tana Raymond, 93 Spring Street, 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 Moskal duly seconded the motion.

On call of roll, Ayes 5

CITIZENS AND TAXPAYERS

Mr. Joseph Dorman, 174 Palisade Avenue, said that he first notified the City about the use of loudspeakers on the minaret of the Albanian-American Islamic Center located at 43 Monroe Street on December 14, 2006. He said that the first City Official he notified was Gerald Walis who was not aware of the plans for the loudspeakers and he advised him that there were no plans for the loudspeakers to be attached to the outside of the mosque. He said that Mr. Walis researched the situation and called him back advising him that the loudspeakers were included in the plans submitted by the mosque. He said that Mr. Walis referred him to City Manager Duch who was not aware of the loudspeakers on the minaret and City Manager Duch researched the situation and advised him that the mosque planned to use the loudspeakers for the public broadcast of prayers on three holy days per year for the duration of five minutes per broadcast. He said that City Manager Duch advised him that he was assured by the mosque that the broadcast of prayers would not take

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place until the situation was reviewed. He said that City Manager Duch requested that he send him a letter expressing his concerns about the loudspeakers attached to the minaret. He said that City Manager Duch advised him that he forwarded his letter of concern to the Mayor and Council on December 24, 2006. He said that he heard the mosque broadcast between 1300 and 1304 hours and he reported the incident to City Manager Duch and Police Chief Andrezzi called him on January 10th with the results of the Police investigation. He said that he was informed that the mosque did not broadcast that day and that the broadcast came from across the river in Passaic and there was no written documentation on this investigation. He said that he first appeared before the Mayor and Council on January 9, 2007. He said that the Mayor acknowledged receiving his letter of concern to City Manager Duch and he referred him back to City Manager Duch. He said that on January 10, 2007, he called City Manager Duch who acknowledged that he was aware that the Mayor and Council referred the matter back to him and City Manager Duch informed him that he would send a letter to City Attorney Rotolo requesting an opinion in writing. He said that the letter was dated January 11, 2007 and City Manager Duch agreed to send him City Attorney Rotolo's written opinion. He said that he last appeared before the Mayor and Council on January 30, 2007 and during that meeting City Attorney Rotolo verbally acknowledged that the City of Garfield had an ordinance that prohibited the use of loudspeakers attached to buildings within the City of Garfield. He said that Mr. Rotolo advised that there was nothing that could be done about the public broadcast of prayers through the illegal loudspeakers mounted on top of the mosque. He said that he was allowed to speak a second time and he asked the Mayor and Council to consider what was actually to be broadcast from the loudspeakers and he went on to inform them of the actual words. He said that with all that was said and stated, his concerns about the broadcast of prayers from the loudspeakers attached to the minaret were never definitively addressed. He posed the following questions: 1. Will the Mayor and City Council be receiving a written opinion from Mr. Rotolo as requested by Mr. Duch on January 11th? 2. Will the Mayor and City Council enforce the City ordinance that prohibits the use of loudspeakers in a fixed or immovable position exterior to any building? 3. Has there been a permit application filed to allow the use of the loudspeakers? 4. How many loudspeakers are positioned on the minaret? 5. What is the output per loudspeaker? 6. What is the radius per output? 7. How many of the Islamic faith live within the radius of the total output? 8. Does the Mayor or any member of the City Council live in the First Ward?

Ms. Tana Raymond, 93 Spring Street, spoke on complaints of residents concerning the loudspeakers on the mosque. She suggested that the Mayor and City Council come up with some type of an amicable solution so that the City does not end up in court in a lawsuit and cost the taxpayers money. She reminded the Mayor and Council that it is their obligation to represent everybody, all the citizens of Garfield. She said that there is an issue that should be addressed. She suggested seeing how other towns handle having mosques in their town. She spoke about publicly honoring young men and women serving in the military and she wants two feet cut out stars with the names of military man and women on the front lawn of City Hall. She questioned how much the City pays our health insurance broker in commission. She commented on the fact that the big beautiful trees are all gone from Belmont Oval and it made her sick. She asked if the newly installed soccer field at Belmont Oval is too small to use for certain regulation league games. She suggested that the City needs a new ambulance and a new Ambulance Corps building and she suggested asking the Garden State Paper Developer to provide the City with both of those.

Dr. Charles Bonanno, 151 Sampson Street, asked about Passaic Valley Water Commission assuming water billing and water meter reading responsibilities for the City. He questioned the citizen's responsibilities concerning fees for these services. He said that Garfield will have a state of the art model soccer field like in Franklin Lakes. He said that this will bring Championship Games to Garfield and the City can show off the community. He also said that "not planning ahead" is a mistake. He questioned the width of the fence and the height of the fence. He said that the City will have a state of the art field and does not believe it will be used to its full potential.

COUNCILMEMBER COMMENTS

Councilmember Aloia spoke on the fence size for Belmont Oval and said no matter how high the fence, balls will still go over the top. He said that there is a need for a new ambulance. He reminded all men not to forget that tomorrow is Valentines Day and to get roses for everybody.

Councilmember Krone said that this soccer field in Belmont Oval is for Garfield and because the City has so many young kids, he sees that field being used all the time and that field will be all jammed up. He said that Dr. Bonanno claims that high school teams could use the field if it was wider, but the soccer field was built more in mind for young kids and middle school aged kids, and there is a larger soccer field up at Twentieth Century Field. He said that the Spring Street neighborhood might riot if the City ever had a big soccer tournament in Belmont Oval because of parking concerns and other issues. He wished everyone a “Happy Valentine’s Day”, and especially the young girls.

Councilmember Moskal wished everyone a “Happy Valentine’s Day”. He said that it is snowing and to drive safely tonight. He reminded everyone that the Garfield Boys and Girls Club was having a dinner on Friday, March 31st honoring Lou Ann Vistocky and Luis Castillo. He reminded everyone that the Garfield YMCA was having their Comedy Night Fundraiser on Thursday, February, 15th at the Cotillion Restaurant.

Councilmember Delaney said that the Garfield Volunteer Ambulance Corps definitely needs an ambulance. He said that City Engineer Boswell took the ball and ran with it concerning Belmont Oval. He said that the field looks great now and Garfield needed a better recreation soccer program. He said that the field was paid for basically through grants. He reminded everyone that there is a swim-a-thon on Sunday, March 4th at the Garfield Boys and Girls Club at 490 Midland Avenue.

Mayor Calandriello said that the Garfield Girl Cheerleaders went to a competition in Philadelphia and also came in first place in the Nationals in Atlantic City this past weekend. He said that he is really amazed and happy with the turn around of the Garfield Volunteer Ambulance Corps and for it to have grown to 41 members is remarkable for the Corps.

ADJOURNMENT

At 9:55 PM, there being no further business, Councilmember Aloia moved to adjourn the meeting. Councilmember Krone duly seconded the motion.

On call of roll, Ayes 5