

A Regular Meeting of the City Council was held Tuesday, February 27, 2007 at 8:10 PM in the Council Chamber, 111 Outwater Lane, Garfield, NJ 07026.

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

Councilmembers Present: Louis G. Aloia, 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 City Engineer Representative Bernard Mirandi (for City Engineer Kevin J. Boswell)

CEREMONIAL SWEARING IN OF FOUR NEW POLICE CAPTAINS

City Manager Duch publicly administered the official oath of office to newly appointed Police Captains Dennis Linares, Raymond Kovach, Brian Dowd and Jack Van Wycke, as they were surrounded by family members. The appointments were effective February 19, 2007.

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. 07-66

Whereas, Garfield City Clerk/Deputy City Manager, Andrew J. Pavlica has received the MASTER MUNICIPAL CLERK designation through the IIMC Master Municipal Clerk Academy Program where he joins an elite group of Municipal Clerks in the State of New Jersey who have achieved this prestigious designation, and

WHEREAS, the International Institute of Municipal Clerk's President, Marcella O'Conner of Australia announced in a news bulletin "I am honored to announce that Mr. Pavlica joins 531 other Municipal Clerk members of IIMC worldwide who hold the MMC designation. It symbolizes his status as a true Municipal Clerk Professional.", and

WHEREAS, Drew Pavlica has been the City Clerk of the City of Garfield since 1987, and he is a Registered Municipal Clerk (RMC), a Certified Municipal Clerk (CMC), a Past President of the Bergen County Municipal Clerks Association, the current Chairman of the Education Committee of the Municipal Clerks' Association of New Jersey, a Past-President of the Garfield YMCA, a Past-President of the Garfield Rotary Club, and a member of the Slovak Catholic Sokol Assembly No. One in Passaic, and

WHEREAS, the Mayor and Council are desirous of publicly recognizing Drew on his professional development and personal growth, and

WHEREAS, he is the only City Official who has never missed a meeting of the City Council in more than nineteen (19) years and he performs his duties in a devoted, efficient and professional manner,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Garfield City Clerk Andrew J. Pavlica is hereby publicly CONGRATULATED on his newest designation as a MASTER MUNICIPAL CLERK, and for exemplifying the true meaning of public service, commitment and leadership which has served to enhance the lives of the people of his vocation and community.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

RESOLUTIONS

At this time, a framed copy of Resolution No. 07-66 was presented to City Clerk Pavlica.

Resolution No. 07-67

WHEREAS, James and Domenic Emiliani will receive the 2007 Trinacria D'Oro Award at the Ninth Annual Dinner Dance of the Federazione Siciliana del New Jersey on Sunday, March 11, 2007 at 4:00 PM at the Venetian Restaurant on River Drive in Garfield, New Jersey, and
WHEREAS, thanks to their dedication and hard work, Emiliani Enterprises, went on to become a major wholesaler selling barber and beauty supplies in the salon industry for New Jersey and the greater New York Area including New Your City, Long Island, Westchester, Rockland and surrounding counties, and
WHEREAS, today, Emiliani Enterprises, with thirteen store locations, a main distribution center of 100,000 square feet and over 300 loyal employees, are testimonials of dreams coming true in this land of opportunity for James and Domeinc Emiliani, and
WHEREAS, over the years, they have become involved in many community and social events in which they have contributed much of their time, effort and money to many Italian-American Organizations and for other worthwhile causes, and
WHEREAS, it is altogether important, fitting and proper for the Mayor and Council to publicly recognize James and Domenic Emiliani on this important occasion,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that CONGRATULATIONS are hereby extended to James and Domenic Emiliani on their deserved honor for outstanding dedicated service to the community.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-68

WHEREAS, Fire Company no. 1 has advised that they have accepted Kris Sipos of 1 Garden Court North as a regular active member,
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. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-69

WHEREAS, Fire Company No. 1 has advised that they have accepted Franklin Zhinin of 111 Grand Street as a regular active member,
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. 1 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-70

WHEREAS, Fire Company No. 3 has advised that they have accepted the resignation of Jerry Zyla of Albert Street, as an active member, effective February 1, 2007,
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

RESOLUTIONS

Resolution No. 07-71

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Games of Skill for the year 2007 described in application, duly filed:

Belmont Spirits Emporium	14 Pool Tables	\$725.00
49 Belmont Avenue		
Garfield, NJ 07026		
		<hr/>
		\$725.00

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-72

WHEREAS, Marie Cappone, 118 Van Winkle Avenue, who is the holder of a Disabled Person I.D. Card No. P332485, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the south curb line of Van Winkle Avenue commencing 75 feet east of the intersection of Van Winkle Avenue and Summit Avenue an run an additional 25 feet east from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-73

WHEREAS, Marlene Smith, 188 Pierre Avenue, who is the holder of a Disabled Person I.D. Card No. P711519, has filed application for a handicapped parking sign to be placed at her address, and

WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for "Handicapped Parking", located on the west curb line of Pierre Avenue commencing 192 feet south of the intersection of Pierre Avenue and Belmont Avenue an run an additional 25 feet south from that point.

FURTHER RESOLVED that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-74

WHEREAS, bids were received on Friday, February 16, 2007 at 10:00 AM in the second floor Conference Room in City Hall for a 2007 High Reach Wheel Loader for the City of Garfield Department of Public Works; and

WHEREAS, City attendees present at the bid opening were City Clerk Andrew J. Pavlica, Deputy City Clerk Diane Rosolen and Nicolas Santillo; and

WHEREAS, the following bids were received:

RESOLUTIONS

- | | | |
|----|------------------------------------|---|
| 1. | Trico Equipment, Inc. | \$137,563.00 |
| | 51 North Hardin Highway | <u>\$ 8,600.00</u> (Trade In Alternate) |
| | Vineland, New Jersey 08630 | \$128,963.00 Total Bid |
| 2. | Jesco, Inc. | \$145,157.00 |
| | 118 St. Nicholas Avenue | <u>\$ 8,000.00</u> (Trade in Alternate) |
| | South Plainfield, New Jersey 07080 | \$137,157.00 Total Bid |

; and

WHEREAS, Chief Financial Officer Roy Riggitano has certified to the existence of sufficient funds in the appropriate accounts for this expenditure as depicted in Bond Ordinance No. 2470, adopted by the City Council at a Regular Meeting held Tuesday, October 10, 2006, which endorses the issuance of bonds to finance said project; and

WHEREAS, City Engineer Representative Bernard N. Mirandi, P.E. and other appropriate City Officials, have reviewed the bids and recommend award of contract for this project to Trico Equipment, Inc.; and

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the City of Garfield; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a contract is hereby awarded to Trico Equipment, Inc., 551 North Harding Highway Vineland, New Jersey 08630, for a 2007 High Reach Wheel Loader for the City of Garfield Department of Public Works; and

BE IT FURTHER RESOLVED that City Attorney Joseph J. Rotolo is hereby authorized and directed to prepare the appropriate contract for execution by the Mayor and City Clerk.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-75

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SEERVICES FOR AIR QUALITY PERMITTING RE-REGISTRATION OF GENERAL PERMIT APPLICATION REQUIRED FOR AN EMERGENCY GENERATOR USED BY THE CITY OF GARFIELD WATER DEPARTMENT.

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires air quality permits for emergency generators with a maximum rated heat input to the burning chamber of greater than (1) million BTU per hour; and

WHEREAS, the City of Garfield Water Department utilizes a portable emergency generator with a maximum rated heat input of 1,349,000 BTU per hour for the Pack Tower Facility in the Elmwood Park Well Field; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires a re-registration of the current General Permit for Emergency Generator (GP-005) utilizing the revised GP-005 by March 1, 2007; and

WHEREAS, the City Engineer, Boswell McClave Engineering, shall prepare the required NJDEP permit and prepare a summary of guidelines that outlines the criteria for the permitted operations of the standby generator; and

WHEREAS, based on the summary of guidelines, Boswell McClave Engineering shall prepare a template for logs for use by the Owner on the monitoring of the requirements for the Regulation's Compliance Plan; 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 in an amount of \$3,400 to perform and complete the above described services all in accordance with the February 8, 2007 proposal.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

RESOLUTIONS

Resolution No. 07-76

WHEREAS, the Receiver of Water reports that she has received a request from the following property owners for a refund due to overpaid water for the year 2007.

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

Owner	Reason	Amount
William Meltzer 235 Wessington Avenue Garfield, NJ 07026	O/P	\$176.10

On call of roll, Ayes 5

(Sgd) Joseph Delaney
James Krone

Resolution No. 07-77

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
6-20-12	Fuller	48 Dewey Street	229.00	28.00	201.00
5-17-191	Gugliotti	462 Palisade Avenue	212.00	0	212.00
5-16-96	Martinez	46 Dewey Street	128.80	28.00	100.80

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) Joseph Delaney
James Krone

See

the

following

pages numbered _____

for

Resolution No. 07-78

BILLS AND CLAIMS

Resolution No. 07-79

RESOLVED by the City Council of the City of Garfield that the following bill No. 1181 to 1182 covering Trust/Other and POAA Trust totaling \$1,933.98 and Current Fund Reserve totaling \$12,330.31 Current Fund Current totaling \$307,455.32 and Water Fund Reserve totaling \$2,849.25 Water Fund Current totaling \$70,062.45 and General Capital totaling \$226,150.71 Water Capital Fund totaling \$500,908.57 per attached Computer Lists, be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations, and

BE IT FURTHER RESOLVED that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the Ratification List, which includes twenty one (21) items prior to the meeting be ratified.

See

the

following

pages numbered _____

for

Bills

and

Claims

ORDINANCES

Councilmember Krone introduced in writing the following ordinance entitled:

“AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD TO ADD A CHAPTER ENTITLED PERFORMANCE OF MARRIAGE AND CIVIL UNION CEREMONIES”

City Clerk Pavlica read the ordinance by title.

Councilmember Krone moved that this ordinance entitled: “AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD TO ADD A CHAPTER ENTITLED PERFORMANCE OF MARRIAGE AND CIVIL UNION CEREMONIES”, do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held on March 13, 2007 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing in the Garfield Messenger at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 5

Councilmember Delaney introduced in writing the following ordinance entitled:

“BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW HAZARDOUS MATERIAL TRUCK, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$350,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH 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 Delaney moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF A NEW HAZARDOUS MATERIAL TRUCK, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$350,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS”, do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held on March 13, 2007 at 8:00 PM in the City Hall in Garfield and that the City Clerk shall be directed to publish said ordinance in full together with the notice of such hearing in the Garfield Messenger at least seven days prior to the hearing.

The motion, duly seconded by Councilmember Krone, 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, commented on City Clerk Pavlica being publicly recognized on achieving Master Municipal Clerk status with the International Institute of Municipal Clerks.

CITIZENS AND TAXPAYERS

She commented that the swearing in of the Police Captains was a beautiful presentation facilitated by City Manager Duch. She requested that the American Flag in front of City Hall fly at half staff in honor of former Deputy Mayor Lucy Matijakovich who passed away on February 19, 2007. She congratulated the new Police Captains on their promotions and she thanked City Manager Duch on his vision. She said that crime is not are going down in town and the City will need to have more policemen because Garfield needs a bigger Police Department. She commented on the proposed contract with the Passaic Valley Water Commission to perform City water billing services. She questioned if the contract would be cost-effective and wanted to know how the City will benefit. She questioned the commission of the broker for the City employees Health Benefits Plan. She said that she would like a breakdown for all the components of the Health Benefit Plan including Prescription Coverage.

Dr. Dawn Sova, 126 Banta Avenue, said that she was speaking as a member of the Planning Board. She said that there was a recent comment that the Garden State Paper Redevelopment at 950 River Drive will include 300 or so apartments but she wanted to make it clear that the development will be condos and townhouses which is important to point out because it means ownership.

COUNCILMEMBER COMMENTS

Councilmember Aloia said it has been a phenomenal night for the City of Garfield with four Lieutenants becoming Captains. He congratulated them and their families and he said that he was very proud of these four gentlemen who have served the City very well as policemen for all these years. He commended City Manager Duch for creating his new charts and plan for the future, working with the Police Chief and Deputy Police Chief. He commented that he just became a grandfather again last week when his daughter Andrea had a baby boy named Aaron.

Councilmember Krone said that he was recently at a meeting in Hackensack and it appears that the City will secure money for an ambulance. He said that there was a good crowd last night at the meeting for the Relay For Life Cancer prevention fundraiser scheduled to be held June 5-6, 2007. He said that there were a lot of great ideas and the committee will try to involve other towns to allow volunteers to collect money in May on their streets. He said that the Relay For Life has gotten off to a good start.

Councilmember Moskal said that everyone is trying to come up with ideas for the Relay For Life and if you work for a company sometimes they do matching contributions. He spoke on Saint Stan's Church having a Potato Pancake Fundraiser on Friday, March 9th.

Councilmember Delaney congratulated the four gentlemen who were promoted to Police Captain and Councilmember Aloia on his new grandchild. He spoke on the Water System Master Plan and how if it is a success the City may be able to produce enough surplus water to sell water to different towns to benefit the Garfield Budget. He spoke on the Garfield High School Basketball Team defeating Fort Lee this evening 41-40. He commented that former Deputy Mayor Lucy Matijakovich served that City very well and deserves a sign of respect.

Mayor Calandriello said that he had a chance meeting with Community Development Executive Director Joseph Rutch who recommended that the City put in an application for a new ambulance and he implied that it had a good chance for approval. He noticed in the newspaper that the Garfield School System was receiving \$41.8 million in State aid which is an additional 8% over last year. He commented that the Garfield Boys and Girls Club was having a dinner at the Cotillion Restaurant on March 31st honoring Luis Castillo of the San Diego Chargers as Man of the Year and Lou Ann Vistocky as Woman of the Year. He congratulated the four new Police Captains on their promotions.

COUNCILMEMBER COMMENTS

City Clerk Pavlica thanked each and every member of the City Council, along with City Manager Duch, and everyone involved in putting together the resolution for him. He said that he is certainly touched and honored and it came as a surprise. He said that he is mindful that we all represent the people of Garfield and he always tries his best to represent the City in a positive way and he thanked the City Council very much.

ADJOURNMENT

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

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK