

A Regular Meeting of the City Council was held Tuesday, March 13, 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, 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. 07-81

WHEREAS, on Sunday, January 28, 2007, in the pool run by the Garfield YMCA at the Garfield Boys and Girls Club located at 490 Midland Avenue, a swimmer had a seizure and sank to the bottom of the deep end of the pool, and

WHEREAS, Lifeguard Philip Johnson shouted "Man Down" and Lifeguard Sharif Nealy, who was teaching in the pool, swam to the bottom of the pool and retrieved the victim, and

WHEREAS, upon resurfacing, Lifeguard Nealy used the rescue tube that Lifeguard Johnson had brought over to assist in the rescue, while Life Guard Anna Guzik, who was also in the pool teaching swimming lessons, cleared the pool of swimmers and called 9-1-1, and

WHEREAS, the lifeguards, with the assistance of bystanders who were on pool deck, extracted the unconscious victim from the pool, and the lifeguards proceeded to check the victim's vitals, and then observed the victim was not breathing, and

WHEREAS, Lifeguard Nealy administered rescue breathing and the victim came to, and while waiting for EMS to arrive, the lifeguards kept the victim safe while he had more seizures, and talked to him so he could understand what was happening, and when EMS arrived, the victim refused further treatment and was driven home,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield, Bergen County, New Jersey, that Sharif Nealy of Garfield, Philip Johnson of Garfield and Anna Guzik of Paramus are hereby publicly recognized and commended for their readiness and alertness in providing care in an emergency situation in which they demonstrated an exemplary and uncommon concern for the life of another.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

At this time, framed copies of Resolution No. 07-81 were presented to Lifeguards Sharif Nealy, Philip Johnson and Anna Guzik.

Resolution No. 07-82

WHEREAS, the Garfield Junior Boilermaker Cheerleaders are on a roll this season and have come in First Place in nine of the fourteen competitions they have entered, and

WHEREAS, the team was recently in Philadelphia for the Cheer Tech's Northeast Championship and took home First Place in the School/Recreation Division and became Grand Champions, and

WHEREAS, the team also just came home from Atlantic City where they competed in the Spirit Unlimited National Championship winning the Division and becoming National Champions, and

WHEREAS, the team will be competing in several more competitions before they end their season in Baltimore's Inner Harbor for the Cheer Tech Titan National Championship in April,

RESOLUTIONS

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 Cheerleaders on their successful season, so far, and best wishes are also extended to them for continued success.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-83

WHEREAS, Almighty God in His Infinite Wisdom, has seen fit to remove from our midst, on February 19, 2007, Lucy Matijakovich, a former Deputy Mayor and Councilmember of the City of Garfield, and

WHEREAS, during her lifetime, she was very active serving her community, having been a member of the Garfield Board of Education, the Board of Directors of the Hackensack YWCA, the State Department of Community Affairs Task Force on Female Offenders, the Board of Directors of Bergen Pines County Hospital, Bergen County Community Development, a Commissioner of the Garfield Housing Authority, the Director of the Garfield CETA Program, and having served in many other capacities, and

WHEREAS, her passing touched with sorrow the people of Garfield, and its Governing Body,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that profound sorrow and heartfelt sympathy are hereby expressed to the family and friends of Lucy Matijakovich in their hour of bereavement over the tremendous loss endured by her passing.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-84

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, described in application, duly filed:

Wisla Inc.	1	Pool Table	\$75
323 Semel Avenue	1	Jukebox	50
Garfield, NJ 07026	1	Video	50
			<u> </u>
			\$175.00 Total

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-85

WHEREAS, Belmont Suds Factory, 62 Belmont 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, Belmont Suds Factory, 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
Stanley J. Moskal

Resolution No. 07-86

WHEREAS, Marina Acosta, 96 Wessington Avenue, who is the holder of a Disabled Person I.D. Card No. P767705, has filed application for a handicapped parking sign to be placed at her address, and

RESOLUTIONS

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 east curb line of Belmont Avenue commencing 280 feet north of the intersection of Wessington Avenue and Belmont Avenue an run an additional 25 feet north 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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-87

WHEREAS, Mary Griffoul, 28 Grand Street, who is the holder of a Disabled Person I.D. Card No. P353533, 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 Grand Street commencing 327 feet east of the intersection of Grand Street and River Drive and 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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-88

WHEREAS, Hermine Kasperzak, 94 Jewell Street, who is the holder of a Disabled Person I.D. Card No. P728579, 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 north curb line of Jewell Street commencing 50 feet east of the intersection of Jewell Street and Semel Avenue and Belmont 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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-89

WHEREAS, Anna McCoy, 158 Shaw Street, who is the holder of a Disabled Person I.D. Card No. P748043, 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 east curb line of Shaw Street commencing 150 feet south of the intersection of Shaw Street and Lanza 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) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-90

WHEREAS, Eva Mittendorf, 167 Midland Avenue, who is the holder of a Disabled Person I.D. Card No. P762045, 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 Midland Avenue commencing 70 feet north of the intersection of Midland Avenue and Commerce Street and run an additional 25 feet north 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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-91

WHEREAS, Julio Ocharan, 57 Farnham Avenue, who is the holder of a Disabled Person I.D. Card No. P725999, has filed application for a handicapped parking sign to be placed at his 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 Willard Street commencing 50 feet west of the intersection of Willard Street and Pierre Avenue and 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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-92

WHEREAS, Joan Peraino, 124 Willard Street, who is the holder of a Disabled Person I.D. Card No. P725999, 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 Willard Street commencing 50 feet west of the intersection of Willard Street and Pierre Avenue and run an additional 25 feet west 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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-93

WHEREAS, Elaine Turfaro, 440 MacArthur Avenue, who is the holder of a Disabled Person I.D. Card No. P122656, 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,

RESOLUTIONS

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 east curb line of MacArthur Avenue commencing 50 feet south of the intersection of MacArthur Avenue and Wendy Terrace and 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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-94

WHEREAS, fifteen (15) minute parking zone has been requested by Mrs. Angela Pena of Belmont Beverage for placement at 79 Belmont Avenue, for use by their customers,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a fifteen (15) minute parking zone is hereby authorized to be established along the northern curb line of Belmont Avenue and extend for approximately 25 feet west from the intersection of Belmont Avenue and Summit Avenue.

BE IT FURTHER RESOLVED that a fifteen (15) minute parking zone is hereby authorized to be in effect from 10:00 AM to 8:00 PM, Sunday through Saturday,

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

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-95

WHEREAS, fifteen (15) minute parking zone has been requested by Mr. Carlton D'Moore of Keith's Bagel and Subs for placement at 232 Midland Avenue, for use by their customers,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a fifteen (15) minute parking zone is hereby authorized to be established along the east curb line of Midland Avenue and extend for approximately 25 feet north from the intersection of Midland Avenue and Grand Street.

BE IT FURTHER RESOLVED that a fifteen (15) minute parking zone is hereby authorized to be in effect from 10:00 AM to 8:00 PM, Sunday through Saturday,

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

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-96

WHEREAS, Fire Company No. 5 has advised that they have accepted Joseph A. Breonte of 125 MacArthur Avenue as a regular active member, effective November 13, 2006.

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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-97

WHEREAS, Fire Company No. 5 has advised that they have accepted Jacek M. Piczak of 418 Lanza Avenue as a regular active member, effective December 2, 2006

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) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-98

WHEREAS, Fire Chief Edward Ortyl, filed application for a No Parking Fire Chief Zone to be placed at the residence of Fire Chief Edward Ortyl of 389 Semel Avenue, 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 "Fire Chief Only", located on the north curb line of Semel Avenue commencing 25 feet east of the intersection of Semel Avenue and Alpine Street and run an additional 25 feet east from that point.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-99

WHEREAS, Fire Chief Edward Ortyl, filed application for a No Parking Fire Chief Zone to be placed at the residence of Assistant Fire Chief Steven Semancik of 390 Boulevard, 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 "Fire Chief Only", located on the south curb line of the Boulevard commencing 271 feet east of the intersection of the boulevard and Shaw Street and run an additional 25 feet east from that point.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-100

WHEREAS, Fire Chief Edward Ortyl, filed application for a No Parking Fire Chief Zone to be placed at the residence of Assistant Fire Chief Michael Latona of 2 Garden Court South, 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 "Fire Chief Only", located on the south curb line of Semel Avenue commencing 128 feet east of the intersection of Garden Court South and Spring Street and run an additional 25 feet east from that point.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-101

A RESOLUTION AUTHORIZING ADVERTISEMENT OF BIS FOR A THIRTY (30) FOOT EXTENSION TO EXISTING TELECOMMUNICATIONS MONOPOLE AT FIREHOUSE NUMBER 4 IN THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY.

BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the City Clerk is hereby authorized and directed to advertise for receipt of bids on Friday,

RESOLUTIONS

March 30, 2007, at 10:00 am for a thirty (30) foot extension to existing telecommunications monopole at Firehouse Number 4, in the 2nd Floor Conference Room in City Hall.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-102

WHEREAS, a Bergen County Community Development Block grant of \$142,720 has been proposed by the Garfield Volunteer Ambulance Corps for the Purchase of One (1) New Braun Type III Ambulance in the City of Garfield, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the City Council, and

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

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, do hereby confirm endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward a CERTIFIED copy of this approved resolution to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-103

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

GENERAL CONSTRUCTION: 2004 and 2005 Safe Streets to Schools Program

ENGINEER: Boswell McClave Engineering

CONTACTOR: Zuccaro and Sons, Inc., 64 Commerce Street
Garfield, NJ 07026

ORIGINAL CONTRACT COST: \$291,545.00

COST OF CHANGE ORDER NO. 1: 15,365.50

NEW CONTRACT SUM: \$306,910.50

CHANGER ORDER NUMBER: #1 and Final

NATURE OF CHANGES: "To Reflect As-Built Quantities."

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-104

A RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE SIGNALIZATION OF THE INTERSECTION OF RIVER DRIVE AND LANZA AVENUE.

WHEREAS, the City of Garfield is desirous of signalizing the section of River Drive and Lanza Avenue, and

RESOLUTIONS

WHEREAS, the City Engineer has prepared preliminary design drawings for a section of River Drive between Outwater Lane and the Elmwood Park Municipal border as part of an overall plan to widen River Drive, and

WHEREAS, there is a need to expedite the signalization of this intersection due to recent construction on River Drive as well as two new schools on Lanza Avenue, and

NOW THEREFORE BE IT RESOLVED the City Engineer is hereby authorized to prepare detailed engineering plans and bid specifications for the intersection improvements of river Drive and Lanza Avenue pursuant to a proposal dated March 12, 2007 for a fee not to exceed \$22,000.00.

BE IT FURTHER RESOLVED the City Engineer shall coordinate the Work with the Bergen County Engineer's Office and the Department of Planning and Economic Development.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-105

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PROVIDE ENGINEERING DESIGN AND INSPECTION SERVICES IN CONNECTION WITH THE PALISADE AVENUE ROAD IMPROVEMENT PROJECT PHASES 1, 2, 3 AND 4

WHEREAS, the NJDOT Division of Local Aid has awarded a series of grants to the City of Garfield for the Improvement of Palisade Avenue totaling \$715,000.00, and

WHEREAS, these grant monies must be utilized by deadlines established by the NJDOT, and

WHEREAS, these projects were intentionally delayed by the City in order to undertake water main improvements on this roadway between Midland Avenue and Van Winkle Avenue, and

WHEREAS, the City is desirous at this time with proceeding with the design bidding and construction of this work, and

NOW THEREFORE BE IT RESOLVED the City Engineer is hereby authorized to provide engineering design and inspection services in connection with the above referenced project for a fee not to exceed \$125,000.00.

BEE IT FURTHER RESOLVED these design drawings shall also include an alternative bid item providing for the replacement of a concrete slab in front of the firehouse for Fire Company No. 3 on Gaston Avenue.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-106

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, deposits have been received from Thaddeus and Mary Stankiewicz, 5 Bergen Street, Garfield, NJ 07026; in the amount of \$262.50 for Attorney fees on 10/24/03; said funds are being held in the Escrow Developer's Trust Account, and

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-107

WHEREAS, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees, and

WHEREAS, deposits have been received from Country Life Homes, 21 Schley Street, Garfield, NJ 07026; in the amount of \$735.25 for Engineering fees on 08/31/04; said funds are being held in the Escrow Developer's Trust Account, and

RESOLUTIONS

WHEREAS, the Chief Financial Officer has investigated these deposits and had determined that they are due to the above individual;
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-108

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to County Board Judgment for the year 2006.
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
39.01	32	Gutierrez, P & L & Guevara, M	CBJ	\$2975.03

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-109

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
6-25-59	Wind Tite	100 Pierre Avenue	265.00	34.00	231.00
1-3-272	Blasko	22 Northview Terrace	28.00	9.33	18.67
6-20-275	Ilievski	353 River Drive	94.40	28.00	66.40
5-16-45.01	City of Garfield	821 River Drive	41.20	0	41.20

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
Stanley J. Moskal

See

the

following

pages numbered _____

for

Resolution No. 07-110

RESOLUTIONS

Resolution No. 07-111

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE CITY OF GARFIELD AND AUTHORIZING THE MAYOR, CITY CLERK, INTERIM CHIEF FINANCIAL OFFICER AND OTHER CITY OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING \$6,818,602 OF NOTES, CONSISTING OF \$5,830,103 GENERAL BOND ANTICIPATION NOTES AND \$998,499 WATER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED MARCH 16, 2007 AND PAYABLE MARCH 14, 2008, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265 (b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the City of Garfield, in the County of Bergen, New Jersey (the "City"), from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, that require issuers of tax-exempt obligations, such as the City, to account for and rebate certain arbitrage earnings to the United States Treasury and to take such other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the City intends to issue \$6,818,602 of notes, consisting of \$5,830,103 General Bond Anticipation Notes and \$988,499 Water Utility Bond Anticipation Notes, both issues dated March 16, 2007 and payable March 14, 2008 (collectively, the "Notes"); and

WHEREAS, the City desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code;

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

- Section 1. The City Council hereby covenants on behalf of the City, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the City (including the Notes) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the code.
- Section 2. The Mayor, City Clerk, Interim Chief Financial Officer and other officials of the City are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.
- Section 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.
- Section 4. It is hereby determined and stated that (1) the Notes are not "private activity bonds" as defined in the Code and (2) the City and its subordinate entities, if any, do not reasonable anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2007.
- Section 5. It is further determined and stated that the City has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2007.

RESOLUTIONS

Section 6. The City will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the code; however, the City does not covenant to do so. And hereby expressly states that a covenant is not made hereby.

Section 7. The issuing officers of the City are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes to further provide such original purchaser with a certificate of obligations issued during the calendar year 2007 dated as of the date of delivery of the Notes.

Section 8. This resolution shall take effect immediately upon its adoption.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

INTRODUCTION OF THE 2007 MUNICIPAL BUDGET

Resolution No. 07-112

See

the

following

pages numbered _____

for

the

Regular Meeting March 13, 2007

INTRODUCTION OF THE 2007 MUNICIPAL BUDGET

Andrew J. Pavlica
CITY CLERK

INTRODUCTION OF 2007 MUNICIPAL BUDGET

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 07-113

RESOLVED by the City Council of the City of Garfield that the following bills No. 1183 to 1186 covering Trust/Other, Dog Trust and Building Department totaling \$22,074.80 and Current Fund Reserve totaling \$41,216.92 Current Fund Current totaling \$1,028,634.30 and Water Fund Reserve totaling \$2,500.00 Water Fund Current totaling \$6,507.01 and General Capital totaling \$176,684.75 Water Capital Fund totaling \$25,405.15 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 eleven (11) items prior to the meeting be ratified.

See

the

following

pages numbered _____

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2485

The following entitled ordinance was introduced at a Regular Meeting held February 27, 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 TO ADD A CHAPTER ENTITLED PERFORMANCE OF MARRIAGE AND CIVIL UNION CEREMONIES”

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

On call of roll, Ayes 5

Ordinance No. 2486

The following entitled ordinance was introduced at a Regular Meeting held February 27, 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:

“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.

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 Delaney 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

Councilmember Delaney introduced in writing the following ordinance entitled:

“BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$410,000 FOR THE REHABILITATION OF BELMONT OVAL PARK IN, BY AND FOR 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”

ORDINANCES

City Clerk Pavlica read the ordinance by title.

Councilmember Delaney moved that this ordinance entitled, "BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$410,000 FOR THE REHABILITATION OF BELMONT OVAL PARK IN, BY AND FOR 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", 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 27, 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 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

Councilmember Delaney introduced in writing the following ordinance entitled:

"BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE HISTORIC DUNDEE DAM PEDESTRIAN WAY AND PRESERVE PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$125,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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 UNDERTAKING OF THE HISTORIC DUNDEE DAM PEDESTRIAN WAY AND PRESERVE PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$125,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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 27, 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 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

Councilmember Aloia introduced in writing the following ordinance entitled:

"AN ORDINANCE TO AMEND CERTAIN SECTIONS WITHIN CHAPTER 57 OF THE CODE OF THE CITY OF GARFIELD ENTITLED "POLICE DEPARTMENT"

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, "AN ORDINANCE TO AMEND CERTAIN SECTIONS WITHIN CHAPTER 57 OF THE CODE OF THE CITY OF GARFIELD ENTITLED "POLICE DEPARTMENT", do now pass on first reading and remain on file with the

ORDINANCES

City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held on March 27, 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 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

Councilmember Aloia introduced in writing the following ordinance entitled:

“CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY
CALENDAR YEAR 2007 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET COST OF LIVING ALLOWANCE AND TO
ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)”

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, “CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY CALENDAR YEAR 2007 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A-4-45.14)”, 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 27, 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 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

Mr. Joseph Dorman, 174 Palisade Avenue, Unit 109, read his version of a chronology of events concerning his complaints of loudspeakers being affixed to the minaret of the Albanian Islamic Center located at 43 Monroe Street and his complaints concerning the broadcast of calls to prayer through the loudspeakers. He expressed his dissatisfaction with the response of City Attorney Rotolo and other City Officials to his complaints.

Ms. Tana Raymond, 93 Spring Street, commended the three young YMCA lifeguards who saved a man’s life recently at the Garfield Boys and Girls Club. She proposed that City Officials sit down with the leaders of the mosque and the residents of the neighborhood to discuss their concerns. She said that an informed public is a happier public. She advocated the purchase of a new ambulance for the Garfield Volunteer Ambulance Corps. She asked questions and commented on the 2007 Municipal Budget, a proposed “Wall of Mayors”, a public tribute to those Garfield residents serving in the US Military, the employee prescription plan, the sale of the Elmwood Park Well Field for use as a passive park, the proposed activation of Well 1A near the intersection of Outwater Lane and Midland Avenue, and the Bond Ordinance for \$410,000 for Belmont Oval.

Dr. Dawn Sova, 126 Banta Avenue, spoke on church bells ringing on religious holidays and on books she has written on First Amendment Rights. She spoke on censoring anybody’s ability to express themselves. She said to call in someone of a certain religion and to speak to them about a religious issue, is demeaning to the leadership of that religious institution. She said that everyone has to be respected, without exception.

CITIZENS AND TAXPAYERS

Mr. Ignatius Tripodi, 155 Malcolm Avenue, said that communication is a big, big thing and City Officials should moderate a meeting between both parties. He spoke and asked questions concerning the \$4.3 million received from the sale of the Elmwood Park Well Field, when Well 1A would be put back on line, the need to repave MacDonald Street, getting a businessman to donate a wall or plaque to publicize service men and women from Garfield serving their country, the need to paint lines on the blacktop of the Malcolm Avenue Playground and plant more trees and bushes, and he complained about the Resident Parking Sticker Program.

Mr. Fotios Padazopulos, 71 Gaston Avenue, made Building Code, Health Code and Property Maintenance Code complaints concerning his landlord.

COUNCILMEMBER COMMENTS

Councilmember Aloia extended to all his Irish counterparts a Happy Saint Patrick's Day.

Councilmember Krone told everyone to enjoy Saint Patrick's Day, and he said that his wife is Italian, so he told everyone to enjoy Saint Joseph's Day, too.

Councilmember Moskal congratulated the Garfield YMCA Lifeguards for their courage in saving a man's life. He spoke on the rights of tenants and landlords. He spoke on the significant Budget savings from changes in employee Health Benefits coverage. He said that instead of an increase in the cost of the premium, this year, there will be a decrease. He commented that Saint Patrick's Day is coming up and that that is why he wore a green suit tonight.

Deputy Mayor Delaney said that the broker for the employee Health Benefits coverage, took a 4% commission rather than a 5% commission, so the City made out and it was a good deal. He thanked City Manager Duch and Interim Chief Financial Officer Riggitano for their hard work on the Budget to save the taxpayers as much money as possible. He jokingly invited everybody to his house on Saturday for corned beef and cabbage after he returns from the Saint Patrick's Day Parade.

Mayor Calandriello said that there will be at least a \$487,000 net savings to the City in the cost of the employee Prescription and Health Benefits coverage. He acknowledged and thanked Michael Alfonso for recently providing free First Aid Safety Training to the Garfield Little League. He wished everybody a Happy Saint Patrick's Day.

ADJOURNMENT

At 10:00 PM there being no further business, Councilmember Moskal moved to adjourn the meeting. Councilmember Delaney duly seconded the motion.

On call of roll, Ayes 5

