

A Regular Meeting of the City Council was held Tuesday, March 27, 2007 at 8:15 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 Clerk/Deputy City Manager Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Representative Bernard Mirandi (for city Engineer Kevin J. Boswell), Interim Chief Financial Officer Roy Riggitano and Deputy Police Chief Kevin Amos

REPORTS OF OFFICERS

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

On call of roll, Ayes 5

RESOLUTIONS

Mayor Calandriello asked City Clerk Pavlica to read Resolution No. 07-82 which was adopted at a Regular Meeting held on March 13, 2007:

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,

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

At this time, copies of Resolution No. 07-82 were presented to the Garfield Junior Boilermaker Cheerleaders and their Coaches.

Resolution No. 07-115

WHEREAS, A & J Trophy of the Garfield Boys and Girls Club Basketball League completed an undefeated 2006 season with a record of 10-0; and

WHEREAS, the team is comprised of Daniel Delpercio, Damon Godbolt, Brandon DeJesus, Benjamin Hernandez, Fabian Arczquita, Sara Mejia, Christian Milevski, Jared Hargrove, Andrew Mejia, Sara Kramer, Gabriella Kramer under the direction of their Outstanding Coaches Jackie DelPercio, Irving Hargrove and Nick Milevski; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding accomplishments of the A & J Trophy Basketball team,

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 A & J Trophy of the Garfield Boys & Girls Club Basketball League on their undefeated season.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

RESOLUTIONS

At this time, copies of Resolution No. 07-115 were presented to the A & J Trophy Basketball Team and their Coaches.

Resolution No. 07-116

WHEREAS, the Garfield Boys & Girls Club will be holding their annual dinner on Saturday, March 31, 2007, at The Cotillion Restaurant located at 454 Midland Avenue in Garfield; and

WHEREAS, this year the Garfield Boys & Girls Club is honoring Lou Ann Vistocky as the Woman of the Year and Luis Castillo as Man of the Year; and

WHEREAS, the City Council is desirous of publicly recognizing the outstanding contributions of these very deserving, prominent and community-minded individuals, who have given of themselves to the people of Garfield,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Lou Ann Vistocky and Luis Castillo are hereby CONGRATULATED on being honored and for continually demonstrating an extraordinary measure of public-spiritedness which has earned them the deepest respect and admiration of the citizenry of the City of Garfield.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-117

WHEREAS, Harry Yakimik has been a valued member of Garfield Volunteer Fire Company No. Two for Fifty Years; and

WHEREAS, he was first appointed a member of Fire Company No. Two in 1957, and over the years has served as First Lieutenant, Captain, First Assistant Fire Chief, and has held all administrative offices in Fire Company No. Two from President to Financial Secretary and other positions within the Company; and

WHEREAS, Harry was named Chairman of the Firemen's Memorial Monument Committee in 1958, and the monument to all deceased firemen was dedicated in front of City Hall in the early 1960's with Fire Company No. Two's Firebell being the basis for the monument; and

WHEREAS, Harry became Fire Chief of the entire Garfield Volunteer Fire Department in 1971 and instituted numerous City ordinances pertaining to the Garfield Fire Department and was instrumental in the planning and purchasing of new fire equipment two fully equipped pumpers and many other Firematic equipment; and

WHEREAS, in January 1969, a tremendous fire occurred at the Coastal Chemical Plant off Chestnut Street, and despite fighting this fire to the best of their abilities and doing an excellent job, Coastal Chemical sued the Garfield Volunteer Firemen, putting the future of all volunteer fire companies on the line; and

WHEREAS, thanks to the expert testimony of former Fire Chief Harry Yakimik, a chemical engineer by trade, and others, the court ruled in favor of the firemen, a victory never to be forgotten by all volunteer fire companies everywhere; and

WHEREAS, since 1998, Harry has been the Garfield Secretary of the New Jersey State Firemen's Relief Association, an organization to protect and benefit aged and/or needy firefighters and their families, and those injured or killed in the performance of their duties and to cultivate fraternal fellowship among the various Departments and firefighters throughout the State and elsewhere,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that HARRY YAKIMIK is hereby WARMLY CONGRATULATED and DEEPLY THANKED for his FIVE DECADES of distinguished service to the Garfield Volunteer Fire Department during which he has provided a model of commitment, expertise and dedication that will serve to inspire and encourage all future firefighters and provide a standard of excellence for all to know and emulate.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

RESOLUTIONS

Resolution No. 07-118

WHEREAS, on January 17, 2006, Garfield Crossing Guard Deborah Fenzlein was struck by a vehicle at the intersection of Frederick Street and Lincoln Place while performing her duties for the children of Theodore Roosevelt School No. 7, and

WHEREAS, as a result of this accident, Deborah suffered severe head and brain injuries, had many surgeries, but is making a remarkable recovery and has expressed her determination to successfully complete physically therapy and to hopefully some day return to her job as a crossing guard, and

WHEREAS, as a testament to her good character and dedication to family and community, "Debbie" is well liked by her colleagues and the students of Theodore Roosevelt School No. 7, and

WHEREAS, from May to November 2006, each grade level sent her a theme basket and letters and pictures of encouragement and sentiment, and Debbie visited Roosevelt School No. 7 in June, and she was able to enter the building with assistance and visit with the children on the first floor, and

WHEREAS, she also visited the school during Halloween and Christmas, bringing the students treats each time, and the students were thrilled to see her steadfast improvement each time, and the school raised over \$4,000 to help Debbie with expenses, and

WHEREAS, her personal tragedy has not gone unnoticed beyond Garfield, and in an effort to turn her tragic situation into a positive one, the Municipal Excess Liability Joint Insurance Fund, in cooperation with the New Jersey State Police Chiefs Association, has developed a Crossing Guard Safety Training Program for implementation state-wide, effective on or about April 1, 2007,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that GET WELL wishes are hereby extended to DEBORAH FENZLEIN for a full recovery from her injuries incurred serving the people of Garfield, and she is hereby publicly recognized on being an inspiration for a Crossing Guard Safety Training Program which will benefit many across the State and protect the health, safety and welfare of countless current and future crossing guards and children for years to come.

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-119

WEREAS, the City of Garfield will be hosting a Relay for Life on Friday, June 9th and Saturday, June 10th, 2007 at Twentieth Century Field off Elizabeth Street, and

WHEREAS, the Relay for Life is a fun-filled overnight event designated to celebrate survivorship and raise money to help the American Cancer Society save lives, help those who have been touched by cancer, and empower individuals to fight back against this disease,

WHEREAS, during this event, teams of people gather at Twentieth Century Field and take turns walking or running laps and each team keeps at least one team member on the track at all times,

WHEREAS, Relay is much more than a walk around a track --- it is a time to remember those lost to cancer and celebrate those who have survived --- it is a night for people who have shared the same experience to comfort and console one another, and

WHEREAS, Relay gives you the power to help accelerate the American Cancer Society's advancement toward a future where cancer does not take the lives of our friends and family, and

WHEREAS, Saturday May 5th is the official Relay for Life kick-off day in the City of Garfield,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that everyone is asked to take notice that May 5th is

MAY DAY FOR RELAY

RESOLUTIONS

And everyone associated with the City of Garfield is asked to become a part of the Relay phenomenon, because, together, we can accelerate the progress to a cancer-free future.

LET'S PAINT OUR TOWN PURPLE !

On call of roll, Ayes 5

(Sgd) All Five Councilmembers

Resolution No. 07-120

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:

Sportsman's Tavern 245 Outwater Lane Garfield, NJ 07026	1 Pool, Juke, 2 Video	\$225.00
		<hr/>
		\$225.00 Total

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-121

WHEREAS, Gary Charney on behalf of his daughter Victoria Charney, 18 Cedar Street, who is the holder of a Disabled Person I.D. Card No. P754361 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 designated as reserved for "Handicapped Parking", located on the east curb line of Cedar Street commencing 100 feet north of the intersection of Cedar Street and Van Winkle Avenue and 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. 07-122

WHEREAS, Gaspare LaDuca, 99 Malcolm Avenue, who is the holder of a Disabled Person I.D. Card No. P770899 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 designated as reserved for "Handicapped Parking", located on the west curb line of Malcolm Avenue commencing 130 feet north of the intersection of Malcolm Avenue commencing 100 feet north of the intersection of Malcolm Avenue and Frederick Street and 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. 07-123

WHEREAS, Guseppa Giue, 10 Farnham Avenue, who is the holder of a Disabled Person I.D. Card No. P764324 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 designated as reserved for “Handicapped Parking”, located on the east curb line of Farnham Avenue commencing 75 feet north of the intersection of Farnham Avenue commencing 75 feet north of the intersection of Farnham Avenue and MacArthur Avenue and 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. 07-124

WHEREAS, Fire Company No. 2 has advised that they have accepted Pedro Nolasco Jr. of 136 Farnham Avenue as a regular active member, effective March 5, 2007.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 2 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-125

WHEREAS, an application has been made for a peddling and soliciting license in accordance with the requirements of Chapter 194 of the Code of the City of Garfield; and

WHEREAS, this application has been made on behalf of Tri State Water, a local testing and treatment company located in Clifton, New Jersey; and

WHEREAS, the City of Garfield Police Department as well as the City Manager have reviewed this request for a peddling and soliciting license; and

WHEREAS, upon a review of this application, the Governing body has reviewed the same and has determined that it would be in the best interest of the City of Garfield to reject said application; and

WHEREAS, this rejection is based upon various reasons including, without being limited to, the following:

1. The applicant, Tri State Water, has not been identified as a corporation, LLC or designated as any other legal entity within the State of New Jersey.
2. The purpose for which the application was filed may tend to be misleading to the residents and taxpayers of the City of Garfield in that it creates an impression that this canvassing is for an official purpose.

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 peddling and canvassing license application filed on behalf of Tri State Water be and is hereby denied.

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 Tri State Water, the Garfield Police Department and the City Manager and the City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-126

RE: TOWING LICENSES FOR 2007

WHEREAS, pursuant to Section 229 of the Code of the City of Garfield municipal towing licenses are issued, on an annual basis, to towing companies who have expressed on interest in providing rotational towing services on behalf of the City of Garfield; and

WHEREAS, Mazzola Automotive Repair Center, Inc., 187-189 Midland Avenue, Garfield, N.J., has filed an application for a towing license for the calendar year 2007; and

WHEREAS, the City Clerk and City Attorney have reviewed the application submitted and have determined that the application complies with all requirements of local Ordinance³; and

WHEREAS, the City of Garfield Police Department has conducted the appropriate investigation of this license and has also determined that the applicant does not comply with the equipment and storage facilities requirements of the Ordinance; and

WHEREAS, as a result of the foregoing and in accordance with the terms of the applicable ordinance, the applicant was provided with the opportunity to cure those deficiencies and was advised of that opportunity to cure in a letter dated March 13, 2007, however, the applicant has not cured the deficiencies set forth in the police report; and

WHEREAS, Section 229-19 of the Code of the City of Garfield provides that no more than three (3) licenses per will be issued; and

WHEREAS, there currently exist a total of four (4) licensees who have applied for and received annual towing licenses from the City Council; and

WHEREAS, the outstanding licenses currently exceed the number of licenses set forth in local ordinance since several licensees were on the rotational towing list prior to the adoption of the aforementioned limitation; and

WHEREAS, as a result of the foregoing, the application filed by Mazzola Automotive Repair Center, Inc. fails to comply with the requirements of the Ordinance and would result in the issuance of a license which further exceed the limitation set forth in the Ordinance; and

WHEREAS, the aforementioned City Ordinance provides that applicants in excess of the specified number would be placed on a waiting list and would, thereafter, be considered for a license in the event that any existing licenses are either forfeited or revoked.

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. The application of Mazzola Automotive Repair Center, Inc. for a municipal towing license pursuant to Chapter 229 of the Code is hereby rejected;
2. The rejection is based upon the license limitation as set forth in Section 229-19(A) of the City Code which provides that no more than three (3) licenses shall be issued per year; and
3. The City Clerk shall place Mazzola Automotive Repair Center, Inc., on a waiting list for the issuance of a towing license in the event that one becomes available and said Mazzola Automotive Repair Center, Inc., shall be the first application considered for such a license in the event of its availability;
4. All fees paid by Mazzola Automotive Repair Center, Inc. shall be returned to this applicant.

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 Mazzola Automotive Repair Center, Inc., as well as all other applicants, the garfield Chief of Police and the City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-127

RESOLVED by the Mayor and Council of the City of Garfield that Change Order No. 6 be approved in accordance with the requirements of N.J.A.C. 5:34-4:

RESOLUTIONS

GENERAL CONSTRUCTION: Garfield Senior Center & Recreation Center Barrier Free Improvements

ENGINEER: Boswell McClave Engineering

ARCHITECT: Acari & Iovino Architects, P.C.

CONTRACTOR: Innovational Construction & Design, Inc.
188 E. Bergen Place, Red Bank, NJ 07701

ORIGINAL CONTRACT COST: \$309,282.00

COST OF CHANGE ORDER NO. 1: 1,105.00

NEW CONTRACT SUM: \$310,387.00

CHANGER ORDER NUMBER: #6

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

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-128

A RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE PREPARATION OF A CONSUMER CONFIDENCE REPORT FOR THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY AS MANDATED BY THE RULES AND REGULATIONS OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP)

WHEREAS, the City of Garfield is required by law to prepare a Consumer confidence Report on an annual basis to identify the constituents of the City's water supply to the end consumer and NJDEP; and

WHEREAS, Boswell McClave Engineering is familiar with and has prepared the same for the City of Garfield in prior years; and

WHEREAS, the City of Garfield is required to submit the next Consumer Confidence Report to the NJDEP Bureau of Safe Drinking Water and its consumers by July 1, 2007; and

NOW THEREFORE BE IT RESOLVED, by the City of Garfield that Boswell McClave Engineering is authorized to perform Professional Engineering Services in the amount of \$3,750.00 to prepare the 2006 Consumer Confidence Report.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-129

TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102 has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

RESOLUTIONS

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and
WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and
WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2006 will memorialize the commitment of this municipality to recycling and to indicate the assent of the Garfield City Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and
WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the City of Garfield, Bergen County, New Jersey, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates City Recycling Coordinator Joanne Pannuto to ensure that the application is properly filed; and
BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-130

WHEREAS, N.J.S.A. 40A:4-39 provides for the insertion of a "Dedication by Rider" in the budget of any local unit which dedicates revenues anticipated during the fiscal year from "Relocation Trust funds", subject to written prior consent of the Director of the Division of Local Government Services, when the revenue is not subject to reasonably accurate estimate in advance; and
WHEREAS, such dedicated revenues shall be appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements.
NOW, THEREFORE, BE IT RESOLVED, by the City of Garfield, County of Bergen, New Jersey, that the Relocation Trust Fund Revenue received/and or allocated by the City of Garfield, be placed in a specific trust fund, and such trust fund shall be considered a "Dedication by Rider" to the budget of the local unit, pursuant to N.J.S.A. 40A4-39, for the sole purpose stated above.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-131

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to Disabled Veteran 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 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
108	19	Arroyo, Jose	Disabled Vet	\$1,059.00

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-132

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.

RESOLUTIONS

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.

OWNER	REASON	AMOUNT
Frederick Staudinger 36 Edison Terrace Sparta, NJ 07871 Acct.#5-16-159	O/P	\$18.59

On call of roll, Ayes 5 (Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-133

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
1-3-227	Ingui	387 Harrison Avenue	172.50	95.20	77.30
2-6-136	Daleo	10 Hillside Terrace	44.40	32.80	11.60
6-24-35	Pineyro	118 Cambridge Ave	1129.30	95.20	1034.18

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

Resolution No. 07-134

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

	Appropriation Reserves From:	Appropriation Reserves To:
Police Salary and Wages Board of Health Other Expenses	\$10,000.00	\$10,000.00
Police Salary and Wages Recreation Other Expenses	\$ 6,000.00	\$ 6,000.00
Police Salary and Wages Police Other Expenses	\$10,000.00	\$10,000.00
Police Salary and Wages City Clerk Other Expenses	\$20,000.00	\$20,000.00
Police Salary and Wages Buildings and Grounds	\$30,000.00	\$30,000.00

RESOLUTIONS

Municipal Court Salary and Wages	\$ 2,000.00	
Municipal Court Other Expenses		\$ 2,000.00
Water Salary and Wages	\$10,000.00	
Water Other Expenses	<u> </u>	<u>\$10,000.00</u>
	\$88,000.00	\$88,000.00

On call of roll, Ayes 5

(Sgd) Stanley J. Moskal
James Krone

BILLS AND CLAIMS

Resolution No. 07-135

RESOLVED by the City Council of the City of Garfield that the following bill No. 1187 to 1188 covering Trust/Other and Dog Trust totaling \$34,135.96 and Current Fund Reserve totaling \$509.99 and Current Fund Current Year totaling \$1,230,548.43 and Water Fund Current totaling \$109,296.33 and General Capital totaling \$238,710.40 Water Capital Fund totaling \$203,594.92 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 fifty six (56) items prior to the meeting be ratified.

See

the

following

pages numbered _____

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2487

The following entitled ordinance was introduced at a Regular Meeting held March 13, 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 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”

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 this ordinance.

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

On call of roll, Ayes 5

Ordinance No. 2488

The following entitled ordinance was introduced at a Regular Meeting held March 13, 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 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.

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 Moskal duly seconded the motion.

On call of roll, Ayes 5

Ordinance No.

The following entitled ordinance was introduced at a Regular Meeting held March 13, 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 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.

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, Nays 5

ORDINANCE DEFEATED

Ordinance No. 2489

The following entitled ordinance was introduced at a Regular Meeting held March 13, 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:

“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”

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 this 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

Ms. Deborah Nagy, 43 Passaic Street, complained about a fundraising event which let out of Michele’s Restaurant located at 34 Passaic Street on Saturday, March 24, 2007 around 2:00 AM. She said that she counted fifty police cars from many different towns which responded to the melee. She said that people were walking down the street, urinating, using drugs, making love in cars, starting fights and throwing each other against people’s cars. She said that people were still arriving for the fundraiser at 11:30 PM to Midnight. She said that the Michele’s Parking lot was full by 10:15 PM and neighbors had difficulty finding parking spaces to park their cars on the street. She said that everything was quiet until 2:00 AM when people started coming out of the event and it was pandemonium outside and the chaos woke her mother up. She said that people were coming outside to smoke and people were drunk. She said that she and her friend were up until 4:00 AM cleaning glass from the middle of the road and they should not have to clean that up – Michele’s Restaurant should be doing that.

CITIZENS AND TAXPAYERS

Ms. Carla Almobayed, 55 Passaic Street, said that it was like a zoo this past Saturday morning with men walking down the street, smoking cigars, cursing, yelling and screaming going into the party at Michele's. She said that the party did not start until after midnight and restaurant security was frisking men entering the party. She said that about 2:30 AM, her granddaughter woke up screaming and it was like a riot outside with people being slammed into her husband's van and one guy yelling that he just got stabbed. She said that the City Police Officers did a fantastic job and for the amount of people that were there, they needed help. She said that it was unbelievable and the people leaving the party were hitting each other with the metal poles used to support the velvet ropes. She said that liquor and beer bottles were everywhere and people were vomiting, urinating, screaming and cursing. She said that she called 9-1-1 three times and our police officers should not have to be jeopardized for a party and no one should have to put up with what happened. She said that the DPW was requested to clean up the filth and mess on a Saturday morning when Michele's Restaurant should be doing that. She said that the Garfield Police Department, Department of Public Works and residents should not have to tolerate this. She said that all the help which responded was great, they were there seconds after she hung up the phone – the State Police, County Sherriff's Department and others were all there and they were fantastic.

EXIT OF DEPUTY POLICE CHIEF AMOS

At 9:00 PM, Deputy Police Chief Kevin Amos left the meeting and it was duly noted for the record.

CITIZENS AND TAXPAYERS

Ms. Mary Music, 163 Chestnut Street, thanked the Mayor and City Council for inviting her to the last meeting. She spoke on a report from Interim Chief Financial Officer Roy Riggitano which claimed a \$483,000 savings by switching employee Health Benefit providers. She said that that number is incorrect because the figure for retirees was inflated 17% for pensions when that figure came down 1.9%. She said that it is a reduction of 1.9% rather than an increase of 17%, therefore, her calculations are \$225,000 in savings. She questioned why there was a change in the prescription drug program. She questioned if there were going to be any Blue Collar or White Collar promotions and she questioned the estimated cost of the City picnic.

Mr. William Whren, 33 Westminster Place, commented on an old newspaper article entitled "City Wants to Keep Passaic Street Clean" from 2006. He spoke on the alleged incidents which occurred on Passaic Street at Michele's Restaurant, this past Friday Night into Saturday Morning.

Ms. Linda Barber, 69 Somerset Street, complained about parking in the Passaic Street area and cars being all over the place. She complained about a barber shop on Passaic Street. She said that the night of the melee, her daughter's car suffered \$1,500 worth of damage because some driver really plowed into her. She complained about the stench of urine and empty liquor bottles being all over the place. She said that she is one block over from Passaic Street and that is how far this event snowballed over. She said that it is a disgrace, it should not be, and no one should have to put up with that. She questioned if the permitted occupancy of Michele's Restaurant was exceeded in violation of Fire Prevention Laws.

Mr. Manual Martins, 48 Somerset Street, said that he is the owner of the Pescador Restaurant located at 1-3 Passaic Street, and the President of the Passaic Street Merchants Association. He said that the neighborhood situation was worse with the prior owners of Michele's Restaurant every weekend. He said that there is a lack of parking on Passaic Street. He said that he walks up and down Passaic Street many times and he talks with every single business owner and it is a hard time

CITIZENS AND TAXPAYERS

making a go of it. He said that it is not as easy as everybody thinks to run a business and everyone should have some compassion for the business owners of Passaic Street.

Ms. Tana Raymond, 93 Spring Street, said that maybe the City Council needs to be a little more involved in Passaic Street and maybe there is a need for more of a police presence during the day and at night. She said she was glad no one got hurt or Saturday morning's event could have been a disaster. She questioned why the taxpayers should pay DPW overtime to clean up this mess on a Saturday. She said that Passaic Street could be a nice area to shop as it used to be, but it needs the City's help. She said that she understands that the Crossing Guard's hours have been cut and some Crossing Guards depend on their salary, so she questioned the reasoning. She asked if the City was moving ahead with a new ambulance. She complained about a house on Outwater Lane near Spruce Street which has ice coolers on the roof. She spoke on the Employee Health Benefits analysis. She read an email and spoke on the proposed public tribute for men and women from Garfield serving overseas in the US Military. She complained that a public display in front of City Hall is still not up yet. She spoke on the Loaves and Fishes Interfaith Food Pantry having their official opening of their new home on Palisade Avenue this coming Friday. She said that she hopes the tribute to Garfield's Military men and women goes up before a proposed "Wall of Mayors"

Mr. Joseph Dorman, 174 Palisade Avenue, said that he first complained about loudspeakers on the minaret of the Albanian American Islamic Center at 43 Monroe Street on December 14, 2006. He said that this is his fifth appearance before the Mayor and Council about this matter. He said that he has been requesting answers to a series of questions concerning this matter since December 14, 2006. He gave a chronology, made comments and asked a series of questions concerning this matter. He concluded by asking what he said was a new question: On what days will the City Council allow the Mosque to publicly broadcast their call to prayers on their loudspeakers?

COUNCILMEMBER COMMENTS

Councilmember Aloia questioned the role of Michele's Restaurant in the alleged incidents of the morning of March 24, 2007. He said that when malls are built, an anchor store is created and this way, the small guys could all rent space around the anchor store and they all can make money and succeed. He said that the City Council is hoping that the Redevelopment at the old Vornado site at 174 Passaic Street will anchor the street and so many more patrons will drive down Passaic Street and utilize the viable businesses on Passaic Street. He said that the City Council has had other businesses with lesser allegations than is being made about Michele's come in and they were questioned about what happened. He said that he has never heard of Michele's having disregard for the neighborhood. He said that the City Council should have an ABC Hearing concerning the incidents at Michele's of Saturday, March 24, 2007, and address this issue because this cannot continue. He said that in regard to the mosque, however people want to worship, as long as it is legitimate, he is not going to stop people from worshipping. He said that he does not see what the mosque is doing to compromise the neighborhood. He wished everyone a Happy Palm Sunday and a Happy Easter.

Councilmember Krone said that the City Council has closed bars in town, but then the State ABC allows them to stay open pending an appeal. He said that the City Council is not lenient when it comes to problems with bars and restaurants. He said that he is confident that City Manager Duch will call in the owners and address this matter and do the best to make sure this situation does not happen again. He said that some things are out of the City's control. He said that he would hope that this owner did not want this to happen either, whatever went on there, and maybe, proper security next time around will prevent problems. He said that there have been problems before in town and the City Council went after it, attacked it and resolved it. He said that the same thing will be done here and the City Council will do its best to straighten it out. He told everyone to have a nice, happy and holy Easter and to enjoy all that chocolate on Easter Sunday.

COUNCILMEMBER COMMENTS

Councilmember Moskal said that the message is that this Council has zero tolerance for something like this that allegedly happened at Michele's and it is being looked into and is going to be reviewed. He said that certainly there will be some type of remedies and follow up actions. He said that in regard to recognizing all Garfield's military people overseas, it is not being ignored. He said that City Manager Duch has gone about this several ways. He said that he first went to the State and asked for the names, but the information could not be provided for various reasons. He said that a request was posted in the Community News newspaper for over a year, which resulted in two names. He said that he did not want to leave the impression that the City is not doing anything in this matter. He said that Wawel Savings Bank is funding the project and it is a work in progress. He said that by no means does this Council not support the troops and he prays that each and every one of them gets back home safe. He said that he will not be able to attend this coming Saturday's Boys and Girls Club dinner, but he wants to publicly congratulate Lou Ann Vistocky and Luis Castillo on being named Woman and Man of the Year. He wished everyone the best and told them to eat lots of candy on Easter.

Councilmember Delaney said that in regard to the alleged incident this past Friday Night – Saturday Morning, if it happened once or twice, it has happened too many times. He said that the City has taken too long to honor the soldiers, and maybe the City should honor the parents of the soldiers, too. He complimented the DPW on the job they did plowing the roads during the snow storm of March 16-17, 2007. He told everyone to have a Happy Easter.

Mayor Calandriello said that the Crossing Guards hours were cut because the City spends about \$400,000 a year on crossing guards. He said that it was decided after extensive examination by the Police Department that some Crossing Guards were on duty during a Special Program when students must be picked up by their parent or guardian to get out of school, so since children would be with adults, no crossing guards were necessary. He said that there was a savings of \$100,000 a year for the City and it was not affecting the safety of the children or the integrity of the Crossing Guard Program. He said that it was stated tonight that Crossing Guards need money and he understands that, but, being a Crossing Guard is supplemental income and people should not take the job as a main source of income. He said that the City needs to find innovative ways to keep costs down. He said that some people have said that a 2:00 AM closing time for liquor license establishments does not work and he disagrees. He said that he does not think anyone here supports a 3:00 AM closing time and that neighbors of bars are entitled to the same decency and quality of life as everyone else. He wished everyone a Happy Easter. He told them to have a great holiday and it is a great time of the year. He concluded by having City Clerk Pavlica read a letter from City Manager Duch praising Community Development grant representatives Joseph Delaney and Kurt Hielle for securing 25.88% of the total allotment to the ten towns of the Central Bergen region of Community Development.

ADJOURNMENT

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

On call of roll, Ayes 5

