

A Regular Meeting of the City Council was held Tuesday, June 12, 2007 at 8:35 PM in the Conference Room in City Hall, 111 Outwater Lane, Garfield, NJ 07026.

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

Councilmembers Present: Louis G. Aloia, James Krone, Stanley J. Moskal, Joseph Delaney and Frank J. Calandriello

Also Present: City Clerk Andrew J. Pavlica, City Attorney Joseph J. Rotolo, City Engineer Kevin J. Boswell, Interim Chief Financial Officer Roy Riggitano and City Auditor Dieter Lerch

PUBLIC HEARING ON THE 2007 MUNICIPAL BUDGET

Mayor Calandriello declared a Public Hearing on the 2007 Municipal Budget.

Ms. Tana Raymond, 93 Spring Street, asked questions concerning the 2007 Municipal Budget.

There being no further people wishing to speak for or against the Budget, Mayor Calandriello declared the public hearing closed.

EXIT OF CITY AUDITOR LERCH

At 8:45 PM, City Auditor Dieter Lerch left the meeting and it was duly noted for the record.

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

COMMUNICATIONS/APPOINTMENTS

City Clerk Pavlica advised that he was in receipt of a letter dated June 12, 2007 from City Manager Duch in which he has appointed Kurt Hielle, 95 Union Avenue, Garfield, as a City Representative to Community Development effective July 1, 2007, for a one year term, said term to expire July 1, 2008.

RESOLUTIONS

Resolution No. 07-211

WHEREAS, Community Development requires the City of Garfield to have two representatives to Bergen County Community Development, and

WHEREAS, one representative is to be appointed by the City Manager and the other representative is to be appointed by the City Council, and

WHEREAS, the City Manager has made his appointment,

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that Deputy Mayor Joseph Delaney of 15 Garden Court North is hereby appointed as a Representative of the City of Garfield to Bergen County Community Development, effective July 1, 2007, to succeed himself, for a one year term, said term to expire July 1, 2008.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-212

RESOLUTION – REDEVELOPMENT APPOINTMENTS

WHEREAS, the Garfield Redevelopment Agency was established by Ordinance No. 2338 on April 23, 2002; and

WHEREAS, pursuant to the aforesaid Ordinance seven (7) Commissioners were to be appointed by the Governing Body, each having a term of five (5) years with the exception, however, of the initial Commissioners which would serve for terms of between one (1) and five (5) years; and

WHEREAS, after the initial appointment, each Commissioner was to be appointed for a full five (5) year term; and

WHEREAS, since the initial term, three (3) Commissioners have been appointed as follows:

- A. Arthur Andreano pursuant to Resolution No. 06-185
- B. Arrie Booker pursuant to Resolution No. 05-150
- C. Nicholas Discenza pursuant to Resolution No. 05-151;

WHEREAS, inadvertently, these three Commissioners were appointed to terms of less than five (5) years; and

WHEREAS, the Mayor and Council now wishes to reaffirm the aforesaid appointments and correct the terms of said Commissioners so that they are five (5) years in length which is consistent with the requirements of Ordinance No. 2338.

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

1. The appointment of Arthur Andreano of 99 Willard Street, as set forth in Resolution No. 06-185 is hereby confirmed but is changed to a five (5) year term commencing May 14, 2006 and expiring on May 13, 2011.
2. The appointment of Arrie Booker of 7 Passaic Street, as set forth in Resolution No. 05-150 is hereby confirmed but is changed to a five (5) year term commencing May 14, 2005 and expiring on May 13, 2010.
3. The appointment of Nicholas Discenza, 112 Farnham Avenue, as set forth in Resolution No. 05-151 is hereby confirmed but is changed to a five (5) year term commencing May 14, 2005 and expiring on May 13, 2010.

NOW THEREFORE BE IT FURTHER RESOLVED that to the extent that there is a conflict between this Resolution and any prior adopted Resolutions, this Resolution shall be deemed controlling in all respects.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the City of Garfield Redevelopment Agency, Commissioner Arthur Andreano, Commissioner Arrie Booker, and Commissioner Nicholas Discenza as well as to City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-213

RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

WHEREAS, pursuant to Local Ordinance, Joseph Delaney, was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of State and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on June 15, 2007, it will be necessary and appropriate to temporarily appoint Stanley Moskal as Deputy Mayor for the City of Garfield in order to perform a single act, to wit, the marriage ceremony of Pawel Fulara and Ewelina Tuczapska.

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

1. Councilman Stanley Moskal be and is hereby appointed Deputy Mayor for the City of Garfield for June 15, 2007 to perform the marriage ceremony of Pawel Fulara and Ewelina Tuczapska.
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

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 Councilman Stanley Moskal, and the City Attorney.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-214

WHEREAS, Fire Company No. 2 has advised that they have accepted Marcin A. Mazur of 13 Grand Street as a regular active member, effective May 7, 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. 07-215

WHEREAS, Fire Company No. 2 has advised that they have accepted Jesus Jr. Ramirez of 27 Belmont Avenue as a regular active member, effective May 2, 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. 07-216

WHEREAS, Fire Company No. 3 has advised that they have accepted Brendan Dickson of 33 Willard Street as a regular active member, effective May 7, 2007.

RESOLUTIONS

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-217

WHEREAS, Fire Company No. 4 has advised that they have accepted William Peterson of 13 Washington Place as a regular active member, effective May 4, 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. 4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-218

RESOLVED by the City Council of the City of Garfield that the City Clerk is hereby authorized to issue the following licenses for the fiscal year beginning July 1, 2007 and ending June 30, 2008:

CLUB LICENSES

License No.	0221-31-073-001	American Hungarian Citizens League t/a American Hungarian Citizen League 21 New Schley Street
	0221-31-079-001	Garfield Memorial Post 255 American Legion 171 Cedar Street

PLENARY RETAIL CONSUMPTION LICENSES

	0221-33-001-003	R. Zabrzyski Inc. t/a Fregata's, Ritchie's Fregata 67 Scudder Street
	0221-33-002-003	Belmont Spirits Emporium, Inc. t/a Mack's Pool Room and Tavern 49 Belmont Avenue
	0221-33-004-003	Charlie Blood's Inc. t/a Charlie Blood's 147 Frederick Street
	0221-33-006-005	Swami Yog, Inc t/a Swami Yog 300 Lanza Avenue
	0221-33-007-006	DPC, Corp. t/a MVP Sports Club 402 River Drive
	0221-33-010-005	Rojovin, Inc. t/a Goodfella's 661 Midland Avenue

RESOLUTIONS

- 0221-33-012-004 Garfield Restaurant Corp.
t/a Dimi's
474 River Drive
- 0221-33-017-003 Hambo, Inc.
t/a DP's Pub
732 River Drive
- 0221-33-025-001 Frank Barcelona's Restaurant and Bar, Inc.
t/a Barcelona's Restaurant
38 Harrison Avenue
- 0221-33-030-003 Yogiji Enterprises, Inc.
t/a Bogie's Bar & Liquors
142 Division Avenue
- 0221-33-033-007 New Firehouse Associates, LLC
t/a New Firehouse Family Restaurant
42 Plauderville Avenue
- 0221-33-036-008 The Off Duty Tavern, LLC
t/a The Off Duty Tavern
133 Monroe Street
- 0221-33-037-004 Chris Liquor, Inc.
t/a Pescador Restaurant
1 Passaic Street
- 0221-33-040-002 Drazek, Inc.
t/a BJ's Polonia
126 Ray Street
- 0221-33-043-003 Milan Banquet Inc.
t/a Michele's Restaurant
32 Passaic Street
- 0221-33-047-005 Kazwell Co., Inc.
t/a Garfield Bar & Liquor
46 Wood Street
- 0221-33-049-005 Chen Yue Xiang
t/a Sun Food Kitchen
237 Palisade Avenue
- 0221-33-051-006 CP Sunrise LLC
t/a The Midnight Sun
323 Semel Avenue
- 0221-33-053-003 Venetian Corp
t/a The Venetian
546 River Drive

RESOLUTIONS

0221-33-055-005 Stecyk Danuta and Wojdat Stanislaw
 t/a Bania U Cygana
 175 Jewell Street

0221-33-057-004 Detour, Inc.
 t/a Detour Bar
 437 Lanza Avenue

0221-33-058-001 Russian Orthodox Greek Catholic Church of the
 Three Saints
 t/a Russian Orthodox Greek Catholic Church of the
 Three Saints
 464 Outwater Lane

0221-33-059-006 Lizmo Inc.
 t/a Taps Saloon
 142 Outwater Lane

0221-33-060-002 Sportmans' Tavern, Inc.
 t/a Sportsmans' Tavern
 245 Outwater Lane

0221-33-062-009 Pazza Luna Pizzeria, Restaurant & Bar Inc.
 t/a Pazza Luna Pizzeria, Restaurant & Bar
 52 Chestnut Street

0221-33-066-009 G F Mazzola Inc.
 Filippos & Jocks Kicks Ristorante & Sports Bar
 250-252 Midland Avenue

0221-33-068-006 Benda Roehrich Post#2867 Veterans of Foreign
 Wars t/a Benda Roehrich Post#2867 Veterans of
 Foreign Wars
 340 Outwater Lane

0221-33-069-012 NICRY Enterprises, LLC
 t/a Terminal 2 Sports Bar and Restaurant
 149 Van Winkle Avenue 0221-33-069-012

0221-33-070-002 Wisla, Inc.
 t/a Wisla Inc.
 73 Main Street

0221-33-078-005 Pranav Enterprises, Inc.
 t/a River Drive Bar & Liquors
 85 River Drive

PLENARY RETAIL DISTRIBUTION LICENSES

License No. 0221-44-003-004 Los Tres Hermanos, LLC
 t/a Belmont Beverage
 79 Belmont Avenue

RESOLUTIONS

0221-44-020-009	Lilly's House Corporation t/a All Nation's Liquor 80 Passaic Street
0221-44-029-005	Luva, Inc. t/a Whooppee Liquor & Soda Store 194 Van Winkle Avenue
0221-44-034-008	Worldwide Liquors LLC t/a Worldwide Liquors 68 Van Winkle Avenue
0221-44-063-002	Tofilski, Joseph E. & Mary S. and Pelikan, Ronald & Theresa t/a Hy-Spirit Wine and Liquor 76 Jewell Street
0221-44-064-003	Mahant Liquors, Inc. t/a Joe's Liquors 114 Outwater Lane

BE IT FURTHER RESOLVED that the foregoing renewals are granted on the condition that said renewal shall not constitute approval of anything at variance with the records of the City Council or any person-to-person transfer, place-to-place transfer or change of corporate structure approved prior to the passage of this resolution.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-219

RESOLUTION TERMINATING SERVICES OF BRUNO ASSOCIATES, INC.

WHEREAS, the City of Garfield, pursuant to Resolution No. 07-12, entered into an Agreement with Bruno Associates, Inc. for providing grant preparation services on behalf of the City; and WHEREAS, an Agreement was entered into between Bruno Associates, Inc, and the City of Garfield for a period commencing on January 1, 2007 and ending on December 31, 2007; and WHEREAS, pursuant to the terms of that Agreement, it could be terminated, after six (6) months by either party upon providing ten (10) days notice; and WHEREAS, the City Council has now determined that it would be in the best interests of the residents and taxpayers of the City of Garfield to terminate said Agreement said the earliest date possible, i.e., July 11, 2007; and NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, County of Bergen, and State of New Jersey as follows:

1. The Mayor and Council hereby elect to terminate the Agreement between the City and Bruno Associates, Inc.
2. Said termination shall be effective as of July 11, 2007.
3. The City Attorney is hereby authorized and directed to take any and all action which may be necessary in order to effectuate this Contract termination.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the Chief Financial Officer for the City of Garfield, the City Attorney, and Bruno Associates, Inc.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-220

WHEREAS, the City Council had previously established a schedule for conducting all monthly meetings for calendar year 2007; and

WHEREAS, in reviewing this schedule with the various members of the Governing body as well as the City Clerk and City Manager it has become evident that, due to vacation and other schedules, the schedule previously established must be modified; and

WHEREAS, the City Manager has recommended and the City Council has agreed that, for the months July and August 2007 there shall only be one meeting per month and, in addition, special meetings will be called in the event that the need arises for the same.

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 meeting schedule for the months of July and August 2007 are hereby amended to provide that meetings shall only take place on July 10, 2007 and August 14, 2007.
2. The meetings shall commence at 5:30 PM with the Work Session and the Regular, Public Meeting shall commence at 8 PM.
3. The City Clerk is hereby directed to prepare, publish and post the appropriate notices to facilitate this change in schedule.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within resolution to the City Attorney, the official newspaper of the City of Garfield and all other necessary parties.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-221

RESOLUTION – CGI COMMUNICATIONS, INC., SERVICE AGREEMENT

WHEREAS, the City Manager, Thomas J. Duch, Esq. has engaged in discussions with CGI Communications, Inc, in connection with providing video announcements and other information through the City of Garfield website home page; and

WHEREAS, the City Manager has recommended that the City enter into an agreement with CGI Communications, Inc, for this service in accordance with their proposed agreement; and

WHEREAS, there shall be no cost or expense to the City of Garfield in connection with this service.

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

1. An Agreement between the City of Garfield and CGI Communications, inc, be and is hereby authorized.
2. This Agreement, entitled, “Community Movie Showcase Agreement” shall be on the form provided by CGI Communications, Inc. and as approved by the City Attorney.
3. The term of this Agreement shall be a period of three (3) years, however, the City Manager and/or City Attorney shall discuss, with CGI Communications, Inc., the need for an early termination provision of this Contract in the event that such termination becomes necessary for legal or other reasons on behalf of the City.

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 the Office of the City Manager, the City Attorney, and CGI Communications, Inc., 130 East Main Street, 8th Floor, Rochester, New York 14604.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-222

WHEREAS, the Calvary Baptist Church located 217-245 Passaic Street in the City of Garfield is a non-profit organization which provides religious, cultural, educational and support services to the residents and taxpayers of the City of Garfield as well as those residing in municipalities surrounding the City of Garfield; and

WHEREAS, the Calvary Baptist Church has requested permission to host a 2007 Multicultural Festival on Saturday, August 11, 2007 to promote unity with a variety of cultures within the Garfield community and surrounding areas; and

WHEREAS, in accordance with the requirements of local law, the Calvary Baptist Church has requested the closure of the following streets:

Westminster Place at Garfield Avenue

Westminster Place to Passaic Street – Naples and Farnham; and

WHEREAS, the City Council has reviewed this request and has determined that it would be in the best interests of the City of Garfield to grant approval for this event.

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 Calvary Baptist Church of New Jersey at Garfield is hereby granted permission to conduct its 2007 Multicultural Festival on Saturday, August 11, 2007 between the hours of 11:00 AM and 6:00 PM.

2. In conjunction with the aforementioned event, the following streets will be closed:

Westminster Place at Garfield Avenue

Westminster Place to Passaic Street – Naples and Farnham

3. The street closures described above shall be subject to such requirements and conditions which may be imposed by the City Manager and the Garfield Police Department.

4. There shall be no alcoholic beverages of any kind sold at this event.

5. The Calvary Baptist Church shall provide proof of insurance together with a Hold Harmless Agreement and Indemnification Agreement in favor of the City of Garfield and shall provide proof of insurance for this event which is acceptable to both the City Manager and the City's Risk Management Consultants.

6. The approval granted herein shall also be subject to any additional reasonable conditions to be determined by the City Manager after consultation with the City's Fire Official and Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to the City Manager, the Garfield Police Department, the Fire Official for the City of Garfield and the Calvary Baptist Church of New Jersey at Garfield.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-223

RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the City Clerk, Andrew J. Pavlica, is hereby authorized and directed to advertise for the receipt of bids for the Improvements to Palisade Avenue, Sections I-IV on Friday, June 22, 2007 at 10:00 AM in the second floor Conference Room in City Hall.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-224

The governing body of Garfield City desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$25,000 to fund the following project: 2006 Community Forestry Stewardship Incentive Program Grant Phase I Cool City Program Grant.

Therefore, the governing body resolves that Thomas J. Duch, Esq. or the successor to the office of City Manager is authorized (a) to make application for such a grant, (b) if awarded, to execute and amendments thereto which do not increase the Grantee's obligations.

The Mayor and Council of the City of Garfield authorize and hereby agree to match 25% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 25% of the match will be made up on in-kind services.

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

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-225

WHEREAS, pursuant to Resolution No. 07-13, the Mayor and Council authorized professional environmental services by Pennoni Associates in connection with former Firehouse #3; and

WHEREAS, the contract authorized an expense in the amount of \$42,855.00 to perform said services; and

WHEREAS, it had now been determined that the actual cost has exceeded that amount by \$404.00 and the City Manager has recommended the approval of the additional amount for the completion of this project; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds exist for this 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 an additional payment in the amount of \$404.00 is hereby authorized to Pennoni Associates in connection with the project described above.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-226

A RESOLUTION AUTHORIZING PAYMENT TO MONTANA CONSTRUCTION CORP., INC., IN CONNECTION WITH AN EMERGENCY SANITARY SEWER REPAIR ON PACIFIC AVENUE WITHIN THE CITY OF GARFIELD.

WHEREAS, A sanitary sewer collapsed on Pacific Avenue on May 14, 2007; and

WHEREAS, Boswell McClave Engineering accepted bids on May 15, 2007; and

WHEREAS, this project was awarded to the low bidder, Montana Construction Corp., Inc., 80 Contant Avenue, Lodi, New Jersey, to repair this utility; and

WHEREAS, Montana Construction Corp., Inc., performed this work in connection with the directive of official from the City; and

WHEREAS, an invoice in the amount of \$15,000 was submitted and reviewed with the City Engineer; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that payment is hereby authorized to Montana Construction Corp., Inc., in connection with the project and in accordance with the City Engineer's recommendation in the total amount of \$15,000.00.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

RESOLUTIONS

Resolution No. 07-227

A RESOLUTION AUTHORIZING PAYMENT TO ZUCCARO, INC., IN CONNECTION WITH TWO EMERGENCY SANITARY SEWER REPAIRS WITHIN THE CITY OF GARFIELD.

WHEREAS, A sanitary sewer collapsed on Midland Avenue on May 9, 2007; and

WHEREAS, the City contracted Zuccaro, Inc., 64 Commerce Street, Garfield, New Jersey, to repair this utility; and

WHEREAS, Zuccaro, Inc., performed this work in connection with the directive of official from the City; and further

This work was coordinated through the City Police Department due to the traffic control requirements associated with this project; and

WHEREAS, an invoice in the amount of \$62,368.76 was submitted and reviewed with the City Engineer; and

WHEREAS, A second break occurred on April 18, 2007, at 174 Passaic Avenue and Zuccaro, inc. was also dispatched to this break to undertake the repair; and

WHEREAS, An invoice was submitted and agreed between Zuccaro, Inc. and Boswell McClave Engineering representatives for the amount of \$15,182.36,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield that payment is hereby authorized to Zuccaro, Inc., in connection with these two projects and in accordance with the City Engineer's recommendation in the total amount of \$77,551.12.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

Resolution No. 07-228

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES FOR THE INSTALLATION OF A SANITARY SEWER BYPASS FROM SEMEL AVENUE TO COMUMBUS AVENUE IN THE CITY OF GARFIELD.

WHEREAS, the sanitary sewer bypass will supplement the capacity of the existing 15 inch sewer main located in the former New York Susquehanna and Western (NYS&W) Railroad Right of Way (ROW); and

WHEREAS, the existing 15 inch sewer main in the NYS&W ROW will remain active and continue to take flow from west of the railroad ROW; and

WHEREAS, the City Engineer, Boswell McClave Engineering, shall prepare contract documents for the sanitary sewer bypass and provide construction inspection services for the installation of the sewer bypass; and

WHEREAS, the City Engineer, Boswell McClave Engineering, shall prepare the necessary Sanitary Sewer Extension Permit Application to the New Jersey Department of Environmental Protection (NJDEP); 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 for the installation of a sanitary sewer bypass from Semel Avenue to Columbus Avenue in an amount not to exceed \$39,000 to perform and complete the above described services all in accordance with the May 30, 2007 proposal.

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

See the following

pages numbered _____

for Resolution No. 07-229

RESOLUTIONS

Resolution No. 07-230

RESOLUTION RE: EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergency has arisen with respect to Current Fund appropriations, and
WHEREAS, no adequate provision has been made in the 2007 Temporary Budget for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency appropriation for the purpose above mentioned, and
WHEREAS, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provision of Chapter 96, P.L.1951 (N.J.S.A. 40A:4-20) including this resolution total \$10,000, and
NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Governing Body of the City of Garfield, County of Bergen, that in accordance with R.S. 40A:4-20, Temporary Emergency Appropriations be and the same is hereby made for:

CAPITAL IMPROVEMENTS

Capital Improvement Fund	<u>\$10,000</u>
Total Current Fund	<u>\$10,000</u>

On call of roll, Ayes 5

(Sgd) Louis G. Aloia
Stanley J. Moskal

BILLS AND CLAIMS

Resolution No. 07-231

RESOLVED by the City Council of the City of Garfield that the following bills No. 1195 covering Dog Trust totaling \$207.00 and Current Fund Reserve totaling \$6,661.89 and Current Fund Current Year totaling \$171,081.80 and Water Fund Current totaling \$3,460.82 and General Capital totaling \$79,716.03 and Water Capital totaling \$292,244.54 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 nineteen (19) items prior to the meeting be ratified

See

the

following

pages numbered _____

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2494

The following entitled ordinance was introduced at a Regular Meeting held May 21, 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 CHAPTER 82 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “ALCOHOLIC BEVERAGES” AND PROHIBITING “TEEN NIGHTS”

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 no 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 Krone duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2495

The following entitled ordinance was introduced at a Regular Meeting held May 21, 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:

“FERTILIZER APPLICATION ORDINANCE”

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 no 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 Krone duly seconded the motion.

On call of roll, Ayes 5

Councilmember Aloia introduced in writing the following ordinance entitled:

“AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD, SPECIFICALLY SECTION 188-12 TO PROVIDE FOR FOUR (4) ALTERNATE MEMBERS OF THE ZONING OF ADJUSTMENT”

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, “AN ORDINANCE TO AMEND THE CODE OF THE CITY OF GARFIELD, SPECIFICALLY SECTION 188-12 TO PROVIDE FOR FOUR (4) ALTERNATE MEMBERS OF THE ZONING OF ADJUSTMENT” do now pass on first reading and remain on file with the City Clerk for inspection until public hearing thereon and further consideration thereof which shall be held on June 26, 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.

ORDINANCES

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 CHAPTER 236 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “VEHICLES AND TRAFFIC” AND FURTHER ESTABLISHING A TWO (2) HOUR PARKING ZONE ON MADONNA PLACE IN THE CITY OF GARFIELD, AND AMENDING ORDINANCE NO. 2493”

City Clerk Pavlica read the ordinance by title.

Councilmember Aloia moved that this ordinance entitled, “AN ORDINANCE TO AMEND CHAPTER 236 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “VEHICLES AND TRAFFIC” AND FURTHER ESTABLISHING A TWO (2) HOUR PARKING ZONE ON MADONNA PLACE IN THE CITY OF GARFIELD, AND AMENDING ORDINANCE NO. 2493”, do now pass on first reading and remain on file with the City Clerk for inspection until public hearing thereon and further consideration thereof which shall be held on June 26, 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.

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:

“BOND ORDINANCE TO AUTHORIZE THE 2007 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$750,000 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 Aloia moved that this ordinance entitled, “BOND ORDINANCE TO AUTHORIZE THE 2007 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$750,000 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 inspection until public hearing thereon and further consideration thereof which shall be held on June 26, 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.

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

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

“BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS IMPROVEMENTS TO THE PALISADE AVENUE WATER LINE, (PHASE II) IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,100,000 TO PAY THE COST THEREOF, TO APPROPRIATE A FEDERAL 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 Aloia moved that this ordinance entitled, “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS IMPROVEMENTS TO THE PALISADE AVENUE WATER LINE, (PHASE II) IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,100,000 TO PAY THE COST THEREOF, TO APPROPRIATE A FEDERAL 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 inspection until public hearing thereon and further consideration thereof which shall be held on June 26, 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.

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:

“BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO PALISADE AVENUE (FROM VAN WINKLE AVENUE TO MIDLAND AVENUE) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,200,000 TO PAY THE COST THEREOF, TO MAKE 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 Aloia moved that this ordinance entitled, “BOND ORDINANCE TO AUTHORIZE THE 2007 ROAD IMPROVEMENT PROGRAM IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$750,000 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 inspection until public hearing thereon and further consideration thereof which shall be held on June 26, 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.

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

ORDINANCES

Councilmember Aloia introduced in writing the following ordinance entitled:

“BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF SANITARY SEWER REPAIRS AT MIDLAND AVENUE (BETWEEN LANZA AVENUE AND SEMEL AVENUE) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$200,000 TO PAY THE COST THEREOF, TO APPROPRIATE A CITY CAPITAL RESERVE FUND, TO MAKE 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 Aloia moved that this ordinance entitled, “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF SANITARY SEWER REPAIRS AT MIDLAND AVENUE (BETWEEN LANZA AVENUE AND SEMEL AVENUE) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$200,000 TO PAY THE COST THEREOF, TO APPROPRIATE A CITY CAPITAL RESERVE FUND, TO MAKE 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 inspection until public hearing thereon and further consideration thereof which shall be held on June 26, 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.

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

Ms. Tana Raymond, 93 Spring Street, said that she is concerned for the finances of this town. She said that a recent newspaper article claimed that the City will save \$681,000 from the change of the provider of the City health benefits program. She asked how the correct figure could be obtained and she said that she wants true figures. She complained about the new water billing system through the Passaic Valley Water Commission. She said that the City did no need to hire an outside firm to do the City water billing and said that the City should go back to the old way of billing water users. She complained about overtime in the Finance Office. She said that the Finance Office needs to be revamped.

Mr. William Whren, 33 Westminster Place, thanked everyone who came out to participate and support the Relay for Life cancer prevention fundraiser held this past weekend. He said that \$130,000 has been raised so far for the cause. He spoke on a program where the Lodi Fire Department gave out smoke detectors. He asked questions concerning the Multicultural Festival scheduled to be held on August 11, 2007.

COUNCILMEMBER COMMENTS

Councilmember Aloia said that some of the major issues with the Passaic Valley Water Commission assuming City of Garfield water billing have been absentee landlords not sending in water meter readings, people tapping City water meters, people not making water meters accessible, jumping meters and splitting meters – even though the City is dealing with an outside firm, the City Manager still has the discretion to address any situation concerning water billing. He said that he was really honored to be at the Relay for Life event this past weekend. He said that it was a privilege, that he enjoyed participating in it and supporting it because it is an outstanding cause and he hopes to do it again next year.

COUNCILMEMBER COMMENTS

Councilmember Krone apologized for the way he was dressed but he said that he came directly from supporting an Italian-American Forum of Lodi golf outing. He also commented that he has been retired for two weeks. He spoke on the Relay for Life. He said that everyone up on the dais supported it financially and with their time, for the second year in a row. He said that \$130,000 has been raised so far and that is a good sum to raise in a town like Garfield and many, many people worked hard on this event. He said that there is no better cause than trying to find a cure for cancer and only through research will we be able to find the answers to the cancers that are around. He said that so many families are touched by cancer and it is a dreadful and scary disease. He publicly thanked Artie and Kathy Andreano who are two people who did a huge part of the work. He thanked the City Manager, the City Council, the Police Department and all the citizens of Garfield who did a really great job.

Councilmember Moskal said that the Relay For Life was a beautiful event and he is truly honored to have participated in such a worthy cause. He said that the Water Billing situation is an unfortunate circumstance and there can be no excuses for that. He said that there had to be shock and disbelief for the citizens when they saw an excessively high water bill. He said that there will be a meeting between the City Manager and representatives of Passaic Valley Water on Thursday, June 14, 2007 at 9:30 AM to remedy and correct it. He said that there will have to be a performance clause in the contract where the City can back out of the contract if Passaic Valley is underperforming. He said that the situation is unfortunate and unacceptable and that it will be remedied.

Deputy Mayor Delaney spoke on the Water Billing Situation. He thanked City Clerk Pavlica for filling in for City Manager Duch. He said that in regard to the Relay For Life, everyone involved did a tremendous job. He said that it brought together the people of Garfield along with Saddle Brook and Lodi. He said that it was a really nice event. He commented that former Board of Education Member Patricia Caruso passed away a week ago on June 5th. He asked that everyone remember her in their prayers.

Mayor Calandriello commented that City Manager Duch is not here tonight because his son was graduating from high school tonight and was receiving a Special Award. He said he has attended meetings on Shared Services between Municipalities with representatives of Hackensack, Lodi, Rochelle Park and Maywood. He said that if the City could afford a \$100,000 Chief Financial Officer, the City would probably have one. He said that when John Nunno worked for the City, he was a part-time C.F.O. He said that Soe Myint was a full-time C.F.O., who had to be trained. He said that after Mr. Myint, the City went to shared services, hiring Elmwood Park's C.F.O. Roy Riggitano – someone with the knowledge and C.F.O. title, and this was way before Governor Jon Corzine was promoting shared services to keep taxes down. He said that quite a bit has been accomplished with the staff and the City's part-time C.F.O. doing the job. He said that he asked City Auditor Lerch tonight how many times the City has had a problem since Roy Riggitano has been employed with the City and he did not cite any problems. Mayor Calandriello said that Councilmember Krone, and all the people involved, did a great job with the Relay For Life event. He said that it means a lot to everyone and everyone has memories of loved ones and those who are fighting cancer and our prayers are with them.

ADJOURNMENT

At 9:50 PM, there being no further business, Councilmember Krone moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK

