REGULAR MEETING
OF THE
CITY OF GARFIELD MAYOR AND COUNCIL
October 26, 2021
6:00P.M.

1. **CALL TO ORDER:**

2. **STATEMENT OF COMPLIANCE:**
   Whereas, P.L. 1975, Chapter 231 of the Open Public Meetings Act of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read.

   Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing an annual meeting notice in The Record and Herald News and by posting such notice in the office of the City Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was posted and published on January 7, 2021.

3. **FLAG SALUTE:**

4. **APPROVAL OF MEETING MINUTES**
   September 14, 2021 – Work Session Meeting
   September 14, 2021 – Work Session – Executive Session
   September 28, 2021 – Regular Meeting
   September 28, 2021 – Executive Session
   October 14, 2021 – Special Meeting

5. **PROCLAMATION – RECOGNIZING NOVEMBER AS FAMILY COURT AWARENESS MONTH**

6. **ORDINANCES:** **<u>FIRST READING</u>**

R-21-362 Re-Introduce Ord. #2893

AN ORDINANCE TO AMEND AND REVISE §310 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "TOW TRUCKS"

R-21-363 Introduce Ord. #2907

CAPITAL ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY TO APPROPRIATE AN ADDITIONAL SUM OF $110,000 FOR THE REPLACEMENT OF WATER METERS (PHASE I) IN, BY AND FOR THE WATER UTILITY OF THE CITY AND TO PROVIDE THAT SUCH ADDITIONAL SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL RESERVE FOR INFRASTRUCTURE

R-21-364 Introduce Ord. #2908

BOND ORDINANCE TO AUTHORIZE THE 2021 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 $1,500,000 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

R-21-365 Introduce Ord. #2909

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF IMPROVEMENTS TO THE BASKETBALL COURT AT FIRE HOUSE NO. 3 IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF $130,000 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

SECOND READING

R-21-366 Introduce Ord. #2899

AN ORDINANCE TO ADD CHAPTER 41 TO THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "PARKING AUTHORITY"

R-21-367 Introduce Ord. #2900

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER CHAPTER 150 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FOOD HANDLERS, MOBILE"

R-21-368 Introduce Ord. #2901

AN ORDINANCE TO AMEND CHAPTER 23 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FIRE DEPARTMENT" MORE PARTICULARLY BY ADDING §23-15 THEREOF, ENTITLED "VOLUNTEER EMERGENCY STANDY GUIDELINES"

R-21-369 Introduce Ord. #2902

AN ORDINANCE TO REPEAL AND AMEND ARTICLE III §73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ALCOHOLIC BEVERAGES," MORE PARTICULARLY §73-28 THEREOF, ENTITLED "CONSUMPTION IN UNLICENSED PREMISES PROHIBITED, BYOB EXCEPTION"

R-21-370 Introduce Ord. #2903

AN ORDINANCE TO AMEND CHAPTER 73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ALCOHOLIC BEVERAGES" TO INCREASE LICENSE FEES

R-21-371 Introduce Ord. #2904

SICK LEAVE DOCUMENTATION ORDINANCE

R-21-372	Introduce Ord. #2905 **CHAPTER 284 STORMWATER CONTROL ORDINANCE**
R-21-373	Introduce Ord. #2906 **AN ORDINANCE TO AMEND §226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, "PARKING" SPECIFICALLY AMENDING §226-22 ENTITLED "RESTRICTED STREETS"**

7. CONSENT AGENDA:

R-21-374	Approval of Bills and Claims
R-21-375	Approving Refund of Street Opening Bond
R-21-376	Authorize Refund Due to Overpayment
R-21-377	Authorize Refund Due to Overpayment
R-21-378	Authorizing the City Manager to Enter into Legal Services Agreement with Kennedy & Madonna, LLP; SL Environmental Law Group PC; Douglas & London, P.C.; Levin, Papantonio, Thomas, Mitchell, Rafferty, & Proctor, P.A.; and Raymond Lesniak, Esq. (Collectively The "Firms")
R-21-379	Authorizing Boswell Engineering to Perform Construction Coordination Services for The Garfield Water Meter Replacement Project-Phase 1 In Conjunction with the Water System Operator and Water System Technician
R-21-380	Authorizing a Contract to Ds Meyer Enterprises, LLC for the Construction of a Retaining Wall at the 20th Century Field Special Needs Playground
R-21-381	Authorizing Boswell Engineering to Perform Additional Environmental, Design and NJDEP Permitting Coordination Services in Connection with the River Drive Phase 2 Improvement Project
R-21-382	Authorizing Boswell Engineering to Provide Design and Inspection in Connection with the 2021 NJDOT Municipal Aid/Semel Avenue Road Improvements
R-21-383	Authorizing the City Manager to Enter into a Month to Month Contract with Cleaning World, Inc.
R-21-384	Authorizing Submission of a Strategic Plan for the Garfield Municipal Alliance Grant for FY23
R-21-385	Resolution of Support from the City of Garfield to Submit an Application and Abide by Concessions of the New Jersey Department of Community Affairs Recreational Opportunities for Individuals with Disabilities (ROID) FY2022 Grant Program
R-21-386	Authorize Refund Due to Overpayment
R-21-387	Authorize Refund Due to Overpayment
R-21-388	Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the 2021 Road Program
R-21-389	Authorizing the City Manager to Enter into a Professional Services Agreement with Arcari and Iovino Architects P.C. to Provide Architectural Services for the Garfield Public Library Interior Renovations
R-21-390	Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design

	(D/B/A Maser Consulting) to Provide Engineering Services for Columbus Park Improvements
R-21-391	Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the Firehouse Basketball Court Improvements
R-21-392	Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the Jewell Street Playground Upgrades
R-21-393	Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the Municipal MS4 – Tier A Permitting
R-21-394	Rejecting All Bids for the Firehouse Basketball Court Improvements in the City of Garfield Received and Opened on September 23, 2021
R-21-395	Requesting Permission by Dedication by Rider for "Donations for Park Benches" – NJSA 40A:5-29
R-21-396	Cancellation of Staled Checks
R-21-397	Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87
R-21-398	Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87
R-21-399	Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87
R-21-400	Resolution Requesting Approval of Items of Revenue and Appropriation NJS 40A:4-87
R-21-401	A Resolution of No Objection for the Installation of a Replacement Monitoring Well on Lot 1, Block 119.04 (Columbus Park)
R-21-402	Authorizing the City's Participation in Opioid Settlements
R-21-403	Authorizing Temporary City-Wide Curfew
R-21-404	Approving Regular Active Member – Fire Department
R-21-405	Approving Resignation of Active Member – Fire Department
R-21-406	Approving Handicap Parking Space
R-21-407	Approving Handicap Parking Space
R-21-408	Approving Handicap Parking Space
R-21-409	Approving Handicap Parking Space
R-21-410	Approving Handicap Parking Space
R-21-411	Authorizing the Execution of a Contract with Millennium Strategies
R-21-412	Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the Semel Avenue Drainage Improvements Project
R-21-413	Resolution to Approve the Consent Agenda

8. PUBLIC HEARING:

9. COUNCIL REPORTS:

10. EXECUTIVE SESSION:

11. ADJOURNMENT:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-362

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2893
FIRST READING

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE §310 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "TOW TRUCKS"

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, November 9, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2893

WHEREAS, the Chief of Police and City Manager have directed the review of the current Towing Ordinance Chapter 310, et seq.; and

WHEREAS, a comprehensive review of the Ordinance by the Chief of Police and City Manager have concluded that it would be in the best interest of the municipality to enact a new comprehensive Towing Ordinance; and

WHEREAS, after due deliberation and discussion, the Council agrees and accepts the recommendations of the Chief of Police and City Manager.

THEREFORE, BE IT ORDAINED, that Chapter 310 entitled, "Tow Trucks" is hereby amended to read as follows;

§ 310-1 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

Abandoned Vehicle
Any motor vehicle or vessel partially dismantled or not readily capable of operation under its own power or not currently licensed or wrecked or junked. It shall also mean any vehicle whose owner has terminated the use and care of the vehicle and has either indicated by his words or actions an intent to leave it and no longer claim ownership of it or left it without making arrangements for the storage with the owner, occupant or person in control of the premises on which it is located. It shall also mean any agency-initiated tow that has not been claimed within 30 business days.

Authorized Abandoned/Unclaimed Service Provider (AAUSP)
Authorized company that provides contracted administrative services for unclaimed and abandoned vehicles on behalf of the municipal police agency for tows initiated by the agency and in the possession of the agency or tow vendors for the agency.

CITY

Refers to the City of Garfield.

FLATBED TOWING

Towing with use of flatbed at the request of vehicle owner or when necessary due to condition or location of vehicle.

LIGHT-DUTY TOWING

The towing of any vehicle with a gross vehicle weight of less than 10,000 lbs.

MEDIUM-DUTY TOWING

The towing of any vehicle with a gross vehicle weight of greater than or equal to 10,000 lbs. and less than 16,000 lbs.

HEAVY-DUTY TOWING

The towing of any vehicle with a gross vehicle weight of greater than or equal to 16,001 lbs. and up to 80,000 lbs.

POLICE FREQUENCY RADIO RECEIVER SET

A radio receiving any communication sent out by any police, fire or ambulance communication system.

STORAGE

"Storage charges for a twenty-four-hour period" means the maximum allowable amount to be charged by a storage facility for a twenty-four-hour period or fraction thereof, beginning 24 hours after when the vehicle is placed in the storage facility.

TOWING SERVICE

The towing, transporting, conveying and/or removal of damaged, disabled and abandoned motor vehicles from the streets or highways within the City.

TOW TRUCK

A vehicle employed for the purpose of towing, transporting, conveying and removing any damaged, disabled abandoned motor vehicles from the streets or highways within the City at the request of the owner or the Police Department.

WRECKER

A public vehicle employed for the purpose of towing, transporting and/or conveying or removing vehicles which are unable to be and/or are not operating under their own power, and for which a service charge or fee is exacted.

§ 310-2 License required.

No person who wishes to engage in municipal towing shall engage in the business of operating wreckers or tow trucks for the aforementioned purpose within the City without first obtaining a license therefor.

§ 310-3 Application for license.

A. Every applicant for a license under this chapter shall complete, sign and verify a written application on the forms furnished by the City Clerk. At the time of submission of said application, a fee in the amount of $500 shall be paid which fee shall be nonrefundable and shall be used to defray the costs incurred by the City in connection with the investigation of and action on the application submitted.

B. The application shall state:

(1) The name and address of the applicant.

(2) The serial numbers and registrations of each wrecker and flatbed to be operated by the applicant.

(3) The exact location of storage areas for the equipment, such as wreckers, flatbeds, cars and other vehicles, and the amount of available space for the storage of vehicles towed.

(4) A plot plan, to scale on an eight-and-one-half-by-eleven-inch paper depicting the storage area and the available spaces for impounded vehicles.

(5) The name, address and policy number for all insurance required by this chapter.

(6) Consent to appoint the City Clerk attorney-in-fact for acknowledging service of process in connection with the ordinance licensure.

(7) Consent by the applicant and each of its officers, agents and employees employed by the licensee to a check of their background, including but not limited to criminal and motor vehicle records with the local, state and federal authorities. Further, the licensee shall, after the issuance of the license, notify the City Clerk and the Police Chief in writing, within two days after the employment of any new employees or change in officers or agent, at which time the licensee shall comply with the requirements set forth in this § **310-3B(7)**.

(8) An agreement to be available for service or on call 24 hours a day; two telephone numbers for the applicant, including one emergency number where the applicant can be contacted.

§ 310-4 Filing of application; time for filing application; investigation; minimum towing experience.

A. The applicant shall file the completed application forms in duplicate with the City Police Department and the City Clerk annually after November 1 and before November 30 of each year. Applications presented for filing after the November 30 date shall not be considered and shall be regarded as failure to meet the filing date requirement.

B. The Chief of Police shall cause to be conducted an investigation of the applicant and each of the employees of the applicant and shall thereafter make recommendations to the City Manager and City Council describing:

(1) The applicant's equipment, facilities and storage areas and the condition of each.

(2) The applicant's background and experience and the background of each of the applicant's employees.

(3) Whether the applicant has violated or is in violation of any ordinances of the City and county or laws of the state or federal government.

(4) The number and origin of any towing licenses held by the applicant in the last three years.

(5) The comments, if any, of the other licensing jurisdiction.

(6) Complaints, if any, registered by the public or others concerning the applicant's performance under the towing license in any other municipality.

(7) Any other comment or fact the Chief of Police deems pertinent to the grant or denial of the license.

C. Upon written notification to the applicant of the existences of any deficiencies in the application, the applicant shall have 10 days from the date of notification to cure such deficiencies and submit same to the City Clerk and the Police Chief for review. In the event that the applicant fails to properly cure any deficiencies in the notice within the ten-day period, the application shall be regarded as incomplete and will not be considered for licensing.

D. All applicants for licensing shall have been in the business of towing within the City of Garfield for a minimum term of two consecutive years immediately prior to filing for licensing. Any applicant failing to comply with this requirement shall not be eligible for licensing under this chapter until such time that the two-year requirement set forth in this subsection is complied with.

E. The City Council shall on its regularly scheduled meeting in the month of January consider all applications filed for consideration, together with all investigations and recommendation, and approve or deny such applications for licensing in accordance to this chapter and thereby authorize the City Clerk to issue said licenses.

§ 310-5 Issuance of license; contents; expiration; filing; fee.

A. The City Clerk shall promptly notify the applicant of the approval of its application by the City Council and shall issue the license.

B. The license shall contain the following:

(1) The name and address of the licensee.

(2) The number of the license and the amount of fee paid.

(3) The date of issuance of the license and the expiration date.

(4) The signature of the City Clerk and the Seal of the City.

C. All licenses shall expire yearly on the annual anniversary date which shall coincide with the filing of the application. See § **310-4A** of this chapter as amended.

D. The City Clerk shall send a copy of the license to the Police Department for filing and shall keep a permanent record of all licenses issued.

E. The license fee for the license issued under this chapter shall be $500.00.

§ 310-6 License nontransferable; display of license.

A. A license issued under this chapter shall not be transferable.

B. Each licensee shall produce his license whenever called upon to do so.

§ 310-7. Fees for towing, storage, and service of vehicles.

A. Fees: Towing Fees and other charges shall conform to the schedule of fees as adopted by New Jersey State Police / GSTA rates published and updated on an annual basis. Fees under “Towing-Basic” within the schedule shall apply for all impounds. All vehicles towed or impounded to a towing facility or city facility are ***not*** subject to “On-Hook Mileage” fees. Storage fees will begin ***after*** the first 24 hours of tow. After the first hour, all hourly billable rates will be charged in half hour increments. Service for a flat tire with spare will be a flat rate of the minimum hourly “Manual Laborers” rate under the “Labor” schedule.

B. City vehicles. Notwithstanding the foregoing fee or rate, each tower licensed under this chapter shall provide towing service for light duty City-owned vehicles, towed within the City of Garfield, at no charge at the request of the City Manager, Chief of Police, or his designee. A licensed tower may charge the City of Garfield for the towing of light duty vehicles towed outside the City of Garfield, medium-duty vehicles, and heavy-duty vehicles at a rate of 50% of the schedule of fees as adopted by New Jersey State Police / GSTA rates published and updated on an annual basis. The licensed tower must submit an itemized invoice prior to receiving payment for the tow of any City owned vehicles.

C. Vehicle release:

(1) Hours for release of vehicles from towing yards shall be business hours only. Monday through Friday 9:00 a.m. to 5:00 p.m., Saturday from 9:00 a.m. to 1:00 p.m., closed on Sunday and holidays. The tower is not required to release a vehicle after business hours stated herein. In the event the tower is available to release a towed vehicle after normal operating business hours, then the tower shall be entitled to an after-hours vehicle release fee in accordance with the schedule of fees as adopted by the NJ State Police / GSTA Fee Schedule.

(2) The owner or operator of a vehicle shall have the right to select a tower of his or her own choice. Including towers with a place of business outside the City of Garfield, if the disabled vehicle is not then interfering with the flow of vehicular or pedestrian traffic and that the vehicle does not present a danger to others (to be determined by the Police Department). Response time: 15 minutes.

(3) If the owner of a towed vehicle has not contacted the tow vendor within 7 days to discuss its intent regarding the vehicle in the tow company's possession, the towing vendor shall request title and lien information from the City's authorized service company, and if no such company is contracted, directly from the City's Police Department. Tow vendor shall notify the owner and any lienholder via certified mail immediately upon receipt of title and lien information. If notification is required to owner and/or lien holder, a notification documentation fee in accordance with the schedule of fees as adopted by the NJ State Police / GSTA Fee Schedule may be applied. The notice shall be sent certified mail and contain the following:

(a) the name and address of the owner of record and the holder of any security interest
(b) the location where the vehicle is being stored
(c) Schedule of costs imposed for storing the vehicle and instructions explaining how owner of record or the security interest holder may claim the stored vehicle
(d) A statement that a sale or disposal of the motor vehicle, will occur in accordance with N.J.S.A. 39:10A-1 through N.J.S.A. 39:10A-7 if the vehicle is not claimed within 30 days.
(e) The address of the owner and lienholder as shown on the records of the New Jersey Motor Vehicle Commission, or any other states equivalent agency, shall be deemed sufficient for the purpose of this chapter.

E. City of Garfield administrative fee.

(1) In addition to the charges described above, there shall be a per tow fee, payable by the vehicle owner or operator, in the amount of $25 for the nonconsensual towing of a vehicle from public property. This fee is required to be itemized separately on all invoices. This fee shall be used to defray the expenses of the City of Garfield in connection with the towing program. It shall be the responsibility of the towing company to collect this fee and each towing company shall, on a quarterly basis, forward a statement as to the number of vehicles towed, along with the copies of tow receipts, together with a check in payment of all administrative fees collected to the finance office.

(2) No towing license shall be renewed by the City of Garfield for any towing company with unpaid administrative fees.

F. Notice of fees.
Tow company shall at all times have a copy of the fee schedule set forth by this chapter displayed in visible sight for public inspection at its place of business. All tow trucks shall have a copy of schedule of fees available, if a vehicle owner should request. Any charges to a vehicle owner where the copy of the fee schedule set forth by this chapter was not on display or readily available by tow truck operator when requested by vehicle owner shall be considered a violation of this chapter and shall preclude the tower from charging the vehicle owner for the services rendered. Failure to provide said notice shall also be considered a violation of this chapter and shall subject the tower to fines set forth by this chapter and a loss of license.

§ 310-8 Insurance requirements; indemnification of City.

A. No license shall be issued to an applicant until the applicant shall have deposited with the Chief of Police the following insurance policies, which policies shall require that the City be given at least 20 days' notice of cancellation or material change:

(1) A garage keeper's liability policy covering fire, theft, explosion and other hazards in a minimum amount of $500,000 with a deductible of not more than $1,000.

(2) Automobile liability for personal injury in a minimum amount of $500,000 per person and $1,000,000 per occurrence.

(3) Automobile liability for property damage in a minimum amount of $100,000.

(4) General comprehensive liability covering the operation of the applicant's business and equipment in a minimum amount of $1,000,000.

B. The insurance required under this chapter shall be a policy endorsed to include the City of Garfield as a named insured with a standard severability of interest provision. The policy shall be issued for a period of 12 months or renewable for an additional six months, to insure claims after the original license may expire.

C. The licensee, in addition to the required insurance, shall indemnify and save harmless the City from any claims and/or damages and liability which might arise or claim to have arisen by reason of any action or omission of the licensee, the licensee's agent, employees or servants connected with the furnishing of services and labor required by the license and this chapter.

§ 310-9 Minimum Standards of Performance

A. No license shall be issued to an applicant hereunder unless he or his employees shall be available or on call on a twenty-four-hour basis to tow disabled vehicles pursuant to the terms and specifications of this chapter.

B. Licensees will provide a fifteen (15) minute response time from the time a call is received from the Garfield Police Communications Center to the time of arrival at the tow request location.

C, Licensees shall notify the Police Department if they are unable to meet the fifteen (15) minute response time of an accepted call. Failure to notify the Police Department may, after a hearing before the Mayor and Council, result in a suspension of the vendor.

D. Vendor is to accept payment by cash and must accept at least two major credit cards (i.e., MasterCard or Visa).

§ 310-10 Storage areas.

A. All licensees must have sufficient storage areas on premises owned by them or leased directly to them under a written lease. The written lease shall be submitted annually with the application and shall contain an endorsement, by the owner, indicating that the leasehold remains in effect and that said written lease shall contain a restriction that the leased premises shall be solely occupied by the tenant/licensee, and said premises shall be occupied by no other person or entity, and any subleasing shall not be permitted. The lease shall be for a term of at least 12 months and shall provide a notification provision to the City Clerk if termination occurs while a license under this chapter is outstanding. The storage area shall be at least 5,000 square feet and capable of accommodating 25 vehicles. Attached to the lease shall be scaled drawing on eight-and-one-half-by-eleven-inch paper, of the area which shall include any structure or improvement and each point of ingress and egress for vehicles. The area and a place for the public to transact business must be available between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, and Saturdays from 9:00 a.m. and 1:00 p.m., for the release of vehicles to the owners.

B. Storage areas must comply with all applicable City ordinances, state and federal laws which may be applicable and all aspects of Chapter **341**, Zoning, unless a valid nonconforming use or variance is obtained. The applicant shall be required to annually submit proof, evidenced by a letter from the Zoning Official, that the applicant complies with this section.

C. Licensees shall have available and must provide for a protected area for storage of impounded vehicles to be used in criminal cases. Protected areas shall include inside storage or fenced in storage to preclude access by unauthorized persons.

§ 310-11 Supervision and enforcement.

A. The governing body hereby designates the Police Department generally and the Chief of Police or his designee in particular as its agent to supervise the enforcement and provisions of this chapter and the rules and regulations adopted hereunder.

B. No individual, owner or operator of a wrecker shall respond to the scene of an auto accident except upon notification by the officer in charge of police department or upon the request of the driver or owner of the vehicle involved.

C. To amplify and expedite the enforcement of the provisions of this chapter, the Chief of Police or his designee shall establish a system in the assignment of wreckers where the owner or the driver declines to indicate any specific choice of a wrecker to remove the disabled vehicle. Said system may be altered by a licensed tower with another licensed tower, provided that said change is approved in advance by the Chief of Police. In the application of the system, the Chief of Police or his designee shall not discriminate against a licensee and shall apply such system fairly to ensure equal access, taking into account the capability, equipment and availability of each licensee.

D. The licensee shall take every necessary precaution to prevent interference with traffic and shall obey all rules and regulations of the Traffic Bureau of the Police Department of the City and the Motor Vehicle Department of the State of New Jersey.

E. Where the Police Department directs a custodian to store a vehicle, such custodian shall notify the Police Department of all such vehicles that are in the custodian's possession for at least 30 days. Such notification shall be submitted to the Police Department on the 31st day from the period of initial custody.

§ 310-12 Vehicle restrictions and requirements.

A. No licensee shall maintain a police frequency radio receiving set for the purpose of intercepting police calls in regard to disabled vehicles except if authorized by the City Chief of Police in writing.

B. No licensee shall possess or exhibit flashing lights except as provided under N.J.S.A. 39:1-1 et seq.

C. All licensees shall maintain and have available to render service under this chapter a minimum of two light-duty wreckers, with a wheel lift capable of towing a passenger vehicle, two eighteen-foot flatbeds and one heavy duty wrecker. All vehicles shall be registered and insured by the licensee and shall have a passenger seat to transport the driver of the vehicle, under appropriate circumstances, to another location within the City at no additional cost to the driver or the owner.

§ 310-13 Equipment requirements.

The vehicles described in § **310-12** shall be equipped with the following items:

A. A minimum of two flashing yellow lights pointed to the rear and so mounted as not to be obstructed by any motor vehicle being towed by the licensee.

B. A minimum of two flashing yellow lights spaced at least four feet apart and so constructed as to be mountable on the rear of any vehicle being towed by the licensee.

C. A minimum of 10 flares or similar warning devices for placement at the scene of an accident or behind a disabled motor vehicle.

D. One shovel and one broom for use in removing debris from roadways.

E. One two-pound dry chemical fire extinguisher.

F. Speedy dry or other absorbent material

§ 310-14 Cleanup requirements.

In the event that a licensee is requested by the City to render services in accordance with this chapter at the scene of a motor vehicle accident, the licensee shall remove from the street all broken glass, metal and other debris resulting from said accident and shall place at the scene of the accident flares and such other safety devices as may be necessary and directed by the Police Department.

§ 310-15 Preservation of evidence.

Licensees shall take all reasonable precautions required by the Police Department to avoid damage to any evidence, such as fingerprints, when rendering services in accordance with this chapter. All motor vehicles which contain or involve evidence necessary to the Police Department of the City and stored by the licensee in accordance with this chapter shall be stored pursuant to § **310-10C** of this chapter.

§ 310-16 Revocation of license; notice of hearing.

A. Licenses issued under the provisions of this chapter may be revoked by the City Council after notice and hearing for any of the following causes:

(1) Fraud, misrepresentation or false statement contained in the application for license.

(2) Any violation of this chapter.

(3) Conviction of any crime involving moral turpitude.

B. Notice of the hearing for revocation of a license shall be given to the licensee, in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed by registered or certified mail, return receipt requested, addressed to the licensee at his last known address, at least five days prior to the date set for the hearing.

§ 310-17 Operation by non-City wreckers.

This chapter shall not prevent the occasional operation at the scene of an accident, upon the request of an owner or driver of a vehicle, of a wrecker or tow truck which is owned by a person not regularly engaged in the business of operating wreckers or tow trucks within the City of Garfield.

§ 310-18 Limited licenses issued.

A. The City of Garfield shall limit the issuance of towing licenses to no more than three licenses per year. The City Clerk shall maintain a list of applicants on a first-come-first-served basis to be contacted in the event that an existing license becomes available for issuance, at which time an application may be filed in accordance to this chapter.

B. All licenses issued and existing at the date of adoption of the amendment to this chapter shall continue to be in full force and effect and shall be considered as having priority for renewal and reissuance as long as there has been no violation of this chapter by the licensee which would cause a forfeiture of the existing license, and all requirements of this chapter as amended shall be complied with by the licensee for reissuance of said license.

C. Should any existing licenses be forfeited or not renewed by the City Council as a result of abandonment, forfeiture or noncompliance with this chapter as amended, then such licenses that exceed the number specified in § 310-18A shall be retired during the licensing year.

§ 310-19 Violations and penalties.

Any person, firm, corporation who shall be guilty of a violation of any provision of this chapter shall, upon conviction, be liable to:

A. In case of a first offense, a fine of not more than $250 and suspension of privileges under this chapter for up to 30 days, or both.

B. In case of a second offense occurring within five years of the first, a fine of not more than $500 and a suspension of privileges under this chapter up to 60 days, or both.

C. In case of a third offense occurring within five years of the first offense, a fine of not more than $1,000 and the permanent revocation and forfeiture of the license.

D. Violations under this chapter may be enforced by the Police Department. Violations regarding storage areas or business offices may also be enforced by the Zoning Department.

E. By operation of this chapter, power and authority to enforce any provision contained hereunder is conferred to the Municipal Court.

§ 310-20. **Sale or junk title issuance of unclaimed/abandoned impounded vehicles.**

A. If after 30 days from the date of towing the vehicle remains unclaimed, then it shall be deemed abandoned and the Municipality shall take such action as is permitted under N.J.S.A. 39:10A-1 through 39:10A-7.

B. The tow vendor shall notify the Municipal Authorized Service Provider, and if no such company in contracted, notify the Municipal Police Department at the end of the 30 days of the date of towing, that the vehicle has not been claimed. Upon notification, a determination whether the vehicle can be certified as junk will be made. If a certification of junk cannot be made, the vehicle will be sold at public auction in accordance with N.J.S.A. 39:10A-1 through 39:10A-7.

C. Storage charges shall accumulate as per Section 310-7 until the disposition of the vehicle. Notwithstanding the foregoing, storage and towing fees shall be capped at $2,500 no matter the duration of storage. In addition, any proceeds in excess of the accumulated fees or the capped $2,500 shall be retained by the Municipality as per N.J.S.A. 39:10A-5. A tow vendor shall be authorized to bid on a vehicle at auction above the capped fees and in the event the tow vendor is the winning bidder, tow vendor shall remit any proceeds above $2,500 to the municipality. In the event the proceeds from such auction or a junk title transferred to tow vendor shall be insufficient to pay the accrued towing and storage charges, the Municipality shall not be liable. The licensed tow vendor shall accept such limited proceeds as full payment. Notwithstanding the foregoing, the tow vendor shall have the right to seek any legal actions available against the registered owner, to recoup the balance of accrued fees as per section 310-7 herein. The sale of abandoned vehicles will be governed by the standards set forth in N.J.S.A. 39:10A-1 to 7 and guidelines developed within by the Municipality and its Police Department.

D. Tow contractors agree that all service fees and expenses incurred for the services of an AAUSP in §310-21 and for expenses incurred for the issuance of Junk titles and auction/title services are the responsibility of the tow vendor and can be added to the minimum bid of auctioned vehicles. These fees shall be in addition to the capped fees herein. The City will not be liable for any towing or storage fees for any unclaimed/abandoned vehicles.

§310-21. Authorized Abandoned/Unclaimed Service Provider (AAUSP)

A. The Municipality may engage an Authorized Abandoned/Unclaimed Service Provider to assist in the handling of Abandoned and Unclaimed vehicles that were towed by the municipal police department in accordance with this ordinance and to assist the Police Chief with the administration of this ordinance as may be required. The AAUSP must be an entity authorized to do business in the State of New Jersey with an office in the State and have a minimum of 5 years' experience in the processing of Abandoned and Unclaimed vehicles.

B. The AAUSP must provide online access via an online portal for the Municipal agency representatives to access all abandoned/unclaimed vehicles in the agency's possession.

C. The AAUSP must submit the following to the Municipality:

(1) A "Certificate of Good Standing" issued by the Secretary of State of New Jersey
(2) A listing of all previous public entities and or Police Departments served by the business entity indicating the dates of services and position held.

§ 310-22. Processing of Documents

The AAUSP shall be authorized to execute any documents necessary to ensure compliance with local ordinances and State Statutes in order to facilitate the disposition of unclaimed vehicles as set forth in N.J.S.A. 39:10A-1 through 7.

§ 310-23. Auction of Vehicles:

At the Municipality's request the AAUSP may be authorized to conduct public auction of any vehicle covered by this ordinance.

ATTEST: _____ APPROVED: _____

Erin Delaney, MPA, RMC Richard Rigoglioso, Mayor

City Manager/City Clerk

Introduced: August 17, 2021

Tabled: September 28, 2021

Re-Introduced:

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-363

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2907
FIRST READING

BE IT RESOLVED, that an ordinance entitled:

CAPITAL ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY TO APPROPRIATE AN ADDITIONAL SUM OF $110,000 FOR THE REPLACEMENT OF WATER METERS (PHASE I) IN, BY AND FOR THE WATER UTILITY OF THE CITY AND TO PROVIDE THAT SUCH ADDITIONAL SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL RESERVE FOR INFRASTRUCTURE

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, November 9, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2907

CAPITAL ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY TO APPROPRIATE AN ADDITIONAL SUM OF $110,000 FOR THE REPLACEMENT OF WATER METERS (PHASE I) IN, BY AND FOR THE WATER UTILITY OF THE CITY AND TO PROVIDE THAT SUCH ADDITIONAL SUM SO APPROPRIATED SHALL BE RAISED FROM THE WATER UTILITY CAPITAL RESERVE FOR INFRASTRUCTURE

WHEREAS, the City of Garfield, in the County of Bergen, New Jersey (the "City"), has heretofore authorized the replacement of water meters (Phase I) in, by and for the Water Utility of the City and appropriated therefor the aggregate sum of $1,650,000 from Water Utility Capital Surplus and the Water Utility Capital Reserve for Infrastructure pursuant to Ordinance Nos. 2821 and 2888 adopted by the City Council of the City on September 10, 2019 and July 20, 2021, respectively (the "Prior Ordinances"); and

WHEREAS, the City Council now finds and determines that the additional sum of $110,000 is required for such improvement and that $110,000 is available in the Water Utility Capital Reserve for Infrastructure to pay the additional cost of such improvement, NOW, THEREFORE,

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

Section 1. The additional sum of $110,000 is hereby appropriated to the payment of the cost of the improvement authorized and described in the Prior Ordinances (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Water Utility Capital Reserve for Infrastructure, as hereinafter provided. The sum of $110,000 is hereby appropriated from the Water Utility Capital Reserve for Infrastructure to the payment of the cost of said purpose.

Section 2. Said improvement is a lawful capital improvement of the City having a period of usefulness of at least five (5) years. Said improvement has been and shall be made as a general improvement, no part of the cost of which shall be assessed against property specially benefited.

Section 3. The capital budget is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the City Clerk and is available for public inspection.

Section 4. This ordinance shall take effect at the time and in the manner provided by law.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced:

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-364

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2908
FIRST READING

BE IT RESOLVED, that an ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE 2021 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 $1,500,000 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

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, November 9, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2908

BOND ORDINANCE TO AUTHORIZE THE 2021 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 $1,500,000 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

BE IT ORDAINED by the City Council of the City of Garfield, in the County of Bergen, State of New Jersey, as follows:

Section 1. The City of Garfield, in the County of Bergen, State of New Jersey (the "City"), is hereby authorized to undertake the 2021 Road Improvement Program in, by and for the City. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor, and shall be undertaken in accordance with plans and specifications prepared or to be prepared by the City Engineer and hereby approved and incorporated herein by this reference thereto. Such plans and specifications are on file or shall be placed on file with the City Clerk and made available for public inspection during regular business hours. It is hereby determined and stated that the roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Section 2. The sum of $1,500,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the City, and (2) it is necessary to finance said purpose by the issuance of obligations of the City pursuant to the Local Bond Law, and (3) the estimated cost of said purpose is $1,500,000, and (4) $72,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is $1,428,000, and (6) the cost of said purpose, as hereinbefore stated, includes the

aggregate amount of $250,000, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding $72,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the City, are now available to finance said purpose. The sum of $72,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the City of an aggregate principal amount not exceeding $1,428,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the City of an aggregate principal amount not exceeding $1,428,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the City and attested by the City Clerk or Deputy City Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief

Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the City Clerk of the City, and that such statement so filed shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by $1,428,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the City Clerk and is available for public inspection.

Section 12. The City intends to issue bonds or notes to finance the cost of the improvements described in Section 1 of this ordinance. If the City incurs such costs prior to the issuance of such bonds or notes, the City hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 13. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the City, and the City shall levy ad valorem

taxes upon all the taxable real property within the City for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced:

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-365

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2909
FIRST READING

BE IT RESOLVED, that an ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF IMPROVEMENTS TO THE BASKETBALL COURT AT FIRE HOUSE NO. 3 IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF $130,000 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

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, November 9, 2021 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2909

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF IMPROVEMENTS TO THE BASKETBALL COURT AT FIRE HOUSE NO. 3 IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF $130,000 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

BE IT ORDAINED by the City Council of the City of Garfield, in the County of Bergen, State of New Jersey, as follows:

Section 1. The City of Garfield, in the County of Bergen, State of New Jersey (the "City") is hereby authorized to undertake improvements to the basketball court at Fire House No. 3 in, by and for the City. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of $130,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said City, and (2) it is necessary to finance said purpose by the issuance of obligations of said City pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is $130,000, and (4) $6,200 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is $123,800, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of $30,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding $6,200, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said City, are now available to finance said purpose. The sum of $6,200 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said City of an aggregate principal amount not exceeding $123,800 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said City of an aggregate principal amount not exceeding $123,800 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said City and attested by the City Clerk or Deputy City Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the City Clerk of said City, and that such statement so filed shows that the gross debt of said City, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by $123,800 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the City Clerk and is available for public inspection.

Section 12. The City intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the City incurs such costs prior to the issuance of the bonds or notes, the City hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the City, and the

City shall levy ad valorem taxes upon all the taxable real property within the City for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

APPROVED: _____
Richard Rigoglioso, Mayor

Introduced:
Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-366

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2899
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

AN ORDINANCE TO ADD CHAPTER 41 TO THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "PARKING AUTHORITY"

was introduced and passed at a meeting held on Tuesday, September 14, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2899

AN ORDINANCE TO ADD CHAPTER 41 TO THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "PARKING AUTHORITY"

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to add Chapter 41 "Parking Authority" to the City Code of the City of Garfield; and

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

SECTION 1. Chapter 41 of the City Code of the City of Garfield, entitled "Parking Authority" is hereby added to read as follows:

§ 41-1. Establishment.

A body corporate and politic is hereby created pursuant to and in conformity with N.J.S.A. 40:11A-4 et seq., to be known as the "Parking Authority of the City of Garfield."

§ 41-2. Members; appointment; terms.

The Parking Authority shall consist of five persons serving as Commissioners of the Authority, who will be appointed by the Mayor and City Council. The terms of the first five Commissioners shall be staggered for one-, two-, three-, four- and five-year terms, respectively, from the date of their appointment. Thereafter, these Commissioners shall be appointed for five-year terms, except that all vacancies shall be filled for the unexpired term.

§ 41-3. Authority; commissioners; misconduct; removal.

A. No commissioner of the Parking Authority may be an officer or employee of the City of Garfield; provided, however, that Mayor and City Council may appoint the City's Traffic Engineer or Chief of Police to the Parking Authority. A commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his services, but he shall be entitled to the necessary expenses, including traveling expenses incurred in the discharge of his duties. The powers of the Parking Authority shall be vested in the commissioners thereof in office from time to time. A majority shall constitute a quorum of the Parking Authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the Parking Authority upon a vote of the majority of the commissioners present, unless in any case the bylaws of the Parking Authority shall require a larger number. The Parking Authority shall select a chairman and a vice chairman from among its commissioners, and it may employ a secretary, technical experts and such other officers, agents, and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation. For such legal services as it may require, the Parking Authority may call upon any chief law officers of the City, as the case may be, or may employ its own counsel and legal staff. The Parking Authority may delegate to one or more of its agents or employees such powers and duties as it may deem proper.

B. No commissioner or employee of the Parking Authority shall acquire any interest, direct or indirect, in any parking project or in any property included or planned to be included in the project, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any parking project. If any commissioner or employee of the Parking Authority owns or controls an interest, direct or indirect, in any property included or planned to be included in a parking project, he shall immediately disclose the same, in writing, to the Parking Authority, and such disclosure shall be entered upon the minutes of the Parking

Authority. Failure to disclose such interest shall constitute misconduct in office. Upon such disclosure, such commissioner or employee shall not participate in any action by the Parking Authority affecting such property.

C. For inefficiency or neglect of duty or misconduct in office, a commissioner of the Parking Authority may be removed by the Mayor and City Council, but a commissioner shall be removed only after he shall have been given a copy of the charges at least 10 days prior to the hearing thereon and has had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the Clerk.

§ 41-4. Powers and purposes.

A. The Garfield City Parking Authority shall constitute a public body corporate and politic and a political subdivision of the state with the same territorial boundaries as the boundaries of the City, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out and effectuate its corporate purposes and the purposes and provisions of N.J.S.A. 40:11A-4 et seq.

B. The purposes of the Parking Authority shall be the construction, provision or operation of off-street parking projects within the City and shall include, to the extent authorized by the Mayor and City Council, the management and operation of on-street and other parking meters and related facilities and enforcement of the applicable law, ordinances and regulations as to the parking of vehicles in the City, and the consequent promotion of free movement of traffic and relief of traffic congestion on the streets of Garfield and improvement of conditions affecting the public safety and welfare therein.

C. The Garfield City Parking Authority is hereby authorized, to serve as a redevelopment entity under the "Local Redevelopment and Housing Law", to exercise all those public and essential governmental functions necessary or convenient to effectuate the purpose of the "Local Redevelopment Housing Law" including but not limited to; redevelopment powers within an area in need of redevelopment or in an area in need of rehabilitation in the City, subject to prior review and approval of the Local Finance Board pursuant to the "Local Authorities Fiscal Control Law." When the Parking Authority is so designated by a Resolution of the City Council to act as a Redevelopment Entity, the Parking Authority Commissioners and Executive Director shall be subject to the course requirements of sections 46 and 47 "Local Redevelopment and Housing Law" (NJSA 40A: 12A-22.1)

D. The Parking Authority is hereby authorized to plan, design, construct, reconstruct, enlarge, improve, manage, maintain, repair, operate and use such parking project or projects as in the opinion of the Authority will provide an effective and satisfactory method for promoting the purposes of the Authority.

E. The Parking Authority shall have perpetual succession and have the following powers in addition to any others herein granted:

(1) To sue and be sued; to have a seal and to alter the same at pleasure; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Authority; and to make and from time to time amend and repeal bylaws, rules and regulations, not inconsistent with this its enabling legislation, to carry into effect the powers and purposes of the Authority.

(2) To conduct research respecting parking and the possibility or necessity of fulfillment of public needs in relation thereto.

(3) To acquire by gift, purchase, lease, devise or otherwise, and hold and use, and to construct, improve, maintain, operate, own, manage, or lease either in a capacity of lessor or lessee, parking projects and any land, franchise, property, real, personal or mixed, tangible or intangible, or any interest therein, meters, equipment or facilities to be devoted to the parking or storage of vehicles of

any kind or which in the opinion of the Authority are necessary or useful and convenient in connection therewith or with the promotion of free movement of traffic.

(4) Subject to the provisions of § 41-4E, to lease as lessor any real property, parking project or portion or portions of parking projects for any business, commercial or other use to any person for such consideration and for such period or periods of time and upon such other terms and conditions as it may fix and agree upon. Any such lease may be upon condition that the lessee shall or may construct or provide any building or buildings or other facilities on such real property, parking project or projects or portions thereof, including space for business, commercial or other uses, all upon such terms and conditions as may be agreed upon.

(5) To sell, transfer and dispose of any property or interest therein at any time acquired by it upon such terms and conditions as it may determine, with or without public bidding.

(6) To fix, alter, charge and collect rents, rates and other charges at reasonable rates to be determined exclusively by it, for the use of the facilities and projects of the authority and for all services sold, furnished or supplied directly or indirectly by the Authority through said facilities and projects, which shall, together with any grants, receipts, contributions or income from other sources, be sufficient to provide for the payment of the expenses of the Authority, repair, maintenance and operation of its facilities and projects, and payment of the principal of and interest on, and any premiums upon the redemption of, its bonds and other obligations, and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such bonds or other obligations.

(7) To invest any funds held in reserve or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to the Authority's control.

(8) To borrow money and accept grants from and to enter into contracts, leases or other transactions with the State of New Jersey, any federal agency, any person, or any municipality, county or other public body.

(9) To mortgage, pledge, hypothecate or otherwise encumber all or any of its property or assets then existing or thereafter acquired or coming into existence, including real and personal property donated to it by a municipality or county.

(10) To enter into contracts with the State of New Jersey or any municipality, county or governmental agency for the use of any project of the Authority.

(11) To do and perform any acts and things authorized by N.J.S.A. 40:11A-4 et seq., through or by means of its own officers, agents and employees, or by contract with any person.

(12) To enter into and perform any and all contracts, execute any and all instruments, and do and perform any and all acts and things necessary or useful and convenient for the purposes of the Authority or to carry out any of the powers expressly granted to it by N.J.S.A. 40:11A-4 et seq., or any other acts subject to P.L. 1971, c. 196, Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.).

F. The Parking Authority shall not engage directly in the sale of gasoline or accessories for, or in the repair or other servicing of, automobiles and other motor vehicles, except in emergency, or shall engage directly in the sale of any commodity of trade or commerce, but the Authority may include in any parking project, and provide and lease as lessor, structures, buildings, space or accommodations (whether constructed

by the Authority or by a lessee) for any business, commercial or other use, including the sale of gasoline or accessories for, or the repair or other servicing of, automobiles and other motor vehicles, if, in the opinion of the Authority, such inclusion, provision and proposed leasing is necessary to assist in defraying the expenses of the Authority and make possible the operation of the parking facilities of such project at reasonable rates and will increase the facilities for off-street parking which can be feasibly included, financed, constructed and operated as part of such project.

G. The Commissioners of the Parking Authority shall exercise all of the powers and authority granted and subject to all the provisions N.J.S.A. 40:11A-4 et seq. The Parking Authority shall have the power to acquire property by eminent domain without the consent of the governing body of the City of Garfield.

§ 41-5. Parking Enforcement Officer.

The Parking Authority shall have the power to appoint Parking Enforcement Officers. As used in this chapter, a Parking Enforcement Officer means a person appointed pursuant to this act to exercise the power and authority described herein. Parking Enforcement Officers are not special law enforcement officers within the meaning of P.L. 1985, c. 439 (N.J.S.A. 40A:14-146.8 et seq.) and are not members of the Garfield Police Department. Parking Enforcement Officers are not eligible for membership in the Police and Firemen's Retirement System established pursuant to P.L. 1944, c. 255 (N.J.S.A. 43:16A-1 et seq.).

A. Qualifications. No person may be appointed as a Parking Enforcement Officer unless the person:

(1) Is a resident of this state during the term of appointment;
(2) Is able to read, write and speak the English language well and intelligently;
(3) Is of sound mind and in good health;
(4) Is of good moral character;
(5) Has not been convicted of any offense involving dishonesty or which would make him unfit to perform the duties of his office.

B. Powers and duties.

(1) The Parking Enforcement Officer shall enforce state, county, City and Parking Authority, statutes, ordinances and/or regulations related to the parking of vehicles within the City of Garfield. He or she shall possess the power and authority to:

(a) Issue a parking ticket for a parking offense, as those two terms are defined in the Parking Offenses Adjudication Act, P.L. 1985, c. 14 (N.J.S.A. 39:4-139.2 et seq.).
(b) Serve and execute all process for any parking offenses issuing out of the court having jurisdiction over the complaint.
(c) Issue warnings for violations of any state, county, City and/or Parking Authority statutes, ordinances, resolutions and/or regulations related to the parking of vehicles within the City of Garfield.
(d) Cause any vehicle parked, stored, or abandoned in the City in violation of a statute, resolution, ordinance, or regulation to be towed away from the scene of the violation and to collect from the vehicle's owner or the owner's agent, on behalf of the City, the costs of the towing and subsequent storage of the vehicle before surrendering the vehicle to the owner or agent.
(e) Issue a complaint, summons, or parking ticket for the failure to abide by any parking regulation or parking restriction promulgated by the Parking Authority of the City of Garfield.
(f) Attend participate, testify and assist in the prosecution, if necessary, in any court proceedings relating to any actions taken by him or her.
(g) Inspect the conditions of parking meters or other parking regulating devices, and if necessary, report to the appropriate individual responsible for the necessary repairs or replacement.

C. Fingerprinting. Every applicant for the position of Parking Enforcement Officer, appointed pursuant to this chapter, shall have fingerprints taken, which shall be filed with the Division of State Police and Federal Bureau of Investigation.

D. Eligibility determination. Before any Parking Enforcement Officer is appointed pursuant to this chapter, the Chief of Police, or, in the absence of the Chief, other chief law enforcement officer of the City, shall ascertain the eligibility and qualifications of the applicant and report these determinations, in writing, to the Parking Authority.

E. Firearms banned. No Parking Enforcement Officer may carry a firearm while engaged in the actual performance of the officer's official duties.

F. Training course. No person appointed may commence his duties as a Parking Enforcement Officer unless that person has successfully completed a training course conducted or approved by the City or Parking Authority. The training requirements may be waived by the appointing authority for any person eligible to be appointed as a Parking Enforcement Officer under this chapter who has substantially equivalent training and background, as determined by the Chief of Police or, in his absence, other chief law enforcement officer of the City.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____ APPROVED: _____

Erin Delaney, MPA, RMC Richard Rigoglioso, Mayor

City Manager/City Clerk

Introduced: September 14, 2021

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-367

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2900
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER CHAPTER 150 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FOOD HANDLERS, MOBILE"

was introduced and passed at a meeting held on Tuesday, September 28, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2900

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER CHAPTER 150 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FOOD HANDLERS, MOBILE"

WHEREAS the Mayor and Council finds that Chapter 150 of the City Code should be revised and adopted as follows; and

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Garfield that the revised Ordinances of the City of Garfield Shall be Amended and Supplemented as follows:

Chapter 150 This Chapter shall be entitled: "Mobile Food Vendors."

§ 150-1. Purpose.
The purposes of this chapter are to properly control mobile food vendors to prevent and discourage undesirable business practices; to help protect the public from fraud; and to promote the health, safety, and welfare of the residents of the City of Garfield

§ 150-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MOBILE FOOD VENDOR - For purposes of this article, a "mobile food vendor' is anyone who sells non -prepackaged and prepackaged food or beverages and prepackaged food or beverages from a non-permanent location to the public-at-large, whether such food or beverages are prepared on site or purchased at approved locations and transported to the site of the sale This includes, but is not limited to, anyone who sells such food or beverages from a vehicle, whether motorized or nonmotorized, such as a truck, van, trailer, or pushcart.

FOOD VENDING VEHICLE — Includes all vehicles and carts from which food, foodstuffs, and/or beverages are offered for retail sale or delivery to buyers, consumers or other persons on the public sidewalks, streets, and highways.

MOBILE RETAIL FOOD ESTABLISHMENTS — Any movable restaurant mobile truck, van, trailer, cart, bicycle or other movable unit, including hand carried portable containers in or on which food or beverage is transported, stored or prepared for retail sale or given away at temporary locations. "Mobile retail food establishments" does not include trucks, vans, trailers, carts, bicycles or other movable units used solely to deliver food from a stationary location and vehicles that are in a fixed position and subject to
the restaurant ordinance.

MOTOR VEHICLE — As defined under New Jersey Motor Vehicle Laws, any vehicle propelled or drawn by mechanical or electrical equipment, such as, but not limited to, passenger cars, trucks, truck-trailers, semitrailers, campers, motorcycles, minibikes, go-carts, snowmobiles, amphibious craft on land, dune buggies or racing vehicles.

PERSON — An individual, partnership, corporation, trust, joint venture, association, society, church, congregation or other organization.

SALE — The act of selling, holding out for sale, exchange, transfer, advertising or delivery.

§150-3 Licensed Required; number limited.

A. No activity, as defined in this chapter, shall be conducted in the City of Garfield except in compliance with the provisions of this chapter. It shall be unlawful for any person of whatever nature to conduct the activities defined herein unless he/she has been issued a

license pursuant to this chapter. The number of licenses that may be issued and in effect during any twelve-month period shall not exceed five.

B. The City Manager is granted wide discretion in approving licenses with the goal of insuring diversity of product in their distribution. Preference shall be given to Garfield residents. The City Manager shall have absolute discretion in approving applications.

§ 150-4. Application for license.

A. Application for such license shall be made in writing on a form to be provided by the City of Garfield. It shall require that the applicant and every employee shall provide two photographs taken within 30 days of the application of a size approximately 2 1/2 inches by 2 1/2 inches on thin paper having a light background clearly showing a frontal view of the applicant's face and his employee's face, one of which is to be attached or posted to the application.

B. Such application for license shall require that the applicant give the following information concerning himself or itself:

(1) Name.
(2) Specific address for the past five years.
(3) Date and place of birth and citizenship.
(4) Arrests or convictions at any time of any crime, or for disorderly conduct, or of violations of any municipal ordinance or regulation.
(5) Names and addresses of employers for the last five years and respective date of employment.
(6) Proposed location or locations for which such license is sought.
(7) Description of all items to be sold.

§ 150-5. Reapplication and recertification.

Each applicant and licensee shall prior to each year, between October 31 and January 1, reapply for the license by personally appearing at the City Health Department to recertify to the information contained in such person's application. Where an applicant fails to appear and recertify, such person's name shall be removed from the lists of pending applications. No new fee shall be collected for a recertification where the applicant is pending licensure.

All mobile food vendors are required to obtain an annual mobile food vendor license from the Department of Health, along with any other approvals required by this Chapter, or any other provision of the City Code, before commencing the sale of any food or beverage with the City of Garfield. Annual Health Department Licenses expire on December 31 of each year.

§ 150-6. Investigation.

Applications shall be made to, and licenses issued by the City Manager of the City of Garfield or his/her designee shall be made after investigation by the City of Garfield Police Department and any other enforcement agency designated by the City Manager.

A. Applicants and any additional drivers shall be fingerprinted at their own expense.

B. Applicants shall supply their social security number and a certified motor vehicle abstract.

C. Applicant shall provide a certified certificate of disposition for any criminal or quasi-criminal matters that an applicant may have.

D. Each applicant shall present proof that he or she is a citizen of the United States or a legal resident eligible to hold gainful employment in the United States.

E. Both the applicant and any additional driver/operator must have a valid food handler/food manager certificate prior to the issuance of a license pursuant to this chapter.

F. A description of the vehicle to be used, if a motor vehicle or vehicular trailer is to be used, including:

(1) The name and address of the owner of the vehicle as registered with the Director of the Division of Motor Vehicles;

(2) A description of the vehicle, giving the name of the manufacturer, serial number and any other insignia appearing thereon;

(3) Proof of liability insurance for the vehicle in the amount of $100,000 or greater.

§ 150-7. Contents, display and transfer of license.

A. Each license issued by the City Manager or his/her designee shall set forth the specific food and beverage authorized to be sold, the location or locations for the same, the name of each employee or agent and the expiration date of the license.

B. No person shall engage in any activity, except those permitted under the license and at the locations specified therein. Upon granting of the license hereinabove mentioned, each licensee shall be required to prominently display said license on the vehicle employed to transact his business, in addition to a sign, in letters of at least two inches in length, printed clearly and distinctly with the name of the licensee.

C. No license may be transferred from one person or entity to another, and each person or entity must be licensed individually and separately.

§ 150-8. Prohibited acts; certificate of occupancy.

Every licensee shall be subject to the supervision of the City of Garfield and its designated agencies in all provisions of this chapter, as well as the

A. No licensee shall:

(1) Engage in a business outside the following hours:
(a) Fridays from 5pm to 8pm
(b) Saturdays and Sundays from 12pm until 30 minutes after sunset
(c) All Federal Holidays from 12pm until 30 minutes after sunset

(2) Conduct business outside the areas of the City of Garfield that are specifically designated by the City Manager

B. The granting of this license by the City of Garfield does not relieve a licensee from obtaining a requisite certificate of occupancy where the City of Garfield Zoning Officer and Construction Code Official determine that the same is necessary.

C. Al mobile food trucks shall be properly labeled with required commercial lettering.

§ 150-9. Use of public roads, designated locations for use.

A. No licensee shall park a vehicle overnight on any location within the City of Garfield. If the licensee parks a vehicle overnight on private property for the purpose of continuing the business each day at the same location, then such licensee shall comply with all regulations, rules, statutes, and ordinances pertaining to permanent retail food establishments.

B. No licensee shall have a permanent location within or upon a public road or right-of-way by reason of prior use.

C. The City Manager shall designate and assign the parking location from which the mobile food vending service will be conducted for each licensee.

§ 150-10. Enforcement.

Every licensee shall be subject to the supervision of the City of Garfield and its designated agencies in all provisions of this chapter, as well as the rules and regulations promulgated hereby, and all orders and regulations promulgated by the City shall be enforced by such person or persons as the City, by resolution or ordinance, may designate from time to time or who, by New Jersey statute, may have the duty to so regulate.

§ 150-11. General regulations.

In addition to requirements herein set forth, the following regulations must be complied with by all mobile food vendors:

A. Due to the nature, location and variety of conditions surrounding the operation of such establishments, it is frequently not possible to provide certain physical facilities required for permanent establishments. In order to assure adequate protection of food served by temporary establishments, mobile establishments and agricultural markets which are unable to meet fully the requirements of these regulations, it may be necessary to restrict the types of food sold or the methods by which served, to modify some requirements for procedures and facilities and to impose additional requirements.

B. The preparation of potentially hazardous foods, such as cream-filled pastries, custards and similar products and meat, poultry and fish in the form of salads or sandwiches, shall be prohibited, provided that this prohibition shall not apply to hamburgers, frankfurters and other food which, prior to service, requires only limited preparation, such as seasoning and cooking; and provided, however, that potentially hazardous food which is obtained in individual servings is stored in approved facilities which maintain such food at safe temperatures, below 41° F. and/or above 135° F., and is served directly in the individual, original container in which it was packaged at an approved food-processing establishment, may be distributed or sold.

C. Ice which will be consumed, or which will come into contact with food shall be contained from a source, meeting standards approved by law in chipped, crushed or cubed form. Such ice shall be obtained in single service, closed, protected containers satisfactory to the Department or health authority and shall be held therein until used.

D. Wet storage of packed food and beverages shall be prohibited, provided that wet storage of pressurized containers of beverages may be permitted when:

(1) The water contains at least 50 parts per million of available chlorine or equivalent; and
(2) The iced water is changed frequently enough to keep both the water and container clean.

E. Food contact surfaces of food preparation equipment such as grills, stoves and worktables shall be protected from contamination by dust, customers, insects or any other source. Where necessary, effective shields shall be provided.

F. Equipment shall be installed in such a manner that the establishment can be kept clean and food will not become contaminated.

G. An adequate supply of water for cleaning and handwashing shall be maintained in the establishment, and auxiliary heating facilities, capable of producing an ample supply of hot water for such purposes, shall be provided.

H. Liquid waste which is not discharged into a sewerage system shall be disposed of in such a manner as not to create a public health hazard or nuisance condition.

I. Adequate facilities shall be provided for employee handwashing. Such facilities may consist of a pan, sink, water, soap and individual paper towels. Handwashing facilities shall be provided for employee handwashing for mobile retail food service establishments where food products are directly handled and fabricated, but need not be provided for mobile units serving prepackaged foods, milk, cold sealed beverages and tea, coffee, hot chocolate or other hot drinks at temperatures about 140° F.

J. Floors shall be of tight sealed wood or other cleanable material, provided that the Department or health authority may accept dirt or gravel-covered floors, when graded to preclude the accumulation of liquids and covered with removable, cleanable, wooden platforms or duckboards.

K. Walls and ceilings shall be so constructed as to minimize the entrance of flies and dust. Temporary construction may be accepted. Ceilings may be of sealed wood, canvas or other materials which protect the interior of the establishment from the elements, and walls may be of such materials or of sixteen-mesh screening or equivalent. When flies are prevalent, counter-service openings shall either be equipped with self-closing, fly-tight doors or the opening shall be so limited that the fans employed will effectively prevent the entrance of flies.

L. Any other requirement deemed necessary by the Department or health authority to protect the public health in view of the particular nature of the food service operation shall be met.

§ 150-12. Violations and penalties.

A. Any person, firm, corporation, partnership or other entity violating any provisions of this Chapter or any rules and regulations promulgated by the City pursuant hereto shall be punished by one or more of the following: a fine not exceeding $2,000; imprisonment for a term not exceeding 90 days; and/or a period of community service not exceeding 90 days, in the discretion of the judge before whom such conviction shall be heard. Each and every violation and nonconformance with this chapter on each day that any provision of this chapter shall have been violated shall be construed as a separate and distinct violation hereof.

B. If an unsanitary condition exists or if the Health Official has reasonable cause to suspect that any food truck or any employee thereof is or may be a source of foodborne infection, the Health Official is authorized to require the immediate closure of the food establishment until the unsanitary condition has been eliminated and/or cause the immediate exclusion of the employee from the food establishment until the employee no longer poses a threat of foodborne infection.

C. In addition to the penalties set forth herein, if any person operating a food vending vehicle violates any provisions of this chapter, or the applicable provisions of Title 8, Chapter 24, of the New Jersey State Administrative Code, the vehicle shall be deemed a public safety hazard. Accordingly, in the instance of such violation, the vehicle in question may be impounded (and, in the instance of an unlicensed operator, shall be impounded) by either the Garfield Police Department or the Garfield Board of Health with police assistance. In the event that any such vehicle is impounded, the vehicle or truck may be redeemed by the licensed person upon payment of the cost of impounding and the storage charges established by the City of Garfield. The said storage charge and cost of impounding shall be the same as are established for the impounding of motor vehicles.

§ 150-13. Transfer of license prohibited.

No license issued under this chapter shall be transferable from one person to another.

§ 150-14. Annual fee.

The annual fee for the license for food vending vehicles dealing only with prepackaged (or wrapped) foods, such as but not limited to soft drinks, snacks, ice cream, excluding soft-serve

and scooped, etc., which are packaged (wrapped), manufactured or processed at an approved licensed facility (outside of such establishments), shall be increased annually by resolution, payable to the City of Garfield before the issuance of a license. The City shall issue five licenses per year for licensees authorized to transact business per this chapter. The fee per license shall be $1,000 per year.

§ 150-15. Rights conferred by license; transferability; term.

A. The license issued shall not authorize any person, except the person designated therein, to engage in business thereunder. The license shall not be transferable from person to person. A separate background investigation shall be conducted for each food handler and every agent or representative working for the licensee.

B. Licenses issued under this chapter shall be valid only for the term of one year beginning on the first day of January in each year and terminating on December 31 of the year of issuance.

§ 150-16. Compliance with food laws.

All products offered for sale must comply with regulations under N.J.A.C. Title 8, Chapter 24.

§ 150-17. Suspension or revocation of license; hearing.

A. In addition to the penalty prescribed herein, any license issued under this chapter may be revoked by the Council for the violation of any provision hereof upon notice and hearing. A license may be suspended for a period of two weeks pending hearing. No part of the license fee shall be returned upon revocation or suspension of the license.

B. Any licensee who fails to operate for three consecutive weekends may be subject to the revocation of its license.

SECTION 2. All applications for the 2022 year shall be due by November 30, 2021, and shall be valid from their issuance date through December 31, 2022. Subsequent license applications must be filed prior to October 31 of the year preceding the year for which the application is made and shall be valid from January 1 through December 31 of that year.

SECTION 3. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST: _____ APPROVED: _____

Erin Delaney, MPA, RMC Richard Rigoglioso, Mayor

City Manager/City Clerk

Introduced: September 28, 2021

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-368

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2901
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 23 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FIRE DEPARTMENT" MORE PARTICULARLY BY ADDING §23-15 THEREOF, ENTITLED "VOLUNTEER EMERGENCY STANDY GUIDELINES"

was introduced and passed at a meeting held on Tuesday, September 28, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2901

AN ORDINANCE TO AMEND CHAPTER 23 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FIRE DEPARTMENT" MORE PARTICULARLY BY ADDING §23-15 THEREOF, ENTITLED "VOLUNTEER EMERGENCY STANDY GUIDELINES"

WHEREAS, the Governing Body of the City of Garfield believes it is in the best interest of the City of Garfield to Amend Chapter 23 of the City Code, more particularly by adding §23-15 of the City Code of the City of Garfield;

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, that there is hereby added to the Garfield City Code **§ 23-15** as follows:

§ 23-15 VOLUNTEER EMERGENCY STANDBY GUIDELINES: Only in the event of a declared state of emergency, the following volunteer standby guidelines shall apply:

a. The Office of Emergency Management Coordinator is responsible for notifying the City Manager and Fire Department of circumstances which indicate a potential need for volunteer standby personnel. Said notification shall be made as soon as possible in order to provide the maximum time for response.

b. The Chief of the Fire Department shall request approval of all standby time for monetary compensation from the City Manager. Any request for standby time shall include both a specific start time as well as a specific end time if known. If the extent of the requested standby time is not known when the request is made, a request for the specific number of hours of standby time shall be requested. If any request pursuant to this section is denied by the City Manager or the City Manager is not available, the Mayor shall have the authority to approve standby time.

c. Standby time must be approved by the City Manager as set forth in Subsection b above in order for it to be compensable by the City. The City shall compensate volunteers at a rate of $25 per hour for all approved time which is actually used.

d. After taking action on any request for standby time, the Emergency Management Coordinator shall notify the City Manager and Volunteer Fire Department Chief that standby duty has been approved and the hours that have been approved.

e. Unless otherwise determined by the City Manager or Mayor, as set forth in Subsection b above, standby time approval shall normally include a maximum of 5 firefighters from each fire company, for a total maximum of 25 firefighters.

f. Any increase in standby personnel must be approved in advance by the City Manager as set forth in Subsection b above.

g. In the event that the City Manager, as set forth in Subsection b above, approves standby time without a specific ending time, the Volunteer Fire Department Chief shall keep the City Manager, Emergency Management Coordinator informed of the conditions that created the need for standby time and will, as soon as possible, advise them of when standby time can be terminated.

h. Upon determining that standby time will no longer be necessary, the City Manager or Emergency Management Coordinator, as set forth in Subsection b above, shall notify the Volunteer Fire Department Chief of the specific time that standby service shall be terminated. The City Manager shall also inform the Mayor and Emergency Management Coordinator of the termination of standby time.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: September 28, 2021

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-369

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2902
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

AN ORDINANCE TO REPEAL AND AMEND ARTICLE III §73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ALCOHOLIC BEVERAGES," MORE PARTICULARLY §73-28 THEREOF, ENTITLED "CONSUMPTION IN UNLICENSED PREMISES PROHIBITED, BYOB EXCEPTION"

was introduced and passed at a meeting held on Tuesday, September 28, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2902

AN ORDINANCE TO REPEAL AND AMEND ARTICLE III §73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ALCOHOLIC BEVERAGES," MORE PARTICULARLY §73-28 THEREOF, ENTITLED "CONSUMPTION IN UNLICENSED PREMISES PROHIBITED, BYOB EXCEPTION"

WHEREAS, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Repeal and Amend Article III §73-28 of the City Code of the City of Garfield;

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

SECTION 1. Article III §73 of the City Code of the City of Garfield, entitled 'Alcoholic Beverages," more particularly §73-28 thereof, entitled "**CONSUMPTION IN UNLICENSED PREMISES PROHIBITED, BYOB EXCEPTION**" is hereby repealed and amended as follows:

§ 73-28. Consumption in unlicensed public premises prohibited; BYOB exception.

A. No person shall drink or otherwise consume or offer to another person for the purpose of consumption, in any public place or any commercial establishment where persons congregate for any purposes whatsoever, any alcoholic beverage.; provided, however, that the provisions of this subsection shall not apply to any place or establishment for which a valid alcoholic beverage consumption license has been issued by the City or by the New Jersey Division of Alcoholic Beverage Control. No person owning or operating any commercial establishment, whether or not food or beverages are sold or served on the premises, shall permit or allow the consumption of alcoholic beverages on the premises whether or not said alcoholic beverages are brought onto the premises by the owner or operator of the establishment or by any member of the general public.

B. The prohibitions contained in §73-28-A shall not apply in the case of a restaurant patron that complies with the following rules and regulations:

(1) Premises that permit BYOB privileges on its premises must comply with all applicable state, federal and municipal rules, regulations, statutes and ordinances pertaining to the consumption of wine or malt alcoholic beverages on a premise that is not licensed or permitted to sell or serve alcoholic beverages.

(2) The consumption of alcoholic beverages, other than wine or malt alcoholic beverages, shall not be permitted.

(3) There shall be no consumption of wine or malt alcoholic beverages by employees of the premises, but only by patrons who are seated for meal service at a table. No person waiting to be seated for service may consume or possess an open container of an alcoholic beverage while waiting to be seated for service.

(4) The consumption of alcoholic beverages by patrons shall only be permitted in a fully enclosed indoor dining areas of the premises. Outdoor consumption of alcoholic beverages by patrons may be permitted, provided:

(a) The outdoor area is fully enclosed by a permanent structure or fence.
(b) Ingress and egress shall be through the main facility.

(c) If ingress and egress cannot be accommodated through the main facility, then an employee, at least 21 years of age, must be stationed at the outdoor entrance.

(5) The consumption of wine or malt alcoholic beverages shall be permitted only during the hours of 4:00 p.m. prevailing time to 11:00 p.m. prevailing time.

(6) No restaurant shall charge any admission fee or cover, corkage or service charge.

(8) No restaurant owner or employee shall be permitted to serve, handle, pour or distribute alcoholic beverages on the premises.

(9) No restaurant owner or employee shall allow, permit or suffer any alcoholic beverages to be consumed by any intoxicated person or by any person under the age of 21 years.

(10) A restaurant shall immediately report to the Police Department any incident of underage drinking or the presentation of false identification by an underage person and any incident involving the excessive consumption of alcohol by a patron.

C. For the purposes of this section, the word "restaurant" shall mean “Any establishment, however designated, at which food and drink is sold primarily for consumption on a premise in which no other business, except such as is

D. For purposes of this section, the term “BYOB” shall refer to a restaurant patron’s ability to consume wine or malt alcoholic beverages in a restaurant.

E. **Penalty**. For a violation of any provision of this section, the maximum penalty upon conviction shall be as set forth in this Code.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

Section 4. All other provisions of §73 of the Code of the City of Garfield are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____ APPROVED: _____

Erin Delaney, MPA, RMC Richard Rigoglioso, Mayor

City Manager/City Clerk

Introduced: September 28, 2021

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-370

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2903
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ALCOHOLIC BEVERAGES" TO INCREASE LICENSE FEES

was introduced and passed at a meeting held on Tuesday, September 28, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2903

AN ORDINANCE TO AMEND CHAPTER 73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ALCOHOLIC BEVERAGES" TO INCREASE LICENSE FEES

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to increase certain fees for liquor license applications for liquor licenses and renewals.

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

SECTION 1. Chapter 73 of the City Code of the City of Garfield, entitled 'Alcoholic Beverages" is hereby amended to read as follows:

§73-2 Fee for plenary retail consumption license.

The annual fee for a plenary retail consumption license shall be in the sum of $1,080.00.

§73-3 Fee for plenary retail distribution license.

The annual fee for a plenary retail distribution license shall be in the sum of $1,080.00.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

Section 4. All other provisions of Chapter 73 of the Code of the City of Garfield are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____ APPROVED: _____

Erin Delaney, MPA, RMC Richard Rigoglioso, Mayor

City Manager/City Clerk

Introduced:

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-371

RESOLUTION BY:
SECONDED BY:

INTRODUCE ORDINANCE #2904
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

SICK LEAVE DOCUMENTATION ORDINANCE

was introduced and passed at a meeting held on Tuesday, September 28, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2904

SICK LEAVE DOCUMENTATION ORDINANCE

WHEREAS, the City of Garfield ("City") is concerned about a lack of transparency associated with use of sick leave by employees; and

WHEREAS, the City is concerned that there have been occasions in which employees have used sick leave for improper purposes; and

WHEREAS, the City is concerned that prolonged absences from work by employees that use sick leave inappropriately are harmful to the morale of the City workforce and harmful to the City's ability to properly fulfill its governmental function; and

WHEREAS, the City desires to substantiate and confirm that the use of sick leave is not being abused by employees; and

WHEREAS, the City wishes to continue to allow employees to use sick leave whenever necessary and in accordance with the law and the well-being of such employees; and

WHEREAS, the City wishes to comply in all respects with the New Jersey Earned Sick Leave Law.

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

SECTION 1. Short Title.

This Ordinance may be referred to as the Sick Leave Documentation Ordinance.

SECTION 2. Definitions.

"Certified Domestic Violence Specialist" means a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals.

"Child" means a biological, adopted, or foster child, stepchild or legal ward of an employee, child of a domestic partner or civil union partner of the employee.

"Designated domestic violence agency" means a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services.

"Domestic or sexual violence" means stalking, any sexually violent offense, as defined in section 3 of P.L.1998, c.71 (C.30:4-27.26), or domestic violence as defined in section 3 of P.L.1991, c.261 (C.2C:25-19) and section 1 of P.L.2003, c.41 (C.17:29B-16).

"Domestic partner" means a domestic partner as defined in section 3 of P.L.2003, c.246 (C.26:8A-3).

"Family member" means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

"Health care professional" means any person licensed under federal, State, or local law, or the laws of a foreign nation, to provide health care services, or any other person who has been authorized to provide health care by a licensed health care professional, including but not limited to doctors, nurses and emergency room personnel.

"Parent" means a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or of the employee's spouse, domestic partner, or civil union partner, or a person who stood in loco parentis of the employee or the employee's spouse, domestic partner, or civil union partner when the employee, spouse or partner was a minor child.

"Sibling" means a biological, foster, or adopted sibling of an employee.

"Spouse" means a husband or wife.

SECTION 3. Documentation Required

In connection with sick leave used by an employee in the amount of three (3) or more consecutive days, the employee's supervisor shall require, and the employee shall provide upon request, documentation substantiating the need for the use of sick time in accordance with the following:

Reason for Leave	**Documentation Required**
1. Time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee; or 2. Time needed for the employee to aid or care for a family member of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member	Documentation signed by a health care professional who is treating the employee or the family member of the employee indicating the need for the leave and, if possible, number of days of leave.
Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member: medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence.	1. Medical documentation; or 2. A law enforcement agency record or report; or 3. A court order; or 4. Documentation that the perpetrator of the domestic or sexual violence has been convicted of a domestic or sexual violence offense; or 5. Certification from a certified Domestic Violence Specialist or a representative of a designated domestic violence agency or other victim services organization; or 6. Other documentation or certification provided by a social worker, counselor, member of the clergy, shelter worker, health care professional, attorney, or other professional who has assisted the employee or family member in dealing with the domestic or sexual violence.
Time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place	A copy of the order of the public official or the determination by the health authority.

of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others.	
Time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.	Tangible proof of the school-related conference, meeting, function, or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the education of the employee's child; or tangible proof of the meeting regarding care provided to the child of the employee in connection with the child's health conditions or disability

Should an employee fail, upon request from the employee's supervisor in accordance herewith, to provide the required documentation set forth in this Section in connection with a period of sick leave spanning three (3) or more consecutive days, the employee shall be subject to discipline in the discretion of the City.

Section 4. Confidentiality

Any information the City comes to possess regarding the health of an employee or any family member of the employee or domestic or sexual violence affecting an employee or employee's family member shall be treated as confidential and not disclosed except to the affected employee or with the written permission of the affected employee.

Section 5. Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 6. Effective Date

This Ordinance shall take effect immediately upon final passage.

Section 7. Effect on Collective Bargaining Agreement

Nothing in this Ordinance shall operate to amend, deny, or alter any provision of an applicable collective bargaining agreement.

ATTEST: _____ APPROVED: _____

Erin Delaney, MPA, RMC Richard Rigoglioso, Mayor

City Manager/City Clerk

Introduced: September 28, 2021

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-372

RESOLUTION BY:
SECONDED BY:

RE-INTRODUCE ORDINANCE #2905
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

CHAPTER 284 STORMWATER CONTROL ORDINANCE

was introduced and passed at a meeting held on Tuesday, September 28, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2905

CHAPTER 284 STORMWATER CONTROL ORDINANCE

Section 284-1. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section 284-2.

C. Applicability

1. This ordinance shall be applicable to the following major developments:

   a. Non-residential major developments; and
   b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

2. This ordinance shall also be applicable to all major developments undertaken by the City of Garfield.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section 284-2. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include

the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"CAFRA Centers, Cores or Nodes" means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

"CAFRA Planning Map" means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

"Community basin" means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

"Compaction" means the increase in soil bulk density.

"Contributory drainage area" means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

"Core" means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

"County review agency" means an agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

"Department" means the Department of Environmental Protection.

"Designated Center" means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

"Design engineer" means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq*.

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee

(SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 et seq.

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department’s Landscape Project as approved by the Department’s Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;

2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

"Motor vehicle" means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

"Motor vehicle surface" means any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

"Municipality" means any city, borough, town, township, or village.

"New Jersey Stormwater Best Management Practices (BMP) Manual" or "BMP Manual" means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section 284-4.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

"Node" means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

"Nutrient" means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

"Person" means any individual, corporation, company, partnership, firm, association, City of Garfield, or political subdivision of this State and any state, interstate or Federal agency subject to municipal jurisdiction pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

"Pollutant" means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance

(except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq*.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

"Recharge" means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

"Regulated impervious surface" means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

"Regulated motor vehicle surface" means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or
   quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

"Sediment" means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

"Site" means the lot or lots upon which a major development is to occur or has occurred.

"Soil" means all unconsolidated mineral and organic material of any origin.

"State Development and Redevelopment Plan Metropolitan Planning Area (PA1)" means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

"State Plan Policy Map" is defined as the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

"Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities or conveyed by snow removal equipment.

"Stormwater management BMP" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area" means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Section 284-3. Design and Performance Standards for Stormwater Management Measures

A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:

1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Section 284-4. Stormwater Management Requirements for Major Development

A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 284-10.

B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly Helonias bullata (swamp pink) and/or Clemmys muhlnebergi (bog turtle).

C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 284-4.P, Q and R:

1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.

D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section 284-4.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:

1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section 284-4.O, P, Q and R to the maximum extent practicable;

3. The applicant demonstrates that, in order to meet the requirements of Section 284-4.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under 284-4.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section 284-4.O, P, Q and R that were not achievable onsite.

E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management

Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section 284-4.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 **Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity**				
Best Management Practice	**Stormwater Runoff Quality TSS Removal Rate (percent)**	**Stormwater Runoff Quantity**	**Groundwater Recharge**	**Minimum Separation from Seasonal High Water Table (feet)**
Cistern	0	Yes	No	--
Dry Well[a]	0	No	Yes	2
Grass Swale	50 or less	No	No	2[e] 1[f]
Green Roof	0	Yes	No	--
Manufactured Treatment Device[a] [g]	50 or 80	No	No	Dependent upon the device
Pervious Paving System[a]	80	Yes	Yes[b] No[c]	2[b] 1[c]
Small-Scale Bioretention Basin[a]	80 or 90	Yes	Yes[b] No[c]	2[b] 1[c]
Small-Scale Infiltration Basin[a]	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations [a] through [g] are found under Table 3)

Table 2 **Green Infrastructure BMPs for Stormwater Runoff Quantity** **(or for Groundwater Recharge and/or Stormwater Runoff Quality** **with a Waiver or Variance from N.J.A.C. 7:8-5.3)**				
Best Management Practice	**Stormwater Runoff Quality TSS Removal Rate (percent)**	**Stormwater Runoff Quantity**	**Groundwater Recharge**	**Minimum Separation from Seasonal High Water Table (feet)**
Bioretention System	80 or 90	Yes	Yes[(b)] No[(c)]	2[(b)] 1[(c)]
Infiltration Basin	80	Yes	Yes	2
Sand Filter[(b)]	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond[(d)]	50-90	Yes	No	N/A

(Notes corresponding to annotations [(b)] through [(d)] are found under Table 3)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	**Stormwater Runoff Quality TSS Removal Rate (percent)**	**Stormwater Runoff Quantity**	**Groundwater Recharge**	**Minimum Separation from Seasonal High Water Table (feet)**
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device[(h)]	50 or 80	No	No	Dependent upon the device
Sand Filter[(c)]	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

Notes to Tables 1, 2, and 3:

(a) subject to the applicable contributory drainage area limitation specified at Section 284-4.O.2;
(b) designed to infiltrate into the subsoil;
(c) designed with underdrains;
(d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
(e) designed with a slope of less than two percent;
(f) designed with a slope of equal to or greater than two percent;
(g) manufactured treatment devices that meet the definition of green infrastructure at Section 2;
(h) manufactured treatment devices that do not meet the definition of green infrastructure at Section 2.

G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section 284-6.B. Alternative stormwater management measures may be used to satisfy the requirements at Section 284-4.O only if the measures meet the definition of green infrastructure at Section 284-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 284-4.D is granted from Section 284-4.O.

H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high-water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

I. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high-water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have

parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 284-8.C;

3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 284-8; and
5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.

J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section 284-2 may be used only under the circumstances described at Section 284-4.O.4.

K. Any application for a new agricultural development that meets the definition of major development at Section 284-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections 284-4.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 284-4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Bergen County Clerk. A form of deed notice shall be submitted to the City of Garfield for approval prior to filing.

The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 284-4.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 284-10.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded

document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 284-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Bergen County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.

2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section 284-4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section 284-4.F. and/or an alternative stormwater management measure approved in accordance with Section 284-4.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	**Maximum Contributory Drainage Area**
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section 284-4.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section 284-4.G.

4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section 284-4.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section 284-4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section 284-4.P, Q and R.

5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government

agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section 284-4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section 284-4.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 284-5, either:

    i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
    ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.

3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.

4. The following types of stormwater shall not be recharged:

    i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
    ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:

    i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.

3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.

4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

   $R = A + B – (A \times B) / 100$,
   Where

   R = total TSS Percent Load Removal from application of both BMPs, and
   A = the TSS Percent Removal Rate applicable to the first BMP
   B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section 284-4.P, Q and R.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 284-5, complete one of the following:

   i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
   ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
   iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The

percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or

iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Section 284-5. Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:

i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for SmallWatersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Section 5.A.1.i and the Rational and Modified Rational Methods at Section 5.A.1.ii. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer

verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.

4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds or other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

Section 284-6. Sources for Technical Guidance:

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

2. Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

C. Additional Technical Guidance for stormwater management measures can be obtained from the following:

a. The "Standards for Soil Erosion and Sediment Control in New Jersey" promulgated by the State Soil Conservation Committee and incorporated into N.J.A.C. 2:90. Copies of these standards may be obtained by contacting the State Soil Conservation Committee or any of the Soil Conservation Districts listed in N.J.A.C. 2:90-1.3(a)4. The location, address, and telephone number of each Soil Conservation District may be obtained from the State Soil Conservation Committee, P.O. Box 330, Trenton, New Jersey 08625; (609) 292-5540 or the Bergen County Soil Conservation District, 700 Kinderkamack Road, Suite 106, Oradell, NJ 07649, (201)261-4407; and

b. The Rutgers Cooperative Extension Service, 732-932-9306; and

Section 284-7. Solids and Floatable Materials Control Standards:

A. Site design features identified under Section 284-4.F above, or alternative designs in accordance with Section 284-4.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 284-7.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or

ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;

ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility,

manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or

v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section 284-8. Safety Standards for Stormwater Management Basins:

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.

B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section 8.C.1, 8.C.2, and 8.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:

i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;

iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.

2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

3. Stormwater management BMPs shall include escape provisions as follows:

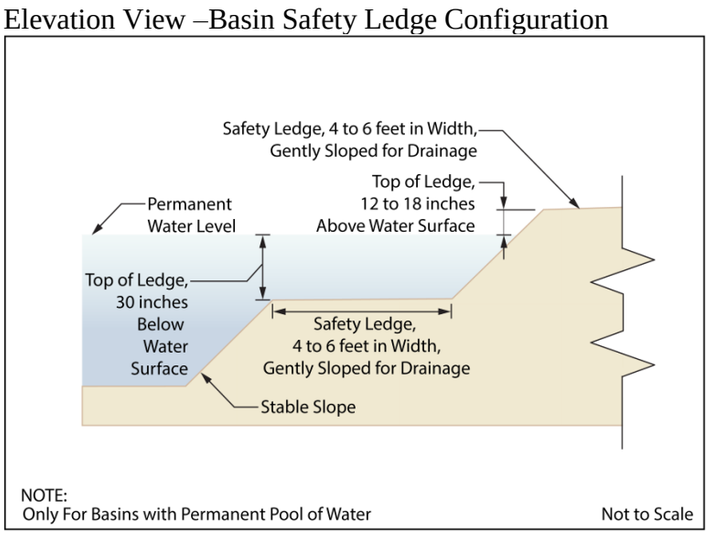
i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to 8.C, a free-standing outlet structure may be exempted from this requirement;
ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section 284-9. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 284-9.C below as part of the submission of the application for approval.

2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.

3. The applicant shall submit four copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 284-9.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

   The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

   A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

   A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

   This plan shall provide a demonstration of how the goals and standards of Sections 284-3 through 284-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 4 of this ordinance.
ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 284-10.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the city's review engineer, waive submission of any of the requirements in Section 9.C.1 through 9.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section 284-10. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section 1.C of this ordinance shall comply with the
requirements of Section 10.B and 10.C.

B. General Maintenance

1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.

2) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in the City of Garfield Municipal Stormwater Management Plan, City of Garfield Stormwater Pollution Prevention Plan, and Chapter 8 of the NJ BMP

Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.

3) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.

4) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

5) If the party responsible for maintenance identified under Section 10.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section 10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

6) Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

7) The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:

   i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
   ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
   iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section 10.B.6 and 10.B.7 above.

8) The requirements of Section 10.B.3 and 10.B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

9) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the City of Garfield shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the City engineer or his designee. The City, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the City of Garfield or Bergen County may immediately proceed to do so and shall either bill the cost thereof to the responsible person, enforce penalties and/or liens as determined by the City and described below.

10) Authorized representatives of the City of Garfield, including, but not limited to, the City Engineer, Director of the Department of Public Works and Building Department Official may enter the site as needed in order to conduct onsite inspections as discussed in Section 10.D. The inspections shall be required to review and confirm that the information filed in the required reports as stated in Section 10.B.6 are correct. Additional inspections and reviews may be made as deemed appropriate by the City.

C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

D. The maintenance plan shall specifically provide a specific municipal right of access, which may include stormwater easements or covenants. The maintenance access shall be provided by the property owner(s) for access regarding facility inspections and maintenance, as required. Easements and covenants shall be recorded with the City of Garfield and at the Clerk's Office in Bergen County prior to issuance of a permit.

E. Any alteration in maintenance responsibility or alterations to maintenance plans and agreements must be reviewed and approved by the City of Garfield Board that reviewed the application under this ordinance in consultation with the City Engineer, Director of the Department of Public Works and Building Department Official.

F. All maintenance information and alterations to maintenance agreements shall be recorded with the office of the City of Garfield Building Department Official as described in Section 10.B.8. Copies of all maintenance agreements and alterations to maintenance agreements shall be included in the Applicant's stormwater management plans and documents. Recording of the maintenance agreements in accordance with this ordinance shall be the responsibility of the owner.

Section 284-11. Penalties:

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this chapter shall be subject to the following penalties: A fine not to exceed $500 per day for the first offense and a fine not to exceed $1,000 per day with the possibility of imprisonment for the second and subsequent offenses.

Section 284-12. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section 284-13. Effective Date:

This chapter shall take effect immediately upon the approval by the county review agency, or 60 days from the receipt of the ordinance by the county review agency if the county review agency should fail to act.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: August 17, 2021

Re-introduced: September 28, 2021

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-373

RESOLUTION BY:
SECONDED BY:

RE-INTRODUCE ORDINANCE #2906
SECOND READING

WHEREAS, a public notice has been given by the City Clerk that an ordinance entitled:

AN ORDINANCE TO AMEND §226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, "PARKING" SPECIFICALLY AMENDING §226-22 ENTITLED "RESTRICTED STREETS"

was introduced and passed at a meeting held on Thursday, October 14, 2021 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2906

AN ORDINANCE TO AMEND §226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, "PARKING" SPECIFICALLY AMENDING §226-22 ENTITLED "RESTRICTED STREETS"

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend §226 of the City Code of the City of Garfield to restrict the parking on the portion of Palisades Avenue between Midland Ave. and Passaic St.;

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

SECTION 1. §226-23 of the City Code of the City of Garfield, entitled '**Restricted Streets**', is hereby amended to add the following:

§ 226-23. Restricted Streets

Pursuant to the provisions of this article and based upon the findings of the Chief of Police, or his designee, made in accordance therewith, no person who does not hold a parking permit issued in accordance with the terms of this article shall park any vehicle on the following described streets or portions thereof in the City of Garfield between the hours and on the days indicated:

Name of Street	Side	Hours/Days	Location
Palisade Ave	Both	Monday-Saturday 9a.m.–7p.m.	Midland Ave. to Passaic St.

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. All other provisions of §226 of the Code of the City of Garfield are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____ APPROVED: _____

Erin Delaney, MPA, RMC Richard Rigoglioso, Mayor

City Manager/City Clerk

Introduced: October 14, 2021

Adopted:

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-374

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVAL OF BILLS AND CLAIMS

BE IT RESOLVED by the City Council of the City of Garfield that the following Bills No. 2291 and 2298 covering Community Policing Trust Fund, Trust Fund and Dog Trust Fund totaling $45,113.17 and the Current Fund Reserve totaling $5,856.85 and Current Fund totaling $2,507,759.62 and Water Fund totaling $13,570.72 and the General Capital Fund totaling $26,447.01 and the Water Capital Fund totaling $498,816.08 per attached Computer Lists, dated September 24, 2021, 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 eighty-seven (87) items prior to the meeting be ratified.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-375

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING REFUND OF STREET OPENING BOND

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year; and

WHEREAS, a deposit has been received from 45 Summit Avenue, LLC. for 45 Summit Avenue, Block 84, Lot 13 in the City of Garfield, Bergen County, New Jersey, in the amount of $2,500.00 for said Street Opening Bond on June 19, 2018; and

WHEREAS, said funds are being held in the Trust Other Fund; and

WHEREAS, the Building Inspector has investigated this deposit and has 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.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-376

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZE REFUND DUE TO OVERPAYMENT

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpayment for the year 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	Q	OWNER	REASON	AMOUNT
85	44		Lereta, LLC	O/P	$2,570.00

and;

BE IT FURTHER RESOLVED, that Resolution R-21-333 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-377

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZE REFUND DUE TO OVERPAYMENT

WHEREAS, the Receiver of Sewer reports that she has received a request from the following property owner for a refund due to sewer over payment for the year 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Sewer for the purpose of noting her records and for mailing to the property owner.

SEWER ACCT #	OWNER	REASON	AMOUNT
2-5-7	NEWHOUSE, DONALD & TERRI	O/P SEWER	$120.00

and;

BE IT FURTHER RESOLVED, that Resolution R-21-334 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-378

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO LEGAL SERVICES AGREEMENT WITH KENNEDY & MADONNA, LLP; SL ENVIRONMENTAL LAW GROUP PC; DOUGLAS & LONDON, P.C.; LEVIN, PAPANTONIO, THOMAS, MITCHELL, RAFFERTY, & PROCTOR, P.A.; AND RAYMOND LESNIAK, ESQ. (COLLECTIVELY THE "FIRMS")

WHEREAS it is in the best interest of the City of Garfield to enter into a legal services agreement with the Firms for the purpose of investigating and assessing potential claims arising out of the presence of contaminants in water supply wells affecting the City of Garfield's water systems and to represent the City of Garfield in any resulting legal actions; and

WHEREAS the terms of the agreement are outlined in the legal services agreement submitted by the Firms on file in the City Manager/City Clerk's Offices as Exhibit A; and

WHEREAS the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS the Mayor and Council of City of Garfield authorize the City Manager, Erin Delaney, to enter into the legal services agreement with the Firms as provided in Exhibit A;

NOW, THEREFORE, BE IT RESOLVED that on the 26th day of October 2021, the City of Garfield approves the authorization of the City Manager, Erin Delaney, to enter into a legal services agreement with the Firms as outlined in Exhibit A.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-379

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING BOSWELL ENGINEERING TO PERFORM CONSTRUCTION COORDINATION SERVICES FOR THE GARFIELD WATER METER REPLACEMENT PROJECT-PHASE 1 IN CONJUNCTION WITH THE WATER SYSTEM OPERATOR AND WATER SYSTEM TECHNICIAN

WHEREAS, the City of Garfield is replacing 35% of the water meters and installing an automated reading and billing system; and

WHEREAS, this project will also result in obtaining accurate lead water service information which is now required by the NJDEP as part of the State of New Jersey's initiative to eliminate all lead water services by 2031; and

WHEREAS, the City will retain a water technician to perform the majority of the daily inspection work but other necessary services remain, including the review of shop drawings, RFI's, billing requisitions and coordination of the contractor's schedule;

NOW, THEREFORE, BE IT RESOLVED that Boswell Engineering be and is hereby authorized to perform the requisite construction coordination services for a fee not to exceed $30,000.00 to be paid out of the Water Capital budget.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-380

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING A CONTRACT TO DS MEYER ENTERPRISES, LLC FOR THE CONSTRUCTION OF A RETAINING WALL AT THE 20TH CENTURY FIELD SPECIAL NEEDS PLAYGROUND

WHEREAS, the City of Garfield installed an ADA Special Needs Playground at 20th Century Field utilizing grants from the New Jersey Office of Green Acres; and

WHEREAS, following the installation of the playground and resilient rubber surface it was determined a retaining wall should be installed; and

WHEREAS, Boswell Engineering secured four (4) quotations for the work noted above and the lowest quote was submitted by DS Meyer Enterprises, LLC in the amount of $15,875; and

WHEREAS, the City DPW subsequently performed a portion of the proposed work relating to tree removal, thereby reducing the proposed fee to $14,675.00;

NOW, THEREFORE, BE IT RESOLVED that DS Meyer Enterprises, LLC be and is hereby awarded a contract for the revised amount of $14,675.00 to be paid out of the General Capital budget.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-381

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING BOSWELL ENGINEERING TO PERFORM ADDITIONAL ENVIRONMENTAL, DESIGN AND NJDEP PERMITTING COORDINATION SERVICES IN CONNECTION WITH THE RIVER DRIVE PHASE 2 IMPROVEMENT PROJECT

WHEREAS, the City of Garfield is addressing the requirements of the NJDEP, NJDOT and County of Bergen in connection with the preparation of a set of detailed bid documents for the above referenced project; and

WHEREAS, the City must address new comments and concerns raised by these agencies;

NOW, THEREFORE, BE IT RESOLVED the City of Garfield hereby authorizes Boswell Engineering to perform the required additional services for a fee not to exceed $50,000.00 to be paid out of the General Capital budget.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-382

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING BOSWELL ENGINEERING TO PROVIDE DESIGN AND INSPECTION IN CONNECTION WITH THE 2021 NJDOT MUNICIPAL AID/SEMEL AVENUE ROAD IMPROVEMENTS

WHEREAS, the City of Garfield received a NJDOT Municipal Aid grant in the amount of $249,175.00; and

WHEREAS, the total estimated construction cost for this project is $500,000.00; and

WHEREAS, Boswell Engineering submitted a proposal dated July 6, 2021 to perform the required design and inspection services in accordance with the requirements of NJDOT to publicly bid and oversee the construction of this improvement;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield hereby authorizes Boswell Engineering to perform the required design and inspection services for this project in accordance with the terms of their proposal dated July 6, 2021, for a fee not to exceed $100,000.00 to be paid out of the General Capital budget utilizing a bond ordinance to be adopted.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-383

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A MONTH TO MONTH CONTRACT WITH CLEANING WORLD, INC.

WHEREAS, the City of Garfield desires to employ a company for cleaning services for City Hall, the Recreation Department, and the Health Center; and

WHEREAS, quotes were solicited and walk-throughs were conducted for any interested parties; and

WHEREAS, four companies submitting quotes as follows:

Cleaning World, Inc.	$1,560.00 per month
Nivianti Cleaning Services LLC	$2,063.32 per month
Maverick Building Services	$3,283.66 per month
American Cleaner	$4,504.00 per month

NOW, THEREFORE, BE IT RESOLVED that the City Manager/City Clerk be and is hereby authorized to enter into a month to month contract with Cleaning World, Inc. on a month to month basis at the monthly rate of $1,560.00.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-384

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR THE GARFIELD MUNICIPAL ALLIANCE GRANT FOR FY23

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the City Council of the City of Garfield, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and, therefore, has an established Municipal Alliance Committee; and

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the City of Garfield, County of Bergen, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Garfield Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	$ 5754.10
Cash Match	$ 1438.53
In-Kind	$ 4315.58

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-385

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION OF SUPPORT FROM THE CITY OF GARFIELD TO SUBMIT AN APPLICATION AND ABIDE BY CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES (ROID) FY2022 GRANT PROGRAM

WHEREAS, the City of Garfield desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately $11,715.20 to carry out a project to pursue an inclusive soccer league for young adults and other individuals with disabilities to promote physical fitness and social connection with their peers. City of Garfield will provide matching funds not to exceed $2,928.80 (a 20% match of the total project cost, which will be approximately $14,644);

NOW, THEREFORE, BE IT RESOLVED that the City Manager and City Council do hereby authorize the preparation and submission of such a grant; and

BE IT FURTHER RESOLVED that the City Manager and City Council do hereby recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, in this case, the City Manager and City Council do further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Garfield and the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-386

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZE REFUND DUE TO OVERPAYMENT

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owner for a Refund due to CBJ for the year 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices be and are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
38.05	16	MC LEOD, BRYAN	O/P	$238.07
119.05	212	CULI, SAIMIR & NERTIL	O/P	$2,314.00

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-387

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZE REFUND DUE TO OVERPAYMENT

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpayment for the year 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices be and are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	Q	OWNER	REASON	AMOUNT
161	21		Kinney, John & David	O/P	$1,373.00

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____
Erin Delaney, MPA, RMC Dated
City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-388

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN (D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR THE 2021 ROAD PROGRAM

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2021 Road Program; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design as on file in the City Clerk's Office; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of the City of Garfield authorize the City Manager to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2021 Road Program as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor & City Council of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2021 Road Program in an amount not to exceed $162,500.00 to be paid out of the general capital bond ordinance to be adopted for the 2021 Road Program; and

BE IT FURTHER RESOLVED that Resolution 21-269 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-389

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARCARI AND IOVINO ARCHITECTS P.C. TO PROVIDE ARCHITECTURAL SERVICES FOR THE GARFIELD PUBLIC LIBRARY INTERIOR RENOVATIONS

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Arcari and Iovino Architects P.C to provide architectural services for the Garfield public library interior renovations; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Arcari and Iovino Architects P.C as on file in the City Clerk's Office; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of the City of Garfield authorize the City Manager to enter into an agreement with Arcari and Iovino Architects P.C to provide architectural services for the Garfield public library interior renovations as outlined in their proposal; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor & City Council of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to enter into an agreement with Arcari and Iovino Architects P.C. to provide architectural services for the Garfield public library interior renovations as outlined in their proposal in an amount not to exceed $21,500.00 to be paid out of Bond Ordinance #2869; and

BE IT FURTHER RESOLVED that Resolution 21-264 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-390

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN (D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR THE COLUMBUS PARK IMPROVEMENTS

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Columbus Park Improvements; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design as on file in the City Clerk's Office; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of the City of Garfield authorize the City Manager to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Columbus Park Improvements as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor & City Council of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Columbus Park Improvements in an amount not to exceed $95,000.00 to be paid out of the general capital bond ordinance to be adopted for the Columbus Park Improvements; and

BE IT FURTHER RESOLVED that Resolution 21-265 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-391

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN (D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR THE FIREHOUSE BASKETBALL COURT IMPROVEMENTS

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Firehouse Basketball Court Improvements; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design as on file in the City Clerk's Office; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of the City of Garfield authorize the City Manager to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Firehouse Basketball Courts Improvements as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor & City Council of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Firehouse Basketball Courts Improvements in an amount not to exceed $30,000.00 to be paid out of the general capital bond ordinance to be adopted for the Firehouse Basketball Courts Improvements; and

BE IT FURTHER RESOLVED that Resolution 21-267 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-392

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN (D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR THE JEWELL STREET PLAYGROUND UPGRADES

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Jewell Street Playground Upgrades; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design as on file in the City Clerk's Office; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of the City of Garfield authorize the City Manager to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Jewell Street Playground Upgrades as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor & City Council of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Jewell Street Playground Upgrades in an amount not to exceed $75,000.00 to be paid out Bond Ordinance #2866; and

BE IT FURTHER RESOLVED that Resolution 21-268 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-393

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN (D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR THE MUNICIPAL MS4 – TIER A PERMITTING

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Municipal MS4 – Tier A Permitting; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design as on file in the City Clerk's Office; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of the City of Garfield authorize the City Manager to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Municipal MS4 – Tier A Permitting as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor & City Council of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for Municipal MS4 – Tier A Permitting in an amount not to exceed $90,000.00 to be paid out of the Water Budget ordinance to be adopted; and

BE IT FURTHER RESOLVED that Resolution 21-266 be and is hereby rescinded.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-394

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

REJECTING ALL BIDS FOR THE FIREHOUSE BASKETBALL COURT IMPROVEMENTS IN THE CITY OF GARFIELD RECEIVED AND OPENED ON SEPTEMBER 23, 2021

WHEREAS, on September 13, 2021 the City of Garfield issued bid plans and specifications for the Firehouse Basketball Court Improvements Project; and

WHEREAS, on September 23, 2021 the City of Garfield publicly opened sealed bids received for the Firehouse Basketball Court Improvements Project; and

WHEREAS, only one (1) sealed bid was received and opened on September 23, 2021 from Zenith Construction Services Inc.; and

WHEREAS, the total base bid price submitted by Zenith Construction Services Inc. was $98,325.00; and

WHEREAS, the total base bid price submitted by Zenith Construction Services Inc. was determined to exceed the Engineer's Estimate and the City of Garfield budget for the Firehouse Basketball Court Improvements Project; and

WHEREAS, the Local Public Contracts Law authorizes a Municipality to reject all bids for various reasons including when the lowest bid substantially exceeds the cost estimate; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that all of the bids submitted in response to the request for bids for the Firehouse Basketball Court Improvements Project be and are hereby rejected.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-395

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

REQUESTING PERMISSION BY DEDICATION BY RIDER FOR "DONATIONS FOR PARK BENCHES" – NJSA 40A:5-29

WHEREAS, permission is required of the Director of the Division of the Local Government Services for approval as a dedication by rider of revenues received by a city when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, NJSA 40A:4-39 provides the City of Garfield, County of Bergen, State of New Jersey, for receipt of general donations for park benches; and

WHEREAS, NJSA 40A:5-29 provides the dedicated revenues anticipated by the City of Garfield Donations, are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or another legal requirement;

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to accept donations for acquisition of park benches and appropriate the same in the dedicated trust fund.
2. The Clerk in the City of Garfield, County of Bergen, State of New Jersey is hereby directed to forward two certified copies of this resolution to the Director of Local Government Services.

and;

BE IT FURTHER RESOLVED that Resolution 21-072 be and is hereby rescinded.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-396

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

CANCELLATION OF STALED CHECKS

WHEREAS, the Chief Financial Officer of the City of Garfield has identified the following checks to be stale; and

WHEREAS, the Chief Financial Officer has been deemed to cancel of record the following checks which are dated prior to July 15, 2020;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that all balances shall be treated as MRNA, as to the treasurer's bank statement reconciliation:

Payroll Account 800741811

Check #	Dollar Amount
40471	$ 216.00
40488	$ 780.00
45500	$ 100.00
40671	$ 100.00
40691	$ 100.00
41372	$ 100.00
41385	$ 60.00
41462	$ 1,722.16
41748	$ 100.00
41969	$ 745.30
42292	$ 1,185.00
42360	$ 120.00
42548	$ 867.60
43127	$ 175.00
43164	$ 100.00

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-397

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJSA 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of $20,000.00 which is now available from the State of New Jersey 2020 ROID Grant; and

BE IT FURTHER RESOLVED, that the sum of $20,000.00 is hereby appropriated under the caption State of New Jersey 2020 ROID Grant; and

BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey 2020 ROID Grant, in the amount of $20,000.00.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-398

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJSA 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of $6,000.00 which is now available from the State of New Jersey 2020 End of Year DWI Grant; and

BE IT FURTHER RESOLVED, that the sum of $6,000.00 is hereby appropriated under the caption State of New Jersey 2020 End of Year DWI Grant; and

BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey 2020 End of Year DWI Grant, in the amount of $6,000.00.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-399

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJSA 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of $7,500.00 which is now available from State of New Jersey DWI-Click It or Ticket Grant; and

BE IT FURTHER RESOLVED, that the sum of $7,500.00 is hereby appropriated under the caption State of New Jersey DWI-Click It or Ticket Grant; and

BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey DWI-Click It or Ticket Grant, in the amount of $7,500.00.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-400

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJSA 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of $28,927.46 which is now available from The State of New Jersey Neighborhood Preservation Program Grant; and

BE IT FURTHER RESOLVED, that the sum of $28,927.46 is hereby appropriated under the caption The State of New Jersey Neighborhood Preservation Program Grant; and

BE IT FURTHER RESOLVED, that the above is the result of funds from The State of New Jersey Neighborhood Preservation Program Grant, in the amount of $28,927.46.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-401

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

A RESOLUTION OF NO OBJECTION FOR THE INSTALLATION OF A REPLACEMENT MONITORING WELL ON LOT 1, BLOCK 119.04 (COLUMBUS PARK)

WHEREAS, the City of Garfield previously approved a monitoring well on Lot 1 Block, 119.4 in connection with environmental evaluation services being performed relating to nearby Lot 5, Block 216.111; and

WHEREAS, said monitoring well was damaged, thereby necessitating the sealing and installation of a replacement monitoring well to continue environmental testing and evaluation at this location; and

WHEREAS, the City is held harmless from any and all claims relating to this monitoring well and is further indemnified to defend any potential claim that may be brought against the City due to this monitoring well or associated activity relating to it;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield has no objection to the installation of replacement well requested by John Brennan, LSRP in his email dated October 4, 2021.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-402

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY'S PARTICIPATION IN OPIOID SETTLEMENTS

WHEREAS there have been ongoing negotiations to resolve Opioid litigation brought by states and local political subdivisions against the three largest pharmaceutical distributors and one manufacturer and its parent company; and

WHEREAS there are proposed settlements requiring the payment of billions of dollars to abate the opioid epidemic; and

WHEREAS each state decides whether to participate in the settlements and New Jersey has joined in the settlements; and

WHEREAS the subdivisions of each State must decide whether to participate in the settlements. Generally, the more subdivisions that participate, the greater the amount of funds that flow to that state and its participating subdivisions. Any subdivision that does not participate cannot directly share in any of the settlement funds**;** and

WHEREAS, the City of Garfield believes it is in the best interests of its residents to participate in the settlements so that the settlement funds can be used to address the opioid epidemic;

NOW, THEREFORE, BE IT RESOLVED by the City of Garfield, in the County of Bergen, in the State of New Jersey, on October 26, 2021 that the City elects to participate in the settlements and directs the City Manager and City Attorney to take the necessary steps to ensure the City's participation.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-403

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING TEMPORARY CITY-WIDE CURFEW

BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a 9:00 P.M. curfew is hereby established for the nights of October 30, 2021 and October 31, 2021 for all individuals under eighteen years of age, unless they are escorted by an adult; and

BE IT FURTHER RESOLVED that the Police Department is hereby authorized to enforce this curfew; and

BE IT FURTHER RESOLVED that the City Clerk be and is hereby authorized and directed to forward a copy of this approved resolution to the Police Chief.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-404

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 1 has advised that they have accepted Justin L. Ortiz of 21 William Street, Clifton, New Jersey, as a regular active member, effective September 22, 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 1 with respect to the above matter, be and is hereby approved.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-405

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING RESIGNATION OF ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 4 has advised that they have accepted the resignation of Dylan Swistak of 461 Grace Avenue, Garfield, New Jersey as an active member, effective October 1, 2021;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, be and is hereby approved.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-406

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING HANDICAP PARKING SPACE

WHEREAS, Simon Im, 23 Dewey Street, who is the holder of a Disabled Person I.D. Card No. P2417449, has filed application for a handicapped parking sign to be placed at his address; and

WHEREAS, the Police Department has investigated 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 Dewey Street commencing 275 feet east of the intersection of Dewey Street and Palisade Avenue and continue an additional 20 feet east from that point; and

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

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-407

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING HANDICAP PARKING SPACE

WHEREAS, Peter Barno, 111 Columbus Avenue, who is the holder of a Disabled Person I.D. Card No. P2406354, has filed application for a handicapped parking sign to be placed at his address; and

WHEREAS, the Police Department has investigated 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 Columbus Avenue commencing 243 feet east of the intersection of Columbus Avenue and Ray Street and continue an additional 18 feet east from that point; and

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

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-408

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING HANDICAP PARKING SPACE

WHEREAS, Deborah Hull, 234 Gaston Avenue, who is the holder of a Disabled Person I.D. Card No. P2224357, has filed application for a handicapped parking sign to be placed at her address; and

WHEREAS, the Police Department has investigated 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 Gaston Avenue commencing 336 feet south of the intersection of Gaston Avenue and Arnot Street and continue an additional 20 feet south from that point; and

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

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-409

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING HANDICAP PARKING SPACE

WHEREAS, Lisandro Rodriguez, 319 Palisade Avenue, who is the holder of a Disabled Person I.D. Card No. P2263069, has filed application for a handicapped parking sign to be placed at his address; and

WHEREAS, the Police Department has investigated 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 Palisade Avenue commencing 176 feet north of the intersection of Palisade Avenue and Belmont Avenue and continue an additional 20 feet north from that point; and

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

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-410

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING HANDICAP PARKING SPACE

WHEREAS, Thomas Hutton, 73 Pleasant Avenue, who is the holder of a Disabled Person I.D. Card No. P2246090, has filed application for a handicapped parking sign to be placed at his address; and

WHEREAS, the Police Department has investigated 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 Pleasant Avenue commencing 148 feet south of the intersection of Pleasant Avenue and Lanza Avenue and continue an additional 18 feet south from that point; and

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

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-411

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE EXECUTION OF A CONTRACT WITH MILLENNIUM STRATEGIES

WHEREAS, in the event of Presidentially Declared Disaster by the US Federal Emergency Management Agency and/or a State of Emergency or a State of a Public Health Emergency declared by the State of New Jersey, the City of Garfield may be entitled to reimbursements for costs incurred as a result of said events; and

WHEREAS, consultants with specified skill sets will need to be retained by the City of Garfield to provide technical and administrative services associated with obtaining said reimbursements on behalf of the City; and

WHEREAS, the firm of Millennium Strategies, LLC located at 60 Columbia Road, Building B, Suite 230, Morristown, New Jersey, 07960 has the necessary experience and expertise as a consultant to provide said services on behalf of the City of Garfield; and

WHEREAS, in accordance with its proposal dated October 26, 2021 Millennium Strategies, LLC will provide services at a blended hourly rate of $180.00 per hour; and

WHEREAS, the City of Garfield seeks to enter into a contract with Millennium Strategies, LLC to act as consultant on behalf of the City; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6, a contract may be awarded without public bidding regardless of the bid threshold in circumstances where an emergency affecting the public health, safety or welfare of our citizens requires the immediate delivery of goods or the performance of services;

NOW, THEREFORE, BE IT RESOLVED, by the of the City of Garfield, in the County of Bergen, New Jersey.

1. That an emergency is hereby declared to exist which will not permit for the advertisement for public bids, subject to the verification of funds by the Interim Chief Financial Officer of the City of Garfield.

2. That the City of Garfield, hereby enters into a contract with Millennium Strategies, LLC., at the blended hourly rate of $180.00.

3. The City Manager/City Clerk is hereby authorized to execute a contract with Millennium Strategies.

4. That the costs associated with the contract will be submitted as reimbursable costs for said disaster.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-412

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN (D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR THE SEMEL AVENUE DRAINAGE IMPROVEMENTS PROJECT

WHEREAS it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Semel Avenue Drainage Improvements Project; and

WHEREAS the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design as on file in the City Clerk's Office; and

WHEREAS the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS the Mayor and Council of City of Garfield authorize the City Manager, Erin Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Semel Avenue Drainage Improvements Project as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield approves the authorization of the City Manager, Erin Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Semel Avenue Drainage Improvements Project as outlined in their proposal, in an amount not to exceed $88,250.00 to be paid out of the General Capital budget through the bond ordinance to be adopted for the awarded Community Development Block Grant associated with this project.

I, Roy Riggitano, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

_____ October 25, 2021
Roy Riggitano, Interim Chief Financial Officer Dated

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____ _____

Erin Delaney, MPA, RMC Dated

City Manager/City Clerk

CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-413

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION TO APPROVE THE CONSENT AGENDA

BE IT RESOLVED, by the Mayor and Council of the City of Garfield that the actions noted in the Consent Agenda, Resolutions R-21-374 through R-21-413 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: October 26, 2021

_____
Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
Herrera				
Banch				
Delaney				
Rigoglioso				

This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 26th day of October 2021. Signed and sealed before me.

_____
Erin Delaney, MPA, RMC
City Manager/City Clerk

_____
Dated