

**SPECIAL MEETING
OF THE
CITY OF GARFIELD MAYOR AND COUNCIL
November 9, 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 transmitted on August 30, 2021 and published on September 1 and September 3, 2021.

3. ORDINANCES: SECOND READING

R-21-414 Re-Introduce Ord. #2893

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

R-21-415 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-21-416 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-21-417 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**

4. CONSENT AGENDA:

- | | |
|----------|---|
| R-21-418 | Authorizing the City Manager/City Clerk to Enter into an Agreement with the Bergen County Trust Fund Project – Jewell Street Park |
| R-21-419 | Authorize Emergency Sanitation Services -Servpro |
| R-21-420 | Awarding Contract for Bid for the Acquisition of Various Water Parts Inclusive of Clamps, Gate Valves, Fire Hydrants and Other Products |
| R-21-421 | Authorize Emergency Trailer Services – Willscot |
| R-21-422 | Authorizing Payment to Samuel Stothoff Co. for Emergency Well Work at Well #5 |
| R-21-423 | Authorize Emergency Repair Services – A-1 Alling Contracting, LLC. |
| R-21-424 | Authorize Coin Toss Event – Fire Company No.2 |
| R-21-425 | Resolution to Approve the Consent Agenda |

5. PUBLIC HEARING:

6. COUNCIL REPORTS:

7. EXECUTIVE SESSION:

8. ADJOURNMENT:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-414**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #2893
SECOND READING**

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

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

was introduced and passed at a meeting held on Tuesday, October 26, 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: November 9, 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 9th day of November 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**

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

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 is 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: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: August 17, 2021

Tabled: September 28, 2021

Re-Introduced: October 26, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-415**

RESOLUTION BY:

SECONDED BY:

**INTRODUCE ORDINANCE #2907
SECOND READING**

WHEREAS, a public notice has been given by the City Clerk 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

was introduced and passed at a meeting held on Tuesday, October 26, 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: November 9, 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 9th day of November 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: October 26, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-416**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #2908
SECOND READING**

WHEREAS, a public notice has been given by the City Clerk 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

was introduced and passed at a meeting held on Tuesday, October 26, 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: November 9, 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 9th day of November 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: October 26, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-417**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #2909
SECOND READING**

WHEREAS, a public notice has been given by the City Clerk 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

was introduced and passed at a meeting held on Tuesday, October 26, 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: November 9, 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 9th day of November 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: October 26, 2021

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-418**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**AUTHORIZING THE CITY MANAGER/CITY CLERK TO ENTER INTO AN
AGREEMENT WITH BERGEN COUNTY TRUST FUND PROJECT – JEWELL
SREET PARK**

BE IT RESOLVED, that the Mayor and Council of the City of Garfield wish to enter into a Bergen County Trust Fund Project Contract (“Contract”) with the County of Bergen for the purpose of using a \$195,963.00 matching grant award from the 2021 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled Jewell Street Park: Removal of Wood-Chip Surface for Rubberized Playground located in Block 193 Lot 27 on the tax maps of the City of Garfield; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize City Manager/City Clerk Erin Delaney to be a signatory to the aforesaid Contract; and

BE IT FURTHER RESOLVED, that the Mayor and Council hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about February 16, 2023; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund’s requirements; and

BE IT FURTHER RESOLVED, that the Mayor and Council acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible construction costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund’s requirements. Professional Services Costs may be reimbursed from grant award’s unexpended balance, should there be a balance.

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

Roy Riggitano, Interim Chief Financial Officer

November 8, 2021
Dated

APPROVED: November 9, 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 9th day of November 2021. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-419**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

AUTHORIZE EMERGENCY SANITATION SERVICES – SERVPRO

WHEREAS, on July 8, 2021 and thereafter, the Department of Public Works experienced immense flooding in their building as a result of torrential rainfalls; and

WHEREAS, it was determined that the Department of Public Works did not have the resources to complete the sanitation and repairs in house; and

WHEREAS, the effects of the flooding were posing a risk to the health and safety of the Department’s employees; and

WHEREAS, ServoPro of NW. Bergen and E. Rockland Counties was contacted by the Superintendent of the Department of Public Works to complete the sanitation services with the authorization of the City Manager and CFO upon the declaration of an emergency situation by the City Engineer;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield do hereby approve the emergency sanitation services cost not to exceed \$20,588.38 for the completed work, which is also to be submitted for reimbursement through insurance.

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

Roy Riggitano, Interim Chief Financial Officer

November 8, 2021
Dated

APPROVED: November 9, 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 9th day of November 2021. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-421**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

AUTHORIZE EMERGENCY TRAILER SERVICES – WILLSCOT

WHEREAS, on July 8, 2021 and thereafter, the Department of Public Works experienced immense flooding in their building as a result of torrential rainfalls; and

WHEREAS, on September 1, 2021 the Department of Public Works also experienced the effects of Hurricane Ida; and

WHEREAS, the effects of the flooding were posing a risk to the health and safety of the Department's employees; and

WHEREAS, the Department of Public Works is an essential department within the City and needed the necessary space to continue to operate without interruption or services; and

WHEREAS, Willscot was contacted by the Superintendent of the Department of Public Works, with the authorization of the City Manager and CFO upon the declaration of an emergency situation by the City Engineer, to supply trailer rentals for the Department to operate out of while the necessary repair work took place within the building;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield do hereby approve the emergency trailer services cost not to exceed \$30,000.00, which is also to be submitted for reimbursement through both the City's insurance and through FEMA.

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

Roy Riggitano, Interim Chief Financial Officer

November 8, 2021

Dated

APPROVED: November 9, 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 9th day of November 2021. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-422**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

**AUTHORIZING PAYMENT TO SAMUEL STOTHOFF CO. FOR EMERGENCY
WELL WORK AT WELL #5**

WHEREAS, emergency services were required to repair Well #5 to maintain the public health, safety, and welfare of our residents; and

WHEREAS, Samuel Stothoff provided emergency repair services at Well #5 for a fee of \$8,390.60; and

WHEREAS, said emergency services were successfully completed under the direction of Willard Bierwas, Water/Sewer Facilities Manager;

NOW, THEREFORE, BE IT RESOLVED payment is hereby authorized to Samuel Stothoff Co. for an amount of \$8,390.60.

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

Roy Riggitano, Interim Chief Financial Officer

November 8, 2021
Dated

APPROVED: November 9, 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 9th day of November 2021. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-423**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**AUTHORIZE EMERGENCY REPAIR SERVICES – A-1 ALLING CONTRACTING,
LLC.**

WHEREAS, on September 1, 2021 the Department of Public Works experienced the effects of Hurricane Ida; and

WHEREAS, the effects of the flooding were posing a risk to the health and safety of the Department's employees; and

WHEREAS, the Department of Public Works is an essential department within the City and needed the necessary space to continue to operate without interruption or services; and

WHEREAS, A-1 Alling Contracting, LLC. was contacted by the Superintendent of the Department of Public Works as directed by our insurance provider, with the authorization of the City Manager and CFO upon the declaration of an emergency situation by the City Engineer, to complete repair work within the building;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield do hereby approve the emergency repair services at a cost not to exceed \$150,000.00, which is also to be submitted for reimbursement through both the City's insurance and through FEMA.

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

Roy Riggitano, Interim Chief Financial Officer

November 8, 2021
Dated

APPROVED: November 9, 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 9th day of November 2021. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-424**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AUTHORIZE COIN TOSS EVENT
GARFIELD FIRE DEPARTMENT**

WHEREAS, a request has been made by the Garfield Fire Department to hold a Coin Toss event on Saturday, November 13th, 2021 from 8AM-6PM at the following locations:

Midland Avenue and Outwater Lane
Outwater Lane and River Drive
Shopping Center Drive and Passaic Street
Midland Avenue and River Drive

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield do hereby authorize the Garfield Fire Department to conduct the Coin Toss events during the hours of 8AM to 6PM at the locations listed above contingent on the approval from the County for applicable intersections, which must be made available to the Clerk's Office and the Chief of Police prior to the event; and

BE IT FURTHER RESOLVED, that the following regulations put forth by the Garfield Police Department are to be followed:

1. No one is permitted to be in the roadway to solicit from motorists. A barrel may be placed in the center on the yellow lines for motorists to throw money into.
2. Placement and retrieval of the barrel may only be done by someone over the age of 18. That person must wear properly sized ANSI 107-2004 (or later) class 2 or 3 high visibility apparel. Wearing non-ANSI approved apparel will be reason for immediate cessation of the event.
3. Juveniles (persons under 17) may be present but must remain at a safe distance and location from the street.
4. At no time shall the solicitation stop or impede the flow of traffic.
5. Signs advertising the solicitation may be placed about 500 feet in advance. Signs must be temporary, break-away, and a maximum of 16 square feet.

APPROVED: November 9, 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 9th day of November 2021. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-21-425**

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-21-418 through R-21-425 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: November 9, 2021

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag				
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Banch				
Delaney				
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This resolution was approved by the Mayor and Council of the City of Garfield at a special meeting held on the 9th day of November 2021. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated