

**REGULAR MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
AUGUST 16, 2022
5:00P.M.**

1. CALL TO ORDER:

2. ROLL CALL:

3. FLAG SALUTE

4. STATEMENT OF COMPLIANCE:

Whereas, Chapter 231 of the Public Laws of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read by the presiding officer.

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 on January 10, 2022 and published on January 13, 2022. A notice of time change was posted on July 8, 2022 and published on July 12, 2022.

5. CEREMONIAL RESOLUTION:

R-375-22 Ceremonial Resolution Recognizing Jenna Filieri

6. POLICE DEPARTMENT SWEARING-IN CEREMONY:

7. RESOLUTION:

R-375-22 Approving Liquor License Transfer – Person to Person – 0221-33-040-002

8. ORDINANCES:

R-377-22 **FIRST READING**
Introduce Ord. #2950

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 333, WATER, ARTICLE I, RATES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-378-22 Introduce Ord. #2951

AN ORDINANCE TO REPEAL PART II, GENERAL LEGISLATION, CHAPTER 341, ZONING, ARTICLE V, USE REGULATIONS, SECTION 341-12, USES PROHIBITED IN ANY DISTRICT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-379-22 **SECOND READING**
Introduce Ord. #2931

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN AS 933-975 RIVER DRIVE,

**ALSO KNOWN AS BLOCK 140, LOTS 90.01 AND 100.01
PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

R-380-22 Introduce Ord. #2948

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF GARFIELD ADOPTING A REDEVELOPMENT PLAN
FOR THE PROPERTY KNOWN 67, 69, 73 AND 77 PASSAIC
STRET, ALSO KNOWN AS BLOCK 24.01, LOTS 5.01, 8
AND 10 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

R-381-22 Introduce Ord. #2949

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF GARFIELD ADOPTING A REDEVELOPMENT PLAN
FOR THE PROPERTY KNOWN 69 HEPWORTH PLACE,
ALSO KNOWN AS BLOCK 34.02, LOT 28 PURSUANT TO
N.J.S.A. 40A:12A-1 ET SEQ.**

9. CONSENT AGENDA:

- R-382-22 Designating Petty Cash Custodian – Police Department
- R-383-22 Authorizing a One Year Contract for Professional Services of Labor and Litigation Attorney for the City of Garfield for the 2022 Calendar Year
- R-384-22 Authorizing a One Year Contract for Professional Services of City Attorney for the City of Garfield for the 2022 Calendar Year
- R-385-22 Approval of Bills and Claims
- R-386-22 Authorizing a Professional Services Contract for Special Counsel Tax Appeal Litigation to Cleary, Giacobbe, Alfieri & Jacobs, LLC.
- R-387-22 Awarding Construction Contract to DLS Contracting Inc., for the 2022 Road Program Project
- R-388-22 Grantee Authorizing Resolution 2021 Jewell Street Park Improvement Project
- R-389-22 Supporting the Submission of an Application and Abiding by Concessions of the New Jersey Department of Community Affairs Recreational Opportunities for Individuals with Disabilities (ROID) FY2023 Grant Program
- R-390-22 Authorizing Payment to Samuel Stothoff Co. for an Emergency Pump End Replacement on Well #5
- R-391-22 Awarding Construction Contract for the Semel Avenue Storm Sewer Videoing and Cleaning Project
- R-392-22 Approving Refund of Street Opening
- R-393-22 Approving Tax Overpayment Refund
- R-394-22 Requesting Permission for the Dedication by Rider for Recreational Purposes Required by DLGS
- R-395-22 Requesting Approval of Items of Revenue and Appropriation NJS A 40A:4-87
- R-396-22 Requesting Approval of Items of Revenue and Appropriation NJS A 40A:4-87
- R-397-22 Requesting Approval of Items of Revenue and Appropriation NJS A 40A:4-87
- R-398-22 Requesting Approval of Items of Revenue and Appropriation NJS A 40A:4-87
- R-399-22 Authorizing Cancelling Old Outstanding Checks

- R-400-22 Requesting Cancelling Grant Receivable and Appropriation Balances
- R-401-22 Authorizing the Tax Collector to Sell Delinquent Municipal Taxes
- R-402-22 Authorizing Participation in the 2022 New Jersey Department of Community Affairs American Rescue Plan Firefighter Grant Program
- R-403-22 Approving Regular Active Member – Fire Department
- R-404-22 Requesting Cancelling Loan Receivable
- R-405-22 Confirming Endorsement of CDBG Application from Greater Bergen Community Action (GBCA) For Ada Improvements at the Garfield Unity Health Partnership Site
- R-406-22 Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-407-22 Authorizing Resolution to Accept Consent Agenda

10. PUBLIC HEARING:

11. MAYOR AND COUNCIL COMMENTS:

12. ADJOURNMENT:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-375-22**

RESOLUTION BY:

SECONDED BY:

CEREMONIAL RESOLUTION RECOGNIZING JENNA FILIERI

WHEREAS, Jenna Filieri, a resident of the City of Garfield and a student at Immaculate Conception High School in Lodi, New Jersey, started wrestling her freshman year when the school decided to start an all-girls team; and

WHEREAS, some of Jenna’s stats for this season include NJ 2022 State Champion at 152 lb. division, first ever for Immaculate Conception, First Place at the Garfield Holiday Tournament in the 152 lb. division, All Women’s County Champion at 152 making her the two-time County Champ, and 2nd Place at the North Region Tournament 152 lb. division; and

WHEREAS, a list of Jenna’s stats over the years include, two-time County Champ, three-time region place winner, two-time state place winner, State Champ and a career record of 41-12; and

WHEREAS, the City Council is desirous of publicly recognizing the accomplishments of this Champion of the “City of Champions”;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Jenna Filieri is hereby congratulated and publicly recognized for her keen competitive spirit and steadfast dedication to excellence, as demonstrated by her many wrestling championships and accomplishments.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-376-22**

RESOLUTION BY:

SECONDED BY:

APPROVING LIQUOR LICENSE TRANSFER – PERSON TO PERSON

0221-33-040-002

WHEREAS, an application has been filed for a Person to Person Transfer application of Plenary Retail Consumption License No. 0221-33-040-002, from Sai Dhristy, LLC, t/a BJ's Polonia, 126 Ray Street (Rajendrakumar R. Patel, 327 Miller Street, Saddle Brook, New Jersey 07663 who owns 67% of the shares of the Corporation and Gaurangkumar J. Patel, 27 Miller Street, Saddle Brook, New Jersey 07663 who owns 33% of the Corporation) to Ray Liquor Corporation, 126 Ray Street, t/a Ray's Liquors (Antonio Gonzalez, 29 Irving Place, Garfield, New Jersey 07026 who will own 50% of the shares of the Corporation and Karen Shih Reyes, 29 Irving Place, Garfield, New Jersey 07026 who will own 50% of the shares of the Corporation), located at 126 Ray Street, Garfield, New Jersey 07026; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing; and

WHEREAS, a "Tax Clearance - Transfer Certificate" has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective August 17, 2022, the transfer of the aforesaid Plenary Retail Consumption License No. 0221-33-040-002 to Ray Liquor Corporation, 126 Ray Street, t/a Ray's Liquors (Antonio Gonzalez, 29 Irving Place, Garfield, New Jersey 07026 who will own 50% of the shares of the Corporation and Karen Shih Reyes, 29 Irving Place, Garfield, New Jersey 07026 who will own 50% of the shares of the Corporation), located at 126 Ray Street, Garfield, New Jersey 07026, and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Ray Liquor Corporation, t/a Ray's Liquors located at 126 Ray Street, Garfield, NJ 07026, effective August 17, 2022".

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, live entertainment or discotheque be used in connection with this license; (A fee of \$200.00 was collected for the State of New Jersey in connection with the person to person and place to place license transfer, and a fee of \$90.00 was collected for the City of Garfield in connection with the person to person license transfer).

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-377-22**

RESOLUTION BY:

SECONDED BY:

INTRODUCE ORDINANCE #2950

FIRST READING

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 333, WATER, ARTICLE I, RATES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

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, September 13, 2022 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard; and

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: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2950**

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 333, WATER, ARTICLE I, RATES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, Chapter 333, Water, Article I, Rates, establishes the rates for water usage in the City of Garfield; and

WHEREAS, the City of Garfield desires to increase the rates for all water services by 4%; and

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 333, Water, Article I, Rates, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 333, Water, Article I, Rates, is hereby amended to read as follows (new rates indicated in **bold**):

§ 333-1. Private dwellings.

A. The water rates for private dwelling houses shall hereinafter be as follows:

- (1) One-family dwelling: **\$20.40** per quarter for 1,000 cubic feet or less.
- (2) Two-family dwelling: **\$47.61** per quarter for 2,000 cubic feet or less.
- (3) Three-family dwelling: **\$74.82** per quarter for 3,000 cubic feet or less.
- (4) Four-family dwelling: **\$102.02** per quarter for 4,000 cubic feet or less.

B. For each family in one house exceeding four families, add **\$24.96** per quarter and 1,000 cubic feet or less for each additional family.

C. For all water consumed in excess of the stated amount per quarter, the following excess usage rate shall apply:

	Quarterly Consumption Level	
User Class	(cubic feet)	Rate per 1,000 Cubic Feet
All users	Up to 6,000	\$27.21
All users	Over 6,000 but less than 8,000	\$27.78
All users	Over 8,000 but less than 10,000	\$28.34
All users	Over 10,000	\$28.91

D. Special rates for senior citizens. For all properties owned by senior citizens and which qualify for a senior citizen tax deduction pursuant to the provisions of N.J.S.A. 54:4-8.40 et seq., the rates shall be as follows:

- (1) One-family dwelling: **\$10.40** per quarter for 1,000 cubic feet or less.
- (2) All other rate provisions, including excess usage rate, shall be as set forth above.

§ 333-2. Factories and small businesses.

The minimum rate for factories, restaurants, taverns and other small businesses shall be **\$24.96** per quarter for 500 cubic feet; for all water consumed in excess of the stated amount per quarter the excess usage rate per schedule in § 333-1C shall apply.

§ 333-3. Churches and parochial schools.

The water rates for all churches shall be **\$21.84** per quarter, and the water rates for all parochial schools shall be **\$21.84** per quarter.

§ 333-4. Schools.

The water rates for schools shall be as follows:

School	Fire	Water
No. 3	\$96.36	\$200.65
No. 4	\$96.36	\$200.65
No. 5	\$96.36	\$200.65
No. 6	\$96.36	\$200.65
No. 7	\$96.36	\$200.65
No. 8	\$96.36	\$200.65
No. 9	\$96.36	\$200.65
High school	\$192.71	\$700.58

§ 333-5. Municipal and public buildings.

The water rates for all municipal and public buildings shall be as follows:

Building	Rate
City Hall	\$36.28
City Garage	\$90.69
Police Station	\$29.47
Public Library	\$145.10
All firehouses	\$24.94

§ 333-6. Buildings under construction.

The water rates for buildings under construction shall be **\$200.65**.

§ 333-7. Unusual buildings over three stories.

For mills, factories, school buildings or any dwelling or other building of unusual type or over three stories high, the following rate shall apply: **\$184.08**.

§ 333-8. Standby charges for businesses.

Standby charges for businesses shall be **\$397.28** per quarter. Standby charges for businesses located outside the City of Garfield shall be **\$458.64** per quarter.

§ 333-9. Special rates for buildings outside City.

For water consumed and furnished to buildings located outside the City limits of the City of Garfield, the rate shall be **\$55.41** per 1,000 cubic feet.

§ 333-10. Fire service connections; detector check valve.

A. There are hereby established the following rates for fire service connections to the municipal water system of the City of Garfield installed for the use of private persons, firms, corporations or other entities. The rates for each quarter in every year shall be paid by the owner of any house, tenement, building, structure or lot when the utility is available for use at said house, tenement, building, structure or lot.

Size of Connection

(inches)	Quarterly Charge
2	\$120.16
2 1/2	\$179.11
3	\$289.91
4	\$360.48
6	\$960.16
8	\$1,099.59
10	\$1,796.76
12	\$2,390.76

B. Any private person, corporation or other entity which maintains a fire service connection to the municipal water system of the City of Garfield shall be required to install a detector check valve at the location of the connection. This detector check valve shall be installed at the cost and expense of the person, firm, corporation or other entity. The City of Garfield Water Department shall have the right at any reasonable time, to inspect said detector check valve in order to ensure that it is operating properly.

§ 333-11. Quarterly service charges.

A. There are hereby established the following quarterly service charges for all service connections:

(1) Service connections less than or equal to one inch: \$11 per quarter.

(2) Service connections in excess of one inch: \$22 per quarter.

B. The Water Department shall charge the owner or water consumer a service fee as set forth herein in addition to the normal charges for consumption of water. These service charges are to be paid by the owner of any house, tenement, building, structure or lot where said water utility is available for use at the house, tenement, building, structure or lot.

C. The quarterly service charge shall entitle the water consumer or property owner to have a service connection from delivery main to curb box repaired and maintained by the Garfield Water Department, provided that said curb box is not located on the private property of the owner or consumer. Repair and maintenance by the Garfield Water Department shall include the cost of relaying any service main where required at the discretion of the Water Department, and the breaking and replacement of any pavement where necessary. The responsibility of the Garfield Water Department shall include the repair of any leaks occurring between the delivery main and the curb box.

D. The responsibility of service connections from the curb box into the metered premises shall be determined by the location of the curb box:

(1) If the curb box is located within the curblines and on the private property of the owner or consumer, it shall be the responsibility of the owner or consumer. However, water meters for service connections less than or equal to one inch shall be the responsibility of the Garfield Water Department.

(2) If the curb box is located on property other than that of the owner or consumer, it shall be the responsibility of the Garfield Water Department.

E. The owner of the property or consumer at the premises where a meter has been installed by the Garfield Water Department shall protect from freezing, abuse and neglect or other injury, water meters, service pipes and sundry equipment. Where replacement, repair or adjustment of any meter becomes necessary due to an act of repeated neglect of or intentional damage by the

owner or consumer at any premises, such expense to the Water Department based on the Garfield Water Department's time and materials shall be charged to and collected from the owner or consumer at said premises.

F. Defective materials installed by the Garfield Water Department, where there has been no neglect, abuse or other damage caused by the owner or consumer, shall be the responsibility of the Garfield Water Department.

§ 333-12. Billing periods; lien for charges.

A. Quarters.

(1) Charges for use of water and service shall be quarterly and the quarters of each year shall be divided into specific periods as follows:

(a) January, February and March.

(b) April, May and June.

(c) July, August and September.

(d) October, November and December.

(2) If an application is made to connect or disconnect within any of the quarters, a full quarterly rate shall be charged, with no prorating by reason of the commencement of use or ending of use at a time which shortens the full quarter.

B. The Water Department shall render quarterly bills within 10 days after the end of each quarter for the various services covered under this chapter, and the persons liable for the payment thereof shall make payment to the Water Collector of the City of Garfield before the expiration of 30 days after the end of the quarter. Failure to pay upon the due date shall render the owner liable to a penalty in the sum of 10% per annum upon the amount due.

C. The owner of any house, tenement, building, structure or lot, when said utilities herein mentioned are available for the use of said house, tenement, building, structure or lot, shall be liable for the payment of the charges fixed herein, and the charges shall be a lien upon said house, tenement, building, structure or lot until paid and satisfied.

D. In the event that payment for water charges is in arrears for two billing quarters, the City of Garfield shall send to the owner, occupier, user or responsible party (that person, firm or corporation to whom water charges are being billed), a notice by certified mail, return receipt requested, and also by regular mail. Said notice shall advise the responsible party, as described above, that water service will be terminated 30 days from the date of the notice if full payment, including all accrued interest, is not made. In the event that full payment is not received within that thirty-day period, the water service shall be discontinued until payment in full has been made as aforesaid. In the event that service is discontinued, in addition to the payment of all outstanding charges and interest, there shall be an additional charge of **\$136.14** for reconnection. This fee must be paid in full prior to reconnection of service.

E. If any charge remains in arrears for six months, the Water Department shall notify the Tax Collector of the details thereof, and the Tax Collector shall draw a statement showing such arrearages and file the same in his office, whereupon said charge shall be a lien upon the real estate to which the utility was furnished and in connection with which the charges were incurred to the same extent as taxes are a lien upon real estate in the municipality and shall be collected and enforced by the same officers and in the same manner as liens for taxes.

§ 333-13. Right to enter into separate contracts.

The City reserves the right to enter into separate contracts with any person, firm or corporation provided for within the terms of this chapter for the use of water and water service.

§ 333-14. Exclusive right to connect to City water main.

The City of Garfield shall have the exclusive right to connect and tap in a service to water mains owned and maintained by the City of Garfield. The following rates shall prevail for connecting such service and/or tapping the City of Garfield water mains:

Size of Connection (inches)	Connection Fee Per Service or Tap
3/4	\$1,000
1	\$1,500
2	\$2,000
4	\$3,000
6	\$4,500
8	\$7,500

§ 333-15. Bypass meters.

There are hereby established the following rates for bypass meters used in connection with the municipal water system of the City of Garfield. The following rates for each quarter in every year are to be paid by the owner of any house, tenement, building, structure or lot when said utility is available for the use of same:

Size (inches)	Quarterly Rate
1 1/2 to 2	\$396.76

Section 2. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced:

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-378-22**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #2951
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO REPEAL PART II, GENERAL LEGISLATION, CHAPTER 341, ZONING, ARTICLE V, USE REGULATIONS, SECTION 341-12, USES PROHIBITED IN ANY DISTRICT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

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, September 13, 2022 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard; and

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: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2951**

AN ORDINANCE TO REPEAL PART II, GENERAL LEGISLATION, CHAPTER 341, ZONING, ARTICLE V, USE REGULATIONS, SECTION 341-12, USES PROHIBITED IN ANY DISTRICT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 341, Zoning, Article V, Section 341-12, Uses prohibited in any district, is hereby amended as follows:

Section 1. The current text of the City Ordinance, Part II General Legislation, Chapter 341 Zoning, Article V Use Regulations, Section 341-12 Uses prohibited in any district, Subsection G, The sale of marijuana and paraphernalia associated with marijuana use is hereby prohibited within the City of Garfield, is hereby repealed in its entirety.

Section 2. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced:

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-379-22**

RESOLUTION BY:

SECONDED BY:

**RE-INTRODUCE ORDINANCE #2931
SECOND READING**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN AS 933-975
RIVER DRIVE, ALSO KNOWN AS BLOCK 140, LOTS 90.01 AND 100.01 PURSUANT
TO N.J.S.A. 40A:12A-1 ET SEQ.**

was introduced and passed at a meeting held on Tuesday, July 19, 2022 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: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2931**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN AS 933-975
RIVER DRIVE, ALSO KNOWN AS BLOCK 140, LOTS 90.01 AND 100.01 PURSUANT
TO N.J.S.A. 40A:12A-1 ET SEQ.**

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

SECTION I Pursuant to the “Local Redevelopment and Housing Law,” N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the Garfield City Council (“City Council”), by Resolution No. 21-140 adopted on April 21, 2021, determined that properties whose address is 933 River Drive, also known as Block 140, Lots 90.01 and 100.01, as shown on the City Tax Maps as an area in need of redevelopment pursuant to the Redevelopment Law (the “Redevelopment Area”).

SECTION II A Redevelopment Plan for the Redevelopment Area has been prepared by Francis Reiner, LLA, PP of DMR Architects, entitled “933-975 River Drive Redevelopment Plan”, dated July 2022, which is attached hereto and made part of this Ordinance (the “Redevelopment Plan”).

SECTION III Prior to the adoption of this Ordinance and the Redevelopment Plan, the City Council shall refer the Redevelopment Plan to the Planning Board pursuant to the Redevelopment Law.

SECTION IV The Planning Board shall, within 45 days after referral by the City Council, transmit to the City Council, a report containing its recommendation concerning the Redevelopment Plan pursuant to the Redevelopment Law.

SECTION V Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the City Council shall act upon this Ordinance adopting the Redevelopment Plan pursuant to the Redevelopment Law.

SECTION VI The City Council hereby adopts the Redevelopment Plan for Redevelopment Area.

SECTION VII Upon adoption of this Ordinance, the Redevelopment Plan shall include the date of adoption of this Ordinance.

SECTION VIII This Ordinance shall take effect in accordance with applicable law.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: July 20, 2021

Re-introduced: April 26, 2022

Re-introduced: May 24, 2022

Tabled: June 14, 2022

Re-introduced: July 19, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-380-22**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #2948
SECOND READING**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 67, 69, 73
AND 77 PASSAIC STRET, ALSO KNOWN AS BLOCK 24.01, LOTS 5.01, 8 AND 10
PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

was introduced and passed at a meeting held on Tuesday, July 19, 2022 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: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2948**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 67, 69, 73
AND 77 PASSAIC STRET, ALSO KNOWN AS BLOCK 24.01, LOTS 5.01, 8 AND 10
PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

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

SECTION I Pursuant to the “Local Redevelopment and Housing Law,” N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the Garfield City Council (“City Council”), by Resolution R-288-22 adopted on June 28, 2022, determined that properties whose address is 67, 69, 73 and 77 Passaic Street, also known as Block 24.01, Lots 5.01, 8 and 10, as shown on the City Tax Maps as an area in need of redevelopment pursuant to the Redevelopment Law (the “Redevelopment Area”).

SECTION II A Redevelopment Plan for the Redevelopment Area has been prepared by Gregory Associates, LLC entitled “Champions Crossing Redevelopment Plan”, dated July 2022, which is attached hereto and made part of this Ordinance (the “Redevelopment Plan”).

SECTION III Prior to the adoption of this Ordinance and the Redevelopment Plan, the City Council shall refer the Redevelopment Plan to the Planning Board pursuant to the Redevelopment Law.

SECTION IV The Planning Board shall, within 45 days after referral by the City Council, transmit to the City Council, a report containing its recommendation concerning the Redevelopment Plan pursuant to the Redevelopment Law.

SECTION V Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the City Council shall act upon this Ordinance adopting the Redevelopment Plan pursuant to the Redevelopment Law.

SECTION VI The City Council hereby adopts the Redevelopment Plan for Redevelopment Area.

SECTION VII Upon adoption of this Ordinance, the Redevelopment Plan shall include the date of adoption of this Ordinance.

SECTION VIII This Ordinance shall take effect in accordance with applicable law.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: July 19, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-381-22**

RESOLUTION BY:

SECONDED BY:

**INTRODUCE ORDINANCE #2949
SECOND READING**

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 69 HEPWORTH PLACE, ALSO KNOWN AS BLOCK 34.02, LOT 28 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

was introduced and passed at a meeting held on Tuesday, July 19, 2022 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: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2949**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 69 HEPWORTH PLACE, ALSO KNOWN AS BLOCK 34.02, LOT 28 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

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

SECTION I Pursuant to the “Local Redevelopment and Housing Law,” N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the Garfield City Council (“City Council”), by Resolution No. 21-245 adopted on December 21, 2021, determined that properties whose address is 69 Hepworth Place, also known as Block 34.02, Lot 28, as shown on the City Tax Maps as an area in need of redevelopment pursuant to the Redevelopment Law (the “Redevelopment Area”).

SECTION II A Redevelopment Plan for the Redevelopment Area has been prepared by Francis Reiner, LLA, PP of DMR Architects, entitled “69 Hepworth Place Redevelopment Plan”, dated July 2022, which is attached hereto and made part of this Ordinance (the “Redevelopment Plan”).

SECTION III Prior to the adoption of this Ordinance and the Redevelopment Plan, the City Council shall refer the Redevelopment Plan to the Planning Board pursuant to the Redevelopment Law.

SECTION IV The Planning Board shall, within 45 days after referral by the City Council, transmit to the City Council, a report containing its recommendation concerning the Redevelopment Plan pursuant to the Redevelopment Law.

SECTION V Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the City Council shall act upon this Ordinance adopting the Redevelopment Plan pursuant to the Redevelopment Law.

SECTION VI The City Council hereby adopts the Redevelopment Plan for Redevelopment Area.

SECTION VII Upon adoption of this Ordinance, the Redevelopment Plan shall include the date of adoption of this Ordinance.

SECTION VIII This Ordinance shall take effect in accordance with applicable law.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: July 19, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-382-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

DESIGNATING PETTY CASH CUSTODIAN – POLICE DEPARTMENT

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in the City of Garfield, County of Bergen by application and resolution; and

WHEREAS, the Mayor and Council of the City of Garfield, County of Bergen to established such funds via resolution R-11-2022; and

WHEREAS, due to the retirement of Police Chief Kovach, there is a need to designate an assigned custodian;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that Officer in Charge Richard Uram be and is hereby assigned as custodian of the petty cash fund of the Garfield Police Department.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-383-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AUTHORIZING A ONE-YEAR CONTRACT FOR PROFESSIONAL SERVICES OF
LABOR AND LITIGATION ATTORNEY FOR THE CITY OF GARFIELD FOR THE
2022 CALENDAR YEAR**

WHEREAS, it is deemed necessary for the City of Garfield engage the professional services of an attorney to represent the City of Garfield in its employment, labor, litigation and tax matters for the year 2022; and

WHEREAS, the duties of the City's Labor and Litigation Attorney shall include, but not be limited to: represent the City in all employment, labor, litigation and tax matters, handle employment issues such as discipline and grievances, negotiate labor contracts with local bargaining units; advise and consult on employment policies, represent the City in all civil litigation matters in which the City is a party or is interested, other than when represented by the City's insurance defense counsel; represent the City in tax appeals; promptly report to the Mayor and Council all lawsuits and claims brought against the City; attend meetings of the Mayor and Council as requested; Render all opinions in writing as requested and as far as is practicable; and

WHEREAS, the City's Special Litigation and Labor Attorney shall be compensated \$99,151.00, excluding additional compensation in the amount of not to exceed \$225.00 per hour for certain litigation, labor, tax and employment matters as more specifically set forth in the Professional Services Contract between the City and Lavin & Associates, P.C.; and

WHEREAS, funds to pay said professional are available by way of budget and bond ordinance to compensate said attorney; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) require that a resolution authorizing the appointment for professional services without competitive bids must be properly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garfield that the City's Special Litigation and Labor Attorney for the calendar year 2022 is hereby designated as John J. Lavin, Esq., of the law firm of Lavin & Associates, P.C.; and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to publish a copy of this Resolution to The Record within ten (10) days from the date herein.

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

Anders Hasseler, Chief Financial Officer

August 15, 2022

Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-384-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AUTHORIZING A ONE-YEAR CONTRACT FOR PROFESSIONAL SERVICES OF
CITY ATTORNEY FOR THE CITY OF GARFIELD FOR THE 2022 CALENDAR
YEAR**

WHEREAS, it is deemed necessary for the City of Garfield engage the professional services of an attorney to represent the City of Garfield for the year 2022 to oversee the legal department of the City of Garfield; and

WHEREAS, the duties of the City Attorney shall include, but not be limited to: Attorney shall serve as the head of the Legal Department; Attend all regularly scheduled meetings, executive sessions and special meetings of the Mayor and Council; Be charged with the performance of all legal services of the City, including those of legal advisor to the Mayor, Council and to all departments and offices of the City; Upon the request of the Mayor and Council, take the necessary steps to arrange for prosecution of violations of City ordinances; Represent the City in all matters, civil and criminal, in which the City is a party or is interested; Promptly report to the Mayor and Council all lawsuits brought against the City; Draft or review any ordinance and/or resolution when required by the Mayor and Council; Attend special and emergency meetings of the Mayor and Council; Render all opinions in writing as requested and as far as is practicable; Appoint special counsel to assist in preparation, trial or argument of any issue or in such other capacity as the Mayor and Council may deem appropriate; and

WHEREAS, the City Attorney shall be reimbursed a maximum of \$78,390.00, not including additional compensation in the amount of \$175.00 per hour for litigation and complex OPRA requests. In the event any legal services are required above and beyond the maximum amount, the attorney and/or law firm may make a request to undertake such tasks to the Governing Body, who shall consider the request and may approve such work under specified terms to be agreed upon by the parties; and

WHEREAS, funds to pay said professional are available by way of budget and bond ordinance to compensate said attorney; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et. seq.) require that a resolution authorizing the appointment for professional services without competitive bids must be properly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garfield that the City Attorney for the calendar year 2022 is hereby designated as Daniel R. Lagana, Esq.; and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to publish a copy of this Resolution to The Record within ten (10) days from the date herein.

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

Anders Hasseler, Chief Financial Officer

August 15, 2022

Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-385-22**

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, Current Year Reserve Totaling \$565.00 and the Current Fund Reserve totaling \$59,938.10 and the Current Fund totaling \$3,620,585.08 and the Water Fund totaling \$44,737.62 and the General Capital Fund totaling \$102,754.73 and the Water Capital Fund totaling \$75,852.99 and the Trust Other Street Opening Escrow Bond totaling \$60,155.49 and the State and Federal Grant Fund totaling \$15,927.29 per attached Computer Lists, dated August 11, 2022, 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 twenty-eight (28) items prior to the meeting be ratified.

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

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-386-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AUTHORIZING A PROFESSIONAL SERVICES CONTRACT FOR SPECIAL
COUNSEL TAX APPEAL LITIGATION TO CLEARY, GIACOBBE, ALFIERI &
JACOBS, LLC.**

WHEREAS, it is deemed necessary for the City of Garfield engage the professional services of an experienced Tax Appeal Counsel to represent the City of Garfield in various tax appeals filed by New Bridge Warehouse LLC, Docket No. 006038-2020, Docket No. 0518-2021, Docket No. 05308-2022, for the property located at 174 Passaic Street, otherwise known as, Block 18, Lot 25; and

WHEREAS, professional legal services are required to represent the City Council with respect to said appeals; and

WHEREAS, special expertise in tax appeal litigation is required in connection with such tax appeals and, by reason thereof, the City Council has determined that it is necessary to retain special counsel to serve as special litigation counsel until the matters are concluded; and

WHEREAS, the City of Garfield, on the recommendation of the City Manager, Tax Assessor, and the City real estate appraisal expert, finds that the law firm of Cleary, Giacobbe, Alfieri, & Jacobs, L.L.C., 169 Ramapo Valley Road, Oakland, New Jersey 07436, specializes in and has extensive expertise and experience in the defense of complex tax appeals on behalf of municipalities and that it would be in the best interests of the City to appoint the law firm as special counsel; and

WHEREAS, the City Manager has determined and certified in writing that the anticipated payments under said contract, may exceed \$17,500; and

WHEREAS, the Special Counsel has completed and submitted a Business Entity Disclosure Certification which certifies that the Special Counsel has not made any reportable contributions to a political or candidate committee pursuant to N.J.S.A. 19:44A-1 et seq., P.L. 2004, c.19, as amended by P.L. 2005, c.51, which would bar the award of this contract in the previous one-year period preceding the award of this contract, and that the contract will prohibit the Special Counsel from making any reportable contributions during the term of the contract; and

WHEREAS, funds to pay said professional are available by way of budget account 2-01-20-155-155-022 to compensate said attorney; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A: 11-1 et. seq.*) require that a resolution authorizing the appointment for professional services without competitive bids must be properly advertised;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garfield that:

1. The law firm of Cleary, Giacobbe, Alfieri, & Jacobs, L.L.C is hereby appointed as Special Counsel to represent the City Council in connection with the tax appeals filed against the City of Garfield by New Bridge Warehouse LLC, Docket No. 006038-2020, Docket No. 0518-2021, Docket No. 05308-2022, for the property located at 174 Passaic Street, otherwise known as, Block 18, Lot 25 at an hourly rate of \$150.00;
2. The City Manager is hereby authorized to execute the Agreement for Special Legal Services, a copy of which is on file in the Office of the City Clerk and is available for public inspection;

3. The City Clerk is hereby authorized and directed to cause to be published once in the official newspaper a brief notice stating the nature, duration, service and amount of the contract, and that the resolution and contract are on file and available.

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

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-387-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AWARDING CONSTRUCTION CONTRACT TO DLS CONTRACTING INC.,
FOR THE 2022 ROAD PROGRAM PROJECT**

WHEREAS, the City of Garfield solicited bids for the 2022 Road Program Project in accordance with the terms of the Bid Specifications and N.J.A.C. 7:26H-6 et. seq.; and

WHEREAS, Tuesday, August 9, 2022 at 10:00 AM, bids were opened in the presence of the CFO/QPA; and

WHEREAS, there were five (5) bids received with the low bidder for the project being DLS Contracting Inc., 36 Montesano Road, Fairfield, NJ 07004 with a Base Bid Amount of \$741,470.79 and Alternate Bid 'A' Amount of \$157,007.75 for a Total Bid Amount of \$898,478.54; and

WHEREAS, the City Engineer and the other appropriate City Officials have reviewed the bids and recommend an award of the contract for the Base Bid and Alternate Bid 'A' to DLS Contracting, Inc., as the lowest most responsible bid; and

WHEREAS, the Chief Financial Officer reviewed the available funding for the improvements and has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose by way of account C-04-55-222-925-001 and C-04-55-999-000-985; and

WHEREAS, this Project is funded by way of a capital improvements bond ordinance stated herein as provided by City of Garfield; and

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the City of Garfield;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield approves the authorization of the City Manager, Erin Delaney, to award the 2022 Road Program to DLS Contracting Inc., 36 Montesano Road, Fairfield, NJ 07004 the 2022 Road Program in the amount of \$898,478.54 and execute said contract.

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

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-388-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**GRANTEE AUTHORIZING RESOLUTION 2021 JEWELL STREET PARK
IMPROVEMENT PROJECT**

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 2020 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“Trust Fund”) for the municipal park project entitled 2021 Jewell Street Park Improvement Project 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 authorizes 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, Anders Hasseler, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-389-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**SUPPORTING THE SUBMISSION OF AN APPLICATION AND ABIDING BY
CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES
(ROID) FY2023 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 \$20,000 to carry out a project to expand upon the Sharing Garden Program that provides youth of all abilities with a hands-on, innovative experience that involves the cultivation of food items in a community garden. City of Garfield will provide matching funds not to exceed \$4,000 (a 20% match of the total project cost, which will be approximately \$20,000);

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

Anders Hasseler, Chief Financial Officer

August 15, 2022

Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-390-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**AUTHORIZING PAYMENT TO SAMUEL STOTHOFF CO. FOR AN EMERGENCY
PUMP END REPLACEMENT ON WELL #5**

WHEREAS, emergency services were required for a pump end replacement on Well #5; and

WHEREAS, Samuel Stothoff Co. provided emergency services at Well #5 for a fee of \$7,064.00 (Invoice #526152); and

WHEREAS, emergency services were successfully completed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that payment is hereby authorized to Samuel Stothoff Co. in the amount of \$7,064.00 to be paid out of C-06-55-586-000-901.

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

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-391-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AWARDING CONSTRUCTION CONTRACT FOR THE SEMEL AVENUE STORM
SEWER VIDEOING AND CLEANING PROJECT**

WHEREAS, on Friday August 12, 2022, at 10 AM, bids were opened in the presence of the City CFO/QPA and DPW Director; and

WHEREAS there were three (3) bids received with the low bidder for the project being Montana Construction Corp., of 80 Contant Avenue, Lodi, NJ 07644 for Base Bid in the amount of \$24,094.01; and

WHEREAS, the City Engineer and the other appropriate City Officials have reviewed the bids and recommend award of contract for the Base Bid; and

WHEREAS, the Chief Financial Officer reviewed the available funding for the improvements and has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose by way of account C-04-55-999-000-990; and

WHEREAS, this Project is funded by way of a capital improvements bond ordinance stated herein as provided by City of Garfield; and

WHEREAS, this project is in the best interest of the health, safety and welfare of the general public in the City of Garfield.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield approves the authorization of the City Manager, Erin Delaney, to award the Semel Avenue Storm Sewer Videoing and Cleaning Project to Montana Construction Corp., of 80 Contant Avenue, Lodi, NJ 07644 for Base Bid in the amount of \$24,094.01 and execute said contract.

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

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-392-22**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING REFUND OF STREET OPENING

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and her designee of the City of Garfield state that a Performance Guarantee 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 PLJ Property Management for 32 Bergen Street, Block 170.01 Lot 35.02 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on May 7, 2021 and 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, Anders Hasseler, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-393-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

APPROVING TAX OVERPAYMENT REFUND

WHEREAS the Receiver of Tax Collections reports that she has received a request from the following property owner for a Refund due to 100% Disabled Veteran.

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 Tax Collections for the purpose of noting her records and for mailing to the property owner.

BLOCK #	LOT#	OWNER	REASON	AMOUNT
64	54	CALDERIO, EDWARD & LINDA	O/P	\$5,630

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

Anders Hasseler, Chief Financial Officer

August 15, 2022
Dated

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-394-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR
RECREATIONAL PURPOSES REQUIRED BY DLGS**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, NJSA 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider;

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

1. The City Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the provisions of NJSA 40A:4-39, as amended by P.L. 1999, c. 292, for the exclusive purposes of depositing and expending funds paid by individuals to offset the costs of operating “fee-based” recreation programs.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward two certified copies of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-395-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 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 2022 in the sum of \$325.00 which is now available from New Jersey Historical Commission for the 2022 FY; and

BE IT FURTHER RESOLVED, that the sum of \$325.00 is hereby appropriated under the caption New Jersey Historical Commission; and

BE IT FURTHER RESOLVED, that the above is the result of funds from New Jersey Historical Commission, in the amount of \$325.00.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-396-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 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 2022 in the sum of \$10,500.00 which is now available from the NJ Division of Highway Traffic Safety; and

BE IT FURTHER RESOLVED, that the sum of \$10,500.00 is hereby appropriated under the caption the NJ Division of Highway Traffic Safety; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the NJ Division of Highway Traffic Safety, in the amount of \$10,500.00.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-397-22**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 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 2022 in the sum of \$15,000.00 which is now available from the FEMA; and

BE IT FURTHER RESOLVED, that the sum of \$15,000.00 is hereby appropriated under the caption FEMA ; and

BE IT FURTHER RESOLVED, that the above is the result of funds from FEMA, in the amount of \$15,000.00.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-398-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 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 2022 in the sum of \$5,754.10 which is now available from the Bergen County for the 2022-2023 FY; and

BE IT FURTHER RESOLVED, that the sum of \$5,754.10 is hereby appropriated under the caption Bergen County; and

BE IT FURTHER RESOLVED, that the above is the result of funds from Bergen County, in the amount of \$5,754.10.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-399-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

AUTHORIZING CANCELLING OLD OUTSTANDING CHECKS

WHEREAS, certain checks have been identified in the Current Fund, Water Utility, and trust fund bank accounts by the Chief Financial Officer as outstanding; and

WHEREAS, it is a normal financial practice to review the bank accounts for old outstanding items for cancelation with the balances to be returned to the Fund Balance; and

WHEREAS, it is necessary to formally cancel said checks so that the unnecessary balances ay be returned to the fund balance of the respective funds;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Garfield, County of Bergen, State of New Jersey that the following old outstanding checks, be cancelled:

Date of Check Issue	Check Number	Amount
Mar 2021	44770 - Current	120.00
May 2021	45089 - Current	30.00
Sep 2021	45837 - Current	217.80
Sep 2021	45838 - Current	499.92
Sep 2021	45841 - Current	532.98
Jul 2021	1070 - Sewer	162.50
Aug 2017	4244 - Payroll Agency	93.46
Oct 2017	4313 - Payroll Agency	0.35
May 2018	4509 - Payroll Agency	60.00
Jun 2018	4515 - Payroll Agency	60.00
Jun 2018	4536 - Payroll Agency	60.00
Jan 2019	4744 - Payroll Agency	1457.38
Feb 2019	4747 - Payroll Agency	35.00
Mar 2019	4784 - Payroll Agency	315.29
Oct 2019	5010 - Payroll Agency	114.03
Feb 2020	5140 - Payroll Agency	114.03
May 2020	5247 - Payroll Agency	123.88
Sep 2019	276 - Animal Rescue	\$51.50

1. The City Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Auditor a certified copy of this resolution.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward a copy of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-400-22**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

**REQUESTING CANCELLING GRANT RECEIVABLE AND APPROPRIATION
BALANCES**

WHEREAS, there exists Grant Receivables and Grant Appropriation Reserves on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the receivable balances and their offsetting appropriation balances from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Garfield, County of Bergen, State of New Jersey that the following grant receivable and appropriation balances be canceled:

Grant	Year	Cancel Appropriation	Cancel Receivable
Municipal Alliance	2019-2020	2,344.00	4,435.00
Drive Sober	2021		6,000.00
TOTALS		2,344.00	10,435.00

1. The City Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Auditor a certified copy of this resolution.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward a copy of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-401-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

**AUTHORIZING THE TAX COLLECTOR TO SELL DELINQUENT MUNICIPAL
TAXES**

WHEREAS, the Governing Body of the City of Garfield, County of Bergen, State of New Jersey, Desires to collect all taxes, assessments, and other Municipal charges that are now delinquent; and

WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2021 in a manner prescribed by N.J.S.A. 54-5-19, and as amended by Chapter 99, Public Laws of 1997;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garfield, that the Tax Collector is hereby authorized and directed to sell al Municipal liens in accordance with the New Jersey law, and as stated above on October 6, 2022 at 9:00AM.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-402-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AUTHORIZING PARTICIPATION IN THE 2022 NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS AMERICAN RESCUE PLAN FIREFIGHTER GRANT
PROGRAM**

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) has funds available through its 2022 American Rescue Plan Firefighter Grant Program to support local and regional fire departments by ensuring they have proper firefighting protection, cleaning and sanitation equipment against the combined threats of COVID-19 virus and the strain of emergency fire requests; and

WHEREAS, the City of Garfield Fire Department is in need of these items due to the increased hazards caused by COVID-19; and

WHEREAS, the Mayor and Council of the City of Garfield are in support of the NJDCA 2022 American Rescue Plan Firefighter Grant Program; and

WHEREAS, the 2022 American Rescue Plan Firefighter Grant Program does not require matching funds; and

WHEREAS, an application for such funds may not be filed nor funds spent in a municipality without authorization by the Governing Body; and

WHEREAS, the Mayor and Council of the City of Garfield endorse and support the 2022 American Rescue Plan Firefighter Grant Program grant application because of the economic, safety, health and environmental benefits to our municipality, and it is in the best interests of the City;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield hereby approve the filing of a 2022 NJDCA American Rescue Plan Firefighter Program grant application in an amount of \$22,326.65; and

BE IT FURTHER RESOLVED, that the signature of the Mayor, City Manager and/or any other municipal official, or their successors in said titles, which is required on the grant application and grant agreement, and any other documents necessary in connection therewith, is hereby authorized; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-403-22**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 2 has advised that they have accepted Edwin Vidal of 35 Orchard Street, Passaic, New Jersey 07055, as a regular active member, effective August 4, 2022;

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

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-404-22**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

REQUESTING CANCELLING LOAN RECEIVABLE

WHEREAS, there exists a Loan Receivable on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the receivable balance from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Garfield, County of Bergen, State of New Jersey that the following loan receivable balance be cancelled:

Grant	Year	Cancel Appropriation	Cancel Receivable
Loan Receivable	2008		27,397.00
TOTALS			27,397.00

1. The City Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Auditor a certified copy of this resolution.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward a copy of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-405-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**CONFIRMING ENDORSEMENT OF CDBG APPLICATION FROM GREATER
BERGEN COMMUNITY ACTION (GBCA) FOR ADA IMPROVEMENTS AT THE
GARFIELD UNITY HEALTH PARTNERSHIP SITE**

WHEREAS, a Bergen County Community Development grant of \$370,000 has been proposed by Greater Bergen Community Action, Inc. (GBCA) for ADA improvements including: a switchback ramp and new main entry with electronic push button door openers for wheelchair access to the food pantry, and a new main entrance which will include truncated domes, drop curbs, dedicated ADA parking spots, crosswalks and signage in the municipality of Garfield; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-406-22**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 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 2022 in the sum of \$49,200.00 which is now available from the Department of Environmental Protection; and

BE IT FURTHER RESOLVED, that the sum of \$49,200.00 is hereby appropriated under the caption the Department of Environmental Protection; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the Department of Environmental Protection, in the amount of \$49,200.00.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-407-22**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION TO ACCEPT 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-382-22 through R-407-22 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: August 16, 2022

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 the Regular Meeting held on the 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated