

**RESCHEDULED REGULAR MEETING  
OF THE  
GARFIELD MAYOR AND COUNCIL  
DECEMBER 29, 2022  
12:00P.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 rescheduling this meeting to be held via teleconference on December 29, 2022 was posted and transmitted on December 27, 2022

**5. APPROVAL OF MINUTES:**

October 11, 2022 – Executive Session

October 25, 2022 – Regular Meeting

**6. ORDINANCES:      SECOND READING**

R-578-22

Re-Introduce Ord. #2967

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-579-22

Introduce Ord. #2970

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 109, CHRISTMAS TREE SALES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-580-22

Introduce Ord. #2971

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 142, FIRE PREVENTION, OF THE REVISED GENERAL ORDINANCE OF THE CITY OF GARFIELD**

R-581-22

Introduce Ord. #2972

**AMENDING ORDINANCE 2929, AN ORDINANCE TO FIX THE SALARY, WAGES, AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY**

R-582-22 Introduce Ord. #2973

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 310, TOW TRUCKS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**7. CONSENT AGENDA:**

- R-583-22 Approval of Bills and Claims
- R-584-22 Approval of Tax Overpayment Credit/Refund
- R-585-22 Approval of Tax Overpayment Credit/Refund
- R-586-22 Approval of Tax Overpayment Credit/Refund
- R-587-22 Approval of Tax Overpayment Credit/Refund
- R-588-22 Approval of River to Rail Neighborhood Preservation Program – Year 3 Implementation Plan
- R-589-22 Awarding Construction Contract for the Temporary Repairs of the Banta Avenue Culvert Project
- R-590-22 Approving Escrow Refund
- R-591-22 Approving Escrow Refund
- R-592-22 Authorizing Payment to All Risk Inc. for an Emergency Sanitary Sewer Cleanout at Fire Company #3 in Garfield
- R-593-22 Rejecting All Bids for the Collection and Disposal of Solid Waste and White Goods Collection and Disposal for the City of Garfield and Extending the Existing Contract for an Additional 135 Days
- R-594-22 Awarding a Contract to Creamer-Sanzari, a J/V for the River Drive Improvements and Passaic River Bikeway (Phase 2)
- R-595-22 Authorizing the Mayor and City Manager/Clerk to Execute a Shared Service Agreement with the Borough of Paramus for a Maintenance/Repair Shared Service for Vehicles
- R-596-22 Authorizing the Submission of an Application and Abiding by the Concessions of the New Jersey Department of Community Affairs 2023 Local Recreational Improvement Grant Program
- R-597-22 Authorizing the Submission of a Bergen County Community Development Block Grant Application
- R-598-22 Requesting Cancelling Grant Receivable and Appropriation Balances
- R-599-22 Requesting Cancelling Capital Grant Receivables & Improvement Authorizations
- R-600-22 Endorsing Bergen County Community Development Block Grant (CDBG) Project – Garfield YMCA
- R-601-22 Endorsing Bergen County Community Development Block Grant (CDBG-CV) Project – Boys & Girls Club of Garfield
- R-602-22 Authorize Agreement for a Certified Recycling Professional with the Bergen County Utilities Authority
- R-603-22 Approving Request for Time Extension – Déjà vu
- R-604-22 Extension of Hours Due to Holiday – Plenary Retail Consumption Licensees
- R-605-22 Adopting Revised Personnel Policies and Procedures Manual
- R-606-22 Approving Handicap Parking Space
- R-607-22 Approving Handicap Parking Space
- R-608-22 Approving Handicap Parking Space
- R-609-22 Requesting Permission for the Dedication by Rider for Wall of Mayors Donations Required by DLGS NJSA 40A:5-29
- R-610-22 Approving Resignation of Active Member – Fire Department
- R-611-22 Approving Resignation of Active Member – Fire Department
- R-612-22 Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12A
- R-613-22 Transfer of Funds Between Line Items
- R-614-22 Authorizing Entering into an Inter-Local Shared Services Agreement with the Borough of Lodi Pursuant to

R-615-22 N.J.S.A 40A:65-1  
Authorizing Resolution to Accept Consent Agenda

**8. RESOLUTIONS:**

R-616-22 Approving Extension of Liquor License Transfer – 0221-33-048-008

R-617-22 Approving Liquor License Transfer – Person to Person – 0221-33-048-008

**9. PUBLIC HEARING:**

**10. MAYOR AND COUNCIL COMMENTS:**

**11. ADJOURNMENT**

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-578-22**

**RESOLUTION BY:  
SECONDED BY:**

**RE-INTRODUCE ORDINANCE #2967  
SECOND READING**

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

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226,  
PARKING, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF  
GARFIELD**

was introduced and passed at a meeting held on Tuesday, December 13, 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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2967**

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**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226,  
PARKING, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF  
GARFIELD**

**WHEREAS**, to protect the health, safety, and welfare of the residents of the City of Garfield, the Governing Body seeks to limit the parking of larger vehicles from parking overnight on City streets

**BE IT ORDAINED**, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 226, Parking, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 226, Parking, Article VIII, Overnight Parking, Subsection 224-40 No parking certain hours on public streets, is hereby amended as follows:

**§ 226-40 Prohibition on parking on public property and City Streets.**

- A. No person and/or business entity shall park a vehicle between the hours of 3:00 a.m. and 6:00 a.m. on public or municipally owned property and City Streets. Violations of this section shall be considered a motor vehicle parking violation and shall be subject to the penalties as those set forth in § 226-41 of the City Code of the City of Garfield.
  
- B. No van, truck or recreational vehicle that exceeds twenty-two (22) feet in length and eight (8) feet in width shall be permitted to park on any street in the City of Garfield between the hours of 10:00 p.m. and 6:00 a.m.
  - i. The temporary standing of the aforementioned prohibited vehicle shall be permitted for the loading and unloading of passengers or property not to exceed 15 minutes

Section 2. The remainder of Chapter 226 is hereby ratified and remains in full force and effect.

Section 3. 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 4. 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: November 22, 2022

Re-Introduced: December 13, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-579-22**

**INTRODUCE ORDINANCE #2970  
SECOND READING**

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

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 109, CHRISTMAS TREE SALES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on Tuesday, December 13, 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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2970**

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**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 109, CHRISTMAS TREE SALES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**WHEREAS**, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend Part II General Legislation, Chapter 109, Christmas Tree Sales, of the Code of the City of Garfield;

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

Section 1. Part II General Legislation, Chapter 109, Christmas Tree Sales, Subsection 109-4, Investigation and issuance, of the Code of the City of Garfield is hereby amended as follows:

B. The City Clerk may deny an application where the investigation or inquiry demonstrate that:

- 1) The information set forth in the application is fraudulent or misleading;
- 2) The applicant or any person conducting the business has been convicted of a crime or disorderly person offense which has not been expunged pursuant to N.J.S.A. 2C:52-1 et seq., or pardoned and which offense relates adversely to the business for which the license is sought, in this regard the City Clerk shall be guided by N.J.S.A. 2A:168A-2;
- 3) The proposed location is not a proper area and will cause obstruction of the public right-of-way or sidewalks or create a neighborhood disturbance;
- 4) The real estate property taxes or assessments for the proposed location are delinquent for more than six months;
- 5) The roadways adjacent to the location, its ingress and egress are inadequately designed for safe traffic or pedestrian circulation;
- 6) The proposed hours of business or nature of the business will coincide or overlap other business or activities currently permitted at the location; or
- 7) The proposed means of advertising, marketing, display or exhibition is contrary to the zoning or building codes, or other ordinances of the City of Garfield.

Section 2. Part II General Legislation, Chapter 109, Christmas Tree Sales, Subsection 109-8, Fees, of the Code of the City of Garfield is hereby amended as follows:

**§109-8 Fees.**

Licensees shall pay the City an annual fee of \$100.00

Section 3. Part II General Legislation, Chapter 109, Christmas Tree Sales, Subsection 109-10, Maintenance and clean-up, of the Code of the City of Garfield is hereby amended as follows:

**§ 109-10 Maintenance and clean up.**

- A. Each licensee shall maintain the license area in compliance with this chapter and in a manner so as not to interfere with the operations of Police, Fire Department and EMS or with pedestrian and vehicular traffic; and

B. Upon completion of the license term, each licensee shall restore the licensed area to the original condition and clean the licensed area to be free of all debris, trash and litter.

Section 4. All other provisions of Chapter 109 is hereby ratified and remains in full force and effect;

Section 5. Any other chapter of the City Code that conflicts with this amendment is hereby repealed to the extent of the conflict;

Section 6. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: December 13, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-580-22**

**INTRODUCE ORDINANCE #2971  
SECOND READING**

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

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 142, FIRE PREVENTION, OF THE REVISED GENERAL ORDINANCE OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on Tuesday, December 13, 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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2971**

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**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 142, FIRE PREVENTION, OF THE REVISED GENERAL ORDINANCE OF THE CITY OF GARFIELD**

**BE IT ORDAINED**, by the Governing Body of the City of Garfield that Part II, General Legislation, Chapter 142 Fire Prevention, is hereby repealed and replaced with the following:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 142, Fire Prevention, is hereby repealed and replaced with the following:

**Article I: UNIFORM FIRE CODE**

**§ 142-1 UNIFORM FIRE SAFTEY ACT ENFORCING AGENCY**

**§ 142-1.1 Statutory Authority**

The Uniform Fire Safety Act (P.L. 1983, c.383) was enacted for the purposed of establishing a system for the enforcement of minimum fire safety standards throughout the State of New Jersey. The New Jersey Department of Community Affairs has promogulated minimum fire safety standards which have been made a part of the Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) The Uniforms Fire Safety Act authorizes municipalities to provide for local enforcement of these standards and to establish local enforcement agencies for that purpose. It is in the best interest of the City of Garfield to have the Uniform Fire Code enforced locally. The local fire service has agreed to the plan, which is set forth herein, for the administration and enforcement of the Uniform Fire Code.

**§ 142-1.2 Local Enforcement Agency**

Pursuant to Section 11 of the Uniform Fire Safety Act (P.L. 1983 c.383), the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 et seq.) shall be locally enforced in the City of Garfield. The local enforcing agency shall be the Garfield Fire Prevention Bureau in coordination with the Garfield Fire Department.

**§ 142-1.3 Agency Designation**

- A.** The local enforcing agency, under the direction and control of the Fire Official, shall enforce the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the City of Garfield, other than one (1) or two (2) family-owner occupied buildings used exclusively for dwelling purposes and any buildings, structures, and premises owned or operated by the Federal Government, Interstate Agencies, or the State of New Jersey. The Fire official shall be appointed by the Garfield City Manager upon recommendation of the Mayor and Council. The Fire Official shall report to and be subject to supervision and control of the Garfield City Manager.
- B.** The local enforcing agency, under control and direction of the Garfield Fire Official, shall faithfully comply with all of the terms and conditions of the Uniform Fire Safety Act and the Uniform Fire Code. The Fire Official shall be the authorized person to oversee the Garfield Fire Prevention Bureau.

**§ 142-1.4 Duties of the Fire Official**

The Fire Official shall enforce the Uniform Fire Code in all buildings, structures, and premises within the established boundaries of the City of Garfield other than one (1) and two (2) unit owner-

occupied dwellings used exclusively for dwelling purposes and any building, structures, and premises owned or operated by the Federal Government, Interstate Agencies, or the State of New Jersey.

The local enforcing agency shall faithfully comply with all the pertinent requirements of the Uniform Safety Act and the Uniform Fire Code.

The Fire Official must maintain a separate, running total for Uniform Fire Code Revenues.

The Fire Official shall comply with all duties and responsibilities as listed in N.J.A.C. 5:71-3.3(a) and (b).

#### **§ 142-1.4A Duties of the Fire Inspector**

- A. The Fire Inspector shall work under the Fire Official and shall carry out any additional duties and tasks asked of him or her by the Fire Official.
- B. The Fire Inspector shall comply with all duties and responsibilities as listed in N.J.A.C. 5:71-3.3(c).

#### **§ 142-1.5 Organization**

- A. The Bureau of Fire Prevention, as the local enforcing agency, established by subsection 142-1.3 shall be a separate agency from the Garfield Fire Department, under the direct supervision and control of the Fire Official, who shall directly report to the Garfield City Manager.
- B. The City Manager shall set the hours of operation of the Bureau of Fire Prevention with recommendation from the Fire Official.
- C. The Bureau of Fire Prevention shall have at a minimum seven (7) paid part-time inspector(s).
- D. The Bureau of Fire Prevention shall have at a minimum one (1) full time secretary.
- E. The local enforcing agency shall be operated by the Fire Official, subject to paragraphs (A) and (B) above.

#### **§ 142-1.6 Appointment, Qualifications, Term of Office, Removal**

- A. *Appointment and Qualifications of Fire Official.* The Garfield Fire Official shall be certified in the State of New Jersey and appointed by the Governing Body as required by the New Jersey Civil Service Commission. The Fire Official shall submit to a Garfield Police Department investigation of background character, results of which shall be made to the appointing authority prior to appointment. (Article XII 39-78 and 39-79)
- B. *Appointment and Qualifications of Inspectors and Other Employees.* Inspectors and other employees of the enforcing agency shall be appointed by the Governing Body upon the recommendation of the Fire Official. All life hazard use inspectors shall be certified by the State of New Jersey.
- C. *Term of Office.* The Fire Official shall serve pursuant to city ordinance and the rules established by the New Jersey Civil Service Commission.
- D. *Removal from Office.* The Fire Official, fire inspectors and other employees of the agency shall be subject to removal by the Governing Body for just cause, including, inefficiency, misconduct, or violation of state or city ordinances or statutes. Before removal from office, all persons shall be afforded an opportunity to be heard by the Governing Body or a hearing officer designated by the same and as required by the New Jersey Civil Service Commission.

#### **§ 142-1.7 Life Hazard Uses**

The Bureau of Fire Prevention established by subsection 142-1.3 shall carry out the periodic inspections of life hazard uses as required by the Uniform Fire Code on behalf of the Commissioner of the New Jersey Department of Community Affairs.

**§ 142-1.8 Non-Life Hazard Use Inspection Fees**

**A.** In addition to the registrations required by the Uniform Fire Code, the following non-life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth below:

**(1) Fees for all non-life hazard business establishments**

- (a) Any building, structure, or premise under two-thousand five-hundred (2,500) square feet in gross area – Seventy-five dollars (\$75.00) per year;
- (b) Any building, structure, or premises from two-thousand five-hundred-one (2,501) square feet up to twelve-thousand (12,000) square feet in gross area – One-hundred and fifty dollars (\$150.00) per year;
- (c) Any building, structure, or premises over twelve-thousand (12,000) square feet in gross area – Two-hundred and twenty-five dollars (\$225.00) per year;

**(2) For all multifamily dwellings except owner-occupied, one or two-family dwellings, including accessory structures, buildings, or premises**

- (a) Residential two (2) to ten (10) units per building – Eighty-five dollars (\$85.00) per year;
- (b) Residential eleven (11) to twenty (20) units per building – One-hundred dollars (\$100.00) per year;
- (c) Residential twenty-one (21) to thirty (30) units per building – One-hundred and twenty dollars (\$120.00) per year;
- (d) Residential thirty-one (31) to forty (40) units per building – One-hundred and forty dollars (\$140.00) per year;
- (e) Residential forty-one (41) to fifty (50) units per building – One-hundred and sixty dollars (\$160.00) per year;
- (f) Residential fifty-one (51) units and up, per building – One-hundred and eighty dollars (\$180.00) per year.

**(3) Fees for following uses and activities**

- (a) Propane for tow motor fuel, storage of:
  - (1) Up to 150 pounds: \$125.00
  - (2) 150 to 300 pounds: \$175.00
  - (3) Over 300 pounds: \$300.00
- (b) Affidavit for Smoke Detector Inspection Fee shall be in compliance with N.J.A.C. 5:70-2.9(d).
- (c) Production, use, storage, and handling of plastics:
  - (1) In excess of 1,000 pounds but less than 10,000 pounds: \$125.00 per year;
  - (2) In excess of 10,000 pounds: \$225.00 per year
- (d) Violation of Fire Zone: \$50.00.
- (e) Lumber Storage: more than 25,000 board-feet, except in life use: \$125.00 per year.
- (f) Small Arms Ammunition sale or storage for resale: \$50.00 per year.

**B.** One or two-family owner-occupied dwellings shall be inspected and charged a fee only upon sale or change of tenants(s).

- C. Uses not classified above that are subject to the Uniform Fire Code will be classified as business uses.
- D. Uses required to register with the State of New Jersey as life hazard uses shall not be required to register under this section.
- E. In the discretion of the Fire Official vacant buildings will be charged and inspected according to the previous uses of the building.
- F. All residential uses shall be inspected to comply with the Uniform Fire Code.
- G. Any and all residential uses that are registered with fire prevention and be inspected on a regular basis. These uses shall be classified and registered as an R-SU use and pay an annual registration fee of seventy-five dollars (\$75.00).

**§ 142-1.9 Permits and Certificate of Fire Code Status**

The application fees for the permits listed in N.J.A.C. 5:70-1 et seq. shall be as follows:

Type 1	\$55.00
Type 2	\$214.00
Type 3	\$427.00
Type 4	\$641.00
Type 5	Reserved

**§ 142-1.10 Technical Amendments**

**A. Smoke Detector and Carbon Monoxide Detector and Portable Fire Extinguisher**

**(1) Residential Smoke Detectors Required**

- (a) Smoke Detectors are required upon sale, or transfer of a one (1) or two (2) family dwelling unit. Smoke detectors shall be installed in each dwelling unit, as defined in N.J.A.C. 5:70-4.19 and maintained in accordance with NFPA 72, upon the sale, rental, transfer, or lease of any dwelling unit in the City of Garfield. As of January 1, 2019, ten-year sealed battery-powered single station smoke alarms shall be installed and shall be listed in accordance with ANSI/IL 217, incorporated herein by reference. However, AC powered single or multiple-station smoke alarms installed as part of the original construction or any rehabilitation project shall **not** be replaced with battery-powered smoke alarms.
- (b) The installation of an AC powered smoke detectors system shall be processed as required for new work under the Garfield Building Code
- (c) Each dwelling unit sold, rented, leased, or transferred shall have a minimum of one (1) smoke detector on each level. A floor area separated by three (3) or more risers from another floor shall be considered a separate level. Where a basement exists, a smoke detector shall be installed on the basement ceiling. Smoke detectors may not be required in an unoccupied attic.
- (d) To achieve compliance with this act, smoke detectors are required to be approved by the Underwriter’s Laboratories, Factory Mutual Research Corp., or other approving agency.
- (e) Alarm signal from the smoke detectors shall be clearly audible in all the rooms on the level on which the smoke detector is installed when all intervening doors are closed.
- (f) Smoke detectors may be powered by either ten-year sealed battery or AC electricity. The installation of the smoke detectors shall be governed by the applicable sections of the National Fire Protection Association (NFPA) Standards No. 72E or 74.
- (g) Carbon monoxide alarms shall be installed in all dwelling units except for units in buildings that do not contain a fuel-burning device or have an attached garage, as follows:

- (1) Single station carbon monoxide alarms shall be installed and maintained in the immediate vicinity of any sleeping area(s).
- (2) Carbon monoxide alarms may be battery-operated, hard-wired, or of the plugin type and shall be listed and labeled in accordance with UL-2034 and shall be installed in accordance with the requirements of this section and NFPA-720.
- (h) Portable fire extinguishers shall be installed and maintained in accordance with N.J.A.C. 5:70-1 et seq.

**(2) Maintenance Responsibility**

- (a) Sellers or transferors of any and all dwelling units subject to this chapter shall be responsible for the correct installation and maintenance of smoke detectors and carbon monoxide detectors and portable fire extinguishers.
- (b) The owner of a rental unit property shall, at the time of installation of the smoke detector, carbon monoxide detector, and portable fire extinguisher, and thereafter at the commencement of each new tenancy, provide to the tenant at least one (1) copy of written instruction on the operation, maintenance, and testing of the smoke detector(s) and carbon monoxide detector(s), including the replacement of batteries in battery operated units.
- (c) The owner of each rental property shall be responsible for the proper maintenance of the smoke detectors, carbon monoxide detectors, including the replacement of batteries, repair, or replacement of the unit in accordance with the standards herein above set forth.

**(3) Inspection Records**

Upon the sale or transfer of a one or two-family residence, the seller, landlord, or transferor is required to obtain from the Garfield Fire Prevention Bureau, a smoke detector and carbon monoxide detector and portable fire extinguisher Certificate of Inspection, certifying that the smoke detectors and carbon monoxide detectors and fire extinguishers are in compliance with the provisions of the New Jersey Uniform Code.

**(4) Fees**

- (a) Applications for the smoke detector and carbon monoxide detector and portable fire extinguisher certificate of inspections shall be made whenever a sale or transfer of ownership occurs. Payment shall be made to the Garfield Fire Prevention Bureau, 111 Outwater Lane, Garfield, New Jersey 07026, with the application fee prepaid after the receipt of said application, the Fire Official shall have the premises inspected to determine whether the same complies with the terms of the New Jersey Uniform Fire Code. If it complies, a certificate will be issued.
- (b) Apartment units, cooperative units, condominiums, and one-family homes inspection fee: \$50.00 per unit.
- (c) Two-family residential sale inspection fee: \$100.00
- (d) Three-family residential sale inspection fee: \$125.00
- (e) Four-family residential sale inspection fee: \$150.00
- (f) Five-family residential sale inspection fee: \$175.00
- (g) Six-family or above residential sale inspection fee: \$200.00 plus \$25.00 for each additional unit
- (h) Should the inspection reveal a failure five (5) days shall be given to correct the violations and a reinspection fee of sixty dollars (\$60.00) shall be imposed and the fee shall be paid for each reinspection performed.

- (i) Should no one be at the residence to allow the inspector in for inspection a no-show fee of sixty dollars (\$60.00) shall be imposed and paid before a new inspection date is given.

#### **(5) Tampering with Fire Detection System**

It is illegal for any person to disable or vandalize any fire detection device or system (N.J.A.C. 5:70-1 et seq.), and that person shall be subject to a penalty of up to one thousand dollars (\$1,000.00) per occurrence.

- (a) A Penalty may be imposed under N.J.S.A. 52:27D-198.3 Fines for Noncompliance.

Up to five-hundred dollars (\$500.00) for Smoke and or CO noncompliance.

Up to one-hundred dollars (\$100.00) for fire extinguisher noncompliance.

#### **C. Posting of Truss Buildings**

(1) **Truss Structures**. When the Fire Prevention bureau shall identify a structure as being of truss-type construction, they shall notify the owner of the building, in writing, of the requirements of this article and in accordance with the New Jersey Uniform Fire Code, 5:70-1 et seq.

(2) **Truss Emblem**. Upon receipt of such notification, the owner shall be required to permanently affix to said building a truss emblem.

(a) Truss Emblems shall be affixed near the front entrance on all newly constructed residential structures prior to obtaining certificate of occupancy.

(b) The emblem shall be of a bright and reflective color or made of reflective material. The shape of the emblem shall be an isosceles triangle and the size shall be twelve (12) inches horizontally by six (6) inches vertically. The following letters, of a size and color to make them conspicuous, shall be printed on the emblem: "F" to signify a floor with truss construction: "R" to signify to a roof with truss construction: or "F/R" to signify both a floor and roof with truss construction.

#### **D. Residential Outdoor Fires**

Outdoor fires are permitted within the City of Garfield but only within the following guidelines.

- (1) No outdoor fire may be set on residential property within fifteen (15) feet of any main structure or accessory structure on the property, including, but not limited to, any dwelling, garage, or shed.
- (2) Outdoor fires utilized for cooking must be contained in a manufactured metal grill or other similar manufactured device intended for such use and must be utilized strictly in accordance with the manufacturer's requirements.
- (3) Outdoor fire utilized for any other recreational purpose must either be contained in a manufactured device designed for such purposes and utilized strictly in accordance with the manufacturer's requirements or, alternatively, in a proper noncombustible stone, cement, brick, tile, or metal fire pit of no more than three feet in diameter, built and intended for such purpose. No new fire pits may be constructed without the proper building permits and inspections. For all existing fire pits within the City of Garfield, should the Fire Official or his designee determine the fire pit is unsafe, he may order that said fire pit not to be used until he or his designee deem the fire pit safe.
- (4) A fully functional fire extinguisher or garden hose that is properly connected to and supplied by an unlimited water source must be available for fire extinguishment purposes when a fire pit is being used.

- (5) No garbage, rubber, plastics, green wood, yard waste including grass and leaves, softwood including pine and cedar which causes excessive smoke, may be burned outdoors at any time. Smoke or odors from any outdoor fire must be kept minimal.
- (6) Flames may not exceed two feet at any time, and should the prevailing winds cause the smoke from said fire to blow into a neighboring dwelling or property, said fire must be extinguished immediately. The Garfield Health Officer is authorized to require any residential outdoor fire be immediately extinguished if smoke emissions are found to be offensive to occupants of surrounding properties. The Fire Official or Fire Chief is authorized to require any residential outdoor fire be immediately extinguished if said fire constitutes a hazardous condition.
- (7) Residential outdoor fires must always be attended by a property owner or legal adult resident of the property from the time said fire is commenced through the time said fire is completely extinguished.
- (8) The Fire Official or Fire Chief may prohibit all outdoor fires within the City of Garfield when weather conditions or other local circumstances make such fire hazardous to the safety and welfare of the community.

### **Enforcement**

This article shall be enforceable by the Fire Official, representatives of the Garfield Fire Prevention Bureau, the Garfield Health Dept., Garfield Building Department, and the Garfield Police Dept.

### **Violations and Penalties**

Any person violating any provision of this article shall be punished by one or more of the following: a fine not exceeding two-thousand dollars (\$2,000); imprisonment for a term not exceeding ninety (90) days, in discretion of the judge before whom such person shall be convicted.

Any permitted burning must comply with "Control and Prohibition of Open Burning: by the New Jersey Department of Environmental Protection New Jersey Air Pollution-Control Code, effective October 11, 1971, and all subsequent revisions thereof. Proper permits shall be obtained from the Fire Official.

#### **E. Exterior Exits and Fire Escapes**

##### **(1) Obstructions**

No person shall at any time place an encumbrance of any kind upon any fire escape, balcony, or ladder intended as a means of escape from fire, nor shall any person place or maintain any obstruction or leave standing or park any automobile or other vehicle in any driveway or alleyways which is liable to interfere with the operation of any Fire Department equipment or egress of occupants in case of fire. Any vehicle parked or left standing in violation hereof shall be deemed a nuisance and a menace to safety, and the Fire Official, any Fire Inspector, or Police Officer of the City of Garfield may remove, and store or cause said vehicle to be removed and stored, and the owner of said vehicle shall pay the reasonable costs for the removal and storage which may result before regaining possession of the vehicle. In addition to the foregoing, the person who parked or left such vehicle standing in violation hereof shall upon complaint being made and upon conviction be subject to the penalties provided in N.J.A.C. 5:70-1 et seq.

##### **(2) Maintenance**

All exterior stairways and fire escapes shall be kept free of snow and ice. They shall always be properly painted and maintained in a safe condition. The owners or lessees of any property upon which there is a driveway or alleyway that is or may be used for parking of vehicles which is liable to interfere with the operation of the Fire Department or egress of occupants in case of fire shall, within fifteen (15) days after notice is given to them by the Fire Official, procure and install appropriate signage approved by the Fire Official giving notice of the prohibitions of parking vehicles or placing or maintaining any obstruction in any such driveway or alleyway. In addition to any signage installed in accordance herewith, the owners and lessees of said property, when further required by the chief inspector, shall also cause word markings, colored yellow, to be

placed on the pavement within said driveway or alley containing the following text, “Fire Zone No Parking”.

#### **F. Automatic Alarm Systems**

To control false alarms and insure proper maintenance of automatic fire reporting systems.

- (1) **Emergency Contacts**. Any person or organization using an automatic detection or fire alarm system to report fire in the City of Garfield shall provide the Garfield Fire Prevention bureau with a list of three emergency contact names and telephone numbers of people who can be reached twenty-four (24) hours a day, seven (7) days a week, in case the alarm is activated, within three (3) months following final passage of this chapter. In the absence of this list, or not being able to contact the person on the list, the Garfield Fire Department and the Garfield Police Department will be empowered to use forcible entry equipment to enter the building to investigate the cause of alarm.
- (2) **Building Complex Indicator**. Any location having more than one (1) building in a complex but reporting the fire location as the main building location, shall have an indicating panel showing the location of the building or area where the fire alarm was activated. This indicating panel shall be visible from the outside of the building.
- (3) **Fire Bell Marking**. Any fire detector system with an outside bell or other audible indicator, shall be RED in color and marked “Fire Alarm, when sounding call 911” to indicate it is a part of the Fire Alarm System.
- (4) **False Fire Alarms**. Any repeated false fire alarms caused by a malfunctioning detection system shall be deemed a violation of the Code and subject to the penalties provided. In case of a false alarm, any person having knowledge thereof shall immediately notify the Fire Official. In case of false alarms, the Garfield Fire Prevention Bureau shall cause an investigation to be made and keep an annual record of said alarms on file for each given year. For each false alarm, the following penalties are described: for the first false alarm, a verbal warning shall be issued; for the second false alarm a written warning shall be issued by the Fire Official; for the third false alarm, a fine of one-hundred and fifty dollars (\$150.00) shall be issued by the Fire Official; for the fourth false alarm, a fine of two-hundred dollars (\$200.00); for the fifth and subsequent false alarms, a fine of two hundred and fifty dollars (\$250.00) per occurrence shall be paid to the City of Garfield Fire Prevention Bureau. A successive false alarm shall be defined as an alarm indicated on the same system not caused by an actual alarm of fire. (Replaces Section 69-9(B), Previously Amended 04-12-2010 Ord. No. 2579, Section 79-9, Previously Amended 03-18-1993 Ord. No. 2111)
- (5) **Sprinkler Alarm Systems**. It is recommended that each separate sprinkler system (automatic fire suppression system) have a separate location code sent to a central station and have an external indicating alarm. It is required that a maximum of three sprinkler systems may use the same location code to a central station. A floor plan of the building area showing the riser locations and the area protected by each riser must be provided to the Garfield Fire Department.

#### **G. Access to Fire Hydrants**

- (1) To ensure access to fire hydrants in the City of Garfield for the safety and welfare of the public, a clear area of five (5) feet must be maintained in all directions from the fire hydrant as well as meeting the road side parking requirements.
- (2) The owner or lessee of any property within five (5) feet of a fire hydrant shall be responsible to see that a five (5) foot clear space is provided in all directions from the fire hydrant. The requirements of this paragraph shall be completed by the responsible party no later than twenty-four (24) hours after any natural obstruction such as snow shall prevent access to the fire hydrant and within twelve (12) hours of any other type of obstruction.

- (3) Upon the failure of any person in maintaining the open space for all fire hydrants in accordance with this paragraph, they shall be deemed in violation of the Fire Safety Code, shall be required to appear in the City of Garfield Municipal Court, and shall be fined up to one-hundred and fifty dollars (\$150.00) at the discretion of the Judge of the City of Garfield.

## **H. Key Lock Box**

(Article II Chapter 142, Previously Amended 09-11-2007 Ord. No. 2509 and 11-07-2007 Ord. No. 2516)

- (1) The following structures shall be equipped with a master key Knox Box at or near the main entrance or such location required by the Fire Official.
  - (a) All Commercial or industrial structures protected by an automatic alarm system or automatic suppression system or such structures that are secured in a manner that restricts access during an emergency.
  - (b) Multi-family residential structures that have restricted access through locked doors and have a common corridor for access to the living units.
  - (c) Governmental Structures.
  - (d) Nursing care facilities.
  - (e) Educational facilities.
  - (f) All newly constructed commercial or industrial occupancies shall be equipped with a master key Knox Box prior to issuance of an occupancy permit.
- (2) **Buildings with Elevators.** All buildings equipped with elevators shall be provided with a master key Knox Box as in B(5)(a). The building owner/manager shall provide:
  - (a) Two (2) sets of keys for entry to the building and all portions of premises.
  - (b) Two (2) sets of elevator control keys if elevators are equipped with Fire Department bypass switches.
  - (c) The owner or operator of a structure required to have a key lock box shall, at all times keep a key in the lock box that will allow for access to the structure.
- (3) The Fire chief shall be authorized to implement rules and regulations for the use of the lock box system.
- (4) The minimum fine for conviction for a violation of this Section shall be one-hundred and fifty dollars (\$150.00) for any person who owns or operates a structure subject to penalties for any violation of Section 1-3 of this Code.

## **I. Fire Zones/Fire Lanes.**

The purpose of Fire Zones, or Fire Lanes shall be enforced jointly by the Garfield Police Dept. under Part II General Legislation, Chapter 226 Parking, Article II, Fire Zones, Subsection 226-16 (04-26-2022 Ord. No. 2928) and the Garfield Fire Prevention Bureau.

- (1) **Enforcement.** This Chapter shall be enforced by the Garfield Police Department and the Garfield Fire Prevention Bureau.
  - (a) The Fire Official shall designate fire zones on both private and public property in the City of Garfield as deemed necessary for public safety.

- (b) Whenever a determination has been made for the fire lane designation, pursuant to one (1) above, the Fire Official shall notify the owner of the property in writing by certified mail, or by hand delivering such notice, specifically describing the area designated and the reason for making the designation.
- (c) The marking of fire lanes shall be the responsibility of, and at the expense of, the property owner and shall be accomplished within thirty (30) days of the receipt of the notification.
- (d) The property owner shall thereafter properly maintain the fire zones so as not to reduce their effectiveness.
- (e) Suitable signage and/or markings bearing the words, “No Parking Fire Zone” shall be posted and marked and striped in accordance with standards established by the Manual on uniform Traffic Control Devices for Streets and Highways, as periodically updated by the U.S. Department of Transportation.
- (f) It shall be a violation of this Code for any person to park a motor vehicle in or otherwise to obstruct a fire lane.

## **J. Mobile Food Truck/Trailer Safety**

### **(1) Definitions.** As used in this subsection:

- (a) Food Cart shall mean a cart or other moveable device used on the public sidewalks or in public places or roadways, which uses propane or similar fuel for its operation, and is not licensed as a food truck or food trailer.
- (b) Food Trailer shall mean a non-motorized vehicle designed to be towed by a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed, or portioned for sale or distribution.
- (c) Food Truck shall mean a motorized vehicle registered and able to be operated on the public roadways of the State of New Jersey, in which ready to eat food is cooked, wrapped, packaged, processed, or portioned for sale or distribution.
- (d) Food Vehicle shall mean a food truck, food trailer, or food cart.
- (e) Food Vendor shall mean the owner, owner’s agent or representative, or operator of a food vehicle.
- (f) Special Event shall mean a private or public sporting, cultural, business, charitable, or other type of unique activity, including but not limited to, a party, celebration, fair, festival, fundraiser, promotion, show, concert, presentation, entertainment, or film production, which is occurring for a limited or fixed duration.

### **(2) Inspection Required**

- (a) No Food Vehicle shall be operated within the City of Garfield without first having filed an application for a Fire Safety Permit and payment for permit has been received by the Garfield Fire Prevention Bureau.
- (b) The Garfield Fire Prevention Bureau shall issue the applicant a checklist containing the specific requirements for approval of an application for an inspection. The checklist shall be made available to the public.
- (c) Nothing contained in this subsection shall limit the authority of the Garfield Fire Prevention Bureau to inspect a Food Vehicle at any time to determine if it meets the specific requirements contained in the checklist.

### **(3) Application for Inspection and Fire Safety Permit**

- (a) A Food Vendor shall apply to the Garfield Fire Prevention Bureau for an inspection.

- (b) A Food Vehicle shall not be operated within the City of Garfield unless an application for an inspection has been filed with the accompanying application fee no later than five (5) business days before the date of an event and a Fire Safety Permit has been issued for the date of the event
- (c) The fee for Fire Safety Permits shall be fifty-five dollars (\$55.00). Payment of the fee shall be made at the time of the application is filed.
- (d) A Fire Safety permit shall be issued only to vendors whose application for an inspection has been approved by the Garfield Fire Prevention Bureau, and a satisfactory inspection has been completed by the Fire Official or his designee.
- (e) A Fire Safety Permit shall be displayed prominently in or on the Food Vehicle during all events.

**(4) Checklist Requirements for Food Vehicle Inspection**

A vendor shall satisfy the following inspection requirements which shall appear on a checklist issued by the Garfield Fire Prevention Bureau:

- (a) Fire Extinguisher
  - (1) The fire extinguisher required to be mounted in a food vehicle shall be an ABC type dry chemical, minimum of one five (5) lb. extinguisher.
  - (2) A class “K” type of fire extinguisher shall be required and mounted in the food vehicle if the vendor is using any cooking oils or anything that could cause a grease vapor.
- (b) Hood Suppression System
  - (1) A hood suppression system that meets or exceeds National Fire Protection Association standards for ventilation control and fire prevention (NFPA 96) shall be required for any food vehicle that creates or emits grease vapors.
- (c) Propane Storage and Appliances
  - (1) Propane hoses shall be free of leaks.
  - (2) Propane cylinders mounted on the outside of a food vehicle shall be properly secured to prevent them from tipping over.
  - (3) A “no smoking” sign shall be prominently displayed in the area of the propane cylinders.
- (d) Generator
  - (1) A generator shall be free of leaks or sparks meaning from the exhaust system.
  - (2) A generator shall discharge exhaust in a satisfactory manner.
  - (3) Exhausts shall not back up into the Food Vehicle.
- (e) Smoke Detectors in Food Trucks
  - (1) Smoke detectors shall be placed between the cooking area and the driver’s cab.
  - (2) Smoke detectors shall be in operation while the food truck is in motion.
- (f) Carbon Monoxide (CO) detectors in Food Trucks and Food Trailers
  - (1) Food Truck: The CO detectors shall be mounted in the area where the generator is located.
  - (2) Food Trailer: The CO detector shall be mounted in the area where the generator is located.
  - (3) The CO detector shall be in operation at all times when a generator is running.

Nothing contained in this subsection shall limit the authority of the Garfield Fire Prevention Bureau to supplement the checklist requirements in a particular case in the interest of public safety.

#### **K. Solar Panel Emblem Posting**

- (1) Identifying emblems shall be permanently affixed to the front of structures hosting or being powered by photovoltaic electrical power either on the roof or adjacent to the building.
  - (a) The solar emblem shall be a Maltese cross shape, constructed of durable material, with white reflective background with red letters. Numerals and letters shall be Roman, or Latin as required.,
    - (1) The sign shall be six inches by six inches (152mm by 152mm).
    - (2) The height or width of each Maltese cross wing area shall be one and one-eighth inch (29mm) and have a stroke width of one-half inch (13mm).
    - (3) All letters and numerals shall be one and one-quarter inch (32mm) in height and have a stroke width of one-quarter inch (6mm)
    - (4) The letters PV shall be located in the center circle of the Maltese cross to identify the presence of solar photovoltaic systems. The Wording “ROOF MOUNTED” and/or “ADJACENT” shall be located immediately, beneath the Maltese cross identifying where the solar panels are located.
  - (b) The emblem shall be permanently affixed to the left of the main entrance door at a height between four and six feet above the ground and shall be installed and maintained by the owner of the building.
    - (1) Premises already equipped with a truss construction sign may install the solar sign immediately above the truss sign.
    - (2) Detached one and two-family residential structures shall be exempt from the signage provisions.
      - (c) The owner of any residential structure or nonresidential structure who installed a roof mounted solar photovoltaic system on or after January 17, 2014, or has installed or provided for the installation of a roof mounted solar photovoltaic system prior to January 17, 2014, shall provide a written notification to the local Fire Official, which shall include, but need not be limited to:
        - (1) The name of the property owner or owners, as well as the address of the residential structure or nonresidential structure upon which the solar photovoltaic system has been installed, and the name of the owner or owners and addresses of any other adjacent structure served by the solar photovoltaic system; and
        - (2) The year that the roof mounted solar photovoltaic system was installed on the residential structure or nonresidential structure.
      - (d) A copy of a permit filed pursuant to N.J.S.A. 52:27D-198.17(c) or written notification issued pursuant to N.J.S.A. 52:27D-198.17(d) shall be kept on file by the chief of the local fire department
        - (1) The address of the residential structure or nonresidential structure, the address of any other adjacent structure served by the solar photovoltaic system, and any additional information regarding the solar photovoltaic system shall be maintained in a registry by the fire department.
        - (2) The information contained in the registry shall serve to alert firefighters, when responding to an emergency, that a residential structure or nonresidential structure is equipped with, or is served by, a roof mounted solar photovoltaic

system and that reasonable precautions may be necessary when responding to the emergency.

## **L. Fire Watch**

### **(1) Request or Order for Fire Watch**

- (a) A request for a fire watch shall be made in writing to the Fire Official at least ten (10) days prior to an event where practicable, unless an emergent situation is present.
- (b) The Fire Official shall have the authority to order a fire watch for an emergent situation or for an event in which the Fire Official determines a fire watch is necessary.

### **(2) Conditions of Employment of Fire Watch Personnel**

All fire prevention inspectors or certified firefighters of the City of Garfield may serve as fire watch personnel and shall be treated as employees of the City provided, however, wages earned for such employment shall not be applied towards the pension benefits of regular full-time City employees. Hours worked serving as fire watch personnel shall not be compensable as overtime.

### **(3) Assignment of Fire Watch Personnel**

The Fire Official shall determine the number of personnel necessary for each event or emergent situation for which a fire watch is required.

- (a) The fire watch personnel shall be selected from employees serving in the Garfield Fire Prevention Bureau, or members of the Garfield Volunteer Fire Department.
- (b) Any member serving as fire watch personnel shall be Firefighter One certified and possess a Firefighter One certificate issued by the New Jersey Division of Fire Safety.
- (c) Businesses may elect to provide their own fire watch personnel. Should they choose to do this, documentation of ability to perform the duties and responsibilities shall be supplied to the Fire Official
  - (1) If documentation cannot be supplied, a training class given by the Fire Prevention Bureau shall be supplied at a cost of one-hundred and fifty dollars (\$150.00) per ten (10) students. This course shall cover basic fire behavior, emergency communications, and fire extinguisher training.
  - (2) This fee shall be paid directly to the Garfield Fire Prevention Bureau.
  - (3) Documentation of fire watch inspections with signatures of persons inspecting shall be submitted to the fire prevention bureau for the file.

### **(4) Payment for Fire Watch Services by Property Owners**

Payment for a fire watch on private property shall be made by the property owner or tenant in accordance with the following:

- (a) Compensation for each City employee assigned to the fire watch is seventy-five dollars (\$75.00) per hour, paid to the Garfield Fire Prevention Bureau.
- (b) Administrative fee: thirty-five dollars (\$35.00) per hour shall be deducted from the one-hundred dollars (\$100.00) and paid to the Fire Prevention Bureau.
- (c) Personnel Payment: Forty dollars (\$40.00) per hour shall be paid to the individual performing the fire watch.
- (d) Payments for a non-emergent fire watch shall be made in advance in accordance with a statement issued by the City. The statement shall include the administrative fee and estimate of compensation to be paid to employees. If the actual amount of compensation to employees exceeds the estimate, a supplemental statement shall

be issued by the City. If the estimate exceeds the actual amount of compensation to employees, the property owner shall be reimbursed for the overpayment.

- (e) Payments to fire watch personnel shall be made to the person or persons by the City.
- (f) The Fire Official shall have the discretion to waive payment for a fire watch in appropriate circumstances.

#### **§142-1.11 Board of Appeals**

Pursuant to Sections 15 and 17 of the Uniform Fire Safety Act, any person aggrieved by any action of the location enforcing agency shall have the right to appeal to the local construction Board of Appeals.

#### **§142-1.12 Enforcement, Violations, and Penalties**

Enforcement, violations, and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code, and all other laws of the State of New Jersey.

### **§142-2 Regulation and Disposal of Flammable Materials**

#### **§142-2.1 Bonfires**

- A.** No person shall burn or cause to be burned any trash, lumber, leaves, straw, or any other combustible material in any street, alley, or vacant lot, without a permit from the Fire Official, except when such burning shall be done in screened metallic receptacles approved by him and under such proper safeguards as he may direct.
- B.** On any lot containing a building, no person shall burn, or caused to be burned, any materials, other than dry firewood, and then only in an approved device, such as a chiminea or patio fireplace. This provision shall be enforced by the Garfield Fire Official or his or her designee.

#### **§142-2.2 Hot Ashes and Other Dangerous Materials**

Ashes, smoldering coals, or embers, greasy or oily substances and other matter liable to spontaneous ignition, shall not be deposited or allowed to remain within ten (10) feet of any combustible materials, except in metal or other noncombustible receptacles. Such receptacles shall be placed on noncombustible stands, unless resting on a noncombustible floor or on the ground outside the building and shall be kept at least two (2) feet away from any combustible wall or partition.

#### **§142-3 Flammable Decorations**

- A.** Cotton batting, straw, dry vines, leaves, trees, celluloid, or other flammable materials shall not be used for decorative purposes in show windows or in stores without a permit from the Fire Official.
- B.** Paper and other readily flammable materials shall not be used for decorative purposes in any place of public assembly unless such materials have first been treated to render them flameproof to the satisfaction of the Fire Official.

#### **§142-3.1 Violations and Penalties**

- A.** A person who shall violate a provision of this section or fail to comply therewith, or who shall violate or fail to comply with any order or regulation made thereunder, or who shall build in violation of a detailed statement or plan submitted and approved thereunder, or of a permit issued thereunder, shall severally for each and every such violation and noncompliance be liable to the penalty stated in Chapter I, Section 1-5. The imposition of a penalty for a violation of this section shall not excuse the violation or permit it to continue, and such violation shall be remedied within a reasonable time; and each ten (1) days that such violation is permitted to exist shall constitute a separate offense.

B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

**§142-4.1 Parking in Fire Lane or Fire Zone**

The purpose of this section is to control the parking of motor vehicles in certain areas and locations designated as fire zones, pursuant to the provisions of and in accordance with the authority of N.J.S.A. 40:48-2.46.

**§142-4.2 Parking in Fire Lane Prohibited**

No person shall park or locate a motor vehicle in any area containing more than a three (3) family dwelling unit between the buildings, or between the buildings and any street, road, or driveway which has been designated by the as a fire lane.

**§142-4.3 Signs Required**

Said fire lanes and/or fire zones shall be appropriately signed in the following style or designation, "Fire Lane - No Parking - Violators subject to a fine and towing at owners' expense."

**§142-4.4 Violations and Penalty**

Any person who shall violate the terms and provisions of this section shall be subject to a fine of fifty-five dollars (\$55.00) plus costs of court for the first offense, and for second offense, a fine of one-hundred and fifty dollars (\$150.00) plus costs of court and for a third and subsequent offense a fine of two-hundred (\$200.00) dollars plus costs of court.

Second and subsequent offenses shall also subject vehicle to be towed at the cost and expense of the owner thereof.

Section 4. 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 5. 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: December 13, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-581-22**

**INTRODUCE ORDINANCE #2972  
SECOND READING**

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

**AMENDING ORDINANCE 2929, AN ORDINANCE TO FIX THE SALARY, WAGES, AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY**

was introduced and passed at a meeting held on Tuesday, December 13, 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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2972**

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**AMENDING ORDINANCE 2929, AN ORDINANCE TO FIX THE SALARY, WAGES,  
AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY  
OF GARFIELD, BERGEN COUNTY, NEW JERSEY**

**WHEREAS**, pursuant to N.J.S.A. 40A:9-1 65, the City must set salaries and state all compensation and benefits for non-contractual officers and employees, statutory employees and elected officials not directly subject to duly adopted collective bargaining agreements by separate ordinance; and

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

**SECTION 1.** The salary, wages, and compensation to be paid the following officers and employees of the City of Garfield, be and the same are hereby established as set forth as Exhibit A attached hereto.

**SECTION 2.** Repealer. All ordinances and parts of Ordinance in conflict with or inconsistent with this ordinance be and the same are hereby repealed but to the extent of such conflict or inconsistency.

**SECTION 3.** Effective Date This Ordinance shall take effect immediately upon the final passage, provided notice of same has been duly published as required by law. This Ordinance shall have a retroactive effect to January 1, 2023 to the extent necessary upon approval of the City Manager.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: December 13, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**EXHIBIT A**

	2023		2024		2025	
	Min	Max	Min	Max	Min	Max
<b>Statutory</b>						
Municipal Clerk	100,000	200,060	100,000	206,062	100,000	212,244
Chief Finance Officer* (*Chief Finance Officer/QPA/ Treasurer)	49,000	133,900	49,000	137,917	49,000	142,055
Chief Assessor	40,000	47,277	40,000	48,695	40,000	50,156
Municipal Tax Collector	65,000	87,550	65,000	90,177	65,000	92,882
<b>Governing Body</b>						
Council Member	7,531	8,564	7,531	8,821	7,531	9,086
Mayor	7,531	13,817	7,531	14,232	7,531	14,658
<b>City Manager's Office</b>						
City Manager	20,000	41,638	20,000	42,887	20,000	44,174
Assistant Affirmative Action EOO	1,200	1,273	1,200	1,273	1,200	1,273
Executive Secretary (Exec/ Confidential)	33,000	65,137	33,000	67,091	33,000	69,104
<b>Others</b>						
Attorney - BD of Adjustment	5,490	6,061	5,490	6,061	5,490	6,061
Secretary/Clerk - BD of Adjustment (effective 10/4/21)	6,000	6,000	6,000	6,000	6,000	6,000
Attorney -Planning Board	6,774	6,774	6,774	6,774	6,774	6,774
Secretary/Clerk - Planning Board (effective 10/4/21)	6,000	6,000	6,000	6,000	6,000	6,000
Veterans Officer	3,821	4,055	3,821	4,055	3,821	4,055
Emergency Management Coordinator	5,000	5,253	5,000	5,411	5,000	5,573
Deputy Emergency Management Coordinator(s)	1,000	1,050	1,000	1,082	1,000	1,114
P/T Fire Inspectors	\$29.10 per hour	\$32.77 per hour	\$29.10 per hour	\$32.77 per hour	\$29.10 per hour	\$32.77 per hour
P/T Recreation Counselors	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour
P/T Lunch Program Monitor	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour
P/T Recreation Teachers	\$21.23 per hour	\$23.93 per hour	\$21.23 per hour	\$23.93 per hour	\$21.23 per hour	\$23.93 per hour
Summer Teacher /Supervisor	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour
<b>Finance Department</b>						
Confidential Finance Assistant	33,000	60,000	33,000	61,800	33,000	63,654
<b>Building Department</b>						
Bldg. Inspector/Code Enforcement Official	25,000	30,170	25,000	31,075	25,000	32,007

Bldg. Inspector / Zoning Officer – Garfield Code 341-59	10,000	18,102	10,000	18,645	10,000	19,204
F/T Construction Official/Plumbing Sub-code Official/Flood Plain Manager/Multi-Dwelling Inspector	50,000	80,340	50,000	82,750	50,000	85,233
Building Sub-Code Official	10,000	18,101	10,000	18,644	10,000	19,203
Plumbing Inspector	10,000	12,607	10,000	12,985	10,000	13,375
Elect. Sub-Code Official	10,000	18,101	10,000	18,644	10,000	19,203
Fire Protection Sub-Code Official	8,000	10,300	8,000	10,609	8,000	10,927
Fire Safety Official – Garfield Code 39-78-39-81 (Part-time effective 1/1/2022)	35,000	42,000	35,000	43,260	35,000	44,558
<b>Municipal Court</b>						
Municipal Magistrate	57,239	72,029	57,239	72,029	57,239	72,029
Muni. Court Administrator	65,000	110,545	65,000	113,861	65,000	117,277
Municipal Prosecutor	32,000	41,132	32,000	41,132	32,000	41,132
Public Defender	4,176	5,715	4,176	5,715	4,176	5,715
Alternate Municipal Prosecutor	10,000	10,000	10,000	10,000	10,000	10,000
P/T Constable	\$25.00 per hour	\$27.00 per hour	\$25.00 per hour	\$27.00 per hour	\$25.00 per hour	\$27.00 per hour
Alternate Public Defender	\$65 per diem	\$65 per diem	\$65 per diem	\$65 per diem	\$65 per diem	\$65 per diem
Shared Service Court Administrator	10,000	10,000	10,000	10,000	10,000	10,000
<b>Department of Health</b>						
Health Physician	10,000	17,777	10,000	17,777	10,000	17,777
Registrar	40,000	43,260	40,000	44,558	40,000	45,895
Social Worker	\$35 per hour	\$35 per hour	\$35 per hour	\$35 per hour	\$35 per hour	\$35 per hour
<b>Police Personnel</b>						
Crossing Guards	\$20.11 per hour	\$22.65 per hour	\$20.11 per hour	\$22.65 per hour	\$20.11 per hour	\$22.65 per hour
Police Chief	170,357	207,494	170,357	213,719	170,357	220,130
<b>Water Dept.</b>						
Sewer/Water Facilities Manager	100,000	126,072	100,000	129,854	100,000	133,750
Assist Water Supervisor	65,000	65,000	65,000	65,000	65,000	65,000
Assist Water Superintendent	70,000	96,397	70,000	99,289	70,000	102,268
Water Collector	3,000	5,150	3,000	5,305	3,000	5,464
<b>DPW</b>						
Superintendent/ Streets and Public Works	90,000	140,715	90,000	144,936	90,000	149,285

Supervisor of Streets and Public Works	70,000	80,000	70,000	80,000	70,000	80,000
<b>Recreation</b>						
Recreation Director	66,500	93,840	66,500	95,700	66,500	97,600
Assist Municipal Parks Superintendent	75,000	89,301	75,000	91,980	75,000	94,739
<b>Unclassified</b>						
Tax Assessing Aide	33,000	72,888	33,000	75,075	33,000	77,327
Part-time Employees	\$15 per hour	\$60 per hour	\$15 per hour	\$60 per hour	\$15 per hour	\$60 per hour

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-582-22**

**INTRODUCE ORDINANCE #2973  
SECOND READING**

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

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 310, TOW TRUCKS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on Tuesday, December 13, 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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2973**

-----

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 310, TOW TRUCKS, 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 310, Tow Trucks, hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 310, Tow Trucks, Section 310-7, Fees for towing, storage, and service of vehicles, is hereby amended as follows:

- A. All charges for non-consensual towing services shall be limited to those set forth in this chapter.
  
- B. 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 up to a cap of \$2,500.00. All hourly billable rates will be charged in half hour increments.
  - 1) All vehicles towed or impounded to a towing facility or City facility are not subject to "on-hook mileage" fees.
  - 2) Service for a flat tire with spare will be a flat rate of the minimum hourly "manual laborers" rate under the "labor" schedule.
  
- C. Storage Fees: Storage fees will begin after the first 24 hours of tow. Inside storage shall be at two-times the rate noted below. The figures noted below shall apply to the storage of vehicles as follows:
  - 1) Private Passenger Automobiles           \$50 per day with a cap of \$2,500.00
  - 2) Commercial Vehicles/Trucks  
   (Dual Wheels) Single Axle               \$125.00 per day with a cap of \$5,000.00
  - 3) Tractor/Dump Truck/Tractor and  
   Trailer combo/Trailers                 \$125.00 per unit per day with no cap
  - 4) Buses   \$150.00 per day with no cap
  - 5) Roll-Off                                     \$125.00 per day for each
  - 6) Cargo/Accident Debris/  
   Load Storage/Vehicle Components  
   10' x 20' Space                             \$50.00 per space used per day
  
- D. 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.

E. 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 seven 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.

F. 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.
3. The towing company shall not be responsible to pay the administrative fee unless actually collected from the vehicle owner or operator.

G. 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.

Section 2. The current text of City Ordinance, Part II, General Legislation, Chapter 310, Tow Trucks, Section 310-9, Minimum standards of performance, Subsection D, is hereby amended as follows:

- D. For services rendered, or to redeem a motor vehicle from storage, the operator shall accept in payment either cash, a check issued by an insurance company, as well as, a valid debit card, valid major credit card or charge card, except that the operator may request additional identification to support the charge card, as determined by the Director of the Division of Consumer Affairs, before proceeding with repairs or towing. Unless the owner is unable to produce such identification, or the operator has a bona fide reason to believe the card or other identification is fictitious, altered, stolen, expired or revoked or not valid for any other cause or is clearly offered with intent to defraud the operator, the debit card, charge card or credit card shall be deemed an acceptable form of payment in lieu of cash if the operator ordinarily accepts the card at his place of business. Nothing in this section shall preclude payment by a motorist in the form of check or money order, if this form of payment is acceptable to the operator.

Section 3. The current text of City Ordinance, Part II, General Legislation, Chapter 310, Tow Trucks, Section 310-20, Sale or junk title issuance of unclaimed/abandoned impounded vehicles, Subsection C, is hereby amended as follows:

- 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, the vehicle will be sold at public auction in accordance with N.J.S.A. 39:10A-1 through 39:10A-7.
- C. Storage and towing charges shall accumulate until the disposition of the vehicle, subject to the requirements of § **310-7**. A tow vendor shall be authorized to bid on a vehicle at an AAUSP auction to recover any unpaid fees. The tow vendor shall have the right to seek any legal actions for unpaid bills against the registered owner or security interest holder of the vehicle as per N.J.S.A. 39:10A-1, et. seq. In the event the proceeds from such auction or a junk title transferred shall be insufficient to pay the accrued towing and storage charges, the City shall not be liable to the tow vendor for any additional balance. Any proceeds of auction shall be distributed by the municipality as per N.J.S.A. 39:10A-5.
- 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 if the successful bidder 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.

Section 4. 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 5. 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: December 13, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-583-22**

**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 Current Year Reserve Totaling \$12,760.00 and the Current Fund totaling \$309,199.42 and the Water Fund totaling \$517.30 and the General Capital Fund totaling \$15,624.70 and the Grant Fund totaling \$1,050,646.70 and the Developer's Escrow totaling \$8,090.30 per attached Computer Lists, dated December 21, 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 twelve (12) 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

December 22, 2022  
Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-584-22**

**CONSENT AGENDA**

**RESOLUTION BY:  
SECONDED BY:**

**APPROVAL OF TAX OVERPAYMENT CREDIT/REFUND**

**WHEREAS** the Receiver of Taxes reports that she has received requests from the following property owners for a refund due to County Board Judgement for the year 2022.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue checks refunding over payments and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner to be paid out of account 2-01-17-001-001.

BLOCK	LOT	OWNER	REASON	AMOUNT
216.02	9	Adach, Tomasz P. & Bernadeta	O/P	\$135.14

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

December 22, 2022  
Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-585-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**APPROVAL OF TAX OVERPAYMENT CREDIT/REFUND**

**WHEREAS** the Receiver of Taxes reports that she has received requests from the following property owners for a refund due to Tax Court Judgement for the year 2022.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue checks refunding over payments and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner to be paid out of account 2-01-17-001-001.

BLOCK	LOT	OWNER	REASON	AMOUNT
144	1	Valerie A Hofer Esq. for 635-637 Midland Ave LLC	O/P	\$6,303.50

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

December 22, 2022  
Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-586-22**

**CONSENT AGENDA**

**RESOLUTION BY:  
SECONDED BY:**

**APPROVAL OF TAX OVERPAYMENT CREDIT/REFUND**

**WHEREAS** the Receiver of Taxes reports that she has received requests from the following property owners for a refund due to Tax Court Judgement for the year 2021.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue checks refunding over payments and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner to be paid out of account 2-01-17-001-004.

BLOCK	LOT	OWNER	REASON	AMOUNT
144	1	Valerie A. Hofer Esq. for 635-637 Midland Ave LLC	O/P	\$4,605.59

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

December 22, 2022  
Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-587-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**APPROVAL OF TAX OVERPAYMENT CREDIT/REFUND**

**WHEREAS** the Receiver of Taxes reports that she has received a request from the following property owners for a refund due to overpayment for the year 2022.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to servicing company on behalf of the owners to be paid out of account 2-01-17-001-001.

BLOCK	LOT	Servicing Company:	REASON	AMOUNT
11	30	CoreLogic	O/P	\$1,715.55
29	9	CoreLogic	O/P	\$1,976.52
53	18	CoreLogic	O/P	\$1,891.31
66	1	CoreLogic	O/P	\$1,179.59
118	16	CoreLogic	O/P	\$1,709.70
128	41	CoreLogic	O/P	\$2,214.07
158	40	CoreLogic	O/P	\$2,570.87
178	8	CoreLogic	O/P	\$2,224.60
182	25	CoreLogic	O/P	\$2,122.46
182	32	CoreLogic	O/P	\$2,860.90

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

December 22, 2022

Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-588-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**APPROVAL OF RIVER TO RAIL NEIGHBORHOOD PRESERVATION PROGRAM –  
YEAR 3 IMPLEMENTATION PLAN**

**WHEREAS**, a New Jersey Department of Community Affairs Neighborhood Preservation Program (NPP) grant was awarded in 2019 to the City of Garfield and community partner Greater Bergen Community Action Inc. (GBCA), for the implementation of immediate visible and tangible revitalization improvements within the River to Rail Neighborhood District in the City of Garfield; and

**WHEREAS**, pursuant to the Neighborhood Preservation Program guidelines, a one-year implementation plan must be crafted and executed for each of the five years of the duration of the grant program using community feedback and visible assessment to propose improvements; and

**WHEREAS**, a detailed Year 3 Implementation Plan has been drafted, thoroughly reviewed, and approved by the State of New Jersey; and

**WHEREAS**, this resolution authorizes GBCA, under a grant administration service agreement with the City of Garfield, to carry out all items within the plan, with a total 2023 budget of \$160,405.06; inclusive of \$125,000 in implementation actions, a state-mandated \$25,000 City match and in-kind contribution by GBCA of \$10,405.06;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Garfield hereby endorses and approves of the River to Rail Neighborhood District Year 3 NPP implementation plan; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the New Jersey Department of Community Affairs so that implementation of the aforesaid project may be expedited.

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

December 22, 2022

Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-589-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**AWARDING CONSTRUCTION CONTRACT FOR THE TEMPORARY REPAIRS  
OF THE BANTA AVENUE CULVERT PROJECT**

**WHEREAS**, price quotes/ proposals were requested for the various drainage repairs located at Banta Avenue/ Fleischer Brook in Garfield as a temporary measure to allow for pedestrian access over the sidewalk once completed; and

**WHEREAS**, there were two (2) quotes received with the low bidder for the project being Montana Construction, 80 Contant Avenue, Lodi, NJ 07644 with a proposal amount of \$32,500.00; and

**WHEREAS**, the City Engineer and the other appropriate City Officials have reviewed the quotes and recommend award of contract for the Temporary Repairs of the Banta Culvert; 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 bond ordinance/account #: C-04-55-999-000-970; 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 Mayor & Council approves the authorization of the City Manager, Erin Delaney, to award the Temporary Repairs of the Banta Culvert Project to Montana Construction, 80 Contant Ave, Lodi, 07644 in the amount of \$32,500.00.

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

December 22, 2022  
Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-590-22**

**CONSENT AGENDA**

**RESOLUTION BY:  
SECONDED BY:**

**APPROVING ESCROW REFUND**

**WHEREAS**, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees; and

**WHEREAS**, funds have been received from Mary Sabani, 60 Passaic Street, Garfield, New Jersey 07026 Block 11/Lot 3 a total of \$2,250.00 for Engineering & Attorney Fees. The following will be refunded in the amount of \$1,005.00 for Engineering Fees and \$00.00 for Attorney fees since 2/26/19 for a total amount of \$1,005.00 and said funds are being held in the Developer's Escrow Fund; and

**WHEREAS**, the Chief Financial Officer has investigated these deposits and had 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 out of account T-03-56-287-287-004.

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

December 22, 2022

Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-591-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**APPROVING ESCROW REFUND**

**WHEREAS**, the rules of procedure of the Planning and Zoning Boards of Adjustment of the City of Garfield state that a deposit shall be made to cover Engineering and Attorney fees; and

**WHEREAS**, funds have been received from Christina DiLeo, 377 Harrison Avenue, Garfield, New Jersey 07026 Block 124/Lot 23.01 and 23.02 total of \$2,250.00 for Engineering & Attorney Fees. The following will be refunded in the amount of \$1,675.30 for Engineering Fees and \$10.00 for Attorney fees since 8/14/20 for a total amount of \$1,685.30 and said funds are being held in the Developer's Escrow Fund; and

**WHEREAS**, the Chief Financial Officer has investigated these deposits and had 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 out of Escrow Account# PAP562021 and PAP562021A.

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

December 22, 2022  
Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-592-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**AUTHORIZING PAYMENT TO ALL RISK INC. FOR AN EMERGENCY SANITARY  
SEWER CLEANOUT AT FIRE COMPANY #3 IN GARFIELD**

**WHEREAS**, emergency services were required to clean out a Sanitary Sewer at Garfield Fire Co#3.; and

**WHEREAS**, All Risk Inc. provided emergency cleanout services at Garfield Fire Co#3 for a fee of \$31,872.46; and

**WHEREAS**, emergency services were successfully completed;

**NOW, THEREFORE, BE IT RESOLVED** payment is hereby authorized to All Risk Inc. for \$31,872.46 to be paid out of General Capital account # C-04-55-000-247-000.

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

December 22, 2022

Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-593-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**REJECTING ALL BIDS FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND  
WHITE GOODS COLLECTION AND DISPOSAL FOR THE CITY OF GARFIELD AND  
EXTENDING THE EXISTING CONTRACT FOR AN ADDITIONAL 135 DAYS**

**WHEREAS**, the City of Garfield solicited bids for the collection and disposal of solid waste and white goods in accordance with the terms of the Bid Specifications and N.J.A.C. 7:26H-6 et. seq.; and

**WHEREAS**, the City of Garfield advertised on August 8, 2022 the request for bids in The Record, the City's designated newspaper, and on August 10, 2022 in The Star Ledger for October 12, 2022; and

**WHEREAS**, said notice was deficient as the bid submission date contained within the Bid Specifications incorrectly stated October 11, 2022; and

**WHEREAS**, the City of Garfield rejects all bids submitted on October 11, 2022 and October 12, 2022 and will reissue same according to law; and

**WHEREAS**, in order to protect the health, safety, and welfare of the citizens of the City of Garfield, the existing contract for collection and disposal of solid waste and white goods with Sterling Carting shall be extended an additional 135 days from the end of the existing contract term or until a new bid is awarded, whichever is shorter;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield that all bids received on October 11, 2022 and October 12, 2022 for the collection and disposal of solid waste and white goods are hereby rejected; and

**BE IT FURTHER RESOLVED**, by the Mayor and Council of the City of Garfield that the existing contract for collection and disposal of solid waste and white goods with Sterling Carting shall be extended an additional 135 days from the end of the existing contract term or until a new bid is awarded, whichever is shorter.

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

December 22, 2022

Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-594-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**AWARDING A CONTRACT TO CREAMER-SANZARI, a J/V FOR THE RIVER  
DRIVE IMPROVEMENTS AND PASSAIC RIVER BIKEWAY (PHASE 2)**

**WHEREAS**, the City of Garfield has secured grant funding from the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund, as well as NJDEP, to acquire and remediate various properties along the westerly side of River Drive between Passaic Street to Monroe Street, as well as another property north of Monroe Street commonly known as 327 River Drive; and

**WHEREAS**, the City of Garfield has executed a Shared Services Agreement with Bergen County for certain roadway and intersection improvements on this section of River Drive; and

**WHEREAS**, the City has also secured NJDOT grant funding for certain bikeway improvements; and

**WHEREAS**, this improvement was initially bid on October 14, 2022 and those bids were rejected, and the project was rebid on December 9, 2022; and

**WHEREAS**, a total of 5 bids were received on December 9, 2022, with the lowest bid being received from Creamer-Sanzari, a J/V in the base bid amount of \$8,976,248.90 and an alternate bid of \$172,660.00, for a total bid of \$9,148,908.90; and

**WHEREAS**, the Chief Financial Officer has certified to the existence of funds in the appropriate accounts;

**NOW, THEREFORE, BE IT RESOLVED** the City of Garfield hereby awards a contract to Creamer-Sanzari, a J/V for the low bid amount of \$9,148,908.90 for both the base bid and alternate bid to be paid out of accounts: C-04-55-999-000-902, C-04-55-999-000-912, C-04-55-999-000-944, C-04-55-999-000-963, C-04-55-222-958-001, C-04-55-999-000-933, C-04-55-999-000-939.

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

December 22, 2022

Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-595-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**AUTHORIZING THE MAYOR AND CITY MANAGER/CLERK TO EXECUTE A  
SHARED SERVICE AGREEMENT WITH THE BOROUGH OF PARAMUS FOR A  
MAINTENANCE/REPAIR SHARED SERVICE FOR VEHICLES**

**WHEREAS**, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A65.1 et seq., allows any municipality or county to enter into a contract with any other municipality or county for the joint provision of any services within their joint jurisdiction; and

**WHEREAS**, the City of Garfield and the Borough of Paramus seek to enter into a Shared Services Agreement wherein the Borough of Paramus will provide maintenance and repair to vehicles which are directed to the Borough of Paramus by the City effective January 1, 2023 and terminating on December 31, 2023; and

**WHEREAS**, the City of Garfield has reviewed and approves of the “Agreement” between the Borough of Paramus and the City of Garfield as on file with the Office of the City Clerk for the term of the contract and the expenditure of funds pursuant to the terms thereof;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the City of Garfield agrees to authorize Mayor and City Manager/Clerk to execute the “Agreement” between the Borough of Paramus and the City of Garfield.

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

December 22, 2022

Dated

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-596-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**AUTHORIZING THE SUBMISSION OF AN APPLICATION AND ABIDING BY THE  
CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS  
2023 LOCAL RECREATIONAL IMPROVEMENT GRANT PROGRAM**

**WHEREAS**, the City of Garfield desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for a maximum of \$100,000 to carry out a project to improve and upgrade the spray park in Jewell Street Park;

**NOW, THEREFORE, BE IT RESOLVED** that the City Manager and City Council do hereby authorize the application for 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, do further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, do 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.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-597-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY COMMUNITY  
DEVELOPMENT BLOCK GRANT APPLICATION**

**WHEREAS**, a Bergen County Community Development Block Grant totaling \$440,924 has been proposed by the City of Garfield for the Banta Avenue Drainage Improvement Project in the municipality of the City 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** aforesaid project is in the best interest of the people of the City 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 Community Development application.

**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 Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4<sup>th</sup> Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-598-22**

**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; and

**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 cancelled:

Grant	Year	Cancel Appropriation	Cancel Receivable
Municipal Alliance	2021-2022		1,055.10
<b>TOTALS</b>			1,055.10

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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-599-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**REQUESTING CANCELLING CAPITAL GRANT RECEIVABLES &  
IMPROVEMENT AUTHORIZATIONS**

**WHEREAS**, General Capital Improvement appropriation balances remains dedicated for projects now completed; and

**WHEREAS**, it is necessary to formally cancel said unexpended debt authorization; and

**WHEREAS**, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Fund Balance or Grants Receivable, as appropriation, and unused debt authorizations may be canceled;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, County of Bergen, State of New Jersey that the following ordinance appropriation balances in the General Capital Fund be cancelled of record.

Project	Ordinance & Year	Grant Receivable	Amount of Improvement Authorization
Streetscape & Pedestrian Safety	2738-16/2850-20/2885-21	\$ 120,581.66	\$ 48,109.43
20th Century Playground	2777-18		\$ 28,352.50
2019 Roads	2813-19/2582-20		\$ 2,251.00
Library ADA	2869-21		\$ 185.00

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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-600-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**ENDORISING BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG) PROJECT – GARFIELD YMCA**

**WHEREAS**, a Bergen County Community Development grant of \$220,000 has been proposed by the YMCA of Garfield for repointing and window replacement of southern side of the building (Outwater Lane) , located at 33 Outwater Lane 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 of the aforesaid CD funds;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body 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 Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-601-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**ENDORISING BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT  
(CDBG-CV) PROJECT – BOYS & GIRLS CLUB OF GARFIELD**

**WHEREAS**, a Bergen County Community Development Block Grant targeted for COVID-19 (CDBG-CV) totaling \$139,480 has been proposed by the Boys & Girls Club of Garfield for Mental Health & Wellness Services 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 Community Development application;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body 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 Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-602-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**AUTHORIZE AGREEMENT FOR A CERTIFIED RECYCLING PROFESSIONAL  
WITH THE BERGEN COUNTY UTILITIES AUTHORITY**

**WHEREAS**, in accordance with the Recycling Enhancement Act P.L. 2008, Chapter 6 that beginning in 2012 each New Jersey municipality is required to submit an Annual Tonnage Report to the New Jersey Department of Environmental Protection; and

**WHEREAS**, said report needs to be signed by a Certified Recycling Professional; and

**WHEREAS**, as a part of the Bergen County Utilities Authority (BCUA) Certified Recycling Professional Tonnage Grant Assistance Program, the BCUA will provide the services of a Certified Recycling Professional to sign and submit said tonnage report free of charge;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council that the following agreement between the City of Garfield and the Bergen County Utilities Authority be hereby executed enabling the BCUA to submit the Annual Tonnage Report for the City for the year 2023; and

**BE IT FURTHER RESOLVED** that City Manager/Clerk Erin Delaney be and is hereby authorized to execute said agreement.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-603-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**APPROVING REQUEST FOR TIME EXTENSION – DEJA VU**

**WHEREAS**, pursuant to Ordinance 73-17 which establishes the hours of service for liquor licensed premises, no alcoholic beverages may be sold or consumed after 2:00 AM; and

**WHEREAS**, local ordinances have uniformly been interpreted by the Division of Alcoholic Beverage Control to mean that the prohibition of sale also requires that all members of the general public must be off of the licensed premise; and

**WHEREAS**, on occasion, the Mayor and Council have granted exceptions to this Municipal regulation, such as New Year's Eve/New Year's Day; and

**WHEREAS**, the Mayor and Council have now received a specific request by the Garfield Restaurant Corp DBA: Déjà Vu, located at 50 River Drive; and

**WHEREAS**, this organization has requested authorization to extend its hours of operation until 3:00AM on the morning of January 7, 2023; and

**WHEREAS**, the request is not for permission to continue to sell alcoholic beverages but is a request to allow the event to continue, without sale of alcoholic beverages, so that participants may conclude the affair with social interaction and dancing; and

**WHEREAS**, the Mayor and Council have reviewed this request and in view of the fact that it is a cultural event have concluded that it would be acceptable to allow such extension; and

**WHEREAS**, the Mayor and Council also believe that in order to be fair to other licensed premises within the Municipality, this extension should be permitted for all liquor licensed establishments;

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

1. Garfield Restaurant Corp. t/a Déjà vu 0221-33-012-005 shall be permitted to remain open until 3:00 AM on the morning of January 7, 2023.
2. No sale, service or delivery of alcoholic beverages shall be permitted after 2:00AM in accordance with the provisions of Section 73-17(A) of the Code of the City of Garfield.
3. The approval granted herein is based upon the consideration of the unique facts and circumstances presented for this day and shall not serve as a precedent or basis for enlargement of time for any other date, event or licensed premises

; and

**BE IT FURTHER RESOLVED** that the City Clerk be and she is hereby authorized and directed to forward certified copies of the within resolution to the Garfield Police Department. The City Clerk be and is hereby further authorized and directed to make certified copies of the within resolution available to any interested party and to any liquor licensee within the City of Garfield.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-604-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**EXTENSION OF HOURS DUE TO HOLIDAY – PLENARY RETAIL CONSUMPTION  
LICENSEES**

**BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey, that the provisions of Chapter 73-17 of the code of the City of Garfield concerning the hours of services and sales, specifically the portion regulating the hours an establishment holding a Plenary Retail Consumption License may stay open for business, is hereby suspended strictly for the 2022-2023 New Year’s Day Holiday and that permission is hereby granted to said establishments to remain open an additional three hours until 5:00 AM on January 1, 2023; and

**BE IT FURTHER RESOLVED** that the City Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Chief of Police of the Garfield Police Department.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-605-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**ADOPTING REVISED PERSONNEL POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the Policies and Procedures Manual serves as a governing document for personnel matters involving employees, volunteers, appointed officials, and independent contractors of the City of Garfield; and

**WHEREAS**, the City administration and labor counsel have recommended certain revisions to the Policies and Procedures Manual to remain compliant with law and/or to adhere to best employment practices; and

**WHEREAS**, all revisions have been reviewed and approved by the Mayor and City Council;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council hereby adopt the revised Policies and Procedures Manual for 2023; and

**BE IT FURTHER RESOLVED** that the policies and procedures revised in the new Policies and Procedures Manual shall be effective immediately upon adoption of this Resolution; and

**BE IT FURTHER RESOLVED** that copies of the revised Policies and Procedures Manual will be distributed and made available to all current and future City employees, volunteers, appointed officials, and independent contractors.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-606-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**APPROVING HANDICAP PARKING SPACE**

**WHEREAS**, Maria Garcia, 75 Grand Street Floor 1, who is the holder of a Disabled Person I.D. Card No. P2436677, has filed an application for a handicap parking sign to be placed at her address; and

**WHEREAS**, the Police Department has investigated and recommend approval of the application;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the north curb line of Grand Street commencing 38 feet west of the intersection of Grand Street and Palisade Avenue and continue an additional 20 feet west from that point; and

**BE IT FURTHER RESOLVED** that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-607-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**APPROVING HANDICAP PARKING SPACE**

**WHEREAS**, Helena Maslach, 78 A Cedar Street, who is the holder of a Disabled Person I.D. Card No. P2547422, has filed an application for a handicap parking sign to be placed at her address; and

**WHEREAS**, the Police Department has investigated and recommend approval of the application;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the east curb line of Cedar Street commencing 226 feet north of the intersection of Cedar Street and Belmont Avenue and continue an additional 20 feet west from that point; and

**BE IT FURTHER RESOLVED** that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-608-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**APPROVING HANDICAP PARKING SPACE**

**WHEREAS**, Bronislaw Czarnecki, 161 Jewell St, who is the holder of a Disabled Person I.D. Card No. P2530627, has filed an application for a handicap parking sign to be placed at his address; and

**WHEREAS**, the Police Department has investigated and recommend approval of the application;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the west curb line of Jewell Street commencing 106 feet north of the intersection of Division Avenue and Jewell Street and continue an additional 20 feet north from that point; and

**BE IT FURTHER RESOLVED** that the Traffic Safety Control Division is hereby authorized and directed to erect an appropriate sign at the above location.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-609-22**

**CONSENT AGENDA**

**RESOLUTION BY:  
SECONDED BY:**

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR WALL OF  
MAYORS DONATIONS REQUIRED BY DLGS NJSA 40A:5-29**

**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**, the City of Garfield provides for receipt of Wall of Mayors Donations NJSA 40A:5-29 by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, NJS 40A:4-39 provides the dedicated revenues anticipated from Wall of Mayors Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

**NOW, THEREFORE, BE IT RESOLVED** by the City 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 of Wall of Mayors Donations NJSA 40A:5-29
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: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-610-22**

**CONSENT AGENDA**

**RESOLUTION BY:  
SECONDED BY:**

**APPROVING RESIGNATION OF ACTIVE MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 1 has advised that they have accepted the resignation of Jonathan Baczyk of 9 Somerset Street, Garfield, New Jersey 07026 as an active member, effective October 26, 2022;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that the action taken by Fire Company No. 1 with respect to the above matter, is hereby approved.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-611-22**

**CONSENT AGENDA**

**RESOLUTION BY:  
SECONDED BY:**

**APPROVING RESIGNATION OF ACTIVE MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 1 has advised that they have accepted the resignation of Joseph Luterzo of 37 Spencer Place, Garfield, New Jersey 07026 as an active member, effective October 26, 2022;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that the action taken by Fire Company No. 1 with respect to the above matter, is hereby approved.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before  
me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-612-22**

**CONSENT AGENDA**

**RESOLUTION BY:**

**SECONDED BY:**

**AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT  
VENDORS FOR CONTRACTING UNITS PURSUANT TO N.J.S.A. 40A:11-12A**

**WHEREAS**, the City of Garfield, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the City of Garfield has the need on a timely basis to purchase goods or services utilizing State contracts; and

**WHEREAS**, the City of Garfield intends to enter into contracts with the attached Referenced State Contract Vendors through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Garfield authorizes the Purchasing Agent to purchase certain goods or services from those approved New Jersey State Contract Vendors on the attached list, pursuant to all conditions of the individual State contracts; and

**BE IT FURTHER RESOLVED**, that the governing body of the City of Garfield pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds, shall either certify the full maximum amount against the budget at the time the contract is awarded, or no contract amount shall be chargeable or certified until such time as the goods or services are ordered or otherwise called for prior to placing the order, and a certification of availability of funds is made by the Chief Finance Officer; and

**BE IT FURTHER RESOLVED**, the duration of the contracts between the City of Garfield and the Referenced State Contract Vendors shall be from July 1, 2022 to December 31, 2022.

**Referenced State Contract Vendors**

<u>Commodity/Service</u>	<u>Vendor</u>	<u>State Contract #</u>
General Office Supplies /Furniture	WB Mason	000003 (Exp 5/23)
Computer Software	GTBM Inc	17-FLEET-00716 (Exp 5/23)
	Idemia	18-TELE-00671 (Exp 1/24)
Police & Homeland Security	Axon Enterprises	17-FLEET-00738 (Exp 5/23)
	Lawmen Supply Co.	17-FLEET-00740 (Exp 5/23)
	Witmer Public Safety Group	17-FLEET-00767 (Exp 5/23)
	Eagle Point/T.J. Morris & Son	17-FLEET-00721 (Exp 5/23)
Vehicles, Sport Utility, Police, Vehicle Equipment & Repairs, etc.	David Weber Oil Co.	20-FLEET-01343 (Exp 11/23)
	Beyer Ford	20-FLEET-01388 (Exp 2/23)
	Beyer Ford	40813 (Exp 3/23)
	Beyer Bros	40801 (Exp 3/23) 88737 (Exp 3/23)
Automotive Parts	Cliffside Body Corp.	40822 (Exp 3/23)
	Beyer Bros	19-FLEET-00922 (Exp 8/23)
	Beyer of Morristown	19-FLEET-00914 (Exp 8/23)
Firearms Equipment & Supplies	Beyer Fleet	17-FLEET-00728 (Exp 5/23)
	Turn Out Fire & Safety	17-FLEET-00752
Copier Machines	Atlantic Communications	83917 (Exp 4/23)
Fire Protection Equipment & Supplies	All Hands Fire Equipment	17-FLEET-00812
	Turn Out Fire & Safety	16-FOOD-00113

Mailroom Equipment	Quadient	41267 (Exp 4/23)
	Pitney Bowes	41258 (Exp 4/23)
Telecommunications	Avaya	80802 (Exp 1/23)
	Verizon, NJ	85943 (Exp 2/23)
	Extel Communications	80807 (Exp 1/23)
Wireless Services	Verizon Wireless	22-TELE-05441 (Exp 8/24)
	Motorola Solutions	83909 (Exp 4/23)
	Goosetown Communications	83892 (Exp 4/23)
Parts & Repairs	Storr Tractor	43038 (Exp 2/23)
Lawn & Grounds Equipment	Lawson Supply Co.	85850 (Exp 11/23)
	Lawson Supply Co.	43023 (Exp 2/23)
	Rubberecycle	16-FLEET-00131 (Exp 5/23)
	MRC	ESCNJ 17/18-20
	MRC	ESCNJ 20/21 06 65
Park & Playground Equipment	Commercial Recreation Spec	16-FLEET-00133 (Exp 5/23)
	Safety Down Under	16-FLEET-00127 (Exp 5/23)
	General Recreation	16-FLEET-00130 (Exp 5/23)
Parts for Water Dept, Wells, Etc.	Grainger	19-FLEET-00677 (Exp 6/23)
	Grainger	19-FLEET-00566 (Exp 6/23)

APPROVED: December 29, 2022

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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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-613-22**

**CONSENT AGENDA**

**RESOLUTION BY:**  
**SECONDED BY:**

**TRANSFER OF FUNDS BETWEEN LINE ITEMS**

**WHEREAS**, the Chief Financial Officer has determined that it is necessary to make the following transfers between budget line items in order to pay appropriations 2022 invoices;

From: Finance OE	\$ 5,000.00
Housing S&W	\$ 2,000.00
Police S&W	\$ 40,000.00
Police Vehicles	\$ 5,000.00
DPW S&W	\$ 25,000.00
DPW OE	\$ 5,000.00
Health S&W	\$ 5,000.00
Recreation S&W	\$ 5,000.00
Recreation OE	\$ 15,000.00
Electricity	\$ 22,000.00
Street Lighting	\$ 17,000.00
To: Redevelopment S&W	\$ 1,000.00
Finance S&W	\$ 17,000.00
Police OE	\$ 55,000.00
Volunteer Fire OE	\$ 33,000.00
Gasoline	\$ 20,000.00
DCRP	\$ 2,000.00
Court S&W	\$ 18,000.00

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Garfield, that the Chief Financial Officer be and is hereby authorized and directed to make the necessary transfers per above.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-614-22**

**CONSENT AGENDA**

**RESOLUTION BY:  
SECONDED BY:**

**AUTHORIZING ENTERING INTO AN INTER-LOCAL SHARED SERVICES  
AGREEMENT WITH THE BOROUGH OF LODI PURSUANT TO N.J.S.A 40A:65-1**

**WHEREAS**, N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act authorizes contracts among municipalities for the sharing of services within their respective jurisdictions; and

**WHEREAS**, the governing bodies of the Borough of Lodi and City of Garfield deem it to be in their best interests to enter into an Inter-Local Shared Services Agreement for the use of various Department of Public Works equipment and services on an as needed basis; and

**WHEREAS**, the Borough of Lodi has or will adopt a resolution authorizing the entering into an Inter-Local Shared Services Agreement with the City of Garfield for the use of various Department of Public Works equipment and services on an as needed basis which will be attached to the agreement on file in the City Clerk's office as Exhibit "A";

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Garfield, pursuant to the provisions of N.J.S.A. 40:65-1 et seq., that the City Manager is hereby authorized to execute an Inter-Local Shared Services Agreement with the Borough of Lodi for the use of various Department of Public Works equipment and services on an as needed basis with the Borough of Lodi.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-615-22**

**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-583-22 through R-615-22 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-616-22**

**RESOLUTION BY:**

**SECONDED BY:**

**APPROVING EXTENSION OF LIQUOR LICENSE TRANSFER – 0221-33-048-008**

**WHEREAS**, an application has been filed for an Extension of License (to Executor, Receiver, Administrator, etc.) Transfer Application of Plenary Retail Consumption License No. 0221-33-048-008 STRYV, LLC, t/a Pesaro 517 River Drive (Gennaro J. Conforti III, 203 Memorial Parkway, Bloomfield, New Jersey 07003) who owns 100% shares of the Corporation to Steven P. Ross, Esq., Assignee for the Benefit of Creditors/Owner who will own 100% of the shares of the Corporation), as a pocket license at this time; 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;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective, December 29, 2022, the transfer of the aforesaid Plenary Retail Consumption License No. 0221-33-048-008 to Steven P. Ross, Esq., Assignee for the Benefit of Creditors/Owner who will own 100% of the shares of the Corporation), as a pocket license at this time.

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-617-22**

**RESOLUTION BY:**

**SECONDED BY:**

**APPROVING LIQUOR LICENSE TRANSFER – PERSON TO PERSON**

**0221-33-048-008**

**WHEREAS**, an application has been filed for a Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-048-008 Steven P. Ross, Esq., Assignee for the Benefit of Creditors/Owner who owns 100% of the shares of the Corporation to Tres Agaves, LLC, (Carolina A. Dickson, 322 N. 8<sup>th</sup> Street, Prospect Park, New Jersey 07508, – who will own 100% of the shares of the Corporation), as a pocket license at this time; 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, December 30, 2022, the transfer of the aforesaid Plenary Retail Consumption License No. 0221-33-048-008 to Tres Agaves, LLC, (Carolina A. Dickson, 322 N. 8<sup>th</sup> Street, Prospect Park, New Jersey 07508, – who will own 100% of the shares of the Corporation), as a pocket license at this time, effective December 30, 2022” ; and

**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 \$108.30 was collected for the City of Garfield in connection with the person to person license transfer).

APPROVED: December 29, 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 Re-Scheduled Regular Meeting held on the 29th day of December 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated