

**WORK SESSION MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
ACTION ITEMS
FEBRUARY 13, 2024
6:00P.M.**

1. APPROVAL OF MINUTES:

January 23, 2024 – Regular Meeting

2. PUBLIC HEARING – COMMUNITY ENERGY PLAN

3. ORDINANCES: FIRST READING

R-79-24

Introduce Ord. #3027

CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

R-80-24

Introduce Ord. #3028

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 23, FIRE DEPARTMENT, ARTICLE IV, LENGTH OF SERVICE AWARDS PROGRAM, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

SECOND READING

R-81-24

Introduce Ord. #3022

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 48, POLICE DEPARTMENT, ARTICLE VII, CONTRACTED OFF-DUTY EMPLOYMENT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-82-24

Introduce Ord. #3023

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE II, PARKING FOR HANDICAPPED PERSONS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-83-24

Introduce Ord. #3024

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE BANTA AVENUE SEWER IMPROVEMENT PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE STATE AND FEDERAL GRANTS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

R-84-24 Introduce Ord. #3025
AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE V, PERMIT PARKING ON RESIDENTIAL STREETS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-85-24 Introduce Ord. #3026
AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 53, PURCHASING, ARTICLE III, PURCHASES BY VENDOR, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

4. CONSENT AGENDA:

- R-86-24 Approval of Bills List
- R-87-24 Approving Contract for Extraordinary Unspecifiable Service
- R-88-24 Approving 2024 Cannabis License
- R-89-24 Approving 2024 Vehicle Repair and Auto Body Repair Facility Licenses
- R-90-24 Approval of 2024 Vehicle Sales Business Licenses
- R-91-24 Determining That the Properties Generally Known as 89 & 97 Midland Avenue, Also Known as Block 31.02, Lots 35 & 37, as Shown on the Official Tax Map of the City of Garfield Qualify and Is Determined as an Area in Need of Redevelopment, Specifically a Non-Condemnation Redevelopment Area, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.
- R-92-24 Authorizing the Issuance and Execution of an Estoppel Certificate to Lument Structure Finance, LLC In Furtherance of the River Drive Redevelopment by Meridia Garfield 848, Urban Renewal, LLC
- R-93-23 Authorizing Resolution to Accept Consent Agenda

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-79-24**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3027
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard at a meeting held on Tuesday, February 27, 2024 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard; and

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

APPROVED: FEBRUARY 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3027**

CALENDAR YEAR 2024 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Council of the City of Garfield in the County of Bergen finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$ 339,959.63 excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Garfield in the County of Bergen, a majority of the full authorized membership of this Governing Body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the City of Garfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased up to 3.5%, amounting to 1,189,858.70, and that the CY 2024 municipal budget for the City of Garfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced:

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-80-24**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3028
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 23, FIRE DEPARTMENT, ARTICLE IV, LENGTH OF SERVICE AWARDS PROGRAM, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard at a meeting held on Tuesday, February 27, 2024 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard; and

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

APPROVED: FEBRUARY 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3028**

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 23, FIRE DEPARTMENT, ARTICLE IV, LENGTH OF SERVICE AWARDS PROGRAM, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, the awards to emergency service volunteers by municipalities under Length of Service Awards Programs (LOSAP) are allowed cost of living increases; and

WHEREAS, the cost-of-living increases under the LOSAP program are adjusted according to the Consumer Price Index; and

WHEREAS, the enabling Ordinance, Ordinance #2348, did not provide for an automatic annual CPI adjustment, therefore, the LOSAP contribution may be increased up to a maximum equal to the cumulative percentage increase since the time the award was last set; and

WHEREAS, the maximum permissible increase cannot exceed the amount calculated by multiplying the current contribution by the inflation percentage;

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part I, Administrative Legislation, Chapter 23, Fire Department, Article IV, Length of Service Awards Program, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part I, Administrative Legislation, Chapter 23, Fire Department, Article IV, Length of Service Awards Program is hereby amended to include as follows:

§ 23-30 Increase in annual contribution, procedure.

The maximum annual contribution may be increased without public hearing or public question provided such increased contributions do not exceed the number calculated by multiplying the original contribution as approved by public question, plus the cumulative percentage increase since that time, by the Consumer Price Index factor. The Consumer Price Index factor shall be established as set forth in N.J.S.A. 40A:14-185.

Section 2. The remainder of Chapter 23 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, CMC
City Manager/City Clerk

Introduced:

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-81-24**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3022
SECOND READING**

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

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 48, POLICE DEPARTMENT, ARTICLE VII, CONTRACTED OFF-DUTY EMPLOYMENT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

was introduced and passed at a meeting held on Tuesday, January 9, 2024 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: FEBRUARY 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3022**

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 48, POLICE DEPARTMENT, ARTICLE VII, CONTRACTED OFF-DUTY EMPLOYMENT, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, statutory authority provides that the Mayor and Council for the City of Garfield by Ordinance may set rates of compensation to the City Police Department; and

WHEREAS, the use of off-duty services by the Police Department serves an integral role in providing comfort and safety to the citizens of the City of Garfield; and

WHEREAS, the Mayor and Council finds it is in the best interest of the City to increase the rates of compensation for off-duty law enforcement;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part I, Administrative Legislation, Chapter 48, Police Department, Article VII, Contracted Off-Duty Employment, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part I, Administrative Legislation, Chapter 48, Police Department, Article VII, Contracted Off-Duty Employment, is hereby amended as follows:

§ 48-28. Rates of compensation; administrative fee; payment for services.

- A. Rates of compensation for contracting the services of off-duty law enforcement officers shall be established from time to time by the City Council. Rates of compensation for contracting the services of off-duty law enforcement are established as follows:
- (1) Rate of compensation per hour for off-duty time: \$100, except as set forth in Subsection A(2) and A(3) below.
 - (2) Rate of compensation per hour for certain other off-duty law enforcement services, to include, Fire Department functions, City functions and church/non-profit functions: \$50.
 - (3) Rate of compensation per hour for certain other off-duty law enforcement services, to include, school functions: \$75.
 - (4) An additional fee of \$25 per hour is hereby established to cover administration costs, overhead, and out-of-pocket expenses of the City of Garfield.
 - (5) An additional fee of \$25 per vehicle per hour is hereby established to compensate the City of Garfield for use of vehicles.
 - (6) A minimum of four hours under four hours of work along with a minimum of eight hours for any work above four hours but under eight hours will be granted to the off-duty officer.
- B. Payment to off-duty law enforcement officers for outside employment shall be made through the City's payroll process.

Section 2. All other provisions of Chapter 23 are hereby ratified and remains in full force and effect;

Section 3. Any other chapter of the City Code that conflicts with this ordinance is hereby repealed to the extent of the conflict;

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

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: January 9, 2024

Tabled: January 23, 2024

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-82-24**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3023
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, ARTICLE II, PARKING FOR HANDICAPPED PERSONS, OF THE
REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on Tuesday, January 9, 2024 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: FEBRUARY 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3023**

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE II, PARKING FOR HANDICAPPED PERSONS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, in accordance with N.J.S.A. 39:4-197.6, the Governing Body of this municipality may establish restricted parking zones in front of residences occupied by handicapped persons; and

WHEREAS, the City of Garfield has incurred costs for providing permits and processing applications for such permits; and

WHEREAS, the Mayor and Council finds it is in the best interest of the City of Garfield for the City to charge a fee for residents who apply for such permits;

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 226, Parking, Article II, Parking for Handicapped Persons, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 226, Parking, Article II, Parking for Handicapped Persons, is hereby amended to include the following:

§ 226-5: Application for handicapped parking space; initial application fee.

C. A one-time initial application fee is hereby established in the amount of \$100.

Section 2. All other provisions of Chapter 48 are hereby ratified and remain in full force and effect;

Section 3. Any other chapter of the City Code that conflicts with this ordinance is hereby repealed to the extent of the conflict;

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

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: January 9, 2024

Tabled: January 23, 2024

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-83-24**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3024
SECOND READING**

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

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE BANTA AVENUE SEWER IMPROVEMENT PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE STATE AND FEDERAL GRANTS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

was introduced and passed at a meeting held on Tuesday, January 23, 2024 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: FEBRUARY 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3024**

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE BANTA AVENUE SEWER IMPROVEMENT PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO APPROPRIATE STATE AND FEDERAL GRANTS, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The City of Garfield, in the County of Bergen, State of New Jersey (the "City"), is hereby authorized to undertake the Banta Avenue Sewer Improvement Project in, by and for the City. Said improvement shall include all work, materials and appurtenances necessary and suitable therefore.

Section 2. The sum of \$1,550,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and the State and Federal grants appropriated, by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the City, and (2) it is necessary to finance said purpose by the issuance of obligations of the City pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$1,550,000, and (4) \$275,931 of said sum is to be provided by the State grant hereinafter appropriated, and (5) \$187,543 of said sum is to be provided by the Federal grant hereinafter appropriated, and (6) \$90,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (7) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$996,526, and (8) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$230,000, which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the sum of \$275,931 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of such purpose.

Section 5. It is hereby determined and stated that the sum of \$187,543 received or to be received as a grant from the Bergen County Community Development Program, pursuant to the Federal Housing and Community Development Act, is hereby appropriated to the payment of the cost of such purpose.

Section 6 It is hereby determined and stated that moneys exceeding \$90,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the City, are now available to finance said purpose. The sum of \$90,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 7. To finance said purpose, bonds of the City of an aggregate principal amount not exceeding \$996,526 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purpose, bond anticipation notes of the City of an aggregate principal amount not exceeding \$996,526 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the City and attested by the City Clerk or Deputy City Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of forty years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the City Clerk of the City, and that such statement so filed shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$996,526 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose (other than the State and Federal grants hereinbefore appropriated which shall be applied to the cost of such purpose, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the City Clerk and is available for public inspection.

Section 14. The City intends to issue bonds or notes to finance the cost of the improvement described in Section 1 of this ordinance. If the City incurs such costs prior to the issuance of such bonds or notes, the City hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 15. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the City, and the City shall levy ad valorem taxes upon all the taxable real property within the City for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____

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

Introduced: January 23, 2024

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-84-24**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3025
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, ARTICLE V, PERMIT PARKING ON RESIDENTIAL STREETS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

was introduced and passed at a meeting held on Tuesday, January 23, 2024 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: FEBRUARY 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3025**

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE V, PERMIT PARKING ON RESIDENTIAL STREETS, 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 226, Parking, Article V, Parking on Residential Streets, Section 226-23, Restricted streets, is hereby amended as follows:

Section 1. The current text of City Ordinance that Part II, General Legislation, Chapter 226, Parking, Article V, Parking on Residential Streets, Section 226-23, Restricted streets, is hereby amended as follows:

§ 226-23 Restricted streets.

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

Name of Street	Side	Hours/Days	Location
Alaska Street	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	Entire length
Bergen Street	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	From Plauderville Avenue to Hartman Avenue
Harding Court	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	Entire length
Hartmann Avenue	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	From the west curb line of Bergen Street to Midland Avenue
Henrietta Street	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	Entire length
Jacob Street	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	Entire length
Palisade Avenue	Both	9:00 a.m. to 7:00 p.m., Monday through Saturday	Midland Avenue to Passaic Street
Plauderville Avenue	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	From Midland Avenue to Bergen Street western curb line
Union Avenue	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	From Dead End Street to Alaska Street
Walnut Street	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	Entire length
Williams Street	Both	7:00 a.m. to 7:00 p.m., Monday through Friday	Entire length

Section 2. All other provisions of this Chapter, Article, and Section endure and shall remain 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, CMC

City Manager/City Clerk

Introduced: January 23, 2024

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-85-24**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3026
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 53,
PURCHASING, ARTICLE III, PURCHASES BY VENDOR, OF THE REVISED
GENERAL ORDINANCES OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on Tuesday, January 23, 2024 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: FEBRUARY 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3026**

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 53,
PURCHASING, ARTICLE III, PURCHASES BY VENDOR, OF THE REVISED
GENERAL ORDINANCES OF THE CITY OF GARFIELD**

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 and Local Finance Notice 2018-13 gives local units discretions to not require claimant certification by enacting a standard policy by resolution for vendors or claimants; and allowing local units greater flexibility in implementing the claimant certification requirement; and

WHEREAS, as continued internal control, N.J.S.A. 40A:5-16(b) still requires local units “a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit” prior to any disbursements of funds; and

WHEREAS, pursuant to N.J.A.C. 5:30-9A.6 and 5:31-4.1, the City of Garfield wishes to set forth revised requirements for Claimant “Vendor” Certifications; and the Chief Financial Officer having determined that certain circumstances no longer require a vendor (claimant certification) signature on a purchase order;

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 53, Purchasing, Article III, Purchases by Vendor, is hereby amended to include as follows:

Section 1. The current text of City Ordinance Part II, General Legislation, Chapter 53, Purchasing, Article III, Purchases by Vendor, is hereby amended to include as follows:

Article III Purchases Through Vendor

§ 53-6 Payment of claims.

The City shall not disburse any funds for goods or services without the following:

- (a) **Invoice.** The person claiming or receiving payment first presents a detailed bill of items or demand, specifying particularly how the bill or demand is made up with certification of the using department claiming payment that the bill or demand is correct; and
- (b) **Purchase Order.** The payment carries a written or electronic certification of some officer or duly designated employee of the City of Garfield having knowledge of the facts that the goods have been received by, or the services rendered to the City.

§ 53-7 Claimant certification.

As per N.J.A.C. 5:30-9A.6(d), Claimant certification shall only be required for reimbursement of employee reimbursement expenses.

§ 53-8 Employee reimbursement.

No employee expenses shall be reimbursed, unless the employee provides a detailed statement, certified in writing by the employee, along with original documentation in support of each expense.

§ 53-9 Circumstances when claimant certification shall not be required.

Claimant certification is not required under the following circumstances: when payment is made using EFT methods, claimant certification is not part of the vendor's normal course of business, payment of utility, bulk, regular monthly services, contracted services acquired by bid or

competitive contracting, refunds due to individuals, or purchases under \$1,000, excluding vendors prohibited by law.

Section 2. All other provisions of this Chapter, Article, and Section endure and shall remain 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, CMC

City Manager/City Clerk

Introduced: January 23, 2024

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-86-24**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

APPROVAL OF BILLS LIST

BE IT RESOLVED by the City Council of the City of Garfield that the Current Year Reserve Totaling \$51,911.95 and the Current Fund totaling \$2,973,162.31 and the Water Reserves totaling \$0.00 and the Water Fund totaling \$22,170.72 and the Grants totaling \$0.00 and the General Capital Fund totaling \$595.00 and the Water Capital Fund totaling \$0.00 and the Trust Accounts totaling \$2,573.28 and the Developer’s Escrow totaling \$0.00 per attached Computer Lists, dated February 13, 2024 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, totaling \$4,854,708.84 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

February 12, 2024
Dated

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-87-24**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

APPROVING CONTRACT FOR EXTRAORDINARY UNSPECIFIABLE SERVICE

WHEREAS, AA Computer Tek LLC has provided the City with technical support for a unique software system utilized by the Tax Collector's Office is qualified to render same; and

WHEREAS, AA Computer Tek LLC has a need to acquire these services without a "fair and open process" as defined by P.L. 2004, c.19, the "Local Unit Pay-to-Play Law" and in connection therewith, AA Computer Tek LLC has completed and filed with the City of Garfield the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26; and

WHEREAS, the Governing Body had previously approved an agreement for these services for the year 2023; and

WHEREAS, the City has a need to renew said agreement for a period from January 1, 2024 through June 30, 2024, for a total not to exceed amount of \$16,800.00; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds re available to pay for said services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(ii) et seq., authorizes the City of Garfield to award this agreement as an extraordinary unspecifiable service agreement, without public bidding;

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 Manager is hereby authorized and directed to execute an agreement with AA Computer Tek LLC consistent with this Resolution and the above "Whereas" clauses.
2. The agreement is awarded without competitive bidding as an "Extraordinary Unspecifiable Service" in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-5(1)(a)(ii)*, for the reasons set forth in the "Whereas" clauses and in the Administrator's Certification of Extraordinary Unspecifiable Service, which reasons are incorporated herein as if fully restated.
3. AA Computer Tek LLC shall be paid a fee by the City of Garfield up to an amount not to exceed \$16,800 and the contract shall run from January 1, 2024 until June 30, 2024 to be paid out of account 4-01-20-145-145-029.
4. A copy of the Resolution, the Administrator's Certification of Extraordinary Unspecifiable Service and the agreement shall be placed on file in the Office of the Clerk.
5. A notice of the action shall be published in the official newspaper as required by law.

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

February 12, 2024

Dated

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-88-24
CONSENT AGENDA**

**RESOLUTION BY:
SECONDED BY:**

APPROVING 2024 CANNABIS LICENSE

WHEREAS, the following applicants have submitted their application for a cannabis license for the year 2024;

<u>NAME</u>	<u>ADDRESS</u>	<u>CLASS</u>	<u>DATE FOR ISSUANCE/APPROVAL</u>
Hera Solutions LLC	141 Lanza Ave, Unit 20-H	Class 2 Manufacturer	February 14, 2024

WHEREAS, it is certified that they have conformed with provisions of Ch. 100, Cannabis, adopted 7-20-2021 by Ord. No. 2890, as amended;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the City Clerk be and is hereby authorized to issue licenses to the above-named applicants, effective on the date for issuance/approval listed above.

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-89-24**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**APPROVING 2024 VEHICLE REPAIR AND AUTO BODY REPAIR FACILITY
LICENSES**

WHEREAS, the following applicants have submitted their application for a vehicle repair and auto body repair license for the year 2024:

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE FOR ISSUANCE/APPROVAL</u>
Garfield Auto Repair LLC	330 Midland Avenue	January 1, 2024
Falcon Garage Auto Mechanic LLC	33 Passaic Street	January 1, 2024
Superstar Auto Collison LLC	3 Marsellus Place	January 1, 2024
Tinas Mechanic Shop LLC	92 Bogart Avenue	January 1, 2024
Backstreet Auto Tech	452A River Drive	January 1, 2024
Garfield Auto Spa	413 River Drive	January 1, 2024
Joe Guarino Automotive	45 Plauderville Avenue	January 1, 2024
Nagi Auto Repair LLC	249 Outwater Lane	January 1, 2024

; and

WHEREAS, it is certified that they have conformed with provisions of Ch. 330, Vehicle Repair and Auto Body Repair Facilities, adopted 9-12-2023 by Ord. No. 3005;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the City Clerk be and is hereby authorized to issue licenses to the above-named applicants, effective on the date for issuance/approval listed above.

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-90-24**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

APPROVAL OF 2024 VEHICLE SALES BUSINESS LICENSES

BE IT RESOLVED by the City Council of the City of Garfield that Erin N. Delaney, City Manager/City Clerk is hereby authorized to issue the following licenses for Vehicle Sales Business for the year 2024 described in application, duly filed:

Nahas Auto Center 376 Midland Avenue Garfield, NJ 07026	\$ 365.00
Urban Motors 2 Passaic Street Garfield, NJ 07026	\$ 365.00
Kaytors Garage 379 River Drive Garfield, New Jersey 07026	\$ 365.00
Dymora Auto LLC 381 River Drive Garfield, NJ 07026	\$ 365.00
Mike's Auto Sales LLC 413 River Drive Garfield, New Jersey 07026	\$ 365.00
Urbin Auto Sales 577 River Drive Garfield, NJ 07026	\$ 365.00
Payless Auto Wholesales 601 River Drive Garfield, NJ 07026	\$ 365.00
MJ Trader's 610 River Drive Garfield, NJ 07026	\$ 365.00

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-91-24**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**DETERMINING THAT THE PROPERTIES GENERALLY KNOWN AS 89 & 97
MIDLAND AVENUE, ALSO KNOWN AS BLOCK 31.02, LOTS 35 & 37, AS SHOWN
ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD QUALIFY AND IS
DETERMINED AS AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A
NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the City Council of the City of Garfield (the “City”) has identified certain Properties, located at 89 & 97 Midland Avenue, also known as Block 31.02, Lots 35 & 37, all as delineated on the tax map attached hereto and made part of this resolution (the “Properties”), to be considered for designation as an area “in need of redevelopment”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of a given municipality to undertake a preliminary study to determine whether the Properties meets the criteria for determining as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, on July 18, 2023, the City adopted a Resolution No. 332-23, authorizing and directing the City Planning Board (the “Board”) to examine whether the Properties can be determined to be an area in need of redevelopment (specifically a non-condemnation redevelopment area) and that the City will not have the right to exercise the use of eminent domain; and

WHEREAS, the City hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the use of eminent domain (hereinafter referred to as a "Non-Condensation Redevelopment Area"); and

WHEREAS, the Board conducted a public hearing on December 28, 2023 to determine whether or not the Properties may be designated as a Non-Condensation Redevelopment, pursuant to the criteria set forth in the Redevelopment Law and the public was provided the opportunity to appear and provide testimony and comments; and

WHEREAS, in advance of the public hearings held by the Board, the Board met the requirements of Redevelopment Law, by providing notice to all persons interested or who would be affected by a determination that the Properties are a Non-Condensation Redevelopment Area, which notice specifically stated that a redevelopment area determination shall not authorize the municipality to exercise the power of eminent domain; and

WHEREAS, a map showing the boundaries and the location of the Properties, as well as the Preliminary Investigation for Determination of an Area in Need of Redevelopment prepared by Francis Reiner, LLA - PP, DMR Architects, dated September 2023, (the “Reiner Report”) was considered by the Board at the hearing and the Reiner Report and findings therein were incorporated into the record; and

WHEREAS, the Board recommended that the Property be determined as a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law, based on its preliminary investigation and the factual findings made by the Board, including the Reiner Report and the testimony presented at the hearing by Francis Reiner, LA - PP, a licensed professional planner, who signed and prepared the Reiner Report;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield accepts the findings and recommendations of the Board as made at a public hearing held on December 28, 2023 as supported by the Reiner Report of the Property and the testimony of Francis Reiner, LA - PP, a licensed professional planner and all are incorporated herein by reference and determines that the Property located at 89 & 97 Midland Avenue, also known as Block 31.02, Lots 35 & 37, referred to herein as the Property, meets the criteria and qualifies as an “area in need of redevelopment” and which shall be a Non-Condensation Redevelopment Area pursuant to the Redevelopment Law; and

BE IT FURTHER RESOLVED THAT the City hereby states that any Non-Condensation Redevelopment Area designation shall authorize the municipality to use all those powers provided by the Redevelopment Law for use in a redevelopment area, except the use of eminent domain; and

BE IT FURTHER RESOLVED that the City Council hereby advises that any Property owner wishing to challenge the designation of the Property as a Non-Condensation Redevelopment Area must file a complaint in the Superior Court within 45 days of the adoption of that resolution; and

BE IT FURTHER RESOLVED that within ten (10) days of the adoption of this Resolution, the City Clerk shall serve a notice of the determination, including a copy of this Resolution, upon the last owner of each of the Property according to the assessment records of the City, which notice shall be in accordance with the requirements set forth in the Redevelopment Law; and

BE IT FURTHER RESOLVED that upon adoption of this resolution, the City Clerk shall transmit a copy of this resolution to the Commissioner of Community Affairs for the State of New Jersey for review pursuant to N.J.S.A. 40A:12A-6.b.(5); and

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

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-92-24**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AUTHORIZING THE ISSUANCE AND EXECUTION OF AN ESTOPPEL
CERTIFICATE TO LUMENT STRUCTURE FINANCE, LLC IN FURTHERANCE OF
THE RIVER DRIVE REDEVELOPMENT BY MERIDIA GARFIELD 848, URBAN
RENEWAL, LLC**

WHEREAS, the Municipal Council of the City of Garfield designated Block 200 Lot 18.01 (the “Property”) as an area in need of redevelopment in 2019, pursuant to Resolution 19-346 adopted on November 12, 2019 (hereinafter the “Redevelopment Area”) and subsequently adopted the Redevelopment Plan for the Redevelopment Area by Ordinance adopted on May 25, 2021 (the “Redevelopment Plan”); and

WHEREAS, on February 10, 2022, the Agency and Meridia Garfield 848, Urban Renewal, LLC (the “Redeveloper”) entered into a redevelopment agreement for the Property (the “Redevelopment Agreement”); and

WHEREAS, to the City’s knowledge, there have been no assignments of Redeveloper’s interests in the Redevelopment Agreement, other than the City Resolution 19-346 adopted on November 12, 2019, and the subsequently adopted Redevelopment Plan for the Redevelopment Area by Ordinance adopted on May 25, 2021, approving the assignment of the Redevelopment Agreement to Meridia Garfield 848, Urban Renewal, LLC; and

WHEREAS, to the City’s knowledge, there have been no assignments of Redeveloper’s interests in the Financial Agreement, other than the City Resolution adopted February 8, 2022, approving the assignment of the Meridia Garfield 848, Urban Renewal, LLC;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that it hereby authorizes the issuance and execution of an Estoppel Certificate to Lument Structured Finance, LLC in furtherance of its Financial Agreement with Meridia Garfield 848, Urban Renewal, LLC for the River Drive Redevelopment Project;

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to execute any and all documents, including the Estoppel Certificate, in a form substantially consistent with that attached hereto.

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

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-93-24
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-86-24 through R-93-24 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: February 13, 2024

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 Work Session Meeting held on the 13th day of February 2024. Signed and sealed before me.

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

Dated