

**WORK SESSION MEETING
OF THE
CITY OF GARFIELD
MAYOR AND COUNCIL
March 10, 2026
6:00P.M.**

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 5, 2026 and published on January 7, 2026. This notice can also be found on our website at:

www.garfieldnj.org/pages/legal-ads

Work Meeting Agenda Items:

1. Action Items
2. Fire Company No. 2 – Presentation
3. Garfield Police Department – Parking Review
4. Reports of the Cabinet and City Council
5. Report of the City Manager/City Clerk
6. Executive Session (Closed to the Public)

c: City Manager/City Clerk
Mayor and Council
City Attorney, Richard Malagiere
City Engineer, Kevin Boswell
Department Heads

**WORK SESSION MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
ACTION ITEMS
MARCH 10, 2026
6:00P.M.**

- 1. ORDINANCES: FIRST READING**
- R-125-26 Introduce Ord. #3126
**AN ORDINANCE TO AMEND CHAPTER 298 (TAXATION)
OF THE CITY CODE OF THE CITY OF GARFIELD TO
ADD ARTICLE VI “ACCEPTED TAX PAYMENTS”**
- SECOND READING
- R-126-26 Re-Introduce Ord. #3120
**AN ORDINANCE AMENDING CHAPTER 298 OF THE
CODE OF THE CITY OF GARFIELD ENTITLED
“TAXATION” BY ADDING A NEW ARTICLE
“EXEMPTION POLICY FOR DISABLED VETERANS AND
SURVIVING SPOUSES”**
- R-127-26 Introduce Ord. #3121
**AN ORDINANCE TO AMEND CHAPTER 164 (GARBAGE,
RUBBISH AND REFUSE) OF THE CITY CODE OF THE
CITY OF GARFIELD**
- R-128-26 Introduce Ord. #3122
**AN ORDINANCE TO AMEND CHAPTER 287 (STREETS
AND SIDEWALKS) ARTICLE V (DUMPSTERS IN THE
STREETS) OF THE CITY CODE OF THE CITY OF
GARFIELD**
- R-129-26 Introduce Ord. #3123
**AN ORDINANCE TO AMEND PART II (GENERAL
LEGISLATION) CHAPTER 226 (PARKING) OF THE CITY
CODE OF THE CITY OF GARFIELD TO ADD A NEW
ARTICLE – ARTICLE XIII (METERED PARKING)**
- R-130-26 Introduce Ord. #3124
**CAPITAL ORDINANCE TO APPROPRIATE AN
ADDITIONAL SUM OF \$34,000 FOR ADDITIONAL SITE
REMEDIAION PROFESSIONAL (LSRP) SERVICES IN
CONNECTION WITH THE GROUNDWATER
CONTAMINATION AT THE GARFIELD DEPARTMENT
OF PUBLIC WORKS, BY AND FOR THE WATER
UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY
OF BERGEN, NEW JERSEY, TO BE FUNDED BY THE
RESERVE FOR WATER IMPROVEMENTS**
- R-131-26 Introduce Ord. #3125
**AN ORDINANCE OF THE CITY OF GARFIELD, IN THE
COUNTY OF BERGEN, STATE OF NEW JERSEY,
AMENDING THE CODE OF THE CITY OF GARFIELD TO
ADD CHAPTER 65, ENTITLED “AFFORDABLE
HOUSING”**

2. CONSENT AGENDA:

- R-132-26 Approval of Bills List
- R-133-26 Authorizing Transfers Between Budget Appropriations
- R-134-26 Authorizing Additional Funds to Santo T. Alampi, Esq., Special Legal Counsel, Representing the City of Garfield in the Matter of I.W. S Transfer Systems of NJ., Inc., v. City of Garfield
- R-135-26 Authorizing Additional Licensed Site Remediation Professional (LSRP) Services in Connection with the Groundwater Contamination at the Garfield Department of Public Works
- R-136-26 Approving Contract for Extraordinary Unspecifiable Service
- R-137-26 Approving 2026 Cannabis License
- R-138-26 Resolution to Approve the Consent Agenda

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-125-26**

**RESOLUTION BY:
SECONDED BY:**

**INTRODUCE ORDINANCE #3126
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 298 (TAXATION) OF THE CITY CODE OF THE CITY OF GARFIELD TO ADD ARTICLE VI “ACCEPTED TAX PAYMENTS”

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, March 24, 2026 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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3126**

AN ORDINANCE TO AMEND CHAPTER 298 (TAXATION) OF THE CITY CODE OF THE CITY OF GARFIELD TO ADD ARTICLE VI “ACCEPTED TAX PAYMENTS”

[Editor’s Note: Subject to change if Veterans ordinance approved in which case the Numbering will be VII]

WHEREAS, the Third Circuit Court of Appeals in the matter of Picano v Borough of Emerson, 355 F. App'x 609 (3d. Cir. 2009) held that it was legal to prohibit residents in a municipality from remitting property tax payments in cash; and

WHEREAS, cash payments impose a significant hindrance to City employees as they become harder to process and account for due to the lack of digital trail and accounting complexity.

THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, as follows: [additions/deletions]

§ 298-38 [Editor’s Note: Subject to change if Veterans ordinance approved in which case the Numbering will be 298-44] Accepted Tax Payment Methods

It shall be the policy of the City of Garfield that no cash shall be accepted as payment for any taxes owed in the City of Garfield and only the following payment methods may be used for tax payments.

- A. Accepted payment methods include:
- a. Checks, whether personal, certified or cashier’s;
 - b. Bank money order;
 - c. Online payments.

ATTEST: _____

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

Introduced:

Adopted:

APPROVED: _____

Everett E. Garnto Jr., Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-126-26**

RESOLUTION BY:

SECONDED BY:

**INTRODUCE ORDINANCE #3120
SECOND READING**

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

AN ORDINANCE AMENDING CHAPTER 298 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “TAXATION” BY ADDING A NEW ARTICLE “EXEMPTION POLICY FOR DISABLED VETERANS AND SURVIVING SPOUSES”

was introduced and passed at a meeting held on February 17, 2026 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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3120**

AN ORDINANCE AMENDING CHAPTER 298 OF THE CODE OF THE CITY OF GARFIELD ENTITLED “TAXATION” BY ADDING A NEW CHAPTER “EXEMPTION POLICY FOR DISABLED VETERANS AND SURVIVING SPOUSES”

WHEREAS, the City of Garfield recognizes the extraordinary sacrifice that veterans have rendered in service to the United States; and

WHEREAS, disability caused in the line of duty can impose a significant financial burden upon veterans and their families; and

WHEREAS, disabled veterans often experience a loss of household income as well as inflated expenses from unique medical issues; and

WHEREAS, the State of New Jersey legislature has identified the unique valor and sacrifice of individuals and codified law authorizing tax exemptions for disabled veterans and their surviving spouses; and

WHEREAS, NJSA 54:4-3.30 states that qualifying veterans can receive full property tax exemptions; and

WHEREAS, the City of Garfield aims to further codify this initiative with the following ordinance, specifically outlining exemptions for disabled veterans and their surviving spouses regarding property taxes as well as how to attain them on a municipal level;

THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, as follows: [additions/deletions]

§ 298-38. Definitions.

WIDOW/WIDOWER

An individual whose spouse has died and who has not remarried.

WIDOWHOOD

The period commencing on the date of death of a spouse and continuing until the surviving spouse remarries.

DISABLED

Pursuant to NJSA 54:4-3.30, disabled shall mean impaired from “paraplegia, sarcoidosis, osteochondritis resulting in permanent loss of the use of both legs, or permanent paralysis of both legs and lower parts of the body, or from hemiplegia and has permanent paralysis of one leg and one arm or either side of the body, resulting from injury to the spinal cord, skeletal structure, or brain or from disease of the spinal cord not resulting from any form of syphilis; or from total blindness; or from amputation of both arms or both legs, or both hands or both feet, or the combination of a hand and a foot; or from other service-connected disability declared by the United States Veterans Administration or its successor to be a total or 100 percent permanent disability, and not so evaluated solely because of hospitalization or surgery and recuperation, sustained through enemy action, or accident, or resulting from disease contracted while in such active service”.

§ 298-39. Tax Exemption

Disabled veterans are entitled to certain property tax exemptions in the state of New Jersey, which the City will allow for and recognize under NJSA 54:4-3 et seq. An eligible disabled veteran’s dwelling home and property shall be exempt from taxation, on proper claim made

therefore, and such exemption shall be in addition to any other exemption of such person's real and personal property which now is or hereafter shall be prescribed or allowed by the Constitution or by law.

§ 298-40. Widow/Widower exemption

Pursuant to 54:4-3.30(b) et seq., the widow or widower of a citizen who was entitled to such exemptions at the time of death shall be entitled to the same exemptions as the deceased during their widowhood. Widow(er)s whose spouse died in active service in any branch of the Armed Forces shall also be entitled to such exemptions.

§ 298-41. Eligibility

- A. Eligibility will be determined by the United States Veterans Administration or its successor to have a service-connected disability and to be determined to be 100% permanently disabled.

§ 298-42. Consistency with State Law

No provision of this ordinance shall be construed to create a new exemption or deduction, to expand or restrict eligibility or to impose any new condition, limitation or qualification not set forth in 54:4-3.30.

§ 298-43. Procedure

Qualifying veterans or surviving spouses of veterans must first file a D.V.SSE form with the tax assessor along with proof of total and permanent disability from the United States Veteran's Administration, proof of legal residence, proof of honorable discharge or release and in the case of a surviving spouse, a copy of the veteran's death certificate. Upon approval from the tax assessor's office, approved individual will receive a pro rata reimbursement or adjustment for any property taxes already paid in that year, calculated from the date of the Tax Assessor's approval onward. Retroactive refunds for taxes paid in previous years or periods will not be awarded.

ATTEST: _____

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

Tabled: January 27, 2026

Introduced: February 17, 2026

Adopted:

APPROVED: _____

Everett E. Garnto Jr., Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-127-26**

RESOLUTION BY:

SECONDED BY:

**INTRODUCE ORDINANCE #3121
SECOND READING**

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

**AN ORDINANCE TO AMEND CHAPTER 164 (GARBAGE, RUBBISH AND REFUSE)
OF THE CITY CODE OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on February 17, 2026 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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3121**

**AN ORDINANCE TO AMEND CHAPTER 164 (GARBAGE, RUBBISH, AND REFUSE)
OF THE CITY CODE OF THE CITY OF GARFIELD**

WHEREAS, concerns have been raised by residents regarding commercial dumpsters in public roads, streets, sidewalks, in the rights-of-way or otherwise in a manner that causes a visual obstruction to passersby in the City of Garfield (the “City” or “Garfield”); and

WHEREAS, it has been identified that dumpsters placed in view from street constitute a valid concern for the beautification and welfare of the City of Garfield.

WHEREAS, the Mayor and City Council of the Garfield believe it is in the best interest of the City to Amend Chapter 164 (Garbage, Rubbish, and Refuse) of the City Code to make the following modifications.

THEREFORE, BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows: [additions]/deletions]

§ 164-2. Definitions.

Terms used in this article shall have the following meanings:

DUMPSTER

Any [dimensions] container designed and used for the storage of waste, recyclable materials, or refuse as apart of normal, ongoing business operations on nonresidential properties; not including temporary dumpsters used for construction demolition or renovation activities.]

§ 164-5. Storage and placement.

- A. Storage. Garbage, refuse, solid waste, recyclables or any other materials awaiting collection shall be deposited in a covered container(s) or receptacles, in accordance with Chapter **201** of the City Code, which shall be kept in an upright position and regularly disinfected.
- B. Placement. Refuse receptacles shall not be stored in front or on the side of buildings or houses between collections, except in a fully enclosed structure; or kept in such place or places out of public view and so as not to become a nuisance to the occupants of any dwelling.
- C. Dumpsters. [Dumpsters must be enclosed on four sides by an opaque material to completely mask the view of the dumpster therein. Any person who controls, whether owned, leased, or operated, a dumpster must ensure that such container is covered at all times and shall prevent refuse from spilling out, overflowing, leaking or otherwise having the contents exit the confines of the container. If a business is unable to close off an area of their property to place a dumpster, they must rely on maximum of 3 garbage cans similarly closed off and covered. For construction, demolition, or renovation purposes, those in control of a dumpster] ~~Any establishment requiring the use of dumpsters shall do so in accordance with Chapter **287**, Article **V**, of the City Code.~~
 - (1) [For construction, demolition, or renovation purposes, those in control of a dumpster, any establishment requiring the use of dumpsters shall do so in accordance with Chapter 287, Article V, of the City Code.]
- D. Penalties. Each property owner who violates this section shall be subject to the following penalties:
 - (1) First offense: a \$150 fine, payable by mail or in person or online. Court appearance is not required.

- (2) Second offense within a twelve-month period: a \$250 fine, payable by mail or in person or online. Court appearance is not required.
- (3) Third offense within a twelve-month period: a fine of \$500 and a mandatory court appearance. The City Municipal Judge shall have the authority to sentence the offending party to not less than eight hours and no more than 30 hours of community service.
- (4) Fourth offense and each offense thereafter within a twelve-month period: a fine of not less \$1,000 and not greater than \$2,000 and a mandatory court appearance. The City Municipal Judge shall have the authority to sentence the offending party to not less than 100 hours and no more than 200 hours of community service.

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: February 17, 2026

Adopted:

APPROVED: _____

Everett E. Garnto Jr., Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-128-26**

RESOLUTION BY:

SECONDED BY:

**INTRODUCE ORDINANCE #3122
SECOND READING**

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

**AN ORDINANCE TO AMEND CHAPTER 287 (STREETS AND SIDEWALKS)
ARTICLE V (DUMPSTERS IN THE STREETS) OF THE CITY CODE OF THE CITY
OF GARFIELD**

was introduced and passed at a meeting held on February 17, 2026 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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3122**

**AN ORDINANCE TO AMEND CHAPTER 287 (STREETS AND SIDEWALKS)
ARTICLE V (DUMPSTERS IN THE STREETS) OF THE CITY CODE OF THE CITY
OF GARFIELD**

WHEREAS, it has been identified that this ordinance's intention to regulate industrial construction dumpsters is not clear; and

WHEREAS, the Mayor and City Council of the Garfield believe it is in the best interest of the City to Amend Chapter 287 (Streets and Sidewalks) of the City Code to make the following modifications.

THEREFORE, BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, as follows: [additions]/~~deletions~~

§ 287-27. Definitions.

Terms used in this article shall have the following meanings:

APPLICANT

Any person (as defined herein) who applies for a permit for the placement of a dumpster.

DUMPSTER

Any disposal container [used during construction or renovation projects for the purpose of discarding building debris.] ~~[which is used to carry]~~ rubble, rubbish, garbage, building material or any other matter, whether such container is portable, semiportable or permanently located. [This ordinance does not apply to any container used for day to day, ongoing business operations. All dumpsters used for commercial and business purposes shall do so in accordance to Ordinance §164-5.]

PERSON

A natural person, corporation, partnership, sole proprietorship, estate or trust, and shall include the plural form of any entity or person defined herein.

SAFETY DEVICES

Lights and/or reflectors mounted on or at the dumpster which shall be capable of warning vehicle traffic or pedestrians for a distance of 200 feet and shall be visible in both day- and nighttime hours.

§ 287-28. Permit required.

No person shall place any dumpster within the road or public right-of-way [for construction, renovation or demolition purposes] without having obtained a permit from the City of Garfield for the same.

§ 287-29. Width of obstruction.

[Editor's Note: no changes from §287-29-§287-35] No permit shall issue for the placement of any dumpster in any road or public right-of-way, which would prohibit vehicle traffic or pedestrian travel along such road or right-of-way, or which takes up more than 1/3 of the width of the street as measured between curbs.

§ 287-30. Permit application.

The Department of Public Works of the City of Garfield shall issue such application for the issuance of such permits, which application shall include:

- A. The name, address and twenty-four-hour telephone number of the person responsible for the placement and safety of the dumpster.
- B. The exact location of the dumpster measured within the approximate foot to the nearest intersecting street, road or right-of-way.
- C. The length, width and height and exterior color of the dumpster.

- D. An estimation of the length of time, in days, for placement of the dumpster at a particular location.
- E. The name, address and telephone number of the person for whose benefit the dumpster is placed.
- F. A description of the size and location of proposed safety devices, as defined herein.

§ 287-31. Issuance of permit.

A permit for the placement of a dumpster shall issue upon approval of the Department of Public Works, Police Department and Construction Code Official.

§ 287-32. Copies of application.

Upon completion of the application and payment of the fee (set forth herein), the Department of Public Works shall sign a copy of the application, and the applicant shall present such application to the City of Garfield Police Department and Construction Code Official for countersignature and approval.

§ 287-33. Permit fees; time limit.

The Department of Public Works shall charge a fee of \$50. No dumpster may be at any one location for more than five days. No part of the fee shall be refundable. If additional time for the use and placement is required, then an additional fee of \$50 shall be charged.

§ 287-34. Removal by City; costs.

The placement of a dumpster in a public road or right-of-way without the benefit of permit shall result in the right of the City to remove such dumpster. The cost of removing such dumpster shall be assessed against the applicant or the person benefited from the placement of the dumpster.

§ 287-35. 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 \$2,000; imprisonment for a term not exceeding 90 days; and/or a period of community service not exceeding 90 days.

ATTEST: _____

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

Introduced: February 17, 2026

Adopted:

APPROVED: _____

Everett E. Garnto Jr., Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-129-26**

RESOLUTION BY:

SECONDED BY:

INTRODUCE ORDINANCE #3123

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 CITY CODE OF THE CITY OF GARFIELD TO ADD A NEW ARTICLE - ARTICLE XIII (METERED PARKING)

was introduced and passed at a meeting held on February 17, 2026 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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3123**

AN ORDINANCE TO AMEND PART II (GENERAL LEGISLATION), CHAPTER 226 (PARKING) OF THE CITY CODE OF THE CITY OF GARFIELD TO ADD A NEW ARTICLE - ARTICLE XIII (METERED PARKING)

WHEREAS, the Governing Body of the City of Garfield (“City”) believes it is in the best interest of the City to Amend Chapter 226 (Parking) to of the City Code of the City of Garfield to make the following modifications;

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, that Part II (General Legislation), Chapter 226 (Parking) is hereby amended to add a NEW Article XIII (Metered Parking) as follows:

§ 226-57 DEFINITIONS

The following words and phrases shall have the meanings respectively ascribed to them in this section for purposes of this article:

PARKING METER

Any mechanical device or electronic application, appointed with appropriate signage and erected for the regulation of parking by authority of this article, which allows any person to pay the rates established in § 226-62 through an authorized mobile payment vendor or by any other City-approved payment method, **including but not limited to United States cash or coin, credit or debit card, mobile application, website, or other electronic means.**

PARKING METER SPACE

Any space within a parking meter zone that is adjacent to a parking meter or designated by appropriate signage for the parking of a single vehicle, whether or not the space is physically marked by painted lines or curb markings.

PARKING METER ZONE

Any restricted on-street parking area or off-street parking lot upon which parking meters are installed or appointed with appropriate signage and in operation.

§ 226-58 Designation of parking spaces.

Parking spaces will be marked off of in the designated parking meter zones, said parking spaces to be designated by lines painted or marked on the curbing or surface of the street or lot **or by appropriate signage installed.** At each space so designated, it shall be unlawful to park any vehicle in such a way that said vehicle shall not be entirely within the limits of the space so designated.

§ 226-59 Metered Parking Regulations

A. Operation of Parking Meters.

Except during a period of emergency as determined by an officer of the Fire or Police Department, or when complying with the directions of a police officer or any traffic control sign or signal, it shall be unlawful for any person to park a vehicle in any parking space alongside or adjacent to a parking meter or signage indicating metered parking without making the required payment.

B. Payment Requirement.

Upon entering such parking space, the operator of the vehicle shall immediately deposit or cause to be deposited, or otherwise make payment by any form of payment accepted, the amount required for such parking space, in accordance with the instructions indicated on the meter or accompanying signage.

C. Lawful Occupancy.

Upon payment, the parking space may be lawfully occupied by such vehicle during the period of time prescribed for the location in which the space is situated. Any person placing a vehicle in a metered parking space that indicates unused time remaining from a previous occupant shall not

be required to make payment, provided that the vehicle does not remain beyond the unused time indicated.

D. Overtime Parking.

If any vehicle remains parked in such space beyond the time limit prescribed for that space, and the meter or signage indicates expired or illegal parking, said vehicle shall be deemed to be parked overtime and in violation of this article.

§ 226-60 Manner of parking.

A. Vehicle Position.

When a parking meter space is parallel with the adjacent curb or sidewalk, no person shall park or permit the parking of any vehicle in such space in any position other than with the foremost part of the vehicle nearest to the parking meter or signage.

When a parking meter space is diagonal to the curb or sidewalk, no person shall park or permit the parking of any vehicle in such space in any position other than with the foremost part of the vehicle nearest to the parking meter or signage.

When a parking meter or signage indicating metered parking has been installed at the head of and immediately adjacent to any parking space in a municipal off-street parking lot, no person shall park or permit the parking of any vehicle in such space in any position other than with the foremost part of the vehicle nearest to the parking meter or signage.

Provided, however, that in municipal off-street parking lots, signs shall be erected indicating that “Head-On Parking Only” is permitted. In all cases, vehicles shall be parked entirely within the lines marked on the pavement designating such parking space.

B. Accessible Parking.

In spaces designated by proper signage indicating accessible parking, only motor vehicles displaying a valid state-issued license plate or placard identifying the vehicle as operated by or for a person with a disability shall be entitled to occupy such spaces.

C. Violations and Penalties.

Any person who parks a motor vehicle in a restricted accessible parking space without displaying a valid state-issued license plate or placard shall be subject to a fine of **\$250 for the first offense**, and for **subsequent offenses**, a fine of **at least \$250** and up to **90 days of community service**, on such terms and in such form as the court deems appropriate, or any combination thereof.

§ 226-61 Violations

A. Prohibited Acts.

It shall be unlawful and a violation of this article for any person to:

1. Cause, allow, permit, or suffer any vehicle registered in the name of or operated by such person to be parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described, or to make or attempt to make payment by any method for the purpose of parking beyond the maximum legal parking time established for the particular zone.
2. Park any vehicle across any line or marking of a parking meter space or in such position that the vehicle is not entirely within the area designated by such lines or markings.
3. Deface, injure, tamper with, open, or willfully break, destroy, or impair the usefulness of any parking meter or signage indicating metered parking installed under the provisions of this article.
4. Make or attempt to make payment in any parking meter or electronic payment system using any unauthorized, fraudulent, or substitute method in place of lawful payment.

5. Park or permit the parking of any vehicle in any parking meter space where the meter or payment system does not register lawful parking.

B. Penalty.

Any person who violates the provisions of this section shall be subject to a fine of \$55. A separate offense shall be deemed committed for each day a vehicle remains parked in violation of this article.

§ 226-62 Parking Meter Zones in Municipal Parking Areas.

A parking meter zone is hereby established in the following municipal parking areas. Times of operation shall be Monday through Saturday, 9:00 a.m. to 5:00 p.m. Fees shall not apply on Sundays or legal holidays.

A. On-Street Parking Meter Zones.

6. A vehicle that parks in a timed parking space for the maximum time limit of two (2) hours shall not be permitted to park in another timed parking space for a period of two (2) hours thereafter.
7. The fee for all on-street metered parking shall be \$1.20 per hour, billed in \$0.60 half-hour increments. This rate excludes any additional fees imposed by the authorized mobile payment vendor.
8. Metered parking shall be established and implemented in the areas listed below:

Passaic Street	between MacArthur Avenue and River Drive	A. Monday - Saturday 9:00AM to 5:00PM
Midland Avenue	between Somerset Street and Passaic Street	Monday - Saturday 9:00AM to 5:00PM
Palisade Avenue	between Somerset Street and Passaic Street	Monday - Saturday 9:00AM to 5:00PM
West side of Harrison Avenue	between Charles Street and Frederick Street	Monday - Saturday 9:00AM to 5:00PM

§ 226-63 Resident and Accessibility Provisions in Metered Parking Zones.

During “Pay-to-Park” hours, residents shall not be exempt from the established time limits in designated parking meter zones.

A. Accessible Parking Exemption.

Vehicles displaying a valid state-issued accessible parking placard or license plate, when parked in an assigned designated accessible parking space in front of a residence occupied by a person with a disability, shall be exempt from relocation requirements and parking fees during paid parking hours.

B. Resident Parking After Hours.

Residents shall be permitted to park in timed parking zones after the hours of operation established in § 226-62.

C. Compliance with Other Regulations.

All vehicles, including those displaying a valid state-issued accessible parking placard or license plate, shall comply with all alternate side parking, overnight parking, and snow route regulations.

ATTEST: _____

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

Introduced: February 17, 2026

Adopted:

APPROVED: _____

Everett E. Garnto Jr., Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-130-26**

RESOLUTION BY:

SECONDED BY:

INTRODUCE ORDINANCE #3124

SECOND READING

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

CAPITAL ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$34,000 FOR ADDITIONAL LICENSED SITE REMEDIATION PROFESSIONAL (LSRP) SERVICES IN CONNECTION WITH THE GROUNDWATER CONTAMINATION AT THE GARFIELD DEPARTMENT OF PUBLIC WORKS, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO BE FUNDED BY THE RESERVE FOR WATER IMPROVEMENTS

was introduced and passed at a meeting held on February 17, 2026 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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

ATTEST: _____

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3124**

CAPITAL ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$34,000 FOR ADDITIONAL LICENSED SITE REMEDIATION PROFESSIONAL (LSRP) SERVICES IN CONNECTION WITH THE GROUNDWATER CONTAMINATION AT THE GARFIELD DEPARTMENT OF PUBLIC WORKS, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, NEW JERSEY, TO BE FUNDED BY THE RESERVE FOR WATER IMPROVEMENTS

WHEREAS, the City Council now finds and determines that \$34,000 is required for the additional licensed site remediation professional (LSRP) services in connection with the groundwater contamination at the Garfield Department of Public Works; and

WHEREAS, there are available funds in the capital reserve for water improvements;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Garfield, in the County of Bergen, New Jersey (the "City"), as follows:

Section 1. The sum of \$34,000 is hereby appropriated to the preliminary design and bidding services for the additional licensed site remediation professional (LSRP) services in connection with the groundwater contamination at the Garfield Department of Public Works. No down payment is required for this ordinance as it will be fully funded through the reserve for water improvements. Said improvement has been and shall be made as a general improvement and no part of the cost thereof has been nor shall be assessed against property specially benefited.

Section 2. It is hereby determined and stated that (1) the making of such improvement (hereinafter referred to as "purpose") is not a current expense of said City, and (2) the capital reserves are sufficient to fully fund the capital ordinance 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 authorized by the Water Utility is \$34,000 and is for Section 20 costs hereby stated, which is estimated to be necessary to finance the cost of architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses.

Section 3. There will be no issuance of debt and as such, there is no need to provide a self-liquidating calculation or Supplemental Debt Statement.

Section 4. This ordinance shall take effect immediately after the first publication thereof after final passage.

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: February 17, 2026

Adopted:

APPROVED: _____

Everett E. Garnto Jr., Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-131-26**

RESOLUTION BY:

SECONDED BY:

**INTRODUCE ORDINANCE #3125
SECOND READING**

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

AN ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING THE CODE OF THE CITY OF GARFIELD TO ADD A NEW CHAPTER 65, ENTITLED “AFFORDABLE HOUSING”

was introduced and passed at a meeting held on February 17, 2026 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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3125**

AN ORDINANCE OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING THE CODE OF THE CITY OF GARFIELD TO ADD A NEW ARTICLE XIX ENTITLED “AFFORDABLE HOUSING” AND TO ESTABLISH SECTION 341-69, “FOURTH ROUND MT. LAUREL AFFORDABLE HOUSING COMPLIANCE 2025–2035”

BE IT ORDAINED by the City Council of the City of Garfield, County of Bergen, State of New Jersey, that Chapter 65, “Affordable Housing,” of the Code of the City of Garfield shall be supplemented as follows:

WHEREAS, on December 15, 2025, the New Jersey Department of Community Affairs adopted effective December 15, 2025, with an expiration date of December 15, 2032, new regulations at N.J.A.C. 5:99 -1.1 to 5:99- 9.4 to establish procedures to be used in addressing requirements set forth in N.J.S.A. 52:27D-301 et seq., and the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.; and

WHEREAS, on November 6, 2025, the New Jersey Housing and Mortgage Finance Agency adopted with an effective date of November 6, 2025, with an expiration date of May 30, 2031, new regulations at N.J.A.C. 5:80-26.1 to 5:80-26.23 with Appendices D-1, D-2, D-3, D-4, F-1, F-2, P- 1 and P-2 designed to implement the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

WHEREAS, In the Matter of the Application of the City of Garfield, County of Bergen, Docket No. BER-L-506-25, the Honorable Lina P. Corrison, J.S.C. issued a Consent Order that requires, in pertinent part, at paragraph 8, that the city agrees to collect non-residential development fees and electronically enter data into the AHMS system of the Department of Community Affairs of a detailed accounting of all non-residential development fees and any other payments into its trust fund that have been collected, along with the current balance in the municipality’s affordable housing trust fund as well as trust funds expended, including purposes and amounts of such expenditures, in the previous year from January 1st to December 31st”; and

WHEREAS, the City will now be required to comply with the Consent Order Conditional Compliance Certification;

NOW, THEREFORE, BE IT RESOLVED as follows, that new Section 64-1 , entitled Fourth Round Mt. Laurel Affordable Housing Compliance 2025-2035 be added as follows.

Section 65-1. Fourth Round Mt. Laurel Affordable Housing Compliance 2025-2035

A. Purpose.

- 1) This chapter is intended to assure compliance with the applicable provisions of the Uniform Housing Affordability Controls (UHAC) promulgated by the New Jersey Housing and Mortgage Finance Agency at N.J.A.C.5:80-26 et seq, the amended Fair Housing Act at N.J.S.A. 52:27D-301 et seq., the Fair Housing Act Regulations promulgated by the Department of Community Affairs, Division of Local Planning Services (“LPS”) at N.J.A.C. 5:99 et seq., and statutorily upheld existing regulations of the former Council on Affordable Housing (“COAH”) at N.J.A.C. 5:93 and 5:97. Additional information. This chapter shall apply except where inconsistent with applicable law.

B. Definitions.

“Affordability assistance” means the use of funds to render housing units more affordable to low- and moderate-income households and includes, but is not limited to, down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowner’s association or condominium fees and special assessments, common

maintenance expenses, and assistance with emergency repairs and rehabilitation to bring deed-restricted units up to code, pursuant to N.J.A.C. 5:99-2.5.

“Affordability average” means an average of the percentage of regional median income at which restricted units in an affordable development are affordable to low- and moderate-income households.

“Affordable” means, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.7 and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth at N.J.A.C. 5:80-26.13.

“Affordable housing development” means a development included in a municipality’s housing element and fair share plan, and includes, but is not limited to, an inclusionary development, a municipally sponsored affordable housing project, or a 100 percent affordable development. This includes developments with affordable units on-site, off-site, or provided as a payment in-lieu of construction only if such a payment-in-lieu option has been previously approved by the Program or Superior Court as part of the HEFSP. Payments in lieu of construction were invalidated per P.L. 2024, c.2.

“Affordable Housing Dispute Resolution Program” or “the Program” refers to the dispute resolution program established pursuant to N.J.S.A. 52:27D-313.2.

“Affordable Housing Monitoring System” or “AHMS” means the Department’s cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

“Affordable Housing Trust Fund” or “AHTF” means that non-lapsing, revolving trust fund established in DCA pursuant to N.J.S.A. 52:27D-320 and N.J.A.C. 5:43 to be the repository of all State funds appropriated for affordable housing purposes. All references to the “Neighborhood Preservation Nonlapsing Revolving Fund” and “Balanced Housing” mean the AHTF.

“Affordable unit” means a housing unit proposed or developed pursuant to the Act, including units created with municipal affordable housing trust funds. “Development fee” means money paid by a developer for the improvement of residential and non-residential property as permitted.

“Municipal affordable housing trust fund” means a separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing previously approved prior to March 20, 2024 (per P.L. 2024, c.2), barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

“Municipal housing liaison” or “MHL” means an appointed municipal employee who is, pursuant to N.J.A.C. 5:99-6, responsible for oversight and/or administration of the affordable units created within the municipality.

“Municipal development fee ordinance” means an ordinance adopted by the governing body of a municipality that authorizes the collection of development fees.

“Non-residential development fee” means the fee authorized to be imposed pursuant to N.J.S.A. 40:55D-8.1 through 40:55D-8.7.

“Spending plan” means a method of allocating funds contained in a municipal affordable housing trust fund account, which includes, but is not limited to, development fees collected

and to be collected pursuant to an approved municipal development fee ordinance, or pursuant to N.J.S.A. 52:27D-329.1 et seq., for the purpose of meeting the housing needs of low- and moderate-income individuals.

Section 65-2. Non-Residential Development Fees.

A. Purpose.

- 1) This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.

B. Basic Requirements.

- 1) The municipality previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund. This Ordinance establishes the Municipal Affordable Housing Trust Fund).
- 2) The municipality shall not spend development fees until the court has approved a plan for spending such fees.

C. Non-Residential Development Fees.

- 1) Imposition of fees
 - (a) Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5 percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - (b) Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5 percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - (c) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5 percent shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- 2) Eligible exactions, ineligible exactions and exemptions for non-residential development.
 - (a) The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5 percent development fee, unless otherwise exempted below.
 - (b) The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

- 3) Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF “State of New Jersey Non-Residential Development Certification/Exemption.” Any exemption claimed by a developer shall be substantiated by that developer.
- 4) A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
- 5) If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the municipality as a lien against the real property of the owner.

D. Collection Procedures.

- 1) Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- 2) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, “State of New Jersey Non-Residential Development Certification/Exemption,” to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- 3) The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
- 4) Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
- 5) The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
- 6) Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- 7) Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount

consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).

- 8) Fifty percent (50 percent) of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy.

E. Appeal of development fees.

- 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
- 2) A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

F. Affordable Housing Trust Fund.

- 1) A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- 2) The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - i. Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2;
 - ii. Funds contributed by developers to make 10 percent of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - iii. Rental income from municipally operated units;
 - iv. Repayments from affordable housing program loans;
 - v. Recapture funds;
 - vi. Proceeds from the sale of affordable units; and
 - vii. Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.

- 3) The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
- 4) Occurrence of any of the following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
 - i. Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - ii. Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;
 - iii. Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;
 - iv. Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
 - v. Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
 - vi. Revocation of compliance certification or a judgment of compliance and repose;
 - vii. Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, 7, and 8;
 - viii. Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
 - ix. All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.

G. Use of Funds

- 1) The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.
- 2) Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
- 3) At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A

portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.

- i. Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.
 - ii. Affordability assistance for very low-income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
- 4) No more than 20 percent of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.

H. Monitoring.

- 1) On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the AHMS Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.4), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

I. Ongoing Collection of Fees.

- 1) The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.
- 2) If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).

J. Emergent Affordable Housing Opportunities. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

Section 65-3 Municipal Housing Liaison.

- A. The Municipal Housing Liaison shall be approved by municipal resolution.
- B. The Municipal Housing Liaison shall be approved by the Division, or is in the process of getting approval, and fully or conditionally meets the requirements for qualifications, including initial and periodic training as set forth in in N.J.A.C. 5:99-1 et seq.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program, including the following responsibilities, which may not be contracted out to an Administrative Agent:
 - i. Serving as the primary point of contact for all inquiries from the Affordable Housing Dispute Resolution Program, the State, affordable housing providers, administrative agents and interested households.
 - ii. The oversight of the Affirmative Marketing Plan and affordability controls.
 - iii. When applicable, overseeing and monitoring any contracting Administrative Agent.
 - iv. Overseeing the monitoring of the status of all restricted units listed in the Fair Share Plan.
 - v. Verifying, certifying and providing annual information within AHMS at such time and in such form as required by the Division.
 - vi. Coordinating meetings with affordable housing providers and administrative agents, as needed.
 - vii. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Division.
 - viii. Overseeing the recording of a preliminary instrument in the form set forth at N.J.A.C. 5:80-26.1 for each affordable housing development.
 - ix. Coordinating with the Administrative Agent, municipal attorney and municipal Construction Code Official to ensure that permits are not issued unless the document required in C.8. above has been duly recorded.
 - x. Listing on the municipal website contact information for the MHL and Administrative Agents.

Section 65-4 Repealer

All ordinances or code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 65-5 Severability

If any section, subsection, paragraph, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

Section 65-6 Effective Date

This ordinance shall take effect upon its passage and publication, as required by law.

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

City Manager/City Clerk

Introduced: February 17, 2026

Adopted:

APPROVED: _____

Everett E. Garnto Jr., Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-132-26**

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 \$28,223.05 and the Current Fund totaling \$1,731,120.16 and the Water Reserves totaling \$477.98 and the Water Fund totaling \$9,812.17 and the Grants totaling \$7,162.30 and the General Capital Fund totaling \$5,314.81 and the Water Capital Fund totaling \$0.00 and the Trust Accounts totaling \$120,331.94 and the Developer’s Escrow totaling \$0.00 per attached Computer Lists, dated March 10, 2026 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 \$2,059,727.21 to the meeting be ratified.

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

Nicholas Prochilo, Chief Financial Officer

March 9, 2026
Dated

APPROVED: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-133-26**

CONSENT AGENDA

**RESOLUTION BY:
SECONDED BY:**

AUTHORIZING TRANSFERS BETWEEN BUDGET APPROPRIATIONS

WHEREAS, transfers are permitted between budget appropriations during the first three months and the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen, State of New Jersey, that transfers between 2025 appropriation reserves be made as follows:

Description	OE/SW	FCOA	Account No	To	From
CITY CLERK	OE	20-120	5-01-20-120-120-	\$2,000.00	
ELECTIONS	SW	20-120	5-01-20-120-121-		\$2,000.00
			TOTAL	\$190,000.00	\$190,000.00

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

Nicholas Prochilo, Chief Financial Officer

March 9, 2026

Dated

APPROVED: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-134-26**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

**AUTHORIZING ADDITIONAL FUNDS TO SANTO T. ALAMPI, ESQ., SPECIAL
LEGAL COUNSEL, REPRESENTING THE CITY OF GARFIELD IN THE MATTER
OF I.W.S. TRANSFER SYSTEMS OF N.J., INC., V CITY OF GARFIELD**

WHEREAS, Resolution R-462-23 authorized the appointment of Special Legal Counsel, Santo T. Alampi, Esq. to represent the City of Garfield in the matter of I.W.S Transfer Systems of NJ, Inc.; and

WHEREAS, the not to exceed amount for said resolution was \$2,000; and

WHEREAS, Resolution R-218-25 increased the not to exceed amount to \$9,000; and

WHEREAS, due to continued services, there is a need to extend said not to exceed amount in the matter related to the I.W.S Transfer Systems of NJ, Inc. v. City of Garfield through File No. 0847-001;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that an additional amount of \$4,000.00 be and is hereby authorized for a new total not to exceed amount of \$13,000.00 to be paid out of account 6-01-20-155-155-020 and PO #26-00735.

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

Nicholas Prochilo, Chief Financial Officer

March 9, 2026
Dated

APPROVED: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-135-26**

CONSENT AGENDA

RESOLUTION BY:

SECONDED BY:

**AUTHORIZING ADDITIONAL LICENSED SITE REMEDIATION PROFESSIONAL
(LSRP) SERVICES IN CONNECTION WITH THE GROUNDWATER
CONTAMINATION AT THE GARFIELD DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the City of Garfield is remediating petroleum contamination at the Department of Public Works (DPW) garage; and

WHEREAS, during the replacement of a utility pole adjacent to the garage, petroleum product was observed in the hole, and a sheen was noted in the nearby stream and culvert; and

WHEREAS, Boswell, Inc. (Boswell), the site's LSRP, responded to the incident and performed a geophysical survey and collected groundwater and surface water samples; and

WHEREAS, in May 2024 Boswell completed further soil investigation between the utility pole and the culvert. A total of 12 of the 14 samples collected exhibited petroleum contamination above the New Jersey Department of Environmental Protection (NJDEP) Soil Remediation Standards (SRS); and

WHEREAS, New Jersey Department of Environmental Protection (NJDEP) regulations require the City to complete the horizontal delineation of the existing contaminants; and

WHEREAS, the additional services that are required to continue the remedial investigation are summarized as follows:

1. Continued Soil Contaminant Delineation Building Interior	\$ 8,875.00
2. Soil Borings and Monitoring Well Installation	\$ 13,250.00
3. Monitoring Well Sampling	\$ 4,375.00
4. Remedial Investigation Report Addendum	<u>\$ 7,500.00</u>
Total	\$ 34,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the City Engineer, Boswell, is hereby authorized to provide the services noted above for the amounts stated to be paid out of account C-06-55-726-000-010 and PO 26-00426.

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

Nicholas Prochilo, Chief Financial Officer

March 9, 2026
Dated

APPROVED: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-136-26
CONSENT AGENDA**

**RESOLUTION BY:
SECONDED BY:**

APPROVING CONTRACT FOR EXTRAORDINARY UNSPECIFIABLE SERVICE

WHEREAS, the city of Garfield currently owns and operates its own water utility, which requires specific licensing in accordance with state guidelines; and

WHEREAS, as of April 1, 2024, the City was in need of services covering the W-3, C-3 and T-2 requirements based on said requirements; and

WHEREAS, Willard Bierwas (ACTS) 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, Willard Bierwas (ACTS) has completed and filed with the City of Garfield the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.26; and

WHEREAS, the City believes it is in the best interest to enter into an agreement with Willard Bierwas (ACTS) for a period from January 1, 2026 through December 31, 2026, for a monthly total of \$4,000.00, with a not to exceed amount of \$48,000; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are 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 enter into an agreement with Willard Bierwas (ACTS) 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. Willard Bierwas (ACTS) shall be paid a fee by the City of Garfield up to an amount not to exceed \$48,000.00 and the contract shall run from January 1, 2026 until December 31, 2026 to be paid out of Water OE 6-05-55-502-502-020.
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, Nicholas Prochilo, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Nicholas Prochilo, Chief Financial Officer

March 9, 2026
Dated

APPROVED: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-137-26
CONSENT AGENDA**

RESOLUTION BY:
SECONDED BY:

APPROVING 2026 CANNABIS LICENSES

WHEREAS, the following applicants have submitted their application for a cannabis license for the year 2026;

NAME	ADDRESS	CLASS	DATE OF ISSUANCE/APPROVAL
KDRJJI, LLC	616 River Drive	Class 2 Manufacturer	January 1, 2026

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: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-138-26**

CONSENT AGENDA

RESOLUTION BY:
SECONDED BY:

RESOLUTION TO APPROVE THE CONSENT AGENDA

BE IT RESOLVED by the Mayor and Council of the City of Garfield that the actions noted in the Consent Agenda, Resolutions R-132-26 through R-138-26 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: MARCH 10, 2026

Everett E. Garnto Jr., Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				
Delaney				
Kane				
Raymond				
Garnto				

This resolution was approved by the Mayor and Council of the City of Garfield at a Work Session Meeting held on the 10th day of March 2026. Signed and sealed before me.

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

Dated