

A Regular Meeting of the City Council was held Tuesday, June 23, 2020 at 7:10 PM in the Emergency Operations Center in the Police Headquarters located at 411 Midland Avenue, Garfield, NJ 07026.

Mayor Richard Rigoglioso presided. City Clerk Andrew J. Pavlica announced that the meeting was being held in accordance with provisions of the Open Public Meetings Act and under guidelines set forth by the New Jersey Division of Local Government Services in an email dated March 12, 2020 for the conduct of Council Meetings under a Health Emergency. City Clerk Pavlica announced that adequate notice was provided by mail, fax and email to the Official City newspapers and to other interested parties and by posting the meeting notice on the bulletin boards in City Hall and on the City Website. City Clerk Pavlica also announced that, although not required, a special public notice was also published in the June 18, 2020 edition of the Bergen Record newspaper advising of this meeting being held remotely, and the public was also directed to the City Website for guidance in order to listen and watch and participate. City Clerk Pavlica advised that these actions have been taken to protect the health, safety and welfare of the people of Garfield due to the Coronavirus Pandemic.

Councilmembers Present: Richard Rigoglioso

Councilmembers Present Telephonically: Louis G. Aloia, Frank J. Calandriello, and Joseph Delaney

Councilmembers Absent: Erin N. Delaney

Also Present: City Clerk Andrew J. Pavlica

Also Present Telephonically: City Manager Thomas J. Duch, City Attorney Robert Ferraro, City Engineer Kevin J. Boswell and Interim Chief Financial Officer Roy Riggitano

PUBLIC HEARING ON THE BERGEN COUNTY OPEN SPACE FOR GARFIELD  
RIVERFRONT EXTENSION PHASE IV AND PARK DEVELOPMENT FOR PARK  
IMPROVEMENTS TO JEWELL STREET PARK

City Manager Thomas J. Duch explained the Bergen County Open Space, Recreation Floodplain Protection, Farmland & Historic Preservation Trust Fund 2020 Application for Open Space Acquisition Projects entitled Garfield Riverwalk Expansion Phase IV and Park Development for Park Improvements to Jewell Street Park.

Mayor Rigoglioso declared a public hearing on both and asked if there was anyone who would like to speak for or against the grants or had any questions.

There being no objections, Mayor Rigoglioso declared the public hearing closed.

COVID-19 CORONAVIRUS UPDATE

Mayor Rigoglioso said that there have been 866 Coronavirus cases in the City of Garfield with 56 deaths. He said that the nation is still in the First Wave of this Pandemic. He spoke on Stage Two regarding the Re-Opening of the State of New Jersey. He asked that everyone be mindful and to social distance themselves at least 6 feet between people.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The grant award of \$375,000 to the City of Garfield from the United States Department of Justice for the hiring of 3 additional Police Officers.
2. The request that was received from the Charter School located at 188 MacArthur Avenue for use of Twentieth Century Field for a Graduation Ceremony, which was denied, due to the number of people who would be in attendance.
3. The request that was received from the Men's Softball League to start their Slow Pitch Double A Sports League. The request has not yet been approved pending evaluation of New Jersey Governor Phil Murphy's latest Executive Orders.

REPORTS OF OFFICERS

4. The proposed Outdoor Dining Ordinance, and applications for Outdoor Dining from the Hearth Tavern, Applebee's Restaurant, Sportsmen's Tavern, La Sicilia Restaurant, La Bella Restaurant, Firehouse Restaurant, Black Jack Mulligan's Ale House, the Hive Tavern, La Combusa Restaurant and Zoila's Kitchen.
5. The Environmental Protection Agency Cleanup of the Upper Passaic River from Newark Bay to Belleville. He said that there are eight additional miles of river from Belleville to the Dundee Dam in Garfield. He said that there is an EPA Hearing coming up for which he will issue a statement and written testimony on behalf of the City of Garfield encouraging the continuation of the Cleanup to the Dundee Dam.
6. The phone conference that was held last Wednesday with representatives of New Jersey Transit Railroad and other City Officials regarding the removal of the Monroe Street Train Tracks, and to go over the procedure to get the rail cars out of the City of Passaic, but be in Garfield for a very short time, before leaving Garfield. He reported on the plan being drawn up, to be part of litigation to be filed in Passaic County, to give Passaic Street Properties ownership of the rail cars, which will ultimately be given to an organization similar to "Toys For Tots". He advised that the City was in receipt of a Report on the structural integrity of the Monroe Street Railroad Bridge over the Passaic River from Garfield into Passaic. He said that this whole process has to be concluded by September 4, 2020 or the matter will need to be returned to the National Transportation Surface Board in Washington, DC for re-approval and that process could take another year.
7. The proposed Resolution authorizing the Snow Plowing Agreement between the County of Bergen and the City of Garfield.

Councilmember Frank J. Calandriello reported on the following:

1. The PILOT Agreements in connection with the sale of 99 Passaic Street from Greater Bergen Community Action to Meredia Garfield 99, the sale of 100 Passaic Street from Sal Guerrieri to Meredia Garfield 100, and the sale of 290 River Drive from Goodrich, Inc. to Meridia Garfield 290.

City Manager Duch reported on the following:

8. Applications being filed for Community Development grants, Municipal Aid, and other sources of funding.
9. The Third Draft of the Redevelopment Agreement for each of the properties involved with Payments in Lieu of Taxes.
10. The Financial Analysis on the PILOT Agreements to be compiled by City Auditor Dieter Lerch which will be filed with the Redevelopment Agency.
11. City Engineer Kevin J. Boswell reported on the sewer and utilities study to be performed near the Railroad Trestle over Passaic Street.

Councilmember Calandriello reported on the following:

2. The Third Quarter Tax Bills due August 1, 2020, and any proposed extension of a grace period for the payment of property taxes before interest penalties would be imposed. The 97.7% Tax Collection Rate for the Second Quarter Tax Bills was also discussed.
3. The likelihood of the City Recreation Department conducting a Summer Camp Program during the Summer of 2020.
4. Various Bills on the City Bills and Claims List.

RESOLUTIONS

Resolution No. 20-149

WHEREAS, Beatrice Nemeth, 12A Jewell Street, who is the holder of a Disabled Person I.D. Card No. P2234882, has filed application for a handicapped parking sign to be placed at her address, and WHEREAS, the Police Department has conducted an investigation and recommend approval of the application,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicapped Parking”, located on the east curb line of Jewell Street commencing 122 feet north of the intersection of Jewell Street and Outwater Lane and run an additional 18 feet north from that point.

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

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-150

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the appropriate City Officials are hereby authorized to execute a snowplowing agreement with the County of Bergen for the 2020-2022 snow plowing seasons.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-151

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE FINAL DEED NOTICES, A RESPONSE ACTION REPORT AND A RESPONSE ACTION OUTCOME FOR 743, 779, 783, 821 AND 867 RIVER DRIVE

WHEREAS, the City of Garfield is required to complete environmental remediation of the above referenced parcels as a condition of utilizing them for the intended purpose of roadway widening and parkland use, and;

WHEREAS, the City Engineer has performed environmental studies on the above referenced properties which will allow final deed notices and Response Action Outcomes to be issued to satisfy this requirement, and;

WHEREAS, the City Engineer issued a proposal dated June 16, 2020 to perform the requisite services,

NOW THEREFORE BE IT RESOLVED the City Engineer is hereby authorized to perform the services summarized in his proposal dated June 16, 2020 for a fee not to exceed \$16,500.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution 20-152

A RESOLUTION AUTHORIZING PAYMENT TO JOHN GARCIA CONSTRUCTION CO, INC. FOR A SANITARY SEWER REPAIR AT PALISADE AVENUE, GARFIELD

WHEREAS, the City of Garfield required emergency contracting services in order to repair a sanitary sewer line at Palisade Avenue, and;

WHEREAS, John Garcia Construction Co., Inc. provided all of the labor and material necessary to perform this repair

NOW THEREFORE BE IT RESOLVED payment is hereby authorized to John Garcia Construction Co., Inc. in the total amount of \$9,341.20 as reflected on their Invoice #3697, dated June 5, 2020.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-153

A RESOLUTION AUTHORIZING THE BIDDING OF THE MONROE STREET IMPROVEMENTS AND MIDLAND AVENUE CURB AND SIDEWALK IMPROVEMENTS

RESOLUTIONS

BE IT RESOLVED the City Engineer and Clerk are hereby authorized to advertise for the bidding of the above referenced project.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-154

RESOLUTION OF THE CITY OF GARFIELD AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY OPEN SPACE, RECREATION, FLOODPLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND (BERGEN COUNTY TRUST FUND) GRANT APPLICATION.

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the City of Garfield desires to further the public interest by obtaining a matching grant of \$195,963.00 from the County Trust Fund to fund the following project: Jewell Street Park Improvements; and,

WHEREAS, the City Council of the City of Garfield (Council) has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Council received held the required Public Hearing to receive public comments on the proposed park improvements in the application on June 23, 2020; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Manager, and Council of the City of Garfield hereby authorize:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of June 29th, 2020, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the City of Garfield has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the City of Garfield is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the City of Garfield agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

RESOLUTIONS

Resolution No. 20-155

RESOLUTION OF THE CITY OF GARFIELD AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY OPEN SPACE, RECREATION, FLOOD PLAIN PROTECTION, FARMLAND & HISTORIC PRESERVATION TRUST FUND (BERGEN COUNTY TRUST FUND) GRANT APPLICATION.

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the City of Garfield desires to further the public interest by obtaining a matching grant of \$250,000.00 from the County Trust Fund to fund the following project: Garfield Riverwalk Expansion – Acquisition Phase IV; and,

WHEREAS, the City Council of the City of Garfield (Council) has reviewed the Bergen County Trust Fund Program Statement, the County program Open Space Policy and Procedures Manual, and the open space application and instructions and desires to make an application for such a grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the Council held the required Public Hearing to receive public comments on the proposed land acquisition project in the application on June 23, 2020; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Manager, and Council of the City of Garfield hereby authorize:

1. That it is hereby authorized to submit the above completed project application to the Trust Fund by this year’s deadline of June 29, 2020, as established by the County; and,
2. That, in the event of a Trust Fund award may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and,
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
4. That this resolution shall take effect immediately.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-156

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for Overpayment of Exempt Disabled Veteran allowed for the year 2020.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
216.06	265	Camiscioli, Marinus	Disabled Veteran	\$ 3,430.00

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

RESOLUTIONS

Resolution No. 20-157

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for Overpayment of Exempt Disabled Veteran allowed for the year 2019.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this overpayment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
216.06	265	Camiscioli, Marinus	Disabled Veteran	\$ 4,066.41

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-158

Resolution Re: Amendment to Policy for Claimant’s Certification

WHEREAS, the State of New Jersey statute regarding the requirements for a claimant’s signature on payment vouchers has been amended; and

WHEREAS, the City is desirous of amending its policy to conform with the revised requirement that eliminates a claimant’s certification in certain instances.

NOW THEREFORE BE IT RESOLVED, the Mayor and Council hereby approves the attached policy on claimant’s certification.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-159

COOPERATIVE AGREEMENT RENEWAL FOR FISCAL YEARS 2021, 2022, 2023  
MUNICIPAL RESOLUTION 1 | INCLUSION

A RESOLUTION AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the City of Garfield and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Program Years 2021, 2022, and 2023 covering the period July 1, 2021 – June 30, 2024; and

BE IT FURTHER RESOLVED, that an original copy of this resolution be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than Friday, July 17, 2020.

On call of roll, Ayes 4,  
Absent 1 – Councilmember Erin N. Delaney

(Sgd) Joseph Delaney  
Louis G. Aloia

ARRIVAL OF COUNCILMEMBER ERIN N. DELANEY

At 7:40 PM, Councilmember Erin N. Delaney joined the meeting telephonically and it was duly noted for the record.

RESOLUTIONS

Resolution No. 20-160

COOPERATIVE AGREEMENT RENEWAL FOR FISCAL YEARS 2021, 2022, 2023  
MUNICIPAL RESOLUTION 2 | EXECUTION

A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the City of Garfield and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, it is in the best interest of the City of Garfield to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City of Garfield that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG) for the Program Years 2021, 2022, and 2023 covering the period July 1, 2021 – June 30, 2024 be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law and that an original copy be made available to the Director of the Bergen County Division of Community Development as soon as possible and no later than Friday, July 17, 2020.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-161

RESOLUTION APPOINTING HOPLITE COMMUNICATIONS AS CONSULTANT

WHEREAS, it is necessary for the City to retain a Consultant to provide municipal services with regard to the City’s communication carriers as carrier agreements are beyond the scope and expertise of professionals normally utilized by the City; and

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-53.2, application review and inspection charges shall be limited only to professional charges for review of applications, review and preparation of documents and inspections of developments under construction and review by outside consultants where an applications is of a nature beyond the scope of the expertise of the professionals normally utilized by the municipality; and

WHEREAS, the City desires to appoint Peter J. Lupo, Esq., of Hoplite Communications as a Consultant to provide municipal services with regard to the City’s communications carriers; and WHEREAS, Hoplite Communications has provided a copy of its summary of services, attached hereto and incorporated herein by reference; and

WHEREAS, Peter J. Lupo of Hoplite Communications will serve as Consultant at no cost to the City for the term of December 2, 2019 through December 31, 2020; and

WHEREAS, all compensation paid to the Consultant for services rendered to the City will be paid the communications / utility carrier.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of Garfield, County of Bergen and State of New Jersey that Peter J. Lupo, Esq., of Hoplite Communications be and is hereby appointed as a Consultant to the City to provide municipal services with regard to the City’s communication carriers as set forth in its summary of services attached hereto and made a part hereof; and

RESOLUTIONS

BE IT FURTHER RESOLVED, that the Consultant will provide its services to the City at no cost to the City for the term of December 2, 2019 through December 31, 2020; and  
BE IT FURTHER RESOLVED, that all services rendered to the City will be paid by the communications / utility carrier; and  
BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward a copy of this resolution to Peter J. Lupo, Esq., upon its passage.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Louis G. Aloia

Resolution No. 20-162

RESOLUTION OF THE CITY OF GARFIELD AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION.  
WHEREAS, a Bergen County Community Development Block Grant totaling \$19,307.00 has been proposed by the City of Garfield for COVID-19 response support for senior meals and COVID-19 testing in the municipality of the City of Garfield, and  
WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and  
WHEREAS, aforesaid project is in the best interest of the people of the City of Garfield, and  
WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application.  
NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project, and  
BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) Joseph Delaney  
Louis G. Aloia

BILLS AND CLAIMS

Resolution No. 20-163

RESOLVED by the City Council of the City of Garfield that the Current Fund totaling \$237,904.93 and the Water Fund Current Fund totaling \$8,883.04 and the General Capital Fund totaling \$15,060.00 and the Water Capital Fund totaling \$7,652.00 per attached Computer Lists, dated June 18, 2020, be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations, and  
BE IT FURTHER RESOLVED that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the Ratification List, which includes fifteen (15) items prior to the meeting be ratified.

See

the

following pages numbered \_\_\_\_\_

for

Bills

and

Claims

ORDINANCES

Ordinance No. 2840

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, June 9, 2020; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full, and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND CHAPTER 151 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED TO ADD A PROVISION CREATING AN EMERGENCY OUTDOOR CAFÉ ORDINANCE

City Clerk Pavlica read the ordinance by title.

Mayor Rigoglioso declared a public hearing on same and asked if there were any objections.

There being none, Mayor Rigoglioso declared the public hearing closed.

Councilmember Erin N. Delaney moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Joseph Delaney duly seconded the motion.

On call of roll, Ayes 5

Ordinance No. 2841

The following entitled ordinance was introduced at a Regular Meeting held Tuesday, June 9, 2020; it was duly published; a copy was posted on the bulletin board in City Hall; copies were made available to the general public and having complied with the law, this ordinance was not read in full, and the City Council can now proceed with the public hearing and final passage:

AN ORDINANCE TO AMEND CHAPTER 114 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "FEES" TO ADD A PROVISION CREATING MECHANICAL CODE FEES

City Clerk Pavlica read the ordinance by title.

Mayor Rigoglioso declared a public hearing on same and asked if there were any objections.

There being none, Mayor Rigoglioso declared the public hearing closed.

Councilmember Joseph Delaney moved that said ordinance do now pass on final passage and that the City Clerk be directed to publish said ordinance in full together with the statement or notice required by law. Councilmember Erin N. Delaney duly seconded the motion.

On call of roll, Ayes 5

Councilmember Joseph Delaney introduced in writing the following ordinance entitled:

ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN OR THE PROPERTIES COMMONLY KNOWN AS 281-293 PASSAIC STREET AND 8 CLARK STREET AT BLOCK 41, LOTS 1.01, 1.02, 5, AND 6 AS SHOWN ON THE TAX MAP OF THE CITY OF GARFIELD, AND AMENDING ORDINANCE CHAPTER 341-16 BY ADDING CERTAIN ADDITIONAL RESTRICTIONS AND ALLOWANCES TO THE R-2 ZONING DISTRICT PURSUANT TO N.J.S.A.40A:12A-1 ET SEQ', THE LOCAL REDEVELOPMENT AND HOUSING LAW

City Clerk Pavlica read the ordinance by title.

ORDINANCES

Councilmember Joseph Delaney moved that this ordinance entitled: “ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN OR THE PROPETIES COMMONLY KNOWN AS 281-293 PASSAIC STREET AND 8 CLARK STREET AT BLOCK 41, LOTS 1.01, 1.02,5, AND 6 AS SHOWN ON THE TAX MAP OF THE CITY OF GARFIELD, AND AMENDING ORDINANCE CHAPTER 341-16 BY ADDING CERTAIN ADDITIONAL RESTRICTIONS AND ALLOWANCES TO THE R-2 ZONING DISTRICT PURSUANT TO N.J.S.A.40A:12A-1 ET SEQ’, THE LOCAL REDEVELOPMENT AND HOUSING LAW” do now pass on first reading and remain on filed with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held July 14, 2020 at 7:00 PM in the new Police Station in Garfield and that the City Clerk be directed to publish said ordinance in full together with the notice of such hearing in The Record, at least seven days prior to the hearing.

The motion, duly seconded by Mayor Rigoglioso, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Abstain 1 – Councilmember Calandriello

CITIZENS AND TAXPAYERS

City Clerk Pavlica read the following statements and questions which were received via email:

Ms. Tana Raymond, 93 Spring Street:

1. Recently, every nite someone or some group have been setting off firecrackers. They start at around 9:30 and it continues into the wee hours of the morning. It is very disturbing to many of our citizens. I received many phone calls asking if I would approach the city leaders to see if anything can be done. They are not the simple firecrackers. They sound like M80's or Cherry bombs. Children are being awakened by the loud noise and parents are complaining. Many citizens are also very concerned because their animals are petrified and shake because the sound is amplified to an animal. Last nite one resident called me and said her dog was panting so bad he collapsed. Another call was from a young mother whose baby was screaming in the background because she was awakened from a sound sleep and frightened. If you look on FB there are many residents complaining from all over town, it's not just one area. I called the police last nite ,as many residents did and spoke to the dispatcher Monica Rigigliosi who told me she sent the police to different areas due to the volume of complaints she was getting. I understand the 4th of July is a great celebration for our country but this is 2 1/2 weeks before. How long will this go on? Is there anything the city leaders can do to solve this situation? We have a noise ordinance in this town. Maybe you can introduce another ordinance restricting firecrakers being set off so far in advance and so late into the wee hours of the morning. Our citizens pay taxes and rent and have the right to live in peace in their homes. It is not fair to small children and or to the animals who are especially sensitive to the loud BOOMS! Please address this.

2. Mayor, at the last meeting you stated you spoke to 50 developers to see if they were interested in developing in Garfield and none were. Would it be possible to get their names? I personally would like to know why they don't want to develop here especially if they could get a pilot like the developer on Passaic St and River Rd is getting. I can request it thru OPRA if you wish.

3.I think It is a great opportunity for our seniors to have the exercise program at Belmont Gardens with the music and instructor. I am interested to know if the city has to pay them for their services. If the city is paying, I would like to know why are you allowing political signs on the DJ'S truck. The seniors need to know that the city is offering this service to them paid for by the taxpayers and not a political group. Please address this matter.

Finally, I would like to thank you all who took part in cleaning our statue of Christopher Columbus at Columbus field. There are also pavers there with our loved ones names. I hope they were not vandalized. Some of us paid to have a paver there years ago when it was sponsored by the Housing Authority. Hopefully they are still all intact.

CITIZENS AND TAXPAYERS

Drew I would like to add this question:

Did anyone fact check Councilman Aloia's figures from the last meeting regarding the pilot program and the tax revenues? If not, I would like to know why because if he is correct in what he said then the figures do not coincide with what you presented to the public. How can the Kalama property be worth more on 7 acres than the Walmart development on 35 acres?? Can someone explain that to me please?

Joan Banez  
20 Hepworth Place:

1. Mr. Duch: Who is the current property owner of 100 Passaic Street , the old theater building as of today? Please include the owners name. Has the developer closed on the property, is he now the current owner?

2. Mr Duch: It was confirmed at the last meeting that the Passaic Street development has no contamination nor is it located in a flood zone. Therefore, what reason has the developer given to request a PILOT program for the Passaic Street development? And, if he is unable to build without a PILOT, then why was it not opened up to other developers who might be financially stable and willing to build without a PILOT.

As the Mayor and Mr Delaney have both stated.. ...this is a PRIME location for redevelopment as agreed by all.

3. Mr. Duch: approximately, what would be the total taxes on the Passaic Street Development over a 15 year period without the PILOT, including city, school and county?

COUNCILMEMBER COMMENTS

City Manager Duch responded to questions and comments presented by the public during this meeting.

Councilmember Aloia said that he will be glad to supply to Ms. Raymond and everyone all the numbers that he formulated. He spoke on the cleanliness of Passaic Street. He spoke on being really pleased in regard to the grant to hire additional Police Officers. He spoke on the Christopher Columbus statue that was vandalized on or about the early morning of Saturday, June 13, 2020 in Columbus Park near the intersection of Midland Avenue and Bellport Place. He spoke on being a past President of UNICO and the values for which UNICO stands. He spoke on there being a lot more fireworks being shot off by the public than ever before. He spoke on the fire hazard that these fireworks present, in that many people in Garfield live in such close proximity to each other. He spoke on the family of Councilmembers being brought up by name at the prior Council Meeting in regard to the Redevelopment Agency. He spoke on what a compliment it is to the taxpayers of Garfield that the City has a 97.7% rate of tax payment during these trying economic times and pandemic. He spoke on the City Budget not going up in regard to the amount to be raised for taxation. He spoke on the purchase of new Water Meters and the proposed improvement to the School Athletic Facilities at Garfield High School. He spoke on improvements to Passaic Street and Monroe Street, and park improvements along River Drive. He spoke on all these major improvements and City taxes not going up this year, as a result of the hard work of a lot of people over the years.

Councilmember Calandriello said that the fireworks this year have been the worst that he has experienced in all his years in Garfield. He said that this might be a result of a lot of people being home because of the pandemic. He said that he would like to see the list of the 50 developers with whom the Mayor claimed he met during the last meeting. He spoke on the City paying for meals and for aerobic classes for senior citizens. He said that they need to make sure that this is not being done for political purposes and that this is being done by the taxpayers of Garfield who are the ones footing the bill. He said that he is glad that the City is helping the seniors. He spoke on the financial numbers presented by Councilmember Aloia during the last meeting and how he went over them with the City Tax Assessor. He said that Ms. Joan Banez is not raising issues to be on

COUNCILMEMBER COMMENTS

TV and that she speaks with sincerity and is owed respect. He spoke on the Third Quarter Tax Bills. He spoke on why certain Redevelopment Projects did not happen sooner. He spoke on environmental issues that the City unexpectedly experienced while trying to move the construction of a new Police Station forward. He said that the nation is currently experiencing an economic downturn, and that the Great Recession happened in 2008, and the full recovery did not happen until about 2015. He spoke on the second phase of Redevelopment in the City kicking in around 2015, when the economy recovered. He said that the City cannot ignore what goes on in this world. He said so many City Officials share involvement in all these Redevelopment Projects. He spoke on not granting everything that a Redeveloper wants. He said that he is not looking for congestion or changing the town for the worst. He said that he is here to represent the people, not the Developer. He spoke on the new Police Station being a magnificent structure. He spoke on the Redeveloper of the Garden State Paper site giving the City about \$2.8 million towards the construction of a new Police Station. He spoke on doing Redevelopment smartly. He spoke on being proud of the Redevelopment of 174 Passaic Street, Outwater Lane and River Drive, and other Redevelopment Projects. He said that City Officials can all share in all the glory of these Projects. He spoke on the stable numbers and lower numbers in regard to Covid-19 cases in town. He said to hope and pray that there is not a second wave and additional loss of life. He spoke on the need to be notified regarding a Black Lives Matter rally that was held behind City Hall on Saturday, June 13, 2020. He said that he is for Redevelopment and not over-development. He said that all developers should pay their fair share of taxes, including school taxes. He said that he does not know why other Councilmembers work for the developer rather than the residents of the City of Garfield. He wished everybody a Happy Fourth of July.

Councilmember Erin Delaney objected to the claim that certain Councilmembers work for the developer rather than the people, which she said was not true and was not fair to say, and she objected to political statements. She said that what some Councilmembers might think is right for the residents, other Councilmembers might disagree on what is right for the residents, and that is fine. She said that that is why different people get elected to the City Council. She spoke on all the people who have done a great job serving the community over the years, and how it takes a lot of time, energy and dedication, but things get done, with the collaboration of the City Council. She said that things should not be said that bring us apart. She spoke on the need to refrain from bringing up the names of family members of Councilmembers, or other people's professions and personal lives. She said that this hurts the image of the City. She spoke on wanting to be informed of events that happen in the City. She spoke on the City Events and Planning Committee focusing on the Drive-In Movies event scheduled to be held this coming Saturday, June 27<sup>th</sup> at the Garfield High School Soccer Field. She advocated the City holding an annual City-wide Garage Sale. She told everyone to stay well and to stay safe.

Deputy Mayor Joseph Delaney spoke on Redevelopment and developers. He spoke on being in favor of lower taxes, and how Redevelopment affects the tax base in a positive way, and allowed the City Budget to be adopted with a zero tax increase. He said that the City Council will keep taxes stable through Redevelopment, and that is why he supports Redevelopment. He spoke on the Coronavirus Pandemic affecting the economy and State Aid to the City of Garfield, which is why the City Council needs to be pro-active. He spoke on the cleanliness of Passaic Street. He spoke on the City Parks not being open to the public, yet, in compliance with the Executive Orders of New Jersey Governor Phil Murphy, but he asked that certain areas of City parkland be "weed-whacked", especially under swing sets. He spoke on the Police Department being called, in regard to Fireworks being set off in town. He spoke on speaking to Bergen County Executive Jim Tedesco regarding the proposed banning of the sale of fireworks in Bergen County. He spoke on how the sale of fireworks to the public is now legal in New Jersey. He spoke on asking City Manager Duch questions days prior to the Council Meeting, as opposed to Councilmembers bringing up questions during the meeting, especially regarding Bills and Claims. He wished all the Dads a Belated Father's Day, and he wished everyone and their Families a Happy Fourth of July. He told everyone to stay safe and healthy.

COUNCILMEMBER COMMENTS

Mayor Rigoglioso spoke on Fireworks going off until about 11:30 PM and how pets and children do not like to be awakened by Fireworks late at night. He spoke on how this annoyance should die down soon enough after the Fourth of July. He congratulated the Garfield YMCA, along with Strangers Helping Strangers, and Garfield Good Neighbors, having served their 25,000<sup>th</sup> lunch this past week. He spoke on the upcoming Drive-In Movies event scheduled to be held this coming Saturday, June 27<sup>th</sup>. He spoke on a proposed Annual City-wide Garage Sale. He spoke on the City's Annual Independence Day Fireworks Celebration which was cancelled this year due to the Coronavirus Pandemic. He congratulated all the Garfield Eighth Graders and High School Seniors on their "virtual" Graduation Ceremonies. He spoke on the upcoming Blood Drive to be held on Thursday, July 9<sup>th</sup> at the Garfield Senior Center at 480 Midland Avenue. He said that he was speaking with Caesar Bacarella, who used to live in Garfield, until he moved down to Florida, around his Senior year in High School. He said that he is currently ranked No. 10 in the World as a professional Stock Car and NASCAR Racing Driver. He spoke on how he was involved in an accident this past week, but he was okay. He spoke on Garfield being "The City of Champions" and how the City honors its Athletic Heroes and other Heroes, and how Caesar Bacarella and his sponsors are very big in donating to the Children's Cancer Society, March of Dimes, and Mothers Against Drunk Drivers. He said that here is one of the City's Champions, although he is down in Florida at the moment, but he would like to come back and donate to the Garfield School District, the Garfield Boys and Girls Club, and to give back to his community. He spoke on the City and the State of New Jersey slowly opening up to the public. He said that he is proud about Redevelopment happening on Passaic Street and how it is exciting to see things going on as the City moves forward. He spoke on his hope that the Passaic Street area get cleaned up and fixed up. He spoke on the Black Lives Matter rally, which was held on June 13<sup>th</sup>, being put together at the last minute, and how a lot of people did not know about it due to that. He spoke on the need for the City Events and Planning Committee to advise the public and City Officials in a better way in the future.

ADJOURNMENT

At 8:50 PM, there being no further business, Councilmember Joseph Delaney moved to adjourn the meeting. Councilmember Calandriello duly seconded the motion.

On call of roll, Ayes 5

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Andrew J. Pavlica, CITY CLERK