

A Special Meeting of the City Council was held Tuesday, September 1, 2020 at 7:10 PM in the Emergency Operations Center in Police Headquarters located at 411 Midland Avenue, Garfield, NJ 07026.

Deputy Mayor Joseph Delaney 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 August 29, 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: Joseph Delaney

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

Councilmembers Absent: Richard Rigoglioso

Also Present: City Clerk Andrew J. Pavlica

Also Present Telephonically: City Manager Thomas J. Duch, City Attorney Robert Ferraro, Labor Counsel John Lavin and Interim Chief Financial Officer Roy Riggitano

#### REPORTS OF OFFICERS

City Manager Duch read the following letter from Frank Grembowitz of 480 Lanza Avenue:

My comment is addressed to the Council. I have noted that the NJDEP has recently taken action listing Perfluorooctanoic Acid and it's chemical analogues as hazardous substances and established MCL's (maximum contaminant levels) for drinking water. The last water quality report indicated that Garfield's well water substantially exceed the MCI the state has established for the PFOA and PFOS chemicals.

Ridgewood has established a pilot program involving filtration of their well water in an effort to determine optimal cost effective removal of these Perfluorooctanoic (PFOA) and chemical analogues to meet the required MCL's for these substances. What action is the Council taking to ensure that Garfield's well water meets the MCL requirement for these contaminants? On another matter, I note the Council has approved, at the request of a Developer, a P.I.L.O.T. for the structure planned for 100 Passaic St. No one can accurately predict what the economy of this country will look like in the future. Yet the Council is saying that inflation is being contained for at least the next 15 years! The Federal Reserve is not likely to support the Economy by keeping rates low, and purchasing assets like mortgage securities and corporate bonds. The P.I.L.O.T. for 100 Passaic St. will be very costly indeed should Education costs spiral up in the future with an increase in inflation levels 5% or greater. The Federal Reserve as a matter of policy has committed to an inflation rate for the future of greater than 2%. What due diligence has the Council done with regard to P.I.L.O.T. Program terms agreed to by other jurisdictions where such development has occurred or planned? I believe it is reckless on the part of the Council to approve Development in town at any cost. That is my view with regard to the proposed structure at 100 Passaic St. Consideration of any such program for proposed future Passaic St. area development if considered at all should certainly be for a period not exceeding three years.

City Manager Duch said that there are two ways to treat for PFA's. He said that one is a granular activated carbon system, and the other is by ionic exchange. He said that Well 1A, near the intersection of Outwater Lane and Midland Avenue, has a granular activated carbon system. He said that such a system was installed in the late 1980's to address VOC's, which are Volatile Organic Compounds, which is when the City installed a Packed Column Aeration Filtration System in the 40-plus acre Garfield City-owned Elmwood Park Well Field off Mola Boulevard near the intersection of Gilbert Avenue. He said that that system is capable of treating PFA's and the City already has that system at Well 1A in place. He said that the difference will be, with the VOC's, the City has to change the carbon filters once every year, and with the PFA's, as the standards get stricter, the City will need to change the carbon filters once every six or seven months. He said that the City has the technology in place at Well IA to address PFA's. He said, additionally, the Mayor

REPORTS OF OFFICERS

and Council approve more work at Well 8C, which also has VOC's that are addressed, and the City treats at every point of entry to the City Water Supply. He said that the City has obtained approval for the permanent installation of equipment to address the issues at Well 8C. He said that the reporting time is a twelve month running average, and then the City has one year to design the system, and then another year to build and install the system. He said that he would like the public to know that at Well 1A, the system is already designed, built and operating, and at Well 8C, the City has a temporary system, which will be upgraded to a permanent system. He said that in the comments, there was reference made to the Ridgewood Water System. He said that he has been advised that the Ridgewood Water System did not make similar preparations and the Ridgewood Water System had to shut down 13 wells for almost 18 months. He said that in regard to the Well Stripper at the Elmwood Park Well Field, the City is going to perform a study to consider rather than do the granular activated carbon system, the City would like to install an ionic exchange system there. He said that City Engineer Boswell has assured him that the City is in full, total, and complete compliance with all reportings and testings. He said that City Engineer Boswell has indicated that these contaminants only became regulated six months ago. He said that water treatment used to be done by parts per million, and now it is being done by parts per trillion. He said that City Engineer Boswell has been in complete communication with the State DEP to ensure compliance. He said that the City has been proactive, rather than reactive in regard to this matter. He said that the PFA compliance requirement was effective March 31, 2020, so it is a brand new DEP rule, and the City is well ahead of the curve, and in total compliance.

Interim Chief Financial Officer Roy Riggiano reported on the following:

1. Various Bond Ordinances scheduled to be introduced this evening.

MINUTES

Councilmember Erin N. Delaney moved to approve the Minutes of the following meetings:

Work	Session	-	April	14,	2020
Regular	Meeting	-	April	14,	2020
Regular	Meeting	-	April	28,	2020
Regular	Meeting	-	May	12,	2020
Regular	Meeting	-	May	26,	2020
Special	Meeting	-	May	29,	2020
Regular	Meeting	-	June	09,	2020
Regular	Meeting	-	June	23,	2020
Regular	Meeting	-	July	14,	2020

Councilmember Joseph Delaney duly seconded the motion.

On call of roll, Ayes 4,  
Absent 1 – Mayor Rigoglioso

RESOLUTIONS

Resolution No. 20-176

WHEREAS, the Garfield, New Jersey does affirm and acknowledge the harm and hardship caused by drug overdose; and

WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and ending the stigma of drug-related deaths; and

WHEREAS, we resolve to play our part in reducing the toll of overdose in our community, which claimed the lives of more than 9 people in Garfield in 2019 and only 3 deaths to date in 2020. In 2019 there were 53 overdoses with 22 Naxolone saves and 22 with no Naxolone administered. Thus far in 2020 there have been 22 overdoses with 9 Naxolone saves and 10 with no Naxolone administered. Garfield residents together with countless more affected forever; and

WHEREAS, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our love, compassion and support;

RESOLUTIONS

THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that in partner with the Garfield Prevention Coalition, that we do hereby PROCLAIM August 31, 2020 as Overdose Awareness Day in the City of Garfield.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 20-177

WHEREAS, an application has been filed for a Person to Person transfer of Plenary Retail Consumption License No. 0221-33-028-015, from The Boiler Room, LLC (Anthony D’Agostino, 15 Northview Terrace, Cedar Grove, New Jersey 07009 – who owns 100% of the shares of the Corporation) to JoJo’s Bar & Grill, LLC (Joanna Afonso, 201 Arlington Avenue, Clifton, New Jersey 07011, - who will own 100% of the shares of the Corporation), t/a JoJo’s Bar & Grill, located at 133 Monroe Street, Garfield, NJ 07026.

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

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

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

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

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

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective August 26, 2020, the transfer of the aforesaid Plenary Retail Consumption License, The Boiler Room, LLC (Anthony D’Agostino, 15 Northview Terrace, Cedar Grove, New Jersey 07009 – who owns 100% of the shares of the Corporation) to JoJo’s Bar & Grill, LLC (Joanna Afonso, 201 Arlington Avenue, Clifton, New Jersey 07011, - who will own 100% of the shares of the Corporation), t/a JoJo’s Bar & Grill, located at 133 Monroe Street, Garfield, NJ 07026 and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to JoJo’s Bar & Grill, LLC, effective August 26, 2020”,

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

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin Delaney

Resolution No. 20-178

RESOLVED by the City Council of the City of Garfield that the City Clerk is hereby authorized to issue the following licenses for the fiscal year beginning July 1, 2020 (extended due to Covid 19 to October 1, 2020) and ending June 30, 2021:

PLENARY RETAIL CONSUMPTION LICENSES

License No. 0221-31-073-001	American Hungarian Citizens League t/a American Hungarian Citizens League 21 New Schley Street
0221-33-001-004	J & S Fregata, LLC t/a The Fregata 67 Scudder Street

Special Meeting September 1, 2020, Continued

RESOLUTIONS

- 0221-33-002-005      Apple Food Service of Garfield LLC  
t/a Applebee's Neighborhood Grill & Bar  
186 Passaic Street
- 0221-33-004-003      Charlie Blood's, Inc.  
t/a Charlie Blood's  
147 Frederick Street
- 0221-33-006-005      Swami Yogi, Inc.  
t/a Swami Yog  
300 Lanza Avenue
- 0221-33-010-006      Goodfella's Restaurant, Inc.  
t/a Goodfellas Restaurant, Inc.  
661 Midland Avenue
- 0221-33-012-007      Garfield Restaurant Corp  
t/a Déjà vu  
50 River Drive
- 0221-33-013-005      Thirteen Hundred, LLC  
t/a Pip's  
226 MacArthur Avenue
- 0221-33-016-005      G&B, LLC  
t/a The Royal Manor  
454 Midland Avenue
- 0221-33-017-007      Be Ready Merchants, LLC  
t/a DP's Pub and Seafood Grill  
732 River Drive
- 0221-33-025-001      Frank Barcelona's Restaurant & Bar Inc.  
t/a Barcelona's Restaurant  
38 Harrison Avenue
- 0221-33-028-014      The Boiler Room, LLC  
t/a The Boiler Room  
133 Monroe Street
- 0221-33-030-004      Yogiji Enterprises, Inc.  
t/a Boggy's Bar & Liquors  
142 Division Avenue
- 0221-33-037-005      Smoke House LLC  
t/a Piast Meats & Provisions  
1 Passaic Street
- 0221-33-040-003      Sai Dhristy, LLC  
t/a BJ's Polonia  
126 Ray Street
- 0221-33-043-004      Michele's Catering Inc.  
t/a Michele's  
32 Passaic Street
- 0221-33-047-006      Garfield Bar & Liquor Inc.  
t/a Garfield Bar & Liquors  
46 Wood Street

RESOLUTIONS

- |                 |   |
|-----------------|---|
| 0221-33-051-006 | C.P. Sunrise, LLC.<br>t/a The Midnight Sun<br>323 Semel Avenue  |
| 0221-33-053-004 | The Venetian Corp<br>t/a The Venetian<br>546 River Drive  |
| 0221-33-057-004 | Detour, Inc.<br>t/a Detour<br>437 Lanza Avenue  |
| 0221-33-058-001 | Russian Orthodox Greek Catholic Church<br>t/a Russian Orthodox Greek Catholic Church<br>464 Outwater Lane |
| 0221-33-059-009 | Net WRC, LLC<br>t/a The Hive Bar & Bistro<br>142 Outwater Lane  |
| 0221-33-062-012 | Nuve-Quinche Corporation<br>t/a Pazza Luna Pizzeria, Restaurant & Bar<br>52 Chestnut Street               |
| 0221-33-070-002 | Wisla Inc<br>t/a Wisla<br>73 Main Street  |
| 0221-33-078-006 | Shreeji Enterprise, LLC<br>t/a River Drive Bar & Liquors<br>85 River Drive                                |

PLENARY RETAIL DISTRIBUTION LICENSES

- |                 |  |
|-----------------|--|
| 0221-44-029-007 | Ranpar, LLC<br>t/a Whooppee Liquor & Soda Store<br>194 Van Winkle Avenue     |
| 0221-44-034-008 | Worldwide Liquors, LLC<br>t/a Worldwide Liquors<br>Van Winkle Avenue         |
| 0221-44-063-004 | Hy-Spirits Wine & Liquor<br>t/a Hy-Spirits Wine & Liquor<br>76 Jewell Street |
| 0221-44-064-004 | Mahant, Inc.<br>t/a Joe's Liquors<br>114 Outwater Lane                       |

BE IT FURTHER RESOLVED that the foregoing renewals are granted on the condition that said renewal shall not constitute approval of anything at variance with the records of the City Council or any person-to-person transfer, place-to-place transfer or change of corporate structure approved prior to the passage of this resolution.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

RESOLUTIONS

Resolution No. 20-179

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the following individual is hereby appointed to the Garfield Historical Society Advisory Board:

Raymond Rivas of 120 Lincoln Place, Garfield, New Jersey 07026

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward a CERTIFIED copy of this approved resolution to the appointee and City Historian Christopher Shupenko.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 20-180

RESOLVED by the City Council of the City of Garfield that Andrew J. Pavlica, City Clerk, is hereby authorized to issue the following licenses for Vehicle Sales Business for the year 2020 described in application, duly filed:

Urban Motors Collection, LLC 2 Passaic Street Garfield, NJ 07026	\$ 365.00
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	\$ 365.00
MJ Traders LTD 610 River Drive Garfield, NJ 07026	\$ 365.00
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	\$ 365.00
The Car House of Garfield 86 Jewell Street Garfield, NJ 07026	\$ 365.00
	<hr/>
	\$ 365.00
J & M Motors Corporation 6 Plauderville Avenue Garfield, NJ 07026	\$ 365.00
	<hr/>
	\$ 365.00

On call of roll, Ayes 3,  
Abstain 1 – Councilmember Joseph Delaney,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 20-181

A RESOLUTION AWARDDING A CONTRACT FOR THE 2020 ROAD IMPROVEMENT PROGRAM TO SMITH-SONDY PAVING

WHEREAS, the Mayor and Council of the City of Garfield received bids for the above referenced project on August 14, 2020 at 11:00 AM, and;

WHEREAS, five (5) bids were received and are summarized as follows:

1. Smith-Sondy Paving  
Base Bid \$943,363.80  
Alternate A \$98,309.00  
Alternate B \$293,899.50  
Alternate C \$16,200.00  
Alternate D \$23,284.00

RESOLUTIONS

2. Cifelli & Son Contractors  
Base Bid \$972,331.00  
Alternate A \$95,517.00  
Alternate B \$342,060.00  
Alternate C \$15,750.00  
Alternate D 22,830.00
  
3. DLS Contracting  
Base Bid \$977,250.00  
Alternate A \$99,252.50  
Alternate B \$357,034.00  
Alternate C \$16,250.00  
Alternate D \$23,850.00
  
4. AJM Contractors, Inc.  
Base Bid \$982,743.00  
Alternate A \$101,210.00  
Alternate B \$239,380.00  
Alternate C \$16,000.00  
Alternate D \$22,500.00
  
5. D&L Contractors  
Base Bid \$1,013,780.65  
Alternate A \$95,949.00  
Alternate B \$285,648.00  
Alternate C \$16,250.00  
Alternate D 22,950.00

WHEREAS, the Mayor and Council are desirous of awarding a contract consisting of the Base Bid plus Alternate A, and;

WHEREAS, the low bidder for this contract was received from Smith-Sondy Paving in the amount of \$1,041,672.80

NOW THEREFORE BE IT RESOLVED a contract is hereby awarded to Smith-Sondy Paving in the amount of \$1,041,672.80

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-182

A RESOLUTION AUTHORIZING THE CITY ENGINEER TO PREPARE A PRELIMINARY ASSESSMENT REPORT FOR LOTS 1.01 AND 9.01, BLOCK 220 IN THE CITY OF GARFIELD

WHEREAS, the City of Garfield is in the process of taking title to the two above references parcels, and;

WHEREAS, these properties were previously part of the New York and Greenwood Lake Railroad spur running through the City, and;

WHEREAS, the City must review these properties in order to assess if there are Environmental Areas of Concern prior to taking title to these parcels, and;

WHEREAS, the City Engineer submitted a proposal to prepare the requisite study on July 22, 2020

NOW THEREFORE BE ITRESOLVED, the City Engineer is hereby authorized to proceed with the work summarized in his proposal dated July 22, 2020 for a total fee not to exceed \$7,000.00

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-183

A RESOLUTION AUTHORIZING A CONTRACT TO LA FORZA CONSTRUCTION LLC FOR AN EMERGENCY REPAIR AT SEMEL STREET & JEWELL STREET

RESOLUTIONS

WHEREAS, the City of Garfield required an emergency repair of two (2) A-Inlets at Semel Street and Jewell Street in order for Tilcon to continue their paving operation, and;

WHEREAS, LaForza Construction provided all of the labor, equipment and material necessary to perform this repair

NOW THEREFORE BE IT RESOLVED payment is hereby authorized to LaForza Construction in the total amount of \$4,000.00 as reflected on their Invoice 2020-122, dated July 24, 2020.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-184

A RESOLUTION AUTHORIZING PAYMENT TO JOHN GARCIA CONSTRUCTION CO, INC. FOR AN EMERGENCY SANITARY SEWER REPAIR AT 179 PALISADES AVENUE, GARFIELD

WHEREAS, the City of Garfield required emergency contracting services in order to repair a sanitary sewer at 179 Palisades Avenue, and;

WHEREAS, John Garcia Construction Co., Inc. provided all of the labor, equipment 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 \$8,334.81 as reflected on their Invoice #3719, dated July 30, 2020.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-185

A RESOLUTION AUTHORIZING PAYMENT TO JOHN GARCIA CONSTRUCTION CO, INC. FOR AN EMERGENCY SANITARY SEWER REPAIR AT 501 MACDONALD STREET, GARFIELD

WHEREAS, the City of Garfield required emergency contracting services in order to repair a sanitary sewer at 501 MacDonald Street, and;

WHEREAS, John Garcia Construction Co., Inc. provided all of the labor, equipment 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 \$19,252.01 as reflected on their Invoice #3715, dated July 28, 2020.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-186

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for Overpayment of Tax Court Judgment 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
109	16.01	28 Botany St. LLC c/o Jason S Lustbader, Esq.	TCJ	\$ 607.35
125	11	377 Mac Arthur Ave. LLC c/o Jason S Lustbader, Esq.	TCJ	\$ 700.35

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

RESOLUTIONS

Resolution No. 20-187

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a Refund due to overpayment 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 over payment 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
143.01	77	Hussain, Safder & Sobia	O/P	\$3,286.00

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 20-188

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a Refund due to overpayment 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 over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	Q	OWNER	REASON	AMOUNT
166.02	20	C0107	Carlos Soares Mansinho	O/P	\$1,118.00

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-189

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for a Refund due to overpayment 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 over payment 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
13	7	Dennis, Joan	O/P	\$1,995.00

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-190

WHEREAS the Receiver of Taxes reports that she has received a request from the following property owner for Overpayment of County Board Judgment 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
153	18	ISSA Builders LLC	CBJ	\$ 3,036.05

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 20-191

Resolution Re: Cancelling Miscellaneous Trust Fund Reserves

RESOLUTIONS

WHEREAS, certain miscellaneous reserve balances remain on the Other Trust Fund Balance Sheet, and

WHEREAS, it has been determined that these trust funds are no longer required to be reserved; and, WHEREAS, it is necessary to formally cancel said miscellaneous reserve balances from the Other Trust Fund Balance Sheet;

NOW, THEREFORE BE IT RESOLVD by the Governing Body of the City of Garfield, that the following miscellaneous trust fund reserve balances be cancelled and transferred to the Current Fund:

Description	Amount
American Legion	\$4,691
Building Department Inspection Bonds	\$9,740
Bond – Well Installation	\$1,000
Escrow – Demolition	\$10,000
Escrow – Other	\$11,604
OEM	\$1,112
Recycling	\$10,547
Monroe Street Bridge	\$6,137
Jewell Street Playground	<u>83</u>
	\$54,914

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-192

Resolution Re: Emergency Appropriation in Accordance with N.J.S.A. 40A:4-48 – 20th Century Field Special Needs Park

WHEREAS, an emergency has arisen with respect to the funding of the Special Needs Park at 20<sup>th</sup> Century Field in the City of Garfield, and

WHEREAS, no adequate provision was made in the 2020 budget for the unforeseen aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned, and

WHEREAS, the total amount of emergency appropriations created including the appropriation to be created by this resolution is \$180,0000 and, three percent (3%) of the total operating appropriations in the Budget for the year 2020 is \$1,008,606.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Garfield, County of Bergen (not less than two-thirds of all members thereof affirmatively concurring) that the emergency appropriation made for 20<sup>th</sup> Century Field Special Needs Park in the amount of \$180,000 will be provided in full by a bond ordinance to be adopted in 2020 and that in accordance with N.J.S.A. 40A:4-48 that

1. An emergency appropriation be and the same is hereby made for:

Current Fund	
Capital Improvements	
20 <sup>th</sup> Century Field Special Needs Park	\$180,000

2. Said emergency appropriation shall be provided for in full by a bond ordinance of the City.
3. That funds for the appropriation shall be provided from surplus funds on hand.
4. That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.
5. That the statement prepared by the Chief Financial Officer as required by the Local Finance Board has been filed with the Clerk and a copy thereof will be transmitted to the Director of the Division of Local Government Services.

RESOLUTIONS

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-193

Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2020 – June 2025  
Form 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the City Council of the City of Garfield, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the City of Garfield, County of Bergen , State of New Jersey hereby recognizes the following:

The City Council does hereby authorize submission of a strategic plan for the Garfield Municipal Alliance grant for fiscal year 2021 in the amount of:

DEDR	\$ 4422.07
Cash Match	\$ 1105.52
In-Kind	\$ 3316.55

The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 20-194

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and his designee of the City of Garfield state that a Performance Guaranty shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year and,

WHEREAS, a deposit has been received from 106 Westminister Place/Henadzi Valynets, for 106-110 Westminister Place, Block 43 Lot 32.1 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on May 3, 2019 said funds are being held in the Trust Other Fund, and

WHEREAS, the Building Inspector has investigated this deposit and had determined that they are due to the above individual;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that these monies be refunded to the above named claimant.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

RESOLUTIONS

Resolution No. 20-195

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
GREEN ACRES PROGRAM

ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Garfield has previously obtained a loan of \$422,500 and a grant of \$2,597,633 from the State to fund the following project(s):

Project No. 0221-97-141  
Passaic River Historic Park/Riverfront Park Acquisition;  
and

WHEREAS, the State and the City of Garfield intend to increase Green Acres grant funding by \$1,000,000; and

WHEREAS, the total Green Acres funding is \$4,225,000; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARFIELD IN THE COUNTY OF BERGEN AND STATE OF NEW JERSEY THAT:

1. The City Manager Thomas J. Duch of the City of Garfield is hereby authorized to execute an agreement and any amendment thereto with the State known as Passaic River Historic Park/Riverfront Park Acquisition, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$635,887.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. This resolution shall take effect immediately.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-196

**WHEREAS**, the United States of America, the State of New Jersey, Counties, and Municipalities have experienced significant economic damage and hardship as a result of the COVID-19 Virus Pandemic (COVID-19); and

**WHEREAS**, on March 27, 2020 the Coronavirus Aid Relief and Economic Security Act (the "CARES Act") was enacted, among other purposes, to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency and to combat the economic damage caused to states, counties and municipalities because of COVID-19; and

**WHEREAS**, the County has received CARES Act funds from the United States Treasury (the "Stimulus Funds") to be used to reimburse specific COVID-19 related expenditures within the County due to economic damage and hardship caused by COVID-19;

**WHEREAS**, the County, as the recipient of the Stimulus Funds, has the responsibility to disburse the Stimulus Funds to eligible recipients in accordance with the terms and provisions of the CARES Act and any guidelines or regulations issued by United States government or any of its agencies and/or departments;

**WHEREAS**, the County seeks to provide Municipalities (the "Municipalities") within the County access to Stimulus Funds for COVID-19 related expenditures on a reimbursement basis in order to alleviate a degree of the economic damage and hardship caused by COVID-19.

RESOLUTIONS

**NOW THEREFORE**, it is stipulated and agreed as follows:

1. ***Purpose of Stimulus Funds.*** The Municipality understands and agrees that the County shall determine eligibility for the receipt of any Stimulus Funds in accordance with the terms of the CARES Act, the "Coronavirus Relief Fund - Guidance for State, Territorial, Local and Tribal Governments -April 22, 2020" (the Guidelines"), attached hereto as Schedule A, and any subsequent amendments and/or changes to the Guidelines. Excluded from the Guidelines as an eligible reimbursement are the categories detailed in number 4, related to long distance learning, and in number 5, on page 3 of the Guidelines.

2. ***Role of County.*** As the recipient of the Stimulus Funds it shall be the responsibility of the County to establish a reasonable process for the acceptance of an application by the Municipality for an eligible reimbursement from the Stimulus Funds. The Municipality agrees and understands that the decision as to whether the reimbursement sought by the Municipality is not within the discretion of the County but is governed by the Guidelines. Attached hereto as Schedule B is the process to be employed by the County to accept applications for a reimbursement from the Stimulus Funds.

3. ***Use of Stimulus Funds.*** The Municipality understands that the Stimulus Funds represent an amount of funds for which the County along with the Municipalities in Bergen County are eligible to file a claim for reimbursement. However, neither the County, nor any of the Municipalities in Bergen County, has a vested right to receive any of the funds and the receipt of funds shall be subject to any claim for reimbursement meeting the eligibility requirements established by the CARES Act and the Guidelines. It should also be noted that the Municipality shall not receive reimbursement for eligible expenses pursuant to this Agreement if reimbursement for those same eligible expenses has been received pursuant to another source including but not limited to FEMA. **Please note that claims for Stimulus Funds must be filed and disbursed by no later than December 30, 2020 or the Stimulus Funds must be returned to the Secretary of Treasury, so time is of the essence.**

4. ***Processing of Claims.*** The County shall process and accept all claims for Reimbursements in the order in which the claim is received and shall pay any eligible payment in the order it is determined to be eligible. Subject to the provisions of paragraph 8 hereinafter written, any claim of the Municipality cannot exceed the initial allocation provided to the Municipality pursuant to the provisions of paragraph 8 hereinafter contained.

5. ***Non-Liability of the County.*** The Municipality understands that the County cannot Guaranty that a claim for reimbursement is eligible for payment nor that any claims for reimbursements beyond the amount of the Stimulus Funds can be paid. In the event there is dispute by the Municipality as to determination made by the County, either as to the eligibility for a reimbursement or the amount of a reimbursement, then the County shall, if requested by the Municipality, pursue an appeal or a request for clarification with the United States Treasury, at the cost of the Municipality.

6. ***Indemnification by Municipality.*** The Municipality acknowledges that the role of the County as to the distribution of the Stimulus Funds shall be as an intermediary. Consequently, if as the result of any audit performed by the United States Treasury, or any other auditing agency, department or office of the Government of the United States determines that any reimbursement made to the Municipality by the County from the Stimulus Funds was not eligible for reimbursement, then the Municipality shall repay any ineligible reimbursement within the time mandated by the United States Treasury or the agency, department or office of the Government of the United States for the return of any Stimulus Funds. The Municipality shall indemnify and hold harmless the County from any claim made by the United States Treasury or any agency, department or office of the Government of the United States for the return of any payment received by the Municipality from the Stimulus Funds. Included in the claim for reimbursement shall be any legal fees, court costs or professional fees incurred by the County in defense of any claim made for return of any Stimulus Funds received by the Municipality.

7. ***Documents Required and Preservation of Records.*** Any application for reimbursement must be sufficiently documented so that the County can determine the eligibility of the claim for reimbursement including a provision whereby the Municipality

certifies that it has not applied to the State or Federal governments for the reimbursement of the same claim submitted to the County. The Municipality agrees that it will not destroy or discard any documents or records maintained and/or relied upon by the Municipality in filing any claim to the County for the receipt of Stimulus Funds without providing written notice to the County at the address first written, or at any other address provided to the Municipality by the County in writing. Any notice shall be given not less than thirty (30) days prior to the date on which the records are to be destroyed or discarded. The County shall at its sole cost and expense have the right to make copies of any documents or records pertinent to the claim for Stimulus Funds and the Municipality shall provide the County with reasonable access to the documents and records.

8. **Allocation to Municipality.** The County has allocated Stimulus Funds for the benefit of the Municipalities (the "Allocation"). However, the Municipality understands that the Allocation is not a guaranty of the receipt of a reimbursement to the Municipality from the Allocation. The Municipality understands that each of the Municipalities has also received an Allocation. The Municipality acknowledges that the Allocation is only an estimate of that portion of the Stimulus Funds which the Municipality will be eligible to receive. Any reimbursement will be subject to the claim being eligible for reimbursement as per the Guidelines. By June 29, 2020, the Municipality shall submit reimbursement applications for March and April; by July 31, 2020 for the months of May and June and by October 23 for the months of July, August and September 2020. Any further claims for reimbursements must be filed by no later than December 18, 2020. Beginning on the date of approval and thereafter on July 31, October 23, and December 18, 2020, the County shall review the Allocation and make an adjustment to the Allocation dependent upon the claims for reimbursement made by and paid to date to the Municipality and the Municipalities and the estimated budgets of future expenditures to be made by the Municipality and the Municipalities in the ensuing time period. The Municipality understands that the decision by the County as to any adjustment to the Allocation shall take into consideration the needs of the County, the Municipalities and the Municipality; the amounts of reimbursements made to the County, the Municipalities and the Municipality to date; and the remaining balance contained in the Stimulus Funds.

9. **Subsequent Funds.** Should the County be in receipt of any additional funds provided by the Government of the United States to combat the Coronavirus, which the Municipality shall be eligible to receive payment, then in the event the Municipality files a claim for those funds the terms and provisions of this Agreement shall apply to the disposition and processing of those claims.

10. **Applicable Law and Attorney Fees.** Any action for the enforcement of any term or provision of this Agreement shall be governed by the law of the State of New Jersey and shall be filed in the Superior Court of the State of New Jersey having a venue in Bergen County. In addition to any other relief which a party may receive, the prevailing party shall receive an award of reasonable attorney fees and court costs against the non-prevailing party.

11. **Duration of Agreement.** This Agreement shall begin on the date first written and shall continue until either party terminates it upon thirty (30) days written notice or the depletion of the Stimulus Funds, whichever event occurs sooner.

12. **Approval.** By signing below the individual signing this Agreement represents that this Agreement has been approved and ratified by the governing body of the party signing it or that the Party has been advised by its counsel that the approval is not legally necessary.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Joseph Delaney  
Erin N. Delaney

Resolution No. 20-197

Resolution for City of Garfield to Confirm Endorsement of Greater Bergen Community Action Covid-19 Community Development Project

WHEREAS, a Bergen County Community Development grant of \$209,691 has been proposed by Greater Bergen Community Action, Inc. (GBCA) for the hiring of a workplace safety officer and the procurement of personal protective equipment to ensure staff and clients in GBCA-operated facilities throughout Bergen County can safely deliver and receive vital services to the low and moderate income population during the COVID-19 pandemic, and

RESOLUTIONS

WHEREAS, GBCA operates two facilities in the City of Garfield that offer programs to the low-to-moderate income population, and proposes \$24,799 in CDBG funding allocated to those locations from the proposed total community development grant, and

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

WHEREAS, the aforesaid project is in the best interest of the people of 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 CD funds.

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

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

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-198

**RESOLUTION AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR**

WHEREAS, pursuant to Local Ordinance, Joseph Delaney was appointed Deputy Mayor for the City of Garfield; and

WHEREAS, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

WHEREAS, on a date to be determined, it will be necessary and appropriate to temporarily appoint Louis G. Aloia, as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Renata Potoczna and Krzysztof Bialek, and

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

1. Councilmember Louis G. Aloia be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Renata Potoczna and Krzysztof Bialek, and
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

BE IT FURTHER RESOLVED that the City Clerk be and he is hereby authorized and directed to forward certified copies of the within Resolution to Councilmember Louis G. Aloia.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

Resolution No. 20-199

See

the  
following pages numbered \_\_\_\_\_  
for

Capital Budget Amendment

RESOLUTIONS

Resolution No. 20-200

WHEREAS, the governing body of the City of Garfield, County of Bergen, State of New Jersey, desires to collect all taxes, assessments, and other Municipal charges that are now delinquent; and WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2019 in a manner prescribed by N.J.S.A.54-5-19, and as amended by Chapter 99, Public Laws of 1997:

NOW THEREFORE BE IT RESOLVED by the governing body of the City of Garfield that the Tax Collector is hereby authorized and directed to sell all Municipal liens in accordance with New Jersey law, and as stated above on October 8, 2020 at 9:00 AM.

On call of roll, Ayes 4,  
Absent 1 - Mayor Rigoglioso

(Sgd) Erin N. Delaney  
Joseph Delaney

BILLS AND CLAIMS

Resolution No. 20-201

RESOLVED by the City Council of the City of Garfield that the following Bills No. 2245 to 2246 covering Trust Fund Account totaling \$90,666.91 and the Current Fund totaling \$641,686.18 and the Water Fund Current Fund totaling \$118,666.62 and the General Capital Fund totaling \$936,561.00 and the Water Capital Fund totaling \$35,472.25 per attached Computer Lists, dated August 20, 2020, and the Current Fund totaling \$67,800.32 per attached Computer Lists, dated August 28, 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 ninety seven (97) items prior to the meeting be ratified.

See

the

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

for

Bills

and

Claims

ORDINANCES

Councilmember Erin Delaney introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO PUBLIC BUILDINGS AND FACILITIES IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Erin Delaney moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS IMPROVEMENTS TO PUBLIC BUILDINGS AND FACILITIES IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,000,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held September 22, 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 Councilmember Joseph Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Mayor Rigoglioso

Councilmember Erin Delaney introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE MONROE STREET ROADWAY IMPROVEMENT PROJECT AND THE MIDLAND AVENUE CURB AND SIDEWALK IMPROVEMENT PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE IN THE SUM OF \$1,050,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Erin Delaney moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF THE MONROE STREET ROADWAY IMPROVEMENT PROJECT AND THE MIDLAND AVENUE CURB AND SIDEWALK IMPROVEMENT PROJECT IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE IN THE SUM OF \$1,050,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held September 22, 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.

ORDINANCES

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

Councilmember Erin Delaney introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF A SPECIAL NEEDS PLAYGROUND AREA TO 20<sup>TH</sup> CENTURY FIELD IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$180,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPTION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Erin Delaney moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE INSTALLATION OF A SPECIAL NEEDS PLAYGROUND AREA TO 20<sup>TH</sup> CENTURY FIELD IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$180,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPTION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” 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 September 22, 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 Councilmember Joseph Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance passed on first reading: Ayes 4, Absent 1 – Mayor Rigoglioso

Councilmember Erin Delaney introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF NEIGHBORHOOD PRESERVATION PROGRAM IMPROVEMENTS ALONG THE PASSAIC STREET CORRIDOR IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$160,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHROIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

City Clerk Pavlica read the ordinance by title.

Councilmember Erin Delaney moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF NEIGHBORHOOD PRESERVATION PROGRAM IMPROVEMENTS ALONG THE PASSAIC STREET CORRIDOR IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$160,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHROIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS” 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 September 22, 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.

ORDINANCES

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

Councilmember Joseph Delaney introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE CHAPTER 150 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “FOOD HANDLERS, MOBILE,” TO REMOVE THE REQUIREMENT THAT LICENSE HOLDERS BE RESIDENTS OF THE CITY OF GARFIELD

City Clerk Pavlica read the ordinance by title.

Councilmember Joseph Delaney moved that this ordinance entitled: “AN ORDINANCE TO AMEND AND REVISE CHAPTER 150 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “FOOD HANDLERS, MOBILE,” TO REMOVE THE REQUIREMENT THAT LICENSE HOLDERS BE RESIDENTS OF THE CITY OF GARFIELD” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held September 22, 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 Councilmember Erin Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance was defeated on first reading: Ayes 1, Nays 2 – Councilmembers Aloia and Calandriello, Abstain 1 – Councilmember Erin Delaney, Absent 1 – Mayor Rigoglioso

ORDINANCE DEFEATED

Councilmember Erin Delaney introduced in writing the following ordinance entitled:

ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTIES COMMONLY KNOWN AS 844-858 RIVER DRIVE AT BLOCK 200, LOTS 16, 17, 18, 19, 20 AND 21 (LOTS 22 AND 23 AS MAY HAVE OR WILL BE MERGED) AS SHOWN ON THE TAX MAP OF THE CITY OF GARFIELD, AND AMENDING ORDINANCE CHAPTER 341-16 BY ADDING CERTAIN ADDITIONAL RESTRICTIONS AND ALLOWANCES AT CHAPTER 341-16 C TO THE R-2 ZONING DISTRICT AT 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.

Councilmember Erin Delaney moved that this ordinance entitled: “ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTIES COMMONLY KNOWN AS 844-858 RIVER DRIVE AT BLOCK 200, LOTS 16, 17, 18, 19, 20 AND 21 (LOTS 22 AND 23 AS MAY HAVE OR WILL BE MERGED) AS SHOWN ON THE TAX MAP OF THE CITY OF GARFIELD, AND AMENDING ORDINANCE CHAPTER 341-16 BY ADDING CERTAIN ADDITIONAL RESTRICTIONS AND ALLOWANCES AT CHAPTER 341-16 C TO THE R-2 ZONING DISTRICT AT 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 file with the City Clerk for public inspection until public hearing thereon and further consideration thereof which shall be held September 22, 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.

ORDINANCES

The motion, duly seconded by Councilmember Joseph Delaney, was on roll call adopted by the following vote and the motion was declared adopted and said ordinance was defeated on first reading: Ayes 1, Nays 2 – Councilmembers Aloia and Calandriello, Abstain 1 – Councilmember Erin Delaney, Absent 1 – Mayor Rigoglioso

ORDINANCE DEFEATED

CITIZENS AND TAXPAYERS

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

From: Tana Raymond, 93 Spring Street:

Here are my questions for tonite:

1. I did NOT get an answer to my question last meeting. I would like to know from all council members if you received a campaign donation from the developer who is developing on Passaic St and River and Monroe? If so, how much \$\$?
2. This question is for the City Manager. Are you going to fill John Lord's position at the DPW? I was told in the potato isle at the Acme it will be filled with a relative of a council member who does not presently work for the city. Please clarify for the citizens whether there is any truth to this .
3. Is there an ordinance against paint spraying cars in someones' private yard? The police directed a citizen to the BD of Health and the Bd of Health inspector directed the citizen back to the police. How can this citizen get this resolved? Where do they go to have the ordinance enforced?
4. When will meetings no longer be virtual? I see some of you on social media eating together not observing social distancing. Why can't you social distance in city hall and only permit 20 citizens to also social distance in the audience. This forum is not transparent because we don't get answers to all our questions and have no way to communicate that during the meeting. If you can have fundraisers and get together to eat then why can't you social distance in city hall? Everyone attending should be required to wear a mask and not permitted entrance unless they have one on. I would volunteer to take temperatures on entrance.
5. We are losing a very valuable asset to our city employee family, Darlene Reveille. She has brought in a half million dollars in grants during her tenure and I personally worked with her to help out in the beginning of this pandemic doing the tracing for her. She is dedicated and worked some weeks 6 to 7 days a week when we were at the highpoint of this pandemic. I would like to suggest she receive a pensionable stipend for her dedication and commitment to our community during that time. She is going to be a great loss to this city and very big shoes to fill. She has no idea I was bringing this up but I feel it is appropriate and deserving. City employees should be rewarded for dedication to their job when they go far and beyond.

I would sincerely appreciate answers to my questions. Thank you

1 Why are we still using the same format that caused the last meeting to shut down? Councilwoman Erin Delaney suggested a format that she uses on her job in Elmwood Park. We had no idea where to go to attend this meeting tonite until late this morning. That is not fair to the taxpayers that want to attend the meeting virtually. We still can't use the question section that is supposed to be on the right side of the screen. Youtube, on my computer ,has no place to ask questions. We have to submit our questions to the city clerk before the meeting and have no way of questioning anything we want clarified that happens during the present meeting. Why can't you change the format to what Erin suggested? This is very frustrating and it loses transparency due to the time lapse between meetings. I would ask this council to please change this format to make it more accessible to the public. I like the fact that the format Erin suggested has a line to call in for those that don't have a computer or for those that have a question regarding tonites' meeting. Thank You Councilwoman for your efforts even though your suggestions were not honored.

CITIZENS AND TAXPAYERS

2. I would like the name of the developer who plans to put the 80 apts on River Road. Please answer. If it is an LLC who are the participants of that LLC? Are you planning another PILOT?

3. Did you interview other developers and was this parcel of land put out for bids? If so, what are the names of the other developers? (I'M SURE THE MAYOR KEPT RECORDS THIS TIME)

4. Restaurants are opening up this FRiday for 25% capacity. Why Can't you go back to having meetings in City Hall with masks and social distancing and at least let 25 members of the public in to do the same. We have a very large council chamber and I'm sure it would work. I have offered to come and do temps on everyone.

Thank You

From: Dennis L. Malicki, 54 Maitland Place:

Mayor and Council:

As a taxpayer and resident of Garfield I am formally requesting this governing body take into consideration and deliberation to advise The City Mgr. Tom Duch to enter into negotiation with the Meridia Development Corporation a One Million Dollar Grant to be utilized exclusively towards the re development of Columbus Park aka City Field.

Given the fact we are in an era of re development I urge this governing body to not only consider residential, commercial and retail redevelopment but to also think Parks and Recreation.

It has been authored that you see a towns soul through it's parks , I know that quote does not assist in ratable' s however what better form of advertising can we put forward than a state of the art recreational facility at the busiest motorist intersection connecting four towns in addition to thousands of train riders who pass that field on a daily basis.

Columbus Park has been brought before this council at numerous meetings by numerous citizens of all ages and backgrounds and to date there has been 0 progress. This historic park is in a state of deterioration and in dire need of development. Toward that purpose we need look no further than Kevin Boswell who was just cited in the Bergen Record for a state of the art all sports facility development in Mahwah , to quote an often used slogan in sports WHY NOT US ??.

Not to envision what can be accomplished there by anyone who has the authority and fails to help make that change is nothing short than acting in disservice to this community and should be held accountable. This park is an invaluable asset to all ages, all races of our community, what more can you ask in a time of social unrest and a pandemic presence

If in fact the 15 year pilot to abate school taxes is awarded to Meridia , please consider negotiating a grant for the park , Meridia has one cause in Garfield and that plain and simple is profitability and if in fact they are allowed to prosper in our town I ask you to marginalize their profitability and advance it towards a revitalization project that will clearly and unmistakably be the shining GEM OF OUR TOWN for generations to come .

Thank you  
Dennis Malicki

From: Joan Banez, 20 Hepworth Place:

I understand there is a Façade Program which is being offered to the small businesses on Passaic Street. I hope some businesses take the opportunity to improve the facades of their buildings.

My question is, since Greater Bergen Community Action is coordinating the one year grant money, how will these façade improvements parallel with the majority of 3 council's vision for the future rendition of Passaic Street, specifically, the River to Rail Development?

Does this mean the store owners who decide to invest in improving their store façade will not be torn down, in the future in order to continue the River to Rail concept which is beginning with the two, 6 story, high density apartments Passaic St development?

I would like this to be answered by any council member who voted for the Passaic St Development.

CITIZENS AND TAXPAYERS

City Clerk Pavlica also read the following statements and questions which were sent in electronically during the conduct of this meeting:

Attendee Joan Banez 20 Hepworth Place:

When will the meetings be heard at the City Hall?

All taxpayers have not and do not have access to listen in and or call in to the meetings so are these meetings binding and legal?

In order for me to get to this response window was almost impossible!!! I would like the lawyer to answer this question.

Youtube Questions:

Kenneth Campbell

how many times do we need to repave the roads?

Kenneth Campbell

I kinda wanted to hear him explain his vote

Kenneth Campbell

yea we need to get this back to city hall, this is bs how are they going to disconnect him? im out of here.

Kenneth Campbell

i just got a quick question, if someone sees this: WHAT EXACTLY IS THE REASON for the unexpected tax increase?

COUNCILMEMBER COMMENTS

Councilmember Aloia spoke on Jesus Rodriguez and Evelyn Scott listening in to the meeting at his house. He spoke on the way that Council Meetings are run during the Coronavirus Pandemic. He spoke on the 2020 Federal Census. He spoke on political groups becoming involved with the Census and how City Council Candidate Romi Herrera ran a parade through the City encouraging participation in the 2020 Federal Census. He spoke on how he filed for a special events permit to conduct a memorial service at the Aloia Funeral Home regarding the events of September 11, 2001. He said that if one group has to get a permit, other groups have to get a permit. He spoke on the need to have Council Meetings where all the Councilmembers and City Officials are in one room with proper socially distancing measures being observed. He spoke on his calculations regarding the ratables and taxes in regard to Redevelopment Projects on Passaic Street and at the old Kalama Chemical site. He spoke on the calculations provided by the City Professionals for the Projects. He spoke on the problem with the Passaic Street Redevelopment to build apartments without adequate parking and making payments in lieu of taxes to the City. He said that his calculations show that the Developer would pay less than he would pay in taxes than other Developers. He spoke on the performance of the City Professionals. He said that the people of this town deserve good development in a way that their taxes not go up, and not the Developers taxes to go down. He spoke on how City Officials should meet in one room for Council Meetings, let people observe, and put out one transmission rather than a dozen transmissions for each City Official and hope that there are not glitches.

Councilmember Calandriello spoke on how he was disconnected for part of this meeting but is now back connected electronically. He spoke on the procedure for Councilmembers commenting during the vote on Resolutions and Ordinances. He spoke on the Ordinance that was defeated during this meeting. He said that the Ordinance was for a Redevelopment Plan at River Drive and Banta Avenue in a neighborhood of two-family homes. He said across the street from the proposed Redevelopment Plan is an apartment complex called "Catherine Arms" that has approximately 22 apartments constructed many years ago on a similar sized piece of property and done the correct way. He said that the proposal needs to take the area residents into consideration. He spoke on the Wavel Savings Bank property on River Drive where the Service Diner was located near the Dundee

COUNCILMEMBER COMMENTS

Dam being considered as An Area in Need of Redevelopment. He said that the Bank Building is a relatively new building that is not blighted and he would find it hard for that property to fit the criteria for Redevelopment. He spoke on requests for Payment in Lieu of Taxes by Developers and how the City Council needs to represent the public and not represent only the Developer. He spoke on his request for a financial analysis. He spoke on the need for a Water Line Study, a Stormwater Study, and Sewer Study by the Train Trestle that spans Passaic Street. He spoke on having too long a gap between Council Meetings. He spoke on everyone paying their fair share of taxes. He said that he wants a legal opinion if a majority of the City Council, or if the Mayor, has the power to determine where and how Council Meetings are conducted. He spoke on the horrible process of conducting virtual Council Meetings during the Pandemic and how he would like City Officials to meet together in City Hall observing social distancing protocols. He spoke on the Redevelopment at the east end of Schley Street and the south end of Walnut Street. He spoke on complaints regarding that Redevelopment Project. He said that he does not receive or accept donations from Developers. He spoke on asking the Mayor for a list of Developers with whom he has met, and whether he keeps a log of Developers with whom he has met. He wished everyone to have a good Labor Day Weekend. He spoke on Restaurants now being allowed to have indoor dining at 25% capacity, and how Houses of Worship are now allowed to have services with attendance at 25% capacity.

Councilmember Erin Delaney spoke on the difficulties experienced with this City Council meeting being conducted electronically. She said that September 30<sup>th</sup> is the deadline to complete the Federal Census and how as of today, Garfield has only a 61% response rate from the public, which is less than the response rate from 2010. She said that for every 100 people not counted, Garfield could lose \$1.1 million in Federal Funds. She said that it is important to get the numbers up to be accurately represented in Congress and to receive the funds that Garfield citizens so deserve. She said that any group having a parade should have gotten a permit, and what is good for one group, is good for all. She said that there is nothing political with the Census. She spoke on the Census Text Message that was sent out today by the City. She said that she agrees that there was too long a gap between Council Meetings. She said that she does not agree with how the City Council meetings have been conducted electronically during the Pandemic. She said that she has not heard anything regarding the filling of the Superintendent of Parks position. She spoke on the need to follow an agenda and keep the City Council Meeting running smoothly. She spoke on City Public Health Nurse Darleen Revielle being one of the most outstanding employees for the City of Garfield and how it will be a huge loss when she retires. She spoke on how she works on countless grants, how she is a positive face in the community, and how very few people have represented the City as well as Darleen Revielle in the City Health Department. She said that she is worth more money than the salary she gets from the City of Garfield and she wishes her well in her upcoming retirement. She spoke on the Sustainable New Jersey grant. She spoke on the roads to be paved by PSE & G. She spoke on paving credits that the City has received from PSE & G. She spoke on the need to address missing curbs in the City. She spoke on the good work of Strangers Helping Strangers, the Garfield Neighbor Network, Community Affairs, the Garfield YMCA, the Garfield Prevention Coalition, the Garfield Boys and Girls Club, and all their amazing work over the last few months. She said that all the good these groups are doing in the community, makes everyone proud. She spoke on the handicapped accessible playground to be constructed in Twentieth Century Field. She spoke on the upcoming City-wide Garage Sale. She wished everybody a happy and safe Labor Day Weekend. She wished the students in the Garfield School System the best of luck in the new School Year.

Deputy Mayor Joseph Delaney spoke on allowing Councilmembers to explain their vote during Councilmember Comments rather than as the vote is being taken during the meeting. He spoke on the need for participants at Council Meetings to act civil. He spoke on the parade that was held to promote the 2020 Federal Census. He spoke on the Ordinance that was defeated at this evening's meeting. He said that anybody who would like to see who donates to City Council Campaigns can check Candidate campaign finance filings with the State Election Law Enforcement Commission. He spoke on City Public Health Nurse Darleen Revielle being one of Garfield's best employees who goes above and beyond the call of duty every single year since she has been employed with the City of Garfield. He spoke on the Mayor running meetings and being in control of Mayor and City

Special Meeting September 1, 2020, Continued

ORDINANCES

Council Meetings. He spoke on Redevelopment. He spoke on the City Council adopting a Budget with a 0% tax increase. He said that the main reason that that was possible is because of Redevelopment. He said that anybody who wants to be involved in local government, wants what is best for the City of Garfield. He wished everybody a Happy Labor Day.

ADJOURNMENT

At 9:00 PM, there being no further business, Councilmember Erin Delaney moved to adjourn the meeting. Councilmember Aloia duly seconded the motion.

On call of roll, Ayes 4,  
Absent 1 – Mayor Rigoglioso

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Andrew J. Pavlica, CITY CLERK