

A Regular Meeting of the City Council was held Tuesday, January 26, 2021 at 6:05 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 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, and in accordance with Executive Order 104 issued by Governor Phil Murphy, and in accordance with Local Finance Notice No. 2020-21 issued September 24, 2020, for Remote Public Meetings held during a Declared 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, and front and back doors of City Hall, and on the City Website. City Clerk Pavlica also announced that a special public notice was published in the January 23, 2021 edition of the Bergen Record and the Herald News newspapers 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.

Councilmembers Present: Richard Rigoglioso

Councilmembers Present Telephonically: Joseph Delaney, Pawel Maslag, Romi Herrera and Erin N. Delaney

Also Present: City Clerk Andrew J. Pavlica

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

STATEMENT READ BY CITY CLERK PAVLICA FOR STANDARD PROCEDURES
FOR PUBLIC COMMENTS DURING REMOTE MEETINGS

City Clerk Andrew J. Pavlica announced that pursuant to Local Finance Notice No. 2020-21, all participants are muted during the meeting and all members of the public wishing to make a comment during this Remote Meeting will be permitted to do so using the audio and/or video technology under which this Remote Meeting is being held. He announced that members of the public may submit written comments to the Mayor and City Council through City Clerk Andrew J. Pavlica by either email to apavlica@garfieldnj.org or written letter to City Clerk Andrew J. Pavlica at City Hall – 111 Outwater Lane, Garfield, NJ 07026 and that written comments must be received by 12:00 Noon of the day of the Remote Meeting to be included in the Meeting. He announced that Public Comments will be read aloud along with the person's name and address during times designated during the Meeting for public participation, and that the Mayor and Council reserve the right to pass over duplicative written comments, however, each duplicative comment shall be noted for the record with content summarized.

City Clerk Pavlica announced that a member of the public wishing to speak during a Remote Meeting shall state their name and address for the record prior to making their comments and will be limited to 3 minutes. He announced that members of the public commenting during a Remote Meeting shall not act in any manner to disrupt the meeting and if such a member of the public becomes disruptive during the meeting, the individual chairing the Meeting shall mute, or direct the muting of, the disruptive member and warn that any continued disruption may result in the member being prevented from speaking during the Meeting or be removed from the Remote Meeting. He announced that disruptive conduct include, but is not limited to, sustained inappropriate behaviors such as shouting, interruption, and the use of profanity. He announced that any member who continues to be disruptive after receiving a warning may be muted while other members of the public are allowed to proceed with their comments, and if time permits, the disruptive individual shall be allowed to speak after all other members of the public are provided an opportunity to comment. He announced that should the individual remain disruptive, the individual may be muted or kept on mute for the remainder of the Remote Meeting or removed from the Meeting. He announced that the Mayor or Presiding Officer may impose any reasonable procedure or rule determined to effectively chair the meeting.

CORONAVIRUS COVID-19 UPDATE

Mayor Rigoglioso said that the City of Garfield had 21 cases, today, and one person passed away, today. He said that in January, Garfield has had 444 cases of the Coronavirus and has had 6 deaths.

CORONAVIRUS COVID-19 UPDATE

He said that 2,667 Garfield residents have contacted the Coronavirus since the beginning of this Pandemic, and 84 of Garfield's residents have passed away due to this virus. He asked that everyone keep all these people in their thoughts and prayers. He said that the City of Garfield is on the list to receive the vaccine, and when it does arrive, it will probably be about 100 vaccines at a time. He said that they will be given to the City's Senior Citizen population first, and from there, First Responders, Health Workers, followed by similar groups. He said that when the City does receive deliveries of the vaccine, the City must have refrigeration, generators, and the State needs to come up to Garfield and inspect the site and be certain that the refrigeration is appropriate for the vaccine and that the generators are hooked up correctly. He said that there are other Municipalities on the list for the vaccine, and it is a wait and see for when the vaccine will be delivered to Garfield. He spoke on a "Medi-Center" which will be opening, soon, in the Meadowlands in East Rutherford at which Garfield's First Responders could be vaccinated. He spoke on the ability of First Responders being able to go to hospitals to be vaccinated against the virus.

REPORTS OF OFFICERS

City Manager Duch commented on the volume of Resolutions and Ordinances for City Council consideration this evening which are in greater numbers than usual.

COMMUNICATIONS/APPOINTMENTS

City Clerk Pavlica reported that in a letter to him from Mayor Rigoglioso, dated January 11, 2021, the Mayor made the following appointment to the Garfield Planning Board:

- * Daniel Golabek, 44 Godwin Avenue, Elmwood Park, New Jersey 07407, as a Class II member, to succeed Gerald Walis, for a four year term, said term to expire January 1, 2025.

RESOLUTIONS

Resolution No. 21-17

WHEREAS, Fire Company No. 4 has advised that they have accepted Dylan Swistak of 461 Grace Avenue, Garfield, New Jersey 07026, as a regular active member, effective January 15, 2021, NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No.4 with respect to the above matter, is hereby approved.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-18

WHEREAS, Fire Company No. 4 advises that Manuel Bonilla of 9 Burnet Court, Garfield, New Jersey has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and WHEREAS, the records in the City Clerk's Office indicates that he has served for a period of seven years, NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 4 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

RESOLUTIONS

Resolution No. 21-19

WHEREAS, Fire Company No. 4 advises that Edwin Gonzalez of 69 Westminister Place, Garfield, New Jersey has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicates that he has served for a period of seven years,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 4 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-20

WHEREAS, Fire Company No. 4 advises that Mateusz Krysik of 248 Shaw Street, Garfield, New Jersey has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption, and

WHEREAS, the records in the City Clerk's Office indicates that he has served for a period of seven years,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 4 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen's Certificate to the above named individual.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-21

WHEREAS, the City of Garfield is a member of the Suburban Metro Joint Insurance Fund; and WHEREAS, as a member in this fund, the City of Garfield must appoint a Fund Commissioner and an Alternate to represent the City on all matters before the Fund; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, County of Bergen and State of New Jersey that City Manager Thomas J. Duch is hereby appointed as J.I.F. Fund Commissioner and Andrew J. Pavlica, City Clerk be and is hereby appointed as Alternate J.I.F. Fund Commissioner for the City of Garfield of the Suburban Metro Joint Insurance Fund for the year 2021,

BE IT FURTHER RESOLVED, that the City Clerk be and he is hereby authorized and directed to forward a copy of this approved Resolution to the Suburban Metro Joint Insurance Fund, Risk Management Consultant and to the Office of the City Manager.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-22

WHEREAS, Resolution No. 18-115 was adopted by the City Council at a Regular Meeting held March 27, 2018, making various appointments to the Garfield Event Planning and Recreation Advisory Committee, and

WHEREAS, Christopher O'Reilly has resigned as Recreation Director,

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

Daniel Golabek is hereby appointed to the Garfield Event Planning and Recreation Advisory Committee to succeed Christopher O'Reilly for a term to expire April 30, 2021.

On call of roll, Ayes 4, Abstain 1 -
Councilmember Erin Delaney

(Sgd) Romi Herrera
Pawel Maslag

RESOLUTIONS

Resolution No. 21-23

RESOLUTION MAKING CERTAIN PROFESSIONAL APPOINTMENTS PURSUANT TO THE NEW JERSEY LOCAL UNIT PAY TO PLAY LAW

Whereas, pursuant to the a previously adopted resolution, the qualified evaluation committee has determined that it would be in the best interests of the City to make certain professional appointments pursuant to a “Fair and Open Process” pursuant to the provisions of the new Jersey Local Pay to Play Law; and

Whereas, a legal notice and statement of criteria for submission of qualifications were prepared and issued by the City which solicited submissions by the various professionals no later than December 29, 2020; and

Whereas, pursuant to the aforesaid notice statements of professional qualifications were, in fact submitted; and

Whereas, contracts with these professional may be entered into by the City of Garfield without the necessity of competitive bidding since these contracts are professional services which are exempt from competitive bidding pursuant to N.J.S.A. 40A-11-5(1); and

Now, Therefore, Be It Resolved, by the City Council of the City of Garfield, Bergen County, New Jersey,

1. Dieter Lerch of the firm Lerch, Vinci and Higgins, LLP is hereby appointed as City Auditor for the City of Garfield with compensation to be determined pursuant to the applicable salary Ordinance or pursuant to separate Resolutions.

2. Steven L. Rogut of the firm Rogut McCarthy, LLC is hereby appointed as Bond Counsel for the City of Garfield with compensation to be determined pursuant to the applicable salary Ordinance or pursuant to separate Resolutions.

3. Robert McNerney of McNerney Appraisal Services Corp. is hereby appointed City Tax Appraiser for the City of Garfield in connection defending tax appeals.

4. Joseph Burgis of Burgis Associates, Inc. and Topology are hereby appointed as City Planners for the City of Garfield with compensation to be determined pursuant to separate Resolutions.

5. Capital Alternatives Corporation, GLD Associates and Millennium Strategies are hereby appointed as Grant Consultants for the City of Garfield with compensation to be determined in accordance with separate agreement to be established with the City Manager.

6. Jason De Alessi of Fuerza Strategies Group is hereby appointed as Video Recorder of Council Meetings

Now, Therefore, Be It Resolved, that the appointments shall be for a period of one (1) year and each appointment is subject to confirmation by the Chief Financial Officer that sufficient funds exist for the purposes.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Romi Herrera

Resolution No. 21-24

WHEREAS, Resolution No. 20-48 was adopted granting a towing license to Belfi’s Auto and Truck Repair, Inc. of 208 Palisade Avenue, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

WHEREAS, the latest one year term of the license has expired, and

WHEREAS, Belfi’s Auto and Truck Repair, Inc. has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and

WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify Belfi’s Auto and Truck Repair, Inc. of 208 Palisade Avenue, Garfield, New Jersey that it has received a 2021 Towing License pursuant to the City Code, and

FURTHER RESOLVED that Belfi’s Auto and Truck Repair, Inc. shall comply with all the pre-conditions and requirements of the towing license.

RESOLUTIONS

On call of roll, Ayes 5

(Sgd) Romi Herrera
Pawel Maslag

Resolution No. 21-25

WHEREAS, Resolution No. 20-49 was adopted granting a towing license to David's Auto Body of 70 Lincoln Place, Garfield, NJ, pursuant to Chapter 229 of the Code of the City of Garfield, and

WHEREAS, the latest one year term of the license has expired, and

WHEREAS, David's Auto Body has filed for a license renewal and the City Council having determined the public convenience and necessity, allows and requires such license and that the applicant is fit and has the necessary equipment, including a storage area pursuant to Chapter 229, and

WHEREAS, a \$500.00 license fee has been received by the City Clerk in connection with this application pursuant to City Ordinance No. 2008,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the City Clerk is authorized to notify David's Auto Body of 70 Lincoln Place, Garfield, New Jersey that it has received a 2021 Towing License pursuant to the City Code, and

FURTHER RESOLVED that David's Auto Body shall comply with all the pre-conditions and requirements of the towing license.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Pawel Maslag

Resolution No. 21-26

WHEREAS, Lisa M. Leonard, 162 Wessington Avenue, who is the holder of a Disabled Person I.D. Card No. P2162878, 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 pace be designated as reserved for "Handicapped Parking", located on the east curb line of Wessington Avenue commencing 500 feet north of the intersection of Wessington Avenue and Botany Street and run an additional 20 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 5

(Sgd) Romi Herrera
Pawel Maslag

Resolution No. 21-27

RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that PSE&G is hereby requested to have a Street Light installed on Pole no. E6033 in front of 22 Wessington Avenue.

BE IT FURTHER RESOLVED that City Clerk Andrew J. Pavlica is hereby authorized and directed to forward a certified and exact copy of this approved resolution to P.S.E.& G. Co, at the following address.

Mr. Colin Wilson
P.S.E.G. Company
325 county Avenue
Secaucus, New Jersey 07094

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

RESOLUTIONS

Resolution No. 21-28

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, a Bergen County Community Development grant of \$35,000.00 has been proposed by Garfield Boys & Girls Club for our Mental Health & Wellness Initiative at their building located at 490 Midland Avenue in the municipality of Garfield, and

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

WHEREAS, the aforesaid project is in the best interest of the people of Bergen County and 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 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-29

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, a Bergen County Community Development grant of \$15,000.00 has been proposed by the Garfield Boys & Girls Club for our Program Room Development Media/Technology Lab at their building located at 490 Midland Avenue in the municipality of Garfield, and

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

WHEREAS, the aforesaid project is in the best interest of the people of Bergen County and 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 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-30

A RESOLUTION AUTHORIZING PAYMENT TO MONTANA CONSTRUCTION FOR EMERGENCY 1" WATER LINE REPAIR AT ELIZABETH STREET & MALCOLM AVENUE

WHEREAS, the City of Garfield retained Montana Construction to supply labor, equipment and material necessary to perform an emergency repair of a 1" water service at Malcolm Avenue and Elizabeth Street

NOW THEREFORE BE IT RESOLVED payment of \$21,969.89 is hereby approved to Montana Construction for the above referenced repair.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Pawel Maslag

RESOLUTIONS

Resolution No. 21-31

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 IN CONNECTION WITH THE 2017 ROAD IMPROVEMENT PROGRAM, CITY OF GARFIELD

WHEREAS, the City of Garfield awarded a contract to Smith-Sondy Asphalt Construction for the 2017 Road Improvement Program, and;

WHEREAS, in order to close out the project Change Order No. 1 is necessary to adjust as-built quantities and allow for final payment.

NOW THEREFORE BE IT RESOLVED, Change Order No. 1 in the net amount of \$12,514.60 is hereby approved.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Pawel Maslag

Resolution No. 21-32

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 IN CONNECTION WITH THE 2017 ROAD IMPROVEMENT PROGRAM, CITY OF GARFIELD

WHEREAS, the City of Garfield awarded a contract to Smith-Sondy Asphalt Construction for the 2018 Comprehensive Infrastructure Improvement Program, and;

WHEREAS, in order to close out the project Change Order No. 1 is necessary to adjust as-built quantities and allow for final payment.

NOW THEREFORE BE IT RESOLVED, Change Order No. 1 in the net amount of \$22,303.41 is hereby approved.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Pawel Maslag

Resolution No. 21-33

RESOLUTION AUTHORIZING THE CITY OF GARFIELD TO CONTRACT WITH D.S. MEYER ENTERPRISES, L.L.C. TO FURNISH CONSTRUCTION SERVICES WITHIN THE CITY

WHEREAS the City of Garfield desires to enter into a contract with D.S. Meyer Enterprises, L.L.C. to perform construction services in the City; and

Whereas the City received the proposal attached as Exhibit A for \$15,875.00; and

WHEREAS this project is in the best interests of the health, safety, and welfare of the general public of the City of Garfield; and

WHEREAS, D.S. Meyer Enterprises, LLC is a state certified contractor; and

WHEREAS, the award of this contract is not subject to a competitive bidding process.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield authorizes the City Manager, Thomas J Duch, to enter into a contract with D.S. Meyer Enterprises, L.L.C. for the construction services outlined in their proposal for the amount of \$15,875.00.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-34

PARTICIPANT'S RESOLUTION LEAP CHALLENGE GRANT

WHEREAS, the State of New Jersey has allocated \$150,000 within each county for a statewide total of \$3.15 million in Local Efficiency Achievement Program (LEAP) funds to promote innovation among peer local units across New Jersey, and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, the LEAP Challenge Grant exists to challenge municipalities and counties to collaborate on more extensive partnership and collaborations to produce efficiencies through shared services; and

RESOLUTIONS

WHEREAS, the County of Bergen and the City of Garfield have determined to apply for a LEAP Challenge Grant through the State of New Jersey Local Efficiency Achievement Program in the amount of \$150,000.00 and

WHEREAS, the County of Bergen has agreed to be the lead agency in this program; and

WHEREAS, the State of New Jersey has made LEAP grants available to assist local units to study, develop and implement new shared services initiatives; and

WHEREAS, the purpose of the project submitted in this grant application is intended to provide benefits to the participant local units' residents through the development of an inaugural digital tool to improve local pantries ability to track inventory, identify resource gaps, and seek new shared sources of donations.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garfield, that the City of Garfield does hereby join with the County of Bergen in applying for a LEAP challenge grant to support undertaking this endeavor.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-35

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY TO EXAMINE WHETHER THE PROPERTY LOCATED AT 55 GRAND STREET, BLOCK 69, LOT 11.01 AND 58 WILLARD STREET, ALSO KNOWN AS BLOCK 69, LOT 11.02 AND, AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the "City") has identified certain properties, located at 55 Grand Street, also known as Block 69, Lot 11.01 and 58 Willard Street, also known as Block 69, Lot 11.02 as delineated on the tax map attached hereto and made part of this resolution (the "Property"), to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

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

WHEREAS, the City desires that the Planning Board undertake an examination as to whether the Property, may be deemed "an area in need of redevelopment"; and

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

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield being the governing body thereof, that the City Planning Board is hereby directed and authorized to examine whether the properties located at 55 Grand Street, also known as Block 69, Lot 11.01 and 58 Willard Street, also known as Block 69, Lot 11.02, as shown on the official tax map of the City of Garfield, should be determined "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6.

BE IT FURTHER RESOLVED THAT the City hereby states that any Non-Condensation Redevelopment Area determination shall not authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain.

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation

RESOLUTIONS

Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

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

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-36

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY TO EXAMINE WHETHER THE PROPERTY LOCATED AT 28 WALNUT STREET, ALSO KNOWN AS BLOCK 119.03, LOT 36 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the "City") has identified certain properties, located at 28 Walnut Street, also known as Block 119.03, Lot 36 as delineated on the tax map attached hereto and made part of this resolution (the "Property"), to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

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

WHEREAS, the City desires that the Planning Board undertake an examination as to whether the Property, may be deemed "an area in need of redevelopment"; and

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

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield being the governing body thereof, that the City Planning Board is hereby directed and authorized to examine whether the properties located at 28 Walnut Street, also known as Block 119.03, Lot 36, as shown on the official tax map of the City of Garfield, should be determined "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6.

BE IT FURTHER RESOLVED THAT the City hereby states that any Non-Condensation Redevelopment Area determination shall not authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain.

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

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

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-37

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY TO EXAMINE WHETHER THE PROPERTY LOCATED AT 363 PALISADES AVENUE, ALSO KNOWN AS BLOCK 107, LOT 1 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD SHOULD

RESOLUTIONS

BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the "City") has identified certain properties, located at 363 Palisades Avenue, also known as Block 107, Lot 1 as delineated on the tax map attached hereto and made part of this resolution (the "Property"), to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

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

WHEREAS, the City desires that the Planning Board undertake an examination as to whether the Property, may be deemed "an area in need of redevelopment"; and

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

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield being the governing body thereof, that the City Planning Board is hereby directed and authorized to examine whether the properties located at 363 Palisades Avenue, also known as Block 107, Lot 1, as shown on the official tax map of the City of Garfield, should be determined "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6.

BE IT FURTHER RESOLVED THAT the City hereby states that any Non-Condensation Redevelopment Area determination shall not authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain.

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

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

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-38

A RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY TO EXAMINE WHETHER THE PROPERTY LOCATED AT 30-38 PLAUDERVILLE AVENUE, ALSO KNOWN AS BLOCK 147.02, LOTS 1, 5 AND 7 AS SHOWN ON THE OFFICIAL TAX MAP OF THE CITY OF GARFIELD SHOULD BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

WHEREAS, the City Council of the City of Garfield (the "City") has identified certain properties, located at 30-38 Plauderville Avenue, also known as Block 147.02, Lots 1, 5 and 7 as delineated on the tax map attached hereto and made part of this resolution (the "Property"), to be considered for designation as an area "in need of redevelopment", pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

RESOLUTIONS

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

WHEREAS, the City desires that the Planning Board undertake an examination as to whether the Property, may be deemed "an area in need of redevelopment"; and

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

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield being the governing body thereof, that the City Planning Board is hereby directed and authorized to examine whether the properties located at 30-38 Plauderville Avenue, also known as Block 147.02, Lots 1, 5 and 7, as shown on the official tax map of the City of Garfield, should be determined "an area in need of redevelopment" pursuant to N.J.S.A. 40A:12A-5 and 6.

BE IT FURTHER RESOLVED THAT the City hereby states that any Non-Condensation Redevelopment Area determination shall not authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain.

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condensation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

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

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-39

RESOLUTION TO JOIN PUBLIC EMPLOYEES BENEFITS TRUST (RX ALLIANCE)

WHEREAS, a number of local units in the State of New Jersey have joined together to participate in the PUBLIC EMPLOYEES BENEFITS TRUST (Rx Alliance) hereafter referred to as "Trust" and;

WHEREAS, the governing body of the City of Garfield, hereinafter referred to as "LOCAL UNIT" has determined that membership in the TRUST is in the best interest of said LOCAL UNIT, NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

LOCAL UNIT shall become a member of the TRUST for the period outlined in the Rx Alliance proposal.

LOCAL UNIT will participate in the following type (s) of coverage(s):

a.) Prescription Insurance

LOCAL UNIT agrees to commit to the four principles of the TRUST which are:

a.) A long term philosophy on rates.

b.) A willingness to work with bargaining units to achieve plan design changes.

c.) Professional management with stability and commitment.

d.) Rating structure based on actuarial numbers.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-40

RESOLUTION TO JOIN BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND

RESOLUTIONS

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND hereafter referred to as "FUND", as permitted 40A:10-36 et seq., and;
WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;
WHEREAS, the statutes and regulations governing the creation and operation of a joint insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such a FUND;
WHEREAS, the governing body of City of Garfield, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.
NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Become a member of the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.
- v. Commit to the four principles of the FUND which are:
- vi.
 - a.) A long term philosophy on rates.
 - b.) A willingness to work with bargaining units to achieve plan design changes.
 - c.) Professional management with stability and commitment.
 - d.) Rating structure based on actuarial numbers.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.
- iii. Approval by the New Jersey Department of Banking and Insurance and Department of Community Affairs.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-41

RESOLUTION TO TERM HORIZON BCBSNJ – MEDICAL & PRESCRIPTION COVERAGE
WHEREAS, the City of Garfield hereby resolves to terminate their group Medical & Prescription coverage with Horizon BCBSNJ (group #086701).

RESOLUTIONS

NOW THEREFORE BE IT RESOLVED by the City of Garfield such cancellation shall be effective 3/1/2021.

BE IT FURTHER RESOLVED that the City of Garfield has obtain other Medical and Prescription Coverage and shall notify all employees of the termination of Horizon BCBSNJ as well as the new coverage.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-42

City of Garfield Mutual Aid Resolution

WHEREAS, the police departments in Bergen County have a day to day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order, and

WHEREAS, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man-made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies, and

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies, and

WHEREAS, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6, and

WHEREAS, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property, and

WHEREAS, it is also recognized that the Garfield Chief of Police, in accordance with the provisions of N.J.S.A. 40A:14-118 and under the authority of the Bergen County Prosecutor, has the authority to assign officers to a Task Force, Rapid Deployment Team, or Regional SWAT Team operated in conjunction with the Bergen County Prosecutor's Office, and

WHEREAS, it is the desire of the Mayor and Council of the City of Garfield to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the Police Department of the City of Garfield, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force, and

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen.

On call of roll, Ayes 5

(Sgd) Romi Herrera
Joseph Delaney

Resolution No. 21-43

RESOLUTION FOR BROKER/CONSULTANT SERVICES

This Resolution is entered into as of the 26th day January, 2021 by and between Stanley H. Allen, Inc. t/a Allen Associates (hereinafter referred to as the "Provider"), a corporation organized under the laws of New Jersey and the City of Garfield (hereinafter referred to as the "City").

WHEREAS, the City is a body politic which operates the municipal duties for the City of Garfield, Bergen County, New Jersey; and

WHEREAS, the Provider is authorized and duly licensed to render services described in Exhibit A of this Agreement; and

WHEREAS, the City desires to receive the services described in Exhibit A of this Agreement from the Provider; and

RESOLUTIONS

WHEREAS, the City desires that the Provider render the services as described in Exhibit A as allowed under law; and

WHEREAS, the City desires to issue a professional services agreement for health benefit broker/consultant services for Health, Prescription and Dental programs, in accordance with N.J.A.C. 40A:11:-6.1(b) for Extraordinary Unspecified Services; and

NOW THEREFORE, for the reasons cited above, and in consideration of the mutual promises and covenants contained herein, the City and the Provider agree as follows:

1. **Appointment of Provider.**

1.1. The City appoints the Provider to render the services identified and described in Exhibit A, which is incorporated herein by reference as if set forth at length, and the Provider accepts the appointment to render the services identified and described in Exhibit A to the pupils of the City as provided for in Exhibit A.

1.2. The Provider's acceptance of its appointment from the City shall be exclusive to the Provider and shall be considered a material obligation under this Agreement, and a condition of or for each party's obligations of performance under this Agreement and the Provider may not subcontract or outsource its services.

2. **Services.**

2.1. Pursuant to this Agreement, the Provider shall provide the services identified and described in Exhibit A, which is incorporated herein by reference as if set forth at length.

3. **Compensation.**

3.1. Compensation shall be paid by the selected insurance carrier according to their schedule.

4. **Insurance.**

4.1. The Provider will obtain and maintain at its sole expense throughout the term of this Agreement a policy of Professional Liability Insurance and Commercial General Liability insurance in the amount of \$1 Million per claim/\$2 Million annual aggregate and ensure that it has reasonably sufficient insurance, including but not limited to Commercial General Liability, Worker's Compensation, and Property Insurance. The City may agree to waive only the Commercial General Liability Insurance and Property Insurance in the event that Provider performs services only at the City's own facilities.

4.2. The Provider will supply proof of such insurance coverage obtained, maintained or otherwise used to satisfy this provision of this Agreement to the City.

5. **Appointment of Provider.**

5.1. The City appoints the Provider to render the services identified and described in Exhibit A, which is incorporated herein by reference as if set forth at length, and the Provider accepts the appointment to render the services identified and described in Exhibit A to the pupils of the City as provided for in Exhibit A.

5.2. The Provider's acceptance of its appointment from the City shall be exclusive to the Provider and shall be considered a material obligation under this Agreement, and a condition of or for each party's obligations of performance under this Agreement and the Provider may not subcontract or outsource its services.

6. **Services.**

6.1. Pursuant to this Agreement, the Provider shall provide the services identified and described in Exhibit A, which is incorporated herein by reference as if set forth at length.

7. **Compensation.**

7.1. Compensation shall be paid by the selected insurance carrier according to their schedule.

8. **Insurance.**

8.1. The Provider will obtain and maintain at its sole expense throughout the term of this Agreement a policy of Professional Liability Insurance and Commercial General Liability insurance in the amount of \$1 Million per claim/\$2 Million annual aggregate and ensure

RESOLUTIONS

- 8.2. that it has reasonably sufficient insurance, including but not limited to Commercial
- 8.3. General Liability, Worker's Compensation, and Property Insurance. The City may agree to waive only the Commercial General Liability Insurance and Property Insurance in the event that Provider performs services only at the City's own facilities.
- 8.4. The Provider will supply proof of such insurance coverage obtained, maintained or otherwise used to satisfy this provision of this Agreement to the City.
9. **Term and Termination.**
- 9.1. This agreement shall commence immediately, and shall continue until January 31, 2024. _____ **[Initial to indicate consent to term.]**
- 9.2. Upon termination of this Agreement, each party shall be released from all obligations and liabilities to the other occurring or arising after the date of such termination, except with
- 9.3. respect to those obligations which by their nature, or pursuant to this Agreement, are
- 9.4. designed to survive termination; provided that no such termination will relieve either party from any amount due and owing hereunder at the event of default or upon notice of termination or relieve either party from any liability arising from any breach of this Agreement.
- 9.5. The parties agree to informally mediate any dispute under this Agreement and then either party may exercise any and all legal rights.
10. **Independent Contractor.** The parties shall operate at all times as independent contractors of each other. Except as provided for in or by this Agreement, neither party may act for the other party as its agent or to make commitments on behalf of the other party nor does this Agreement create a joint venture or a partnership.
11. **No Assignment.** Neither party shall assign the Agreement nor any payments due or to become due hereunder, without the consent of the other party.
12. **Representations & Warranties.**
- 12.1. In order to induce the Board to enter into this Agreement, the Provider represents and warrants to the City as follows:
- 12.1.1. That the Provider and/or its designees are licensed and possess valid and up to date certifications necessary to provide the services as described in Exhibit A.
13. **Miscellaneous.** This Agreement shall be governed and construed in accordance with the laws of the State of New Jersey. This Agreement shall be binding upon, and shall inure to the benefit of, the parties, their respective heirs, administrators, executors, successors and assigns. Neither the failure nor any delay on the part of either party to exercise any right, remedy, power or privilege under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power or privilege preclude any other or further exercise of the same or of any other right, remedy, power or privilege. The provisions of this Agreement are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable in whole or in part by the invalidity or unenforceability of any other provision. This Agreement contains the entire understanding between the parties hereto with respect to the subject matter hereof, and supersedes all prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, oral or written, except as herein contained. The express terms hereof control and supersede any course of performance and/or usage of the trade inconsistent with any of the terms hereof. This Agreement may not be modified or amended other than by an agreement in writing.

RESOLUTIONS

14. **Appointment of Provider.**

14.1. The City appoints the Provider to render the services identified and described in Exhibit A, which is incorporated herein by reference as if set forth at length, and the Provider accepts the appointment to render the services identified and described in Exhibit A to the pupils of the City as provided for in Exhibit A.

14.2. The Provider's acceptance of its appointment from the City shall be exclusive to the Provider and shall be considered a material obligation under this Agreement, and a condition of or for each party's obligations of performance under this Agreement and the Provider may not subcontract or outsource its services.

15. **Services.**

15.1. Pursuant to this Agreement, the Provider shall provide the services identified and described in Exhibit A, which is incorporated herein by reference as if set forth at length.

16. **Compensation.**

16.1. Compensation shall be paid by the selected insurance carrier according to their schedule.

17. **Insurance.**

17.1. The Provider will obtain and maintain at its sole expense throughout the term of this Agreement a policy of Professional Liability Insurance and Commercial General Liability insurance in the amount of \$1 Million per claim/\$2 Million annual aggregate and ensure that it has reasonably sufficient insurance, including but not limited to Commercial General Liability, Worker's Compensation, and Property Insurance. The City may agree to waive only the Commercial General Liability Insurance and Property Insurance in the event that Provider performs services only at the City's own facilities.

17.2. The Provider will supply proof of such insurance coverage obtained, maintained or otherwise used to satisfy this provision of this Agreement to the City.

18. **Term and Termination.**

18.1. This agreement shall commence immediately, and shall continue until January 31, 2024. ____ **[Initial to indicate consent to term.]**

18.2. Upon termination of this Agreement, each party shall be released from all obligations and liabilities to the other occurring or arising after the date of such termination, except with respect to those obligations which by their nature, or pursuant to this Agreement, are designed to survive termination; provided that no such termination will relieve either party from any amount due and owing hereunder at the event of default or upon notice of termination or relieve either party from any liability arising from any breach of this Agreement.

18.3. The parties agree to informally mediate any dispute under this Agreement and then either party may exercise any and all legal rights.

19. **Independent Contractor.** The parties shall operate at all times as independent contractors of each other. Except as provided for in or by this Agreement, neither party may act for the other party as its agent or to make commitments on behalf of the other party nor does this Agreement create a joint venture or a partnership.

20. **No Assignment.** Neither party shall assign the Agreement nor any payments due or to become due hereunder, without the consent of the other party.

21. **Representations & Warranties.**

21.1. In order to induce the Board to enter into this Agreement, the Provider represents and warrants to the City as follows:

21.1.1. That the Provider and/or its designees are licensed and possess valid and up to date certifications necessary to provide the services as described in Exhibit A.

22. **Miscellaneous.** This Agreement shall be governed and construed in accordance with the laws of the State of New Jersey. This Agreement shall be binding upon, and shall inure to the benefit of, the parties, their respective heirs, administrators, executors, successors and assigns. Neither the failure nor any delay on the part of either party to exercise any right, remedy, power or

RESOLUTIONS

23. privilege under this Agreement shall operate as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power or privilege preclude any other or further exercise of the same or of any other right, remedy, power or privilege. The provisions of this Agreement are independent of and separable from each other, and no provision shall be affected or rendered invalid or unenforceable in whole or in part by the invalidity or unenforceability of any other provision. This Agreement contains the entire understanding between the parties hereto with respect to the subject matter hereof, and supersedes all prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, oral or written, except as herein contained. The express terms hereof control and supersede any course of performance and/or usage of the trade inconsistent with any of the terms hereof. This Agreement may not be modified or amended other than by an agreement in writing.

On call of roll, Ayes 5

(Sgd) Joseph Delaney
Richard Rigoglioso

Resolution No. 21-44

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, a Bergen County Community Development grant of \$250,000. has been proposed by Garfield YMCA for an ADA Ramp, Sidewalk and Drainage Improvements located at 33 Outwater Lane, 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 Bergen County and 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 5

(Sgd) Richard Rigoglioso
Erin N. Delaney

Resolution No. 21-45

The City of Garfield

Resolution of Support from Local Governing Body Authorizing the

Sustainable Jersey Energy Technical Assistance Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic, and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Garfield strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the City of Garfield is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created an Energy Technical Assistance program;

THEREFORE, the Council of the City of Garfield has determined that the City of Garfield should apply for the aforementioned Energy Technical Assistance program. The technical assistance will support energy-efficient efforts and allow for critical insights as to making improvements from sustainability experts; and

THEREFORE, the City of Garfield will commit to providing staff support for the duration of the Energy Technical Assistance project, including access to data for energy projects such as utility billing data.

RESOLUTIONS

THEREFORE, BE IT RESOLVED, that the Council of the City of Garfield, State of New Jersey, authorize the submission of the aforementioned application to Sustainable Jersey for Energy Technical Assistance.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Erin N. Delaney

Resolution No. 21-46

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 \$1,034,500.00 has been proposed by the City of Garfield for the Semel Avenue to Columbus Avenue Drainage Improvement Project – Phase I 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) Richard Rigoglioso
Erin N. Delaney

Resolution No. 21-47

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 \$437,200.00 has been proposed by the City of Garfield for the Various Culvert Replacements – Phase I Project in the municipality of the City of Garfield, and

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

WHEREAS aforesaid project is in the best interest of the people of the City of Garfield, and

WHEREAS this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application.

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

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

On call of roll, Ayes 5

(Sgd) Richard Rigoglioso
Erin N. Delaney

Resolution No. 21-48

See the following pages numbered _____

For Temporary Capital Budget

Regular Meeting January 26, 2021, Continued

BILLS AND CLAIMS

Resolution No. 21-49

RESOLVED by the City Council of the City of Garfield that the following Bill No. 2265 covering Dog Trust Fund totaling \$21.00 and the Current Fund Reserve totaling \$661,622.57 and Current Fund totaling \$5,567,686.60 and Water Fund Reserve Fund \$177,764.07 and Water Fund totaling \$15,719.85 and the General Capital Fund totaling \$190,700.85 and the Water Capital Fund totaling \$7,772.75 per attached Computer Lists, dated January 22, 2021, 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 twenty nine (29) items prior to the meeting be ratified.

See

the

following pages numbered _____

for

Bills

and

Claims

ORDINANCES

Councilmember Herrera introduced in writing the following ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$580,000 TO PAY THE COST THEREOF, 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 Herrera moved that this ordinance entitled: “BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$580,000 TO PAY THE COST THEREOF, 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND ARTICLE V CHAPTER 80 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “TRAP, NEUTER AND RETURN PROGRAM

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND ARTICLE V CHAPTER 80 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “TRAP, NEUTER AND RETURN PROGRAM” 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 164 OF THE CITY CODE OF THE CITY OF GARFIELD, CHAPTER 341 ENTITLED “GARBAGE, RUBBISH AND REFUSE

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 164 OF THE CITY CODE OF THE CITY OF GARFIELD, CHAPTER 341 ENTITLED “GARBAGE, RUBBISH AND REFUSE” do now pass on first reading and remain on file with the City Clerk for public inspection until public hearing thereon and further consideration

ORDINANCES

thereof which shall be held February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 242 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “VIOLATIONS AND PENALTIES” PERTAINING TO PROPERTY MAINTENANCE CODE VIOLATIONS

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 242 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “VIOLATIONS AND PENALTIES” PERTAINING TO PROPERTY MAINTENANCE CODE VIOLATIONS” 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 201 OF THE CITY CODE OF THE CITY OF GARFIELD, CHAPTER 201 ENTITLED “LITTERING”

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 201 OF THE CITY CODE OF THE CITY OF GARFIELD, CHAPTER 201 ENTITLED “LITTERING” 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 280 OF THE CITY CODE OF THE CITY OF GARFIELD, CHAPTER 341 ENTITLED “SNOW REMOVAL”

City Clerk Pavlica read the ordinance by title.

ORDINANCES

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 280 OF THE CITY CODE OF THE CITY OF GARFIELD, CHAPTER 341 ENTITLED “SNOW REMOVAL” 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO ADD ARTICLE IX CHAPTER 226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “SNOW EMERGENCY PARKING”

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO ADD ARTICLE IX CHAPTER 226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “SNOW EMERGENCY PARKING”” 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER 1268 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “AN ORDINANCE TO REGULATE TRAFFIC AND PARKING”, MORE PARTICULARLY THE SECTION DESIGNATING STOP SIGN INTERSECTIONS”

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER 1268 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “AN ORDINANCE TO REGULATE TRAFFIC AND PARKING”, MORE PARTICULARLY THE SECTION DESIGNATING STOP SIGN INTERSECTIONS”” 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

ORDINANCES

AN ORDINANCE TO AMEND CHAPTER 329 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “VEHICLE SALES BUSINESSES” SPECIFICALLY CHAPTER 329-12 ENTITLED “PARKING REGULATIONS”

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 329 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “VEHICLE SALES BUSINESSES” SPECIFICALLY CHAPTER 329-12 ENTITLED “PARKING REGULATIONS”” 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE OF THE CITY OF GARFIELD CREATING A NEW CHAPTER 214 OF THE GARFIELD CITY CODE, TO BE ENTITLED “MOTOR VEHICLE REPAIR SHOPS”

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE OF THE CITY OF GARFIELD CREATING A NEW CHAPTER 214 OF THE GARFIELD CITY CODE, TO BE ENTITLED “MOTOR VEHICLE REPAIR SHOPS”, 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE CODE OF THE CITY CHAPTER 287, ENTITLED “STREETS AND SIDEWALKS”, MORE SPECIFICALLY ADDING ARTICLE VI ENTITLED “CURB REPAIRS PERFORMED BY THE CITY”

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE CODE OF THE CITY CHAPTER 287, ENTITLED “STREETS AND SIDEWALKS”, MORE SPECIFICALLY ADDING ARTICLE VI ENTITLED “CURB REPAIRS PERFORMED BY THE CITY”, 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 February 23, 2021 at 6:00 PM in City Hall 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 5

ORDINANCES

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE KALAMA SITE (BLOCK 50.01, LOT 1) PURSUANT TO N.J.S.A.40A:12A-1ET SEQ.

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE KALAMA SITE (BLOCK 50.01, LOT 1) PURSUANT TO N.J.S.A.40A:12A-1ET SEQ.”, 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Herrera introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND CHAPTER 260 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “SANITATION,” TO ADOPT PROVISIONS OF THE STATE SANITARY CODE

City Clerk Pavlica read the ordinance by title.

Councilmember Herrera moved that this ordinance entitled: “AN ORDINANCE TO AMEND CHAPTER 260 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “SANITATION,” TO ADOPT PROVISIONS OF THE STATE SANITARY CODE”, 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 February 23, 2021 at 6:00 PM in City Hall 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 5

Councilmember Rigoglioso introduced in writing the following ordinance entitled:

AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER CHAPTER 150 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “FOOD HANDLERS, MOBILE”

City Clerk Pavlica read the ordinance by title.

Councilmember Rigoglioso moved that this ordinance entitled: “AN ORDINANCE TO AMEND AND REVISE ORDINANCE NUMBER CHAPTER 150 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “FOOD HANDLERS, MOBILE””, 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 February 23, 2021 at 6:00 PM in City Hall 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 Erin 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, Nays 1 – Councilmember Herrera

CITIZENS AND TAXPAYERS

Mr. Frank Toscano, the owner and operator of 21st Century Auto Body located on Naples Place, said that he has been a business owner in the City of Garfield since 1996. He said that he was here to present his concerns with regard to Ordinances on the City Council Meeting Agenda this evening relating to Vehicle Sales and Auto Body Shops which would cause a serious detriment to his business and other businesses in town. He said that he wanted to remind the current Councilmembers and new Councilmembers that he and approximately 18 other Repair Shops and Auto Sales and small business owners hired legal counsel to represent them back in 2018 when several similar ordinances were introduced and then voted down by the prior City Council. He asked if City Officials could sit with them and their legal counsel to work out a compromise that does not jeopardize their businesses. He said that he is very unclear and disagree on how these ordinances improve the quality of life for residents.

Ms. Tana Raymond, 93 Spring Street, asked questions concerning the introduced Trap, Neuter and Release Ordinance. She asked questions regarding the City receiving a low interest \$2 million loan for Covid-19 Municipal Economic Hardship Relief. She spoke on City Employee Health Benefit costs. She asked questions regarding Resolutions relating to Areas in Need of Redevelopment.

Mr. Charles Rabolli, 95 Chestnut Ridge Road, Montvale, New Jersey, said that he is the attorney whose services were engaged by many City Vehicle Repair Shops. He spoke on Ordinances that were introduced tonight.

Mr. Jeffrey King, 24 Elizabeth Parkway, Eatontown, New Jersey, spoke in favor of regulations regarding medical and recreational marijuana use.

Ms. Denise Ingui, 54 Park Avenue, spoke in opposition to Trap, Neuter and Release Programs and spoke in opposition to Ordinances permitting Feral Cat Colonies.

Mr. Edward Grimes, 84 Hanover Road, East Hanover, New Jersey, advocated for regulations permitting medical and recreational marijuana use.

Mr. Brian Becker, the Executive Director of the Garden State Animal Rescue Center, P.O. Box 212, Manalapan, New Jersey, opposed eliminating City regulations concerning Feral Cat Colonies; and opposed eliminating the Trap, Neuter and Release Program in the City of Garfield.

Ms. Jaime Van Sciver, 427 Greenwood Drive, Paulsboro, New Jersey, advocated for medical and recreational use of cannabis.

Ms. Joan Banez, 20 Hepworth Place, said that City Officials need to fix the communications system for public response.

COUNCILMEMBER COMMENTS

Councilmember Joseph Delaney spoke on how people from all over the State of New Jersey are able to log into tonight's Council Meeting and are able to comment. He spoke on the \$2 million loan that the City is receiving for Covid-19 Municipal Economic Hardship Relief and he said that it is not connected to any change in City Employee Health Benefits. He said that he believes that the majority of this City Council is pro-medical marijuana. He spoke on trying to improve the quality of life in regard to proposed Ordinances regulating Vehicle Sales and Auto Body Shops. He spoke on proposed Stop Signs in town. He spoke on the need to remove illegal signs stapled to telephone poles and the need to improve the quality of life throughout town. He welcomed Carl O'Brien as

COUNCILMEMBER COMMENTS

the new City Engineer, and he welcomed the two new Councilmembers, Pawel Maslag and Romi Herrera, to their first Regular Meeting.

Councilmember Herrera spoke in support of Ordinances for Stop intersections. He spoke on the recent event held in the parking behind the Sam and Ann Sangis Recreation Center at 466 Midland Avenue at which 240 toys were given out to children. He spoke on giving back to the community.

Councilmember Maslag said that he was very excited to join everyone on the City Council. He spoke on the Coronavirus Covid-19 Pandemic and how it has affected many lives economically and health-wise. He spoke on the need to get the vaccine out to City residents and how it is really important to do so. He said that there are a lot of businesses and people in Garfield who are struggling and it is really hard to support them. He spoke on the hardships that Auto Body Shops might experience with the adoption of the proposed Ordinances and how City Officials have to work together with the businesses and find a way to support small businesses and the quality of life of the residents in Garfield. He said that he supports medical marijuana, and he said that he believes the current City Council is very progressive on that front. He said that across the State it is a new issue, and the Council is learning more about it, and the Council needs to discuss and decide how to move forward. He thanked everyone for the opportunity to serve, with this being his first meeting.

Deputy Mayor Erin Delaney thanked Mr. Toscano and Mr. Rabolli for joining the meeting tonight and she remarked on how a few months back she had a conversation with Mr. Toscano and how she said that she will always have an open conversation especially when it comes to City businesses. She spoke on her support to have a meeting to discuss the proposed Ordinances. She said that in regard to medical marijuana, the Mayor and Council is waiting for guidance from the State because the City Council wants to address the topic once, and do it right, and not keep revisiting the issue. She spoke on the conduct of the public and the format of Council Meetings. She spoke on Feral Cat Colonies and Trap, Neuter and Release Programs. She said that the Feral Cat Colony Program is not working and it is adversely affecting the quality of life of residents in Garfield. She said that City Officials have tried to reach a compromise and have met with the Garfield Animal Rescue Foundation countless times and have implemented many of their suggestions, but they do not seem to want to compromise. She spoke on the \$2 million Covid-19 Relief Ordinance to address hardships caused by the Pandemic in regard to Municipal revenue being down. She spoke on City Employee Health Benefit premiums increasing by about 27% and how this is not connected to the Pandemic or the \$2 million loan. She spoke on grant applications for Sustainable New Jersey and her interest in getting the Green Team back up and running.

City Manager Duch said that the \$2 million loan was necessary because of the decline in revenue. He said that Municipalities, Counties and States across the United States of America have experienced a serious decline in government revenue. He said that the New Jersey State Legislature unanimously passed legislation to allow Municipalities to borrow under very specific circumstances to meet the revenue needs of the Municipality. He said that City Officials did what they could to cut the Garfield City Budget. He said that there were loses in Court Revenue of \$545,000; a decline in the Building Department and all other Departments across the board in revenue, and the City of Garfield has had to find the revenue from other places. He said that the Mayor and Council voted for the loan, and it is keeping the Municipal employees working and he is proud of the fact that the City has not laid off any employees. He said that Health Insurance Premiums for Horizon Blue Cross and Blue Shield increased approximately 27%. He said that that increase is unsustainable for the Taxpayers and Employees who have to pay that bill. He said that the City had no other alternative but to seek other options and that is an obligation of an elected or appointed Municipal Official to protect the employees and the public. He said that the City Insurance Consultant was able to go out and get the City into a Health Insurance Fund. He said that with City membership into this fund, the City will experience an 11% rate increase, rather than a 27% increase. He said that the City has joined the Bergen County Medical Insurance Pool, and he will be a Commissioner in this "HIF" and City Clerk/Deputy City Manager Drew Pavlica will be an Alternate Commissioner. He spoke on meeting with City of Garfield Collective Bargaining Units in regard to this proposed change in Employee Health Coverage and he said that every question was answered properly and affirmatively.

Regular Meeting January 26, 2021, Continued

COUNCILMEMBER COMMENTS

Mayor Rigoglioso welcomed the two new Councilmembers to their first Regular Meeting. He also welcomed the new City Engineer, Carl O'Brien. He spoke on a proposed meeting with Attorney Charles Rabolli and Vehicle Sales and Auto Body owners regarding proposed Ordinances. He said that he believes that this City Council is in support of medical marijuana but is waiting for guidance from the State of New Jersey. He spoke on Feral Cat Colonies and the Trap, Neuter and Release Program. He spoke on the Garfield Event Planning and Recreation Advisory Committee and their plans for events during the upcoming year. He spoke on the work performed by various organizations to help those in need, including Garfield Neighbors and Strangers Helping Strangers. He spoke on how he likes the new format for Council Meetings and he spoke on his desire to move the City forward.

ADJOURNMENT

At 8:00 PM, there being no further business, Councilmember Joseph Delaney moved to adjourn the meeting. Councilmember Maslag dully seconded the motion.

On call of roll, Ayes 5

Andrew J. Pavlica, CITY CLERK