

A Special Meeting of the City Council was held Tuesday, March 2, 2021 at 6:10 PM in the Council Chambers in City Hall, 111 Outwater Lane, Garfield, New Jersey 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 February 27, 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: Joseph Delaney, Romi Herrera and Richard Rigoglioso

Councilmembers Present Telephonically: Pawel Maslag 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 and City Engineer Carl O'Brien

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](mailto: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.

REPORTS OF OFFICERS

City Manager Thomas J. Duch reported on the following:

1. The proposed Resolution regarding the acquisition of 327 River Drive.
2. The restoration of funding by the State of New Jersey for Phase II of the Neighborhood Preservation Program and the State Budget proposed by New Jersey Governor Phil Murphy.
3. How the proposed State Budget by Governor Murphy might affect State Aid to the Garfield School System and affect property taxes in the City of Garfield.
4. His recent meeting with City Engineer Carl O'Brien and the summarization of his visit with Superintendent of Public Works Sam Garofalo to various areas of concern throughout the City and to various sites for future road improvements, especially those involving PSE & G.
5. The next proposed edition of the City newsletter.
6. The Sustainable New Jersey Grant and the no-cost technical assistance for energy initiatives in partnership with Sustainable New Jersey.
7. The letter received today by the Garfield Health Department via certified mail regarding a citizen objecting to the re-opening of Garfield Schools due to Covid-19 exposure concerns.

REPORTS OF OFFICERS

8. The Press Release from the Governor's Office announcing the expansion of eligibility of New Jersey's Covid-19 Vaccination Program. He has previously reached out to the Governor's Office and they have committed to 200 additional vaccines to be delivered to the City of Garfield. The City had received 100 vaccines in the first round of distributions.
9. The proposed Resolution regarding the sale of marijuana in the City of Garfield.

RESOLUTIONS

Resolution No. 21-79

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACQUIRE PROPERTY COMMONLY KNOWN AS 327 River Drive, Garfield, New Jersey through Eminent Domain Condemnation

WHEREAS, the City of Garfield desires to purchase certain real property known as 327 River Drive, Garfield, New Jersey; and

WHEREAS, the said property is located within the area of River Drive in which the City wishes to acquire as part of its River Walk project; and

WHEREAS, the acquisition of the property is also important for road widening purposes;

WHEREAS, the City has attempted to acquire the said property through negotiation at a fair market value, without success,

NOW THEREFORE, Be It Resolved, by the Mayor and Council of the City of Garfield, that the City Manager is hereby authorized to proceed with the acquisition of the subject property through the exercise of eminent domain condemnation.

On call of roll, Ayes 4,  
Nays 1 - Councilmember Maslag

(Sgd) Richard Rigoglioso  
Joseph Delaney

Resolution No. 21-80

RESOLUTION AUTHORIZING THE CITY MANAGER TO OBTAIN A PLANNING REPORT FOR PROPOSED ZONES FOR THE CULTIVATION AND FOR THE DISPENSING OF CANNABIS PRODUCTS

WHEREAS, the State of New Jersey has recently approved the use of Cannabis in the State of New Jersey; and

WHEREAS, the City of Garfield had previously banned the sale of cannabis products in every zone in the City; and

WHEREAS, the City wishes to determine possible areas in the City that would be appropriately zoned for the cultivation or the dispensing of Cannabis products.

NOW THEREFORE BE IT RESOLVED that on the 2<sup>nd</sup> day of March 2021, that the City Manager is hereby authorized to obtain a planning report to determine recommended zones in the City for the cultivation or the dispensing of Cannabis products.

On call of roll, Ayes, 5

(Sgd) Joseph Delaney  
Richard Rigoglioso

COUNCILMEMBER COMMENTS

Deputy Mayor Erin Delaney spoke on the development of the Riverfront Park, and on Redevelopment in the First Ward.

Mayor Rigoglioso spoke on Lonnie Bunch, who is the first African-American to be the head of the Smithsonian Institution in Washington, DC, and who grew up in Belleville, New Jersey. He said that Lonnie Bunch is ranked as the 75<sup>th</sup> most important person in the United States. He said that he graciously took the time to speak to the students and faculty of the Garfield School System regarding the education of history in the United States. He said that he remembers getting crushed by Garfield High School when he played football for Belleville High School. He said that he

COUNCILMEMBER COMMENTS

appreciates such an important man taking the time out of his busy schedule to speak to the students of the City of Garfield. He complimented the members of the Garfield Volunteer Fire Department who have had a tough past few days handling two working fires, one on Palisade Avenue and one on Scudder Street, and he wanted to thank them for their hard work on behalf of himself and the City Council. He said that the Fire Department has been doing a tremendous job.

CLOSED SESSION

Resolution No. 21-81

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to exclude the public from a meeting in certain circumstances, and

WHEREAS, the City Council is of the opinion that such circumstances now exist,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that a "Closed Session" is hereby called at 6:35 P.M. on Tuesday, March 2, 2021, to discuss the following as outlined in N.J.S.A. 10:4-12:

- \* Tactics or techniques utilized in protecting the safety and property of the public or any investigation of violations or possible violations of the law; (employee practices and disciplinary procedures regarding employees under the influence of cannabis).
- \* Pending or anticipated litigation or contract negotiations or matters falling within attorney-client privilege; (Two Brothers Contractor dispute and settlement re: construction of new police station at 411 Midland Avenue; dismissal of Roberts Towing case against the City).
- \* Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplinary action of personnel unless the individual in the right request a public meeting in writing; (proposed employee practices and disciplinary procedures regarding employees under the influence of cannabis; proposed monetary incentives for employees to retire).

BE IT FURTHER RESOLVED that the matters so discussed will be disclosed to the public as soon as and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel.

On call of roll, Ayes 5

(Sgd) Pawel Maslag  
Richard Rigoglioso

ADJOURNMENT

After the City Council came out of Closed Session at 7:00 PM, there being no further business, Councilmember Herrera moved to adjourn the meeting. Councilmember Joseph Delaney dully seconded the motion.

On call of roll, Ayes 5