

**REGULAR MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
MAY 24, 2022
6:00P.M.**

1. CALL TO ORDER:

The Regular Meeting of the Mayor and Council of the City of Garfield was called to order on Tuesday, May 24, 2022 at 6:07PM in the Council Chambers of the Municipal Building, 111 Outwater Lane, Garfield, New Jersey. On Roll Call present members were: Councilmembers Maslag, Herrera, and Deputy Mayor Delaney. Also present were City Manager/City Clerk Delaney, City Engineer Carl O'Brien, and City Attorney Daniel Lagana.

2. ROLL CALL:

3. FLAG SALUTE

4. STATEMENT OF COMPLIANCE:

Whereas, Chapter 231 of the Public Laws of the State of New Jersey requires at the commencement of every meeting a Statement of Compliance be read by the presiding officer.

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing an annual meeting notice in The Record and Herald News and by posting such notice in the office of the City Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was posted on January 10, 2022 and published on January 13, 2022.

5. APPROVAL OF MINUTES:

A motion was made by Councilman Maslag and seconded by Councilman Herrera to approve the April 12, 2022 Work Session & Executive Session and April 26, 2022 Regular & Executive Session Meeting minutes. The motions carried unanimously by those present.

6. BERGEN COUNTY OPEN SPACE GRANT HEARINGS:

City Manager/City Clerk Delaney reviewed and discussed two grant applications in which the City has made an application for. The first application being a Bergen County Open Space Land Acquisition application to acquire property along River Drive to continue with the River Drive Walkway Phase III. The second being a Bergen County Open Space application for park improvements at 20th Century Field which will allow for the installment of a multi-purpose turf field, which would be compliant for Babe Ruth baseball, soccer, softball, and other activities.

Deputy Mayor Delaney opened the floor for public comment on both grant applications. No one wished to be heard. Deputy Mayor Delaney then closed the floor for public comment.

7. CEREMONIAL RESOLUTIONS:

R-236-22	Ceremonial Resolution Recognizing Jenna Filieri
R-237-22	Ceremonial Resolution Recognizing Edward Stefanik

The Governing Body provided special remarks to Mr. Edward Stefanik on his 50 Years of Service to the Garfield Fire Department and presented him with a ceremonious plaque. Fire Chief EJ Morano then spoke and pinned Mr. Stefanik with his 50 Year Gold Badge.

A moment of prayer was led by the Fire Department Chaplain. Following the presentations, Councilman Herrera made a motion for a brief recess which was seconded by Councilman Maslag. The motions carried unanimously by those present. City Manager/City Clerk Delaney then reopened the meeting and established a quorum.

8. ORDINANCES: FIRST READING

R-238-22

Re-Introduce Ord. #2931

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN AS 933-975 RIVER DRIVE, ALSO KNOWN AS BLOCK 140, LOTS 91.01 AND 100.02 PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.

R-239-22

Introduce Ord. #2934

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING THE 297-301 PASSAIC STREET 2022 PASSAIC STREET REDEVELOPMENT PLAN FOR BLOCK 41, LOTS 9 AND 11, ALSO KNOWN AS 297-301 PASSAIC STREET WHICH HAS BEEN DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1ET SEQ.

R-240-22

Introduce Ord. #2937

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 341, ZONING, ARTICLE XI, PARKING SPACES AND LOADING BERTHS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-241-22

Introduce Ord. #2938

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 287, STREETS AND SIDEWALKS, ARTICLE IV, EXCAVATIONS IN STREETS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-242-22

Introduce Ord. #2939

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE 1, PARKING ON PRIVATE PROPERTY, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

SECOND READING

R-243-22

Introduce Ord. #2936

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 1, GENERAL PROVISIONS, ARTICLE II, GENERAL PENALTY, SUBSECTION 1-16, VIOLATIONS AND GENERAL PENALTY OF THE REVISED ORDINANCES OF THE CITY OF GARFIELD

9. CONSENT AGENDA:

- R-244-22 Approval of Bills and Claims
- R-245-22 Authorizing Emergency Services to Clean and Remediate Parts of Firehouse #3 in the City of Garfield in Response to a Sanitary Sewer Lateral Failure
- R-246-22 Authorizing Emergency Services to Clean and Remediate Parts of Firehouse #3 in the City of Garfield in Response to a Sanitary Sewer Lateral Failure
- R-247-22 Approving Refund of Street Opening
- R-248-22 Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the 2022 Road Program
- R-249-22 Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the 2022 NJDOT Midland Avenue Project
- R-250-22 Authorizing the City Manager to Enter into a Professional Services Agreement with Colliers Engineering & Design (D/B/A Maser Consulting) to Provide Engineering Services for the Hobart Park Playground Improvements Project
- R-251-22 Authorizing the Application of a Grant/Loan with the NJDEP Green Acres Program
- R-252-22 Authorizing the Submission of a Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (Bergen County Trust Fund) Grant Application
- R-253-22 Authorizing the Submission of a Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (Bergen County Trust Fund) Grant Application
- R-254-22 Urging the New Jersey Legislature to Amend the Budget Cap Law to Appropriate Funds for Increasing Insurance Costs
- R-255-22 Authorizing Issuance of a Road Opening Permit for Work Associated with 121 Schley Street to Geopro, Inc. of 76 Cobb Street, Rockaway, NJ 07866
- R-256-22 Appointment of Library Board of Trustees Member
- R-257-22 Appointment of Library Board Mayor's Alternate
- R-258-22 Appointment of Parking Authority Members
- R-259-22 Authorizing the City Manager to Execute a Contract with National Metering Services, Inc. in Accordance with Phase 2 of the Water Meter Replacement Program
- R-260-22 Approving Handicap Parking Space
- R-261-22 Approving Handicap Parking Space
- R-262-22 Approving Loading Zone
- R-263-22 Requesting Permission for The Dedication by Rider for Outside Employment of Off-Duty Municipal Officers Required by DLGS
- R-264-22 Acknowledging 15th Year Anniversary of iLearn Schools
- R-265-22 Acknowledging 100th Year Anniversary of State Farm
- R-266-22 Authorizing the Planning Board to Conduct a Review of Ordinance 2937, an Ordinance to Amend Part II, General Legislation, Chapter 341, Zoning, Article XI, Parking Spaces and Loading Berths, of the Revised General Ordinances of the City of Garfield

- R-267-22 Authorizing the Tax Collector to Prepare and Mail Estimated Tax Bills in Accordance with P.L. 1994, c 72
- R-268-22 Requesting Cancelling Grant Receivable and Appropriation Balances
- R-269-22 Authorizing the City Manager to Execute a Shared Service Contract with the Township of Saddle Brook for Sewer Transmission Services
- R-270-22 Resolution to Accept Consent Agenda

10. 2022 MUNICIPAL BUDGET PUBLIC HEARING:

SECOND READING

- R-271-22 Introduce Ord. #2935
CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

City Manager/City Clerk Delaney advised that the Governing Body will not be adopting the 2022 Municipal Budget this evening being that she and the City Auditor & CFO revisited the budget and reduced certain line items bringing the tax rate down from the initial \$117.00 per average household to \$85.00. With that being said, Ms. Delaney noted that the budget public hearing was advertised and must be held. She also noted that the Governing Body would be voting on the budget amendment which will have a public hearing at the June 14, 2022 Work Session meeting.

Deputy Mayor Delaney opened the floor for public comment on the 2022 Municipal Budget. No one wished to be heard. Deputy Mayor Delaney then closed the floor for public comment.

- R-272-22 Amendment of 2022 Municipal Budget

11. MAYORAL APPOINTMENTS:

City Manager/City Clerk Delaney announced the following Mayoral appointments to the Planning Board on behalf of Mayor Rigoglioso:

- Peter Santacrocce – Planning Board Member – Unexpired 4-year term
- Constantino Conte – Planning Board First Alternate – Unexpired term
- Caty Polanco – Planning Board Second Alternate – Unexpired term

12. PUBLIC HEARING:

13. MAYOR AND COUNCIL COMMENTS:

14. ADJOURNMENT:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-236-22**

RESOLUTION BY: COUNCILMAN MASLAG

SECONDED BY: COUNCILMAN HERRERA

CEREMONIAL RESOLUTION RECOGNIZING JENNA FILIERI

WHEREAS, Jenna Filieri, a resident of the City of Garfield and a student at Immaculate Conception High School in Lodi, New Jersey, started wrestling her freshman year when the school decided to start an all-girls team; and

WHEREAS, some of Jenna’s stats for this season include NJ 2022 State Champion at 152 lb. division, first ever for Immaculate Conception, First Place at the Garfield Holiday Tournament in the 152 lb. division, All Women’s County Champion at 152 making her the two-time County Champ, and 2nd Place at the North Region Tournament 152 lb. division; and

WHEREAS, a list of Jenna’s stats over the years include, two-time County Champ, three-time region place winner, two-time state place winner, State Champ and a career record of 41-12; and

WHEREAS, the City Council is desirous of publicly recognizing the accomplishments of this Champion of the “City of Champions”;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Jenna Filieri is hereby congratulated and publicly recognized for her keen competitive spirit and steadfast dedication to excellence, as demonstrated by her many wrestling championships and accomplishments.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-237-22**

RESOLUTION BY: COUNCILMAN MASLAG

SECONDED BY: COUNCILMAN HERRERA

CEREMONIAL RESOLUTION RECOGNIZING EDWARD STEFANIK

WHEREAS, Edward Stefanik has been a valued member of Garfield Volunteer Fire Company No. Three for Fifty Years; and

WHEREAS, he was first appointed a member of Fire Company No. Three on May 1, 1972, and over the years has served as Lieutenant and Engineer, and is currently serving as President of Fire Company No. Three; and

WHEREAS, Edward has also served as the Garfield Secretary of the New Jersey State Firemen's Relief Association, an organization to protect and benefit aged and/or needy firefighters and their families, and those injured or killed in the performance of their duties and to cultivate fraternal fellowship among the various Departments and firefighters throughout the State and elsewhere; and

WHEREAS, Edward is a Trustee of the Relief Association, Life Member of the Garfield Fireman's Association and Life Member of the New Jersey State Firemen's Association; and

WHEREAS, Edward is married to Rickie Stefanik and they have one daughter Adriana Platoni and her husband Todd and he has a beautiful granddaughter named Juliana; and

WHEREAS, Edward is a 3rd generation firefighter, his grandfather Peter Nordyk was a member of Fire Company No. 3 as well as his father Edward P. Stefanik, Sr.;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Edward Stefanik is hereby warmly congratulated and deeply thanked for his five decades of distinguished service to the Garfield Volunteer Fire Department during which he has provided a model of commitment, expertise and dedication that will serve to inspire and encourage all future firefighters and provide a standard of excellence for all to know and emulate.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-238-22**

RESOLUTION BY: DEPUTY MAYOR DELANEY

SECONDED BY: COUNCILMAN HERRERA

RE-INTRODUCE ORDINANCE #2931

FIRST READING

BE IT RESOLVED, that an ordinance entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 933-975
RIVER DRIVE, ALSO KNOWN AS BLOCK 140, LOTS 91.01 AND 100.02 PURSUANT
TO N.J.S.A. 40A:12A-1 ET SEQ.**

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, June 14, 2022 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law as well as forward a copy of this resolution and ordinance to the Planning Board.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2931**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 933-975
RIVER DRIVE, ALSO KNOWN AS BLOCK 140, LOTS 91.01 AND 100.02 PURSUANT
TO N.J.S.A. 40A:12A-1 ET SEQ.**

BE IT ORDAINED by the City Council of the City of Garfield, in the County of Bergen and State of New Jersey, as follows:

- SECTION I** Pursuant to the “Local Redevelopment and Housing Law,” N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), the Garfield City Council (“City Council”), by Resolution No. 21-140 adopted on April 27, 2021, determined that properties whose address is 933-975 River Drive, also known as Block 140, Lots 91.01 and 100.02, as shown on the City Tax Maps as an area in need of redevelopment, non-condemnation, pursuant to the Redevelopment Law (the “Redevelopment Area”).
- SECTION II** A Redevelopment Plan for the Redevelopment Area has been prepared by Francis Reiner, LLA, PP of DMR Architects, entitled “933-975 River Drive Redevelopment Plan”, dated May 2022, which is attached hereto and made part of this Ordinance (the “Redevelopment Plan”).
- SECTION III** Prior to the adoption of this Ordinance and the Redevelopment Plan, the City Council shall refer the Redevelopment Plan to the Planning Board pursuant to the Redevelopment Law.
- SECTION IV** The Planning Board shall, within 45 days after referral by the City Council, transmit to the City Council, a report containing its recommendation concerning the Redevelopment Plan pursuant to the Redevelopment Law.
- SECTION V** Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the City Council shall act upon this Ordinance adopting the Redevelopment Plan pursuant to the Redevelopment Law.
- SECTION VI** The City Council hereby adopts the Redevelopment Plan for Redevelopment Area.
- SECTION VII** Upon adoption of this Ordinance, the Redevelopment Plan shall include the date of adoption of this Ordinance.
- SECTION VIII** This Ordinance shall take effect in accordance with applicable law.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: July 20, 2021

Re-introduced: April 26, 2022

Re-introduced: May 24, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-239-22**

**RESOLUTION BY: COUNCILMAN HERRERA
SECONDED BY: DEPUTY MAYOR DELANEY**

**INTRODUCE ORDINANCE #2934
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING THE 297-301 PASSAIC STREET 2022 PASSAIC STREET
REDEVELOPMENT PLAN FOR BLOCK 41, LOTS 9 AND 11, ALSO KNOWN AS 297-
301 PASSAIC STREET WHICH HAS BEEN DESIGNATED AS A NON-
CONDEMNATION REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1 ET.
SEQ.**

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, June 14, 2022 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law as well as forward a copy of this resolution and ordinance to the Planning Board.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2934**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING THE 297-301 PASSAIC STREET 2022 PASSAIC STREET
REDEVELOPMENT PLAN FOR BLOCK 41, LOTS 9 AND 11, ALSO KNOWN AS 297-
301 PASSAIC STREET WHICH HAS BEEN DESIGNATED AS A NON-
CONDEMNATION REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1ET
SEQ.**

BE IT ORDAINED by the City Council of the City of Garfield, in the County of Bergen and State of New Jersey, as follows:

SECTION I Pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c.79 (C.40A:12A-1 et seq.), the Garfield City Council (“City Council”), by a Resolution adopted on February 11, 2020, determined Block 41, Lots 9 and 11, also known as Passaic Street as shown on the City Tax Maps as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1, et seq. and as a non-condemnation redevelopment area (the “Redevelopment Area”).

SECTION II In furtherance of redeveloping Redevelopment Area, the City Council directed the firm of Benecke Economics to prepare a Redevelopment Plan for the Redevelopment Area, which is entitled 297-301 Passaic Street 2022 Passaic Street Redevelopment Plan, dated February 14, 2022 – April 19, 2022 (Revised), attached hereto and made part of this Ordinance (the “Redevelopment Plan”) and which shall be referred to the Garfield Planning Board (the “Planning Board”) for its review and consideration pursuant to N.J.S.A. 40A:12A-7.e.

SECTION III Prior to the adoption of the Redevelopment Plan, the Planning Board shall, within 45 days after referral by the City Council, transmit to the City Council, a report containing its recommendation concerning the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e.

SECTION IV Upon receipt of the Planning Board’s recommendation or if the Planning Board fails to transmit a recommendation within 45 days after referral, the City Council shall act upon this Ordinance adopting the Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.e.

SECTION V The City Council hereby adopts the Redevelopment Plan for Redevelopment Area.

SECTION VI Upon adoption of this Ordinance, the Redevelopment Plan shall include the date of adoption of this Ordinance.

SECTION VII This Ordinance shall take effect in accordance with applicable law.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: May 24, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-240-22**

RESOLUTION BY: COUNCILMAN HERRERA

SECONDED BY: COUNCILMAN MASLAG

INTRODUCE ORDINANCE #2937

FIRST READING

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 341, ZONING, ARTICLE XI, PARKING SPACES AND LOADING BERTHS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, June 14, 2022 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2937**

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 341, ZONING, ARTICLE XI, PARKING SPACES AND LOADING BERTHS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 341, Zoning, Article XI, Parking Spaces and Loading Berths, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 341, Zoning, Article XI, Parking Spaces and Loading Berths, is hereby amended as follows:

Article XI: Parking Spaces, Loading Berths, and Electric Vehicle Charging Stations

Section 2. The current text of City Ordinance, Part II, General Legislation, Chapter 341, Zoning, Article XI, Parking Spaces and Loading Berths, Section 341-41, Parking Spaces, Subsection 341-41A., Parking requirements, is hereby amended as follows:

§ 341-41 Parking spaces.

A. Parking requirements. No building shall be built or erected nor shall any building be altered so as to expand its usable floor area, nor shall any use listed below be instituted, unless there is provided parking spaces upon the same premises on which the use or structure is located or upon such nearby premises as provided for herein or otherwise within the zoning regulations, in accordance with the following schedule:

Type of use	Minimum Parking Spaces
Single & Two-Family Dwellings:	
2 bedrooms	1.5 spaces
3 bedrooms	2 spaces
4 bedrooms	2.5 spaces
5 bedrooms	3.0 spaces
Garden and low-rise apartments:	
1 bedroom	1.8 spaces
2 bedrooms	2.0 spaces
3 bedrooms	2.1 spaces
Highrise apartments:	
1 bedroom	0.8 spaces
2 bedrooms	1.3 spaces
3 bedrooms	1.9 spaces
Townhouses:	
1 bedroom	1.8 spaces
2 bedrooms	2.3 spaces
3 bedrooms	2.4 spaces
Retail store	1 for each 200 square feet
Service establishment exceeding 1,000 square feet of floor area	1 for each 400 square feet
Bank	1 for each 300 square feet
Office:	
Professional office	1 for each 250 square feet

Type of use	Minimum Parking Spaces
Medical office	1 space per 200 SF of floor area plus 1 space per employee
General/Business office	1 space per 300 SF of floor area
Restaurants with a seating capacity	1 for each 3 seats
Bars & Taverns	1 space per 2 seats
Bowling alleys	3 per alley
Printing and publishing establishment	1 for each 2 employees
Automobile sales agency	1 per 300 square feet of office and showroom
Auto Repair	1 space per 200 square feet of floor area or 2 spaces per bay, whichever is greater
Laundromats	1 space per 2 washing machines
Barber Shops/Beauty Parlors	1 space per chair plus 1 space per employee
Child Care Center	1 space employee
Funeral Parlors	1 space per 75 square feet of viewing area
Research & Development	
Rooming house or tourist house	1 space per 100 square feet of floor area 1 per bedroom in excess of 2
Houses of worship	1 space per 3 seats plus 1 space per 75 square feet of assemblance area. One seat shall be considered 30 inches in calculating the capacity of pews and/or benches. Houses of worship without benches or pews shall provide parking at a rate of 1 parking stall for each 75 square feet of floor space utilized for prayer and/or assembly
Places of public assembly, and/or auditoriums, excluding houses of worship	1 for each 4 seats existing, planned or potential, whichever is greater. For this purpose, the number of seats shall be whichever is the greater of the following: the number of actual seats in existence; or the total number of seats existing and planned; or 1 parking stall for each 50 square feet of floor space in the place of assembly or auditorium. If benches are provided, 1 seat shall be considered 24 inches in calculating the capacity of persons
Shops, mills and factories	1 for each 4 employees, but not less than 1 space for each 1,000 square feet of floor area
Warehouse and storage houses	1 space per 1000 square feet of floor area plus 1 space per 2 employees

Section 3. The current text of City Ordinance, Part II, General Legislation, Chapter 341, Zoning, Article XI, Parking Spaces, Loading Berths, and Electric Vehicle Charging Stations, hereby amended as follows:

§341-44 Electric Vehicle Charging Stations:

A. Purpose.

The purpose of this ordinance is to promote and encourage the use of electric vehicles by requiring the safe and efficient installation of EVSE and Make-Ready parking spaces through municipal parking regulations and other standards. EVSE and Make-Ready parking spaces will support the State's transition to an electric transportation sector, reducing automobile air pollution, greenhouse gas emissions, and storm water runoff contaminants. The goals are to:

1. Provide adequate and convenient EVSE and Make-Ready parking spaces to serve the needs of the traveling public.
2. Provide opportunities for residents to have safe and efficient personal EVSE located at or near their place of residence.
3. Provide the opportunity for non-residential uses to supply EVSE to their customers and employees.
4. Create standard criteria to encourage and promote safe, efficient, and cost-effective electric vehicle charging opportunities in all zones and settings for convenience of service to those that use electric vehicles.

B. Definitions.

Certificate of occupancy: The certificate provided for in N.J.A.C. 5:23-2, indicating that the construction authorized by the construction permit has been completed in accordance with the construction permit, the act and the regulations. See "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.) and regulations adopted pursuant thereto.

Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type of EVSE as follows:

1. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
2. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
3. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

Electric vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

Electric Vehicle Supply/Service Equipment or (EVSE): The equipment, including the cables, cords, conductors, connectors, couplers, enclosures, attachment plugs, power outlets, power electronics, transformer, switchgear, switches and controls, network interfaces, point of sale equipment, and associated apparatus designed and used for the purpose of transferring energy from the electric supply system to a plug-in electric vehicle. "EVSE" may deliver either alternating current or, consistent with fast charging equipment standards, direct current electricity. "EVSE" is synonymous with "electric vehicle charging station."

Make-Ready Parking Space: means the pre-wiring of electrical infrastructure at a parking space, or set of parking spaces, to facilitate easy and cost-efficient future installation of Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment, including, but not limited to, Level Two EVSE and direct current fast chargers. Make Ready includes expenses related to service panels, junction boxes, conduit, wiring, and other components necessary to make a particular location able to accommodate Electric Vehicle Supply Equipment or Electric Vehicle Service Equipment on a "plug and play" basis. "Make-Ready" is synonymous with the term "charger ready," as used in P.L.2019, c.362 (C.48:25-1 et al.).

Private EVSE: EVSE that has restricted access to specific users (e.g., single and two-family homes, executive parking fleet parking with no access to the general public).

Publicly-accessible EVSE: EVSE that is publicly available (e.g., park & ride, public parking lots and garages, on-street parking, shopping center parking, non-reserved parking in multi-family parking lots, etc.).

C. Approvals and Permits.

1. An application for development submitted solely for the installation of EVSE or Make-Ready parking spaces shall be considered a permitted accessory use and permitted accessory structure in all zoning or use districts and shall not require a variance pursuant to C.40:55D-70.
2. EVSE and Make-Ready Parking Spaces installed pursuant to Section D. below in development applications that are subject to site plan approval are considered a permitted accessory use as described in 1. above.
3. All EVSE and Make-Ready parking spaces shall be subject to applicable local and/or Department of Community Affairs permit and inspection requirements.
4. The administrative official, zoning officer, or municipal engineer shall enforce all signage and installation requirements described in this ordinance. Failure to meet the requirements in this ordinance shall be subject to the same enforcement and penalty provisions as other violations of the City of Garfield's land use regulations.
5. An application for development for the installation of EVSE or Make-Ready spaces at an existing gasoline service station, an existing retail establishment, or any other existing building shall not be subject to site plan or other land use board review, shall not require variance relief pursuant to C.40:55D-1 et seq. or any other law, rule, or regulation, and shall be approved through the issuance of a zoning permit by the administrative officer, provided the application meets the following requirements:
 - a. the proposed installation does not violate bulk requirements applicable to the property or the conditions of the original final approval of the site plan or subsequent approvals for the existing gasoline service station, retail establishment, or other existing building;
 - b. all other conditions of prior approvals for the gasoline service station, the existing retail establishment, or any other existing building continue to be met; and
 - c. the proposed installation complies with the construction codes adopted in or promulgated pursuant to the "State Uniform Construction Code Act," P.L.1975, c.217 (C.52:27D-119 et seq.), any safety standards concerning the installation, and any State rule or regulation concerning electric vehicle charging stations.
6. An application pursuant to Section 5. above shall be deemed complete if:
 - a. the application, including the permit fee and all necessary documentation, is determined to be complete,
 - b. a notice of incompleteness is not provided within 20 days after the filing of the application, or
 - c. a one-time written correction notice is not issued by the administrative official or zoning officer within 20 days after filing of the application detailing all deficiencies in the application and identifying any additional information explicitly necessary to complete a review of the permit application.

7. EVSE and Make-Ready parking spaces installed at a gasoline service station, an existing retail establishment, or any other existing building shall be subject to applicable local and/or Department of Community Affairs inspection requirements.
8. A permitting application solely for the installation of electric vehicle supply equipment permitted as an accessory use shall not be subject to review based on parking requirements.

D. Requirements for New Installation of EVSE and Make-Ready Parking Spaces.

1. As a condition of preliminary site plan approval, for each application involving a multiple dwelling with five or more units of dwelling space, which shall include a multiple dwelling that is held under a condominium or cooperative form of ownership, a mutual housing corporation, or a mixed-use development, the developer or owner, as applicable, shall:
 - a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
 - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
 - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
 - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.
 - e. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.
2. As a condition of preliminary site plan approval, each application involving a parking lot or garage not covered in 1. above shall:
 - a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
 - b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
 - c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
 - d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.
 - e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
 - f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.
 - g. Nothing in this subsection shall be construed to restrict the ability to install electric vehicle supply equipment or Make-Ready parking spaces at a faster or more expansive rate than as required above.

- h. Notwithstanding the provisions of this Section, a retailer that provides 25 or fewer off-street parking spaces or the developer or owner of a single-family home shall not be required to provide or install any electric vehicle supply equipment or Make-Ready parking spaces.

E. Minimum Parking Requirements.

1. All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Section 341-41.
2. A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.
3. All parking space calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.
4. Additional installation of EVSE and Make-Ready parking spaces above what is required in Section D. above may be encouraged, but shall not be required in development projects.

F. Reasonable Standards for All New EVSE and Make-Ready Parking Spaces.

1. Location and layout of EVSE and Make-Ready parking spaces is expected to vary based on the design and use of the primary parking area. It is expected flexibility will be required to provide the most convenient and functional service to users. Standards and criteria should be considered guidelines and flexibility should be allowed when alternatives can better achieve objectives for provision of this service.
2. Installation:
 - a. Installation of EVSE and Make-Ready parking spaces shall meet the electrical subcode of the Uniform Construction Code, *N.J.A.C. 5:23-3.16*.
 - b. Each EVSE or Make-Ready parking space that is not accessible for people with disabilities shall be not less than 9 feet wide or 18 feet in length. Exceptions may be made for existing parking spaces or parking spaces that were part of an application that received prior site plan approval.
 - c. To the extent practical, the location of accessible parking spaces for people with disabilities with EVSE and Make Ready equipment shall comply with the general accessibility requirements of the Uniform Construction Code, *N.J.A.C. 5:23*, and other applicable accessibility standards.
 - d. Each EVSE or Make-Ready parking space that is accessible for people with disabilities shall comply with the sizing of accessible parking space requirements in the Uniform Construction Code, *N.J.A.C. 5:23*, and other applicable accessibility standards.
3. EVSE Parking:
 - a. Publicly-accessible EVSE shall be reserved for parking and charging electric vehicles only. Electric vehicles shall be connected to the EVSE.
 - b. Electric vehicles parked in a publicly-accessible EVSE stall shall be permitted for a maximum of two hours.

- c. Electric vehicles may be parked in any parking space designated for parking, subject to the restrictions that would apply to any other vehicle that would park in that space.
- d. Public Parking. Pursuant to *N.J.S.A. 40:48-2*, publicly-accessible EVSE parking spaces shall be monitored by the municipality's police department and enforced in the same manner as any other parking. It shall be a violation of this Section to park or stand a non-electric vehicle in such a space, or to park an electric vehicle in such a space when it is not connected to the EVSE. Any non-electric vehicle parked or standing in a EVSE parking space or any electric vehicle parked and not connected to the EVSE shall be subject to fine and/or impoundment of the offending vehicle as follows:
 - i. First-time offense: \$75.
 - ii. Second-time offense: \$125.
 - iii. Additional offenses: \$150 per offense.
- e. Private Parking. The use of EVSE shall be monitored by the property owner or designee

4. Safety.

- a. Each publicly-accessible EVSE shall be located at a parking space that is designated for electric vehicles only and identified by green painted pavement and/or curb markings, a green painted charging pictograph symbol, and appropriate signage pursuant to Section 5. below.
- b. Where EVSE is installed, adequate site lighting and landscaping shall be provided in accordance with City of Garfield's ordinances and regulations.
- c. Adequate EVSE protection such as concrete-filled steel bollards shall be used for publicly-accessible EVSE. Non-mountable curbing may be used in lieu of bollards if the EVSE is setback a minimum of 24 inches from the face of the curb. Any stand-alone EVSE bollards should be 3 to 4-feet high with concrete footings placed to protect the EVSE from accidental impact and to prevent damage from equipment used for snow removal.
- d. EVSE outlets and connector devices shall be no less than 36 inches and no higher than 48 inches from the ground or pavement surface where mounted, and shall contain a cord management system as described in e. below. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designated and located as to not impede pedestrian travel, create trip hazards on sidewalks, or impede snow removal.
- e. Each EVSE shall incorporate a cord management system or method to minimize the potential for cable entanglement, user injury, or connector damage. Cords shall be retractable or have a place to hang the connector and cord a safe and sufficient distance above the ground or pavement surface. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, or passenger unloading area.
- f. Where EVSE is provided within a pedestrian circulation area, such as a sidewalk or other accessible route to a building entrance, the EVSE shall be located so as not to interfere with accessibility requirements of the Uniform Construction Code, N.J.A.C. 5:23, and other applicable accessibility standards.
- g. Publicly-accessible EVSEs shall be maintained in all respects, including the functioning of the equipment. A 24-hour on-call contact shall be provided on the equipment for reporting problems with the equipment

or access to it. To allow for maintenance and notification, the City of Garfield shall require the owners/designee of publicly-accessible EVSE to provide information on the EVSE's geographic location, date of installation, equipment type and model, and owner contact information.

5. Signs.

- a. Publicly-accessible EVSE shall have posted regulatory signs, as identified in this section, allowing only charging electric vehicles to park in such spaces. For purposes of this section, "charging" means that an electric vehicle is parked at an EVSE and is connected to the EVSE. If time limits or vehicle removal provisions are to be enforced, regulatory signs including parking restrictions shall be installed immediately adjacent to, and visible from the EVSE. For private EVSE, installation of signs and sign text is at the discretion of the owner.
- b. All regulatory signs shall comply with visibility, legibility, size, shape, color, and reflectivity requirements contained within the Federal Manual on Uniform Traffic Control Devices as published by the Federal Highway Administration.
- c. Wayfinding or directional signs, if necessary, shall be permitted at appropriate decision points to effectively guide motorists to the EVSE parking space(s). Wayfinding or directional signage shall be placed in a manner that shall not interfere with any parking space, drive lane, or exit and shall comply with b. above.
- d. In addition to the signage described above, the following information shall be available on the EVSE or posted at or adjacent to all publicly-accessible EVSE parking spaces:
 - i. Hour of operations and/or time limits if time limits or tow-away provisions are to be enforced by the municipality or owner/designee;
 - ii. Usage fees and parking fees, if applicable; and
 - iii. Contact information (telephone number) for reporting when the equipment is not operating or other problems.

6. Usage Fees.

- a. For publicly-accessible municipal EVSE, in addition to any parking metered fees, the fee to use parking spaces within the municipality identified as EVSE spaces shall be:
 - i. \$1.00 per hour for vehicles parked in the designated EV parking spaces up to a maximum of two hours.
 - ii. \$3.00 per hour, or any part thereof, for vehicles parked in the designated EV parking spaces beyond the two-hour charging period.
- b. This fee may be amended by a resolution adopted by the governing body.
- c. Private EVSE: Nothing in this ordinance shall be deemed to preclude a private owner/designee of an EVSE from collecting a fee for the use of the EVSE, in accordance with applicable State and Federal regulations. Fees shall be available on the EVSE or posted at or adjacent to the EVSE parking space.

Section 4. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 5. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: May 24, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-241-22**

RESOLUTION BY: COUNCILMAN MASLAG

SECONDED BY: COUNCILMAN HERRERA

INTRODUCE ORDINANCE #2938

FIRST READING

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 287, STREETS AND SIDEWALKS, ARTICLE IV, EXCAVATIONS IN STREETS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, June 14, 2022 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2938**

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 287, STREETS AND SIDEWALKS, ARTICLE IV, EXCAVATIONS IN STREETS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, Chapter 287, Streets and Sidewalks, Article IV, Excavations in Streets, makes it unlawful for any person to make any excavation, opening or tunnel in, on or under any of the streets, roads or highways of the City without having first obtained a permit; and

WHEREAS, the City of Garfield desires to modify the requirements for the issuance of a permit issued by the City for Excavations of Streets;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 287, Streets and Sidewalks, Article IV, Excavations in Street, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 287, Streets and Sidewalks, Article IV, Excavations in Streets, Subsection 18, Permit Fees, is hereby repealed and replaced as follows:

§287-18 Fees, escrows and countersignature.

A. Fees, escrows, and deposits for permits shall be as follows:

- (1) The fee for a road opening permit shall be \$300.
- (2) The fee for road opening inspections shall be \$350, which shall cover up to a maximum of four site inspections. Additional inspections shall require a fee of \$75 per inspection.

B. All permits shall be countersigned by the City Manager and the City Engineer. A preconstruction meeting may be required by the City Manager and/or the City Engineer. A preconstruction meeting shall be required for all excavations involving more than 100 linear feet.

Section 2. The current text of City Ordinance, Part II, General Legislation, Chapter 287, Streets and Sidewalks, Article IV, Excavations in Streets, Subsection 19, Performance guaranty, is hereby repealed and replaced as follows:

§ 287-19 Performance guaranty.

- A. No permit shall be issued unless and until the applicant therefor has filed with the City Manager or his designee a performance guaranty, in an amount of \$5,000.00 to ensure that the surface of the portion of the public way to be excavated, opened or tunneled shall be restored to its original condition within the time set forth in the application for the permit.
- B. As shall be determined by the DPW Superintendent or his/her designee, the performance guaranty may be in the form of a cash bond accompanied by a certified check payable to the City of Garfield or in the form of a surety bond issued by a bonding or surety company authorized to do business in the State of New Jersey, and shall be in an amount equal to the Engineer's estimate. The bond shall remain in full force and effect until released, which release shall be given upon satisfactory completion of the restoration of the surface in accordance with the terms and conditions as set forth in the permit.
- C. In the event of failure of performance under a cash bond, the City may use the proceeds of the cash bond to pay the cost of restoration, and any amount in excess of the cost shall be returned to applicant. In the event of failure of performance under a surety bond, the City Manager shall notify City Council, which shall authorize the commencement of appropriate proceedings to compel performance in accordance with the terms of the bond.

Section 3. The current text of City Ordinance, Part II, General Legislation, Part II, General Legislation, Chapter 287, Streets and Sidewalks, Article IV, Excavations in Streets, Subsection 24, Inspections, Enforcement, is hereby amended to read as follows:

§ 287-24 Inspections; Completion of Work; Maintenance

- A. The City Manager or his designee shall from time to time inspect or cause to be inspected all excavations, openings or tunnels being made in, on or under any street, road or highway in the City to see to the enforcement of the provisions of this article. Notice shall be given to him at least 10 hours before the work of refilling any tunnel or excavation commences.
- B. Upon completion of the work involved in such street opening, a request for inspection shall be made to the Superintendent of the Department of Public Works. If the inspection discloses that the street has been properly restored, he shall issue a certificate of proper restoration and cause the same to be filed with the City Clerk.
- C. The person receiving the permit shall be responsible for the proper maintenance of that portion of the street over which the permit has been issued, including continued backfilling to compensate for settlement, for a period of one year from the date of the certification of the proper restoration of the street by the Superintendent of the Department of Public Works. The permittee shall assume all liability for damages resulting therefrom or in any way connected therewith.

Section 4. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 5. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: May 24, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-242-22**

RESOLUTION BY: COUNCILMAN HERRERA

SECONDED BY: COUNCILMAN MASLAG

INTRODUCE ORDINANCE #2939

FIRST READING

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE 1, PARKING ON PRIVATE PROPERTY, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard in City Hall on Tuesday, June 14, 2022 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

BE IT FURTHER RESOLVED, that the City Clerk be and she is hereby authorized to advertise in a legal newspaper a notice of introduction and final hearing as required by law.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2939**

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226,
PARKING, ARTICLE 1, PARKING ON PRIVATE PROPERTY, OF THE REVISED
GENERAL ORDINANCES OF THE CITY OF GARFIELD**

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 226, Parking, Article 1, Parking of Private Property, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 226, Parking, Article I, Parking on Private Property, Subsection 1.B., Parking Prohibited in Front Yard, is hereby amended as follows:

§ 226-1 Parking Prohibited

A. Prohibited parking on certain lands; River Front Park.

1. It shall be unlawful for any person to operate a vehicle upon, or to park or leave standing any vehicle on, lands owned by or under the control of another, whether such lands are public or private, except as may be specifically permitted by the person owning or controlling said lands, after notice has been posted by the owner or other person in control of such lands, prohibiting such parking upon or other operation of a motor vehicle on said lands. Nothing herein contained shall apply to any lands lying within the bounds of any public street or highway.
2. There shall be a two-hour parking limit for any vehicle parked in the River Front Park, south side parking lot, spanning from Outwater Lane to the border of the City of Garfield and Elmwood Park. The City Manager shall have the authority to issue a revocable permit to park beyond this two-hour limit upon application to the City Manager for good cause. The issuance of such a permit and the revocation thereof shall be at the sole discretion of the City Manager.

B. Parking Prohibited; Residential Properties

1. Parking of all motor vehicles on lots containing residential dwellings including multi-family dwellings and garden apartments shall be on designated paved surfaces. Parking in a Yard, as defined in Section 341-2, is strictly prohibited.
2. Motor vehicles parked in the Front Yard as defined in Section 341-2 shall not be permitted nearer than five feet to the right-of-way line of the street.

Section 2. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: May 24, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

Deputy Mayor Delaney opened the floor for a public hearing. No one wished to be heard.

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-243-22**

**RESOLUTION BY: COUNCILMAN MASLAG
SECONDED BY: COUNCILMAN HERRERA**

**INTRODUCE ORDINANCE #2936
SECOND READING**

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

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 1, GENERAL PROVISIONS, ARTICLE II, GENERAL PENALTY, SUBSECTION 1-16, VIOLATIONS AND GENERAL PENALTY OF THE REVISED ORDINANCES OF THE CITY OF GARFIELD

was introduced and passed at a meeting held on Tuesday, May 10, 2022 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2936**

AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 1, GENERAL PROVISIONS, ARTICLE II, GENERAL PENALTY, SUBSECTION 1-16, VIOLATIONS AND GENERAL PENALTY OF THE REVISED ORDINANCES OF THE CITY OF GARFIELD

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part I, Administrative Legislation, Chapter 1, General Provisions, Article II, General Penalty, Subsection 1-16, Violations and General Penalty, hereby amended as follows:

Section 1. The current text of City Ordinance, Part I, Administrative Legislation, Chapter 1, General Provisions, Article II, General Penalty, Subsection 1-16, Violations and General Penalty, is hereby amended as follows:

§ 1-16 Violations and general penalty.

- a. For violation of any of the provisions of this chapter, any other chapter of this Code or any other ordinances of the City of Garfield, where no specific penalties are otherwise provided regarding the section violated, the maximum penalty, upon conviction, shall be a fine not to exceed \$2,000 or imprisonment for a term not exceeding 90 days or by a period of community service not exceeding 90 days. All individual penalty provisions set forth in the Code of the City of Garfield are deemed amended accordingly.
- b. The municipality imposes a service charge to be added to any account owing to the municipality, if payment tendered on the account was returned for insufficient funds.
 - i. The service charge for insufficient funds shall be \$20 per check, electronic transfer, or any other written instrument that resulted in the notice of insufficient funds;
 - ii. Whenever an account owing to a municipality is for a tax or special assessment, the service charge authorized by this section shall be included on whatever list of delinquent accounts is prepared for the enforcement of a lien; and
 - iii. For repeat offenders, the governing body may require future payments to be tendered in cash or by certified or cashier's check.

Section 2. Any article, chapter, section, paragraph, subsection, clause, or other provision of the Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

Section 3. In case, for any reason, any portion or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other portion or provision of this Ordinance, except so far as the portion or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: May 10, 2022

Adopted: May 24, 2022

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-244-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPROVAL OF BILLS AND CLAIMS

BE IT RESOLVED by the City Council of the City of Garfield that the following Bills No. 2325 covering Dog Trust totaling \$33.00 and the Current Fund Reserve totaling \$12,749.98 and the Current Fund totaling \$1,105,318.54 and the Water Fund totaling \$86,545.05 and the General Capital Fund totaling \$54,281.07 and the Water Capital Fund totaling \$37,344.70 per attached Computer Lists, dated May 20, 2022, 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 forty-six (46) items prior to the meeting be ratified.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-245-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING EMERGENCY SERVICES TO CLEAN AND REMEDIATE PARTS OF
FIREHOUSE #3 IN THE CITY OF GARFIELD IN RESPONSE TO A SANITARY
SEWER LATERAL FAILURE**

WHEREAS, emergency services are required to clean and remediate parts of Firehouse #3 as a result of a failure in the sanitary sewer lateral on May 16, 2022; and

WHEREAS, the failure of the sanitary sewer lateral causes an immediate healthy and safety; and

WHEREAS, Public Sewer Service will provide emergency services to replace deteriorated grease trap in kitchen of Firehouse #3 for a fee of \$12,817.71 which we found fair and reasonable; and

WHEREAS, the cleaning and remediation must be completed to the satisfaction of the Department of Public Works and the City Engineer;

NOW, THEREFORE, BE IT RESOLVED payment is hereby authorized upon completion of the work to Public Sewer Service for \$12,817.71 to be paid out of account C-04-55-999-000-970.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-246-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING EMERGENCY SERVICES TO CLEAN AND REMEDIATE PARTS OF
FIREHOUSE #3 IN THE CITY OF GARFIELD IN RESPONSE TO A SANITARY
SEWER LATERAL FAILURE**

WHEREAS, emergency services are required to clean and remediate parts of Firehouse #3 as a result of a failure in the sanitary sewer lateral on May 16, 2022; and

WHEREAS, the failure of the sanitary sewer lateral causes an immediate healthy and safety; and

WHEREAS, Public Sewer Service will provide emergency services to replace 52' section of sagged sewer line in grass/concrete area of Firehouse #3 for a fee of \$13,499.72 which we found fair and reasonable; and

WHEREAS, the cleaning and remediation must be completed to the satisfaction of the Department of Public Works and the City Engineer;

NOW, THEREFORE, BE IT RESOLVED payment is hereby authorized upon completion of the work to Public Sewer Service for \$13,499.72 to be paid out of account C-04-55-999-000-970.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-247-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPROVING REFUND OF STREET OPENING

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

WHEREAS, a deposit has been received from B & A General Construction, LLC for 91 Jewell Street, Block 158 Lot 1 in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on March 31, 2021 and said funds are being held in the Trust Other Fund; and

WHEREAS, the Building Inspector has investigated this deposit and has determined that it is due to the above individual;

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

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-248-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL
SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN
(D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR
THE 2022 ROAD PROGRAM**

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2022 Road Program; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of City of Garfield authorize the City Manager, Erin N. Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2022 Road Program as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield Council approves the authorization of the City Manager, Erin N. Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2022 Road Program as outlined in their proposal in the amount of \$105,000.00 to be paid out of account C-04-55-222-925-002.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-249-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL
SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN
(D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR
THE 2022 NJDOT MIDLAND AVENUE PROJECT**

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2022 NJDOT Midland Avenue Project; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of City of Garfield authorize the City Manager, Erin N. Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2022 NJDOT Midland Avenue Project as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield Council approves the authorization of the City Manager, Erin N. Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the 2022 NJDOT Midland Avenue Project as outlined in their proposal in the amount of \$105,000.00 to be paid out of accounts C-04-55-222-925-002, C-04-55-999-000-975, and C-04-55-222-925-001.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-250-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL
SERVICES AGREEMENT WITH COLLIERS ENGINEERING & DESIGN
(D/B/A MASER CONSULTING) TO PROVIDE ENGINEERING SERVICES FOR
THE HOBART PARK PLAYGROUND IMPROVEMENTS PROJECT**

WHEREAS, it is in the best interest of the City of Garfield to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Hobart Park Playground Improvements Project; and

WHEREAS, the terms of the agreement are outlined in proposal documents submitted by Colliers Engineering & Design; and

WHEREAS, the agreement is for professional services and as a result is exempt from the public bidding process; and

WHEREAS, the Mayor and Council of City of Garfield authorize the City Manager, Erin N. Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Hobart Park Playground Improvements Project as outlined in their proposal;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield Council approves the authorization of the City Manager, Erin N. Delaney, to enter into an agreement with Colliers Engineering & Design to provide engineering services for the Hobart Park Playground Improvements Project as outlined in their proposal in the amount of \$25,000.00 to be paid out of accounts C-04-55-999-000-941, C-04-55-999-000-952, and C-04-55-999-000-974.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-251-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE APPLICATION OF A GRANT/LOAN WITH THE NJDEP
GREEN ACRES PROGRAM**

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

WHEREAS, the City of Garfield has obtained a grant of \$119,932.50 from the State to fund the following project(s): Improvements to 20th Century Field at a cost of \$180,000.00; and

NOW, THEREFORE, BE IT RESOLVED that the governing body resolves that City Manager Erin N. Delaney is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent or the above-named applicant; and

BE IT FURTHER RESOLVED, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

BE IT FURTHER RESOLVED, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project; and

BE IT FURTHER RESOLVED by the City of Garfield:

1. That the City Manager of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Improvements to 20th Century Field;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$39,977.50;
3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-252-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

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

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

WHEREAS, the City of Garfield desires to further the public interest by obtaining a dollar-for-dollar matching grant of \$1,689,000 from the County Trust Fund to fund the following project: 20th Century Field Improvements; and

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

WHEREAS, as part of the application process, the Council received held the required Public Hearing to receive public comments on the proposed park improvements in the application on May 24, 2022; and

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

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

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of May 6, 2021, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the City of Garfield has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the City of Garfield is committed to providing a dollar-for-dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the City of Garfield agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-253-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

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

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

WHEREAS, the City of Garfield desires to further the public interest by obtaining a matching grant of \$350,000.00 from the County Trust Fund to fund the following project: Garfield Riverwalk Expansion – Acquisition Phase V; and

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

WHEREAS, as part of the application process, the Council held the required Public Hearing to receive public comments on the proposed land acquisition project in the application on May 24, 2022; and

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

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

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

1. That it is hereby authorized to submit the above completed project application to the Trust Fund by this year’s deadline of May 6, 2022, as established by the County; and,
2. That, in the event of a Trust Fund award may be less than the grant amount requested above, the applicant has, or will secure, the balance of funding necessary to complete the project; and,
3. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
4. That this resolution shall take effect immediately.

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

Anders Hasseler, Chief Financial Officer

May 23, 2022
Dated

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-254-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**URGING THE NEW JERSEY LEGISLATURE TO AMEND THE
BUDGET CAP LAW TO APPROPRIATE FUNDS FOR INCREASING
INSURANCE COSTS**

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its budget to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and

WHEREAS, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and

WHEREAS, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that were previously funded by the State pension system; and

WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and

WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and

WHEREAS, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and

WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at a greater rate than 2 1/2%;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garfield that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Budget CAP and the Levy CAP Law 40A:4-45.44 through 45.47 treating these costs as a waiver of extraordinary costs for amounts above the 2.5% allowable increase; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Legislative representatives for the City of Garfield.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-255-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING ISSUANCE OF A ROAD OPENING PERMIT FOR WORK
ASSOCIATED WITH 121 SCHLEY STREET TO GEOPRO, INC. OF 76 COBB
STREET, ROCKAWAY, NJ 07866**

WHEREAS, GeoPro, Inc. has requested the issuance of a Road Opening Permit for the purposes of installing two (2) semi-permanent monitoring wells within the City of Garfield’s right-of-way, specifically, Schley Street; and

WHEREAS, this request is in response to action taken to delineate/remediate a discharge associated with a former heating oil tank located at 121 Schley Street in the City of Garfield; and

WHEREAS, GeoPro, Inc. has been working with the New Jersey Department of Environmental Protection and has determined these monitoring wells are necessary for continued delineation/remediation; and

NOW, THEREFORE, BE IT RESOLVED the issuance of a Road Opening Permit for the installation of two (2) semi-permanent monitoring wells within the City of Garfield’s right-of-way, associated with 121 Schley Street is hereby authorized to GeoPro, Inc.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-256-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPOINTMENT OF LIBRARY BOARD OF TRUSTEES MEMBER

BE IT RESOLVED, by the Mayor and Council of the City of Garfield that the appointment of:

Raymond Rivas

to the Library Board of Trustees effective May 24, 2022 to fill an unexpired term, extending until December 31, 2024 as per their newly adopted bylaws, be and is hereby confirmed; and

BE IT FURTHER RESOLVED that resolution R-168-22 be and is hereby rescinded.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-257-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPOINTMENT OF LIBRARY BOARD MAYOR'S ALTERNATE

BE IT RESOLVED, by the Mayor and Council of the City of Garfield that the appointment of:

Chris Braitsch

to the Library Board as the Mayor's Alternate effective May 24, 2022 to run concurrently with the remainder of the Mayor's term be and is hereby confirmed.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-258-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPOINTMENT OF PARKING AUTHORITY MEMBERS

WHEREAS, as per N.J.S.A. 40:11A et. seq. the Mayor and Council of the City of Garfield established an independent parking authority via Ordinance No. 2899, duly adopted on October 26, 2021; and

WHEREAS, the authority is to consist of five members on staggered terms, running from January 1st through December 31st of their respective years, with the exception of this initial appointment; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield that the following individuals be appointed to the parking authority, effective immediately, as follows:

<u>Name</u>	<u>Term Ending</u>
Richard Torre	December 31, 2026
Daniel Rigoglioso	December 31, 2025
Christopher Braitsch	December 31, 2024
Kimberly Hardy Gato	December 31, 2023
Jose Gignoux	December 31, 2022

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-259-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH
NATIONAL METERING SERVICES, INC. IN ACCORDANCE WITH PHASE 2 OF
THE WATER METER REPLACEMENT PROGRAM**

WHEREAS, the City advertised for bids for Phase 2 of the Water Meter Replacement Program; and

WHEREAS, pursuant to the advertisement, Contractor presented a sealed proposal in accordance with the Notice to Bidders, plans and specifications and all materials and information furnished to bidders, the same being on file in the City Clerk's Office; and

WHEREAS, contractor's bid for Phase 2 of the Water Meter Replacement Program in the amount of \$1,586,542.75 was accepted by the City Council pursuant to Resolution No. R-216-22 adopted on May 10, 2022;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield hereby directs the City Manager to execute the contract with National Metering Services, Inc., for the replacement of water meters in accordance with Phase 2 of the Water Meter Replacement Program.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-260-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPROVING HANDICAP PARKING SPACE

WHEREAS, Madeline Matarranz, 35 Lanza Avenue, who is the holder of a Disabled Person I.D. Card No. P2582660, has filed an application for a handicap parking sign to be placed at her address; and

WHEREAS, the Police Department has investigated and recommends approval of the application;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the north curb line of Lanza Avenue commencing 478 feet east of the intersection of Lanza Avenue and River Drive and continue an additional 20 feet east from that point; and

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

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-261-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPROVING HANDICAP PARKING SPACE

WHEREAS, Jacqueline Pierro, 85 Wessington Avenue, who is the holder of a Disabled Person I.D. Card No. P2395153, has filed an application for a handicap parking sign to be placed at her address; and

WHEREAS, the Police Department has investigated and recommends approval of the application;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the west curb line of Wessington Avenue commencing 321 feet north of the intersection of Wessington Avenue and Belmont Avenue and continue an additional 20 feet north from that point; and

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

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-262-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

APPROVING LOADING ZONE

WHEREAS, Ewa Zielinski, owner of Garfield Wholesale Flowers, 434 Midland Avenue, has filed an application for a loading zone to be placed at her business; and

WHEREAS, the Police Department has investigated and recommend approval of the application;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that a loading zone be designated at Garfield Wholesale Flowers, located on the south curb line of Karl Place commencing 35 feet east of the intersection of Midland Avenue and Karl Place and run an additional 32 feet east from that point; and

BE IT FURTHER RESOLVED that a loading zone is hereby authorized to be in effect Monday through Saturday 7:00am – 4:00pm; and

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

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-263-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR OUTSIDE
EMPLOYMENT OF OFF-DUTY MUNICIPAL OFFICERS REQUIRED BY DLGS**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the City of Garfield provides for receipt of Outside Employment of Off Duty Municipal Officers by the municipality to provide for the operating costs to administer this act; and

WHEREAS, Local Finance Notice 2000-14 provides the dedicated revenues anticipated from Outside Employment of Off Duty Municipal Officers are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The City Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of Outside Employment of Off Duty Municipal Officers.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward two certified copies of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-264-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

ACKNOWLEDGING 15th YEAR ANNIVERSARY OF ILEARN SCHOOLS

WHEREAS, iLearn Schools is celebrating its 15th year anniversary this year and will commemorate this milestone with a gala on May 26, 2022; and

WHEREAS, iLearn Schools opened Bergen Arts and Science Charter School as a K-5 school at 200 MacArthur Ave. Garfield, NJ, serving just over 300 students; and

WHEREAS, iLearn Schools mission is to provide high-quality STEAM-based education in a digital learning environment where students are empowered to meet and surpass grade-level standards and to succeed in college, careers, and life; and

WHEREAS, iLearn Schools was established to give all students, regardless of where they live or what their backgrounds, equal opportunities for success in life moving forward; and

WHEREAS, iLearn Schools impacts approximately 5,000 students every year, providing them access to high-quality educational and experiential opportunities to help them succeed in college, career, and life;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield do hereby acknowledge and congratulate iLearn Schools on their 15th Year Anniversary.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-265-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

ACKNOWLEDGING 100th YEAR ANNIVERSARY OF STATE FARM

WHEREAS, State Farm is celebrating its 100th anniversary in 2022; and

WHEREAS, the City of Garfield recognizes the positive impact the company and its agents have on our community as they have been taking care of customers in the State of New Jersey since 1940; and

WHEREAS, State Farm was founded in the United States on the seventh of June in the year 1922 by G.J. Mecherle, a farmer from Merna, IL;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield do hereby proclaim June 7, 2022, as State Farm Day in the City of Garfield and they call upon the residents of the City to observe this day by demonstrating what being a good neighbor is all about through acts of kindness and making people feel welcome.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-266-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE PLANNING BOARD TO CONDUCT A REVIEW OF
ORDINANCE 2937, AN ORDINANCE TO AMEND PART II, GENERAL
LEGISLATION, CHAPTER 341, ZONING, ARTICLE XI, PARKING SPACES AND
LOADING BERTHS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF
GARFIELD**

WHEREAS, N.J.S. 40:55D-26 provides that prior to adoption of any development regulation by the governing body the governing body must transmit same to the planning board for its report and recommendations thereon; and

WHEREAS, the planning board has 35 days after the referral to submit a report and if it fails to do so, then the governing body may proceed to adopt the proposed development regulations or amendment; and

WHEREAS, if the planning board does make a recommendation to the governing body with respect to such ordinance or amendment, the governing body must consider the report and may approve or change any such recommendation by a vote of the majority of its full authorized membership and shall record in the minutes the reasons for its not following such recommendations; and

WHEREAS, on May 24, 2022 the governing body of the City of Garfield introduced Ordinance 2937, an ordinance to amend Part II, General Legislation, Article XI, Parking Spaces and Loading Berths, Subsection 341-41, including certain revisions to the parking requirements contained in Section 341-41A., as well as, the inclusion of Section 341-44, an Ordinance governing Electric Vehicle Charging Stations; and

WHEREAS, the governing body of the City of Garfield seeks planning board review and comment of the proposed amendments introduced pursuant to Ordinance 2937;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield hereby directs the City of Garfield Planning Board to conduct a review and issue a report for the proposed amendments to Part II, General Legislation, Chapter 341, Zoning, Article XI, Parking Spaces and Loading Berths, of the revised general ordinances of the City of Garfield.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-267-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED
TAX BILLS IN ACCORDANCE WITH P.L. 1994, C 72**

WHEREAS, due to the late adoption of the State of New Jersey's budget the County Board of Taxation is unable to certify the tax rate at this time and the Tax Collector will be unable to mail the tax bills on a timely basis;

WHEREAS, the Tax Collector and the Chief Financial Officer has determined that an estimated 3rd quarter tax bill is economically feasible and prudent to the fiscal stability of the City using a estimated tax rate of 3.18 which constitutes a 1.05% increase from the certified tax 2021 levy and;

WHEREAS, the Tax Collector of the City of Garfield has determined that the mailing of the 3rd quarter City of Garfield Tax Bills will be ready for mailing on or before June 14, 2022, and;

WHEREAS, once the City of Garfield receives from the County Board of Taxation, a certified tax rate for the calendar year 2021, the tax collector shall forthwith reconcile and prepare the 4th quarter reconciled tax bill and estimated 1 and 2 quarter 2022 taxes due.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Garfield, in the County of Bergen and the State of New Jersey as follows:

1. The Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the municipality for the third installment of 2022 taxes. The Tax Collector shall proceed and take such actions as permitted and required by P.L. 1994, c72 (N.J.S.A. 54:4- 66.2 and 54:4-66.3).
2. The estimated tax levy for 2022 is hereby set at \$68,317,018.00.
3. In Accordance with law the third installment of 2022 taxes shall not be subject to interest until the later of; the grace period or the twenty-fifth calendar day after the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date which interest may begin to accrue.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-268-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**REQUESTING CANCELLING GRANT RECEIVABLE AND APPROPRIATION
BALANCES**

WHEREAS, there exists Grant Receivables and Grant Appropriation Reserves on the Balance Sheet; and

WHEREAS, it is necessary to formally cancel the receivable balances and their offsetting appropriation balances from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Garfield, County of Bergen, State of New Jersey that the following grant receivable and appropriation balances be canceled:

Grant	Year	Cancel Appropriation	Cancel Receivable
Neighborhood Preservation	2019	51,244	51,245
Bergen County Open Space (Ord 2374)	2003		50

1. The City Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Auditor a certified copy of this resolution.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward a copy of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-269-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO EXECUTE A SHARED SERVICE
CONTRACT WITH THE TOWNSHIP OF SADDLE BROOK FOR SEWER
TRANSMISSION SERVICES**

WHEREAS, the Parties are municipalities located within Bergen County, State of New Jersey, authorized by law to enter into an agreement with another municipality to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the “Uniform Shared Service and Consolidation Act,” N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, the Parties are committed to delivering services to their respective taxpayers in the most effective and cost-efficient manner; and

WHEREAS, pursuant to a previous agreement between the Parties Garfield provided sewage transmission services to a portion of Saddle Brook residents and transmitted same to the Passaic Valley Sewerage Commission’s (“PVSC”) treatment facility located in Newark, New Jersey; and

WHEREAS, the Parties wish to memorialize the sewer service agreement in a written instrument to accurately reflect and define the agreement between the Parties;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield hereby directs the City Manager to execute the Shared Services Contract with the Township of Saddle Brook for sewer transmission services for the calendar year 2022.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-270-22**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILMAN HERRERA**

RESOLUTION TO ACCEPT THE CONSENT AGENDA

BE IT RESOLVED, by the Mayor and Council of the City of Garfield that the actions noted in the Consent Agenda, Resolutions R-244-22 through R-270-22 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-271-22**

RESOLUTION BY: COUNCILMAN HERRERA

SECONDED BY: COUNCILMAN MASLAG

INTRODUCE ORDINANCE #2935

SECOND READING

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

CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

was introduced and passed at a meeting held on Tuesday, April 26, 2022 and that further consideration of this ordinance would be taken up at this meeting; and

WHEREAS, all persons interested in said ordinance were given an opportunity to be heard concerning the same;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that said ordinance pass on final reading.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2935**

**CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the City of Garfield in the County of Bergen finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Governing Body hereby determines that a 1.0% increase in the budget for said year, amounting to \$315,507 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years;

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Garfield in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the City of Garfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by up to 3.5 %, amounting to \$1,104,274, and that the CY 2022 municipal budget for the City of Garfield be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: April 26, 2022

Adopted: May 24, 2022

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-272-22**

**RESOLUTION BY: COUNCILMAN HERRERA
SECONDED BY: COUNCILMAN MASLAG**

AMENDMENT OF 2022 MUNICIPAL BUDGET

WHEREAS, the local municipal budget for the year 2022 was approved on the 26th day of April, 2022, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Garfield, County of Bergen, that the following amendments to the approved budget of 2022 be made:

	<u>From</u>	<u>To</u>
General Revenues		
3. Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations		
Recycling Tonnage	\$ -	\$ 5,332
Click It or Ticket	-	500
Total Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations	52,988	58,820
Total Miscellaneous Revenues	8,683,966	8,689,798
Subtotal General Revenues	13,507,966	13,513,798
6. Amount to be Raised by Taxes for Support of Municipal Budget		
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	26,903,338	26,653,338
Total Amount to be Raised by Taxes for Support of Municipal Budget	27,869,037	27,619,037
7. Total General Revenues	<u>\$41,377,003</u>	<u>\$41,132,835</u>

	<u>From</u>	<u>To</u>
General Appropriations		
(A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues		
Recycling Tonnage	\$ -	\$ 5,332
Click it or Ticket	-	500
Total Public and Private Programs Offset by Revenues	52,988	58,820
Total Operations - Excluded from "CAPS"	2,896,687	2,902,519
(C) Capital Improvements - Excluded from "CAPS"		
Capital Improvement Fund	600,000	200,000
Total Capital Improvements - Excluded from "CAPS"	600,000	200,000
(D) Municipal Debt Service - Excluded from "CAPS"		
Payment of Bond Anticipation Notes and Capital Notes	73,000	223,000
Total Municipal Debt Service - Excluded from "CAPS"	3,523,411	3,673,411
(H-2, O) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	7,645,098	7,400,930
(L) Subtotal General Appropriations	39,377,003	39,132,835
9 Total General Appropriations	<u>\$41,377,003</u>	<u>\$41,132,835</u>

Water Utility Budget

Dedicated Revenues from Water Utility

Operating Surplus Anticipated	\$ 338,000	\$ 1,338,000
Total Water Utility Revenues	<u>\$ 3,732,710</u>	<u>\$ 4,732,710</u>

Appropriations for Water Utility

Debt Service

Payment of Bond Anticipation Notes & Capital Notes	\$ 50,850	\$ 1,050,850
Total Water Utility Appropriations	<u>\$ 3,732,710</u>	<u>\$ 4,732,710</u>

BE IT FURTHER RESOLVED, that this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services for certification of the 2022 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with NJSA 40A:4-9, be published in The Record in the issue of May 31, 2022 and that said publication contain notice of a public hearing on said amendment to be held at City Hall on June 14, 2022, at 6:00 P.M.

APPROVED: May 24, 2022

Richard Rigoglioso, Mayor

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

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Maslag	X			
Herrera	X			
Banch				X
Delaney	X			
Rigoglioso				X

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 24th day of May 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

PUBLIC COMMENT

Deputy Mayor Delaney opened the floor for public comment. No one wished to be heard.

MAYOR & COUNCIL COMMENTS

Councilman Maslag stated that the Mental Health Awareness walk was a huge success. He spoke about the upcoming Memorial March and PRIDE celebration. Councilman Maslag ended his remarks by thanking Andrea Espinosa for her work in preparing the PRIDE celebration.

Councilman Herrera gave kudos to the events committee for all of their hard work during the recent 10-day carnival.

Deputy Mayor Delaney reiterated the sentiments of Councilmen Maslag and Herrera. He then went on to thank Edward Stefanik and his wife for his years of service and gave credit to Councilman Maslag for biking from Pittsburgh to Washington DC to support a cause he believes in.

ADJOURNMENT

A motion was made by Councilman Herrera and seconded by Councilman Maslag to adjourn. The motions carried unanimously by those present.

Respectfully submitted,

Erin Delaney, MPA, RMC
City Manager/City Clerk

These meeting minutes were approved at the June 14, 2022 Work Session meeting of the Mayor & Council.