

**WORK SESSION MEETING
OF THE
CITY OF GARFIELD MAYOR AND COUNCIL
July 19, 2022
5:30P.M.**

The Work Session Meeting of the Garfield Mayor and Council for July 19, 2022 was called to order by City Manager/City Clerk Erin Delaney at 5:53PM. The Statement of Compliance was read.

Councilmembers Maslag*, Herrera, & Banch and Deputy Mayor Delaney were present. Also present were City Manager/City Clerk Erin Delaney, City Attorney Daniel Lagana and John Lavin, Chief Financial Officer Anders Hasseler, City Engineer Carl O'Brien, and City Special Engineer Kevin Boswell.

**Councilman Maslag participated via teleconference until arriving in person at 6:36PM.*

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.

Now, therefore be advised, that the meeting requirements for this meeting have been met by publishing an annual notice in The Record and Herald News of Woodland Park 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. Notice was posted on January 10, 2022 and published on January 13, 2022. A notice of time change was posted on July 8, 2022 and published on July 12, 2022.

M2 Real Estate – Passaic Street Redevelopment Plan:

M2 Real Estate made reviewed their redevelopment plan for the properties designated an area in need of redevelopment located at _____ Passaic Street. They noted that the concerns previously noted by the Mayor and Council were amended in the plan highlighting that the building was reduced by two stories, parking was increased, and the units were capped at 70 with no 3-bedroom units.

Francis Reiner – DMR Architects – Hepworth and River Redevelopment Plans:

Francis Reiner of DMR Architects reviewed the redevelopment plans for 69 Hepworth Place and 933 River Drive, both of which were designated as areas in need of redevelopment. Discussion ensued regarding affordable housing, which will be included at the Hepworth Place location.

2021 Audit Discussion:

City Manager/City Clerk Delaney and CFO Hasseler reviewed the 2021 Audit workbook with the Mayor and Council. They discussed the audit comments and recommendations made by the City Auditor, Dieter Lerch, and advised there was only one repeat finding. Ms. Delaney and Mr. Hasseler noted that since assuming both of their new roles they have been doing a lot of “clean-up” which will result in audit comments moving forward until everything is rectified.

Reports of the Cabinet and City Council:

Boswell Engineering:

Mr. Boswell provided updates on the following projects: Well 8C, Water Meter Phase I & II Replacement, and NJDOT Semel Avenue Improvements. He shared that the permit needed for River Drive Phase II will be received by the end of the month and that bidding can take place once it is received and the bond is in place. Mr. Boswell noted that we worked with Ms. Delaney on a presentation made to the County for their BCOS Land Acquisition grant for the Sommese property on River Drive.

Colliers Engineering:

Mr. O'Brien shared that the NJDOT Midland Avenue, Hobart Park, and Columbus Park projects are currently in the design phase. He noted that the 2021 Road Program is now complete and the 2022 Road Program will be awarded at the August meeting. Lastly, he touched base on the status

of the Fire Company 3 Basketball Court coating and Jewell Street Park Improvement issues with the contractor.

Report of the City Manager:

Resolution:

1. **Resolution** – City Manager/City Clerk Delaney reviewed the request from Risk Manager John Calandriello for the City to switch firms. She asked that the City Attorney look into the current contract and provide guidance as to best steps should this be the direction the Governing Body wishes to pursue. Mr. Lagana noted that he would review the same and have resolutions prepared for the August meeting.

Ordinances:

2. **Water Rates** – City Manager/City Clerk Delaney advised that she does not have the authority to increase the City’s water rates and that it would need to be done via ordinance. Due to the increased costs with water purchased from Passaic Valley and other improvements it was recommended that the rates be increased by 3%.
3. **HRC Equality Index** – City Manager/City Clerk Delaney shared that Councilman Maslag made a request for an ordinance that would adopt an HRC Equality Index. Councilman Maslag then provided details on what it would entail.

Departmental Reports

1. **Building Department – June 2022** – No discussion ensued.
2. **Clerk’s Office – June 2022** – No discussion ensued.
3. **Millennium Strategies through June 2022** – No discussion ensued.
4. **Court Department through May 2022** – No discussion ensued.

Discussion

1. **Subsidies** – City Manager/City Clerk discussed the costs associated with the City providing subsidies to non-profit organizations and other committees within the City. She also noted that the City Auditor does not recommend this practice. The Governing Body was not in favor of eliminating said past practice. It was recommended that the monies come from the public events budget and that specific guidelines be set-up. There was also a suggestion that the donations come from businesses in town and a Dedication by Rider be done.
2. **Stop signs** – City Manager/City Clerk reviewed the request for all-way stop signs to be installed at MacArthur Avenue and Harrison Avenue in addition to Cedar Street and Botany Street. The Governing Body was in favor of doing so.
3. **Fiber Optics Verizon** – City Manager/City Clerk advised that correspondence was received regarding fiber optics from Verizon. City Attorney Lagana stated that he would review the same and provide an opinion.

Action Items:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-362-22**

**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 AS 933-975
RIVER DRIVE, ALSO KNOWN AS BLOCK 140, LOTS 90.01 AND 100.01 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, August 16, 2022 at 5:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard; and

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: July 19, 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 Work Session Meeting held on the 19th day of July 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 AS 933-975
RIVER DRIVE, ALSO KNOWN AS BLOCK 140, LOTS 90.01 AND 100.01 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 21, 2021, determined that properties whose address is 933 River Drive, also known as Block 140, Lots 90.01 and 100.01, as shown on the City Tax Maps as an area in need of redevelopment 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 July 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

Tabled: June 14, 2022

Re-introduced: July 19, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-363-22**

RESOLUTION BY: DEPUTY MAYOR DELANEY

SECONDED BY: COUNCILMAN HERRERA

INTRODUCE ORDINANCE #2948

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 67, 69, 73
AND 77 PASSAIC STRET, ALSO KNOWN AS BLOCK 24.01, LOTS 5.01, 8 AND 10
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, August 16, 2022 at 5:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard; and

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: July 19, 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 Work Session Meeting held on the 19th day of July 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2948**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD
ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 67, 69, 73
AND 77 PASSAIC STRET, ALSO KNOWN AS BLOCK 24.01, LOTS 5.01, 8 AND 10
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 R-288-22 adopted on June 28, 2022, determined that properties whose address is 67, 69, 73 and 77 Passaic Street, also known as Block 24.01, Lots 5.01, 8 and 10, as shown on the City Tax Maps as an area in need of redevelopment pursuant to the Redevelopment Law (the “Redevelopment Area”).

SECTION II A Redevelopment Plan for the Redevelopment Area has been prepared by Gregory Associates, LLC entitled “Champions Crossing Redevelopment Plan”, dated July 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 19, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-364-22**

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

**INTRODUCE ORDINANCE #2949
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 69 HEPWORTH PLACE, ALSO KNOWN AS BLOCK 34.02, LOT 28 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, August 16, 2022 at 5:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard; and

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: July 19, 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 Work Session Meeting held on the 19th day of July 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2949**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARFIELD ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY KNOWN 69 HEPWORTH PLACE, ALSO KNOWN AS BLOCK 34.02, LOT 28 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. 21-245 adopted on December 21, 2021, determined that properties whose address is 69 Hepworth Place, also known as Block 34.02, Lot 28, as shown on the City Tax Maps as an area in need of redevelopment 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 “69 Hepworth Place Redevelopment Plan”, dated July 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 19, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-365-22**

RESOLUTION BY: COUNCILMAN HERRERA

SECONDED BY: COUNCILMAN MASLAG

**APPROVE ANNUAL MUNICIPAL AUDIT REPORT
FOR THE YEAR 2021**

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local Fiscal as per R.S. 52:2788-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the section of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

and;

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Audit, and specifically and sections of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

as evidenced by the group affidavit form to the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as state aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 - to with:

R.S. 52:278852 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both in addition in addition shall forfeit his office;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield, hereby states that it has complied with the promulgations of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

APPROVED: July 19, 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 Work Session Meeting held on the 19th day of July 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-366-22**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: COUNCILWOMAN BANCH**

**APPROVING THE CORRECTIVE ACTION PLAN IN CONNECTION WITH THE
AUDIT REPORT FOR YEAR 2021**

WHEREAS, the City of Garfield has received the Audit Report for the Year 2021; and

WHEREAS, the Annual Audit Report makes various findings and recommendations; and

WHEREAS, the Local Finance Board in the Division of Local Government Services in the New Jersey Department of Community Affairs requires that a Corrective Action Plan be prepared by the Chief Financial Officer with the assistance of other officials affected by the audit recommendations which covers all findings and recommendations in the 2021 Audit Report and sets forth for each finding:

- a) A description of the deficiency (i.e., finding, observation, questioned costs)
- b) An analysis of why the deficiency occurred
- c) A description of procedures to be used to correct the deficiency or reason why the finding will not be corrected
- d) An expected date of implementation (which is required to be no later than six months after the date of the 2021 Audit Report); and

WHEREAS, a Corrective Action Plan has been prepared in accordance with the requirements of the Local Finance Board, attached hereto and made a part hereof; and

WHEREAS, the Chief Financial Officer of the City has recommended that the governing body approve the Corrective Action Plan attached hereto;

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

1. The Corrective Action Plan for Audit Year 2021 attached hereto is hereby approved by the Governing Body of the City of Garfield.
2. The Chief Financial Officer, along with all other appropriate officers and employees of the City are hereby authorized and directed to implement the Corrective Action Plan as approved herein.
3. A copy of this resolution and Corrective Action Plan shall be submitted to the Division of Local Government Services and placed on file in the office of the City Clerk.
4. This resolution shall take effect immediately.

APPROVED: July 19, 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 Work Session Meeting held on the 19th day of July 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-367-22**

RESOLUTION BY: DEPUTY MAYOR DELANEY

SECONDED BY: COUNCILMAN HERRERA

**SUPPORTING YUMA WAY NJ, LLC, AS THE OPERATOR OF A CLASS 5 RETAIL
CANNABIS DISPENSARY TO BE LOCATED IN THE CITY OF GARFIELD**

WHEREAS, on November 3, 2020, the citizens of the State of New Jersey voted to approve Public Question No. 1, amending and supplementing Section VII of Article IV of the New Jersey Constitution to authorize the growth, cultivation, processing, manufacturing, preparing, packaging, transferring, and retail purchasing and consumption of cannabis, or products created from or which include cannabis for persons twenty-one (21) years older in the State of New Jersey; and

WHEREAS, in response to the aforementioned vote of the citizens of the State of New Jersey, the State passed enabling legislation entitled, “The New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (“Act) (P.L.2021, c.16, approved February 22, 2021), which legalized personal use cannabis for certain adults, subject to State regulations, decriminalization small amount marijuana and hashish possession, and removes marijuana as Schedule I drug; and

WHEREAS, pursuant to N.J.A.C. 17:30-7.1, N.J.A.C. 17:30-7.8, and N.J.A.C. 17:30-7.10 Alternative Treatment Centers (“ATCs”) and applicants for cannabis business licenses (“license-applicants”) need to submit proof of local support in the form of municipal approval as part of either their certification (ATCs) or application (cannabis business license applicants); and

WHEREAS, if the municipality has a governing body, a resolution by that governing body that includes: a. The license applicant’s legal name under which they are registered to do business in the State of New Jersey; b. A determination that the municipality has authorized the type of cannabis business license being sought by the license-applicant to operate within its jurisdiction; and c. A confirmation that if the municipality has imposed a limit on the number of licensed cannabis businesses, the issuance of a license to the license applicant by the Commission would not exceed that limit; and

WHEREAS, on July 20, 2021, the governing body of the City of Garfield passed Ordinance 2890, as was subsequently amended by Ordinance 2924, creating Part II, General Legislation, Chapter 100, authorizing the operation of one (1) Class 5 Retail Cannabis Dispensary as a conditionally permitted use in the B-2 Zoning District; and

WHEREAS, the issuance of a Class 5 license to Yuma Way NJ, LLC, to operate in the City of Garfield would not exceed the limit imposed by Ordinance; and

WHEREAS, for those entities that have already received a Resolution of Local Support for the single Class 5 Retail License presently available, the licensed applicant that receives Commission approval first-in-time shall be deemed approved by the municipality;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Garfield that Yuma Way NJ, LLC, be granted this Resolution of Local Support, which is to be viewed by the State of New Jersey as unequivocal support of their application to operate a Class 5 Retail Cannabis License in the City of Garfield.

APPROVED: July 19, 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 Work Session Meeting held on the 19th day of July 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

Executive Session:

A motion was made by Councilman Maslag and seconded by Councilman Herrera to enter into Executive Session. Motion carried by the members present.

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and
WHEREAS, the Governing Body wishes to discuss:

Personnel

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public;

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

A motion was made by Councilman Maslag and seconded by Deputy Mayor Delaney to return to the public portion. Motion carried by the members present.

Adjournment:

A motion was made by Councilman Herrera and seconded by Councilwoman Banch to adjourn. Motion carried by the members present.

Respectfully submitted,

Erin Delaney, MPA, RMC
City Manager/City Clerk

These meeting minutes were approved at the September 13, 2022 Work Session meeting of the Mayor & Council.