

**WORK SESSION MEETING
OF THE
CITY OF GARFIELD MAYOR AND COUNCIL
August 16, 2022
5:30P.M.**

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.

The Work Session Meeting of the Garfield Mayor and Council for August 16, 2022 was called to order by City Manager/City Clerk Erin Delaney at 6:38PM. The Statement of Compliance was read.

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

Munisite 5G Ordinance – Matthew Watkins:

Matthew Watkins from Munisite made a presentation to the Governing Body. He discussed a 5G ordinance for their consideration and also proposed a product of Munisite's for placement on utility poles. Deputy Mayor Delaney requested the opinion of the attorney on the ordinance, of which Mr. Lagana advised the ordinance would be beneficial to the City. Deputy Mayor Delaney then advised that he would like the engineers to provide an opinion on the product proposed. Mr. Watkins advised that the product would be at no cost to the City. Lastly, Mr. Delaney requested information on how many municipalities have adopted the same ordinance and how many have allowed for the installation of the product.

115 Lincoln Place – Assessment/Appraisal Discussion:

Homeowners of 115 Lincoln Place attended the meeting at the invitation of Mayor Rigoglioso to discuss an issue with their assessment. They noted the home was purchased as a three family and is now only recognized as a two family as per the Tax Assessor's office and their Certificate of Occupancy. The homeowners felt that there is a discrepancy in the City's paperwork and would like clarification without having to spend money on obtaining professionals to go in front of the planning board. City Attorney Lagana requested that they send him their documentation so that it can be reviewed and looked into further.

Debbie Irwin, Esq. - Mazzola:

Debbie Irwin, Esq. stood in front of the Governing Body on behalf of Kathy Mazzola, who was also in attendance. Ms. Irwin discussed the need for a state auto body license in order to clean up the property owned by Ms. Mazzola on River Drive due to title issues and the scope of work. Discussion ensued regarding open violations on the property and the applicable City fees not being paid in previous years which, ultimately, led to the lapse of the license. City Attorney Lagana advised that he would work with Ms. Irwin separately on this matter.

Reports of the Cabinet and City Council:

Boswell Engineering:

Mr. Boswell stated that the pre-construction meeting is scheduled for the 18th for the Elmwood Park Wellfield project and noted that it should be complete by the end of February with the

expectation that the filters will be delivered in September. He also provided an update on the NJDOT Semel Avenue paving project which is expected to be done at the end of August, weather permitting. Mr. Boswell shared that he attended a meeting scheduled by City Manager Delaney with PVWC to discuss the issues they have been having with PVWC importing the data required to complete the new water meter billing. He also attended the Bergen County Open Space meeting for their recent grant application on behalf of the City. Lastly, Mr. Boswell advised that they are ready to bid out the River Drive Phase II project but that a bond must be in place before awarding and that he made

Colliers Engineering:

Mr. O'Brien shared that the contracts were awarded for the 2022 Road Program and Semel Avenue cleaning/videoing which was needed to properly design the CDBG Drainage project. He noted that they will work with Mr. Boswell, who is the Engineer appointed for the High School stadium, to address drainage concerns as the two projects will be occurring simultaneously. Mr. O'Brien noted that they are still working on coordinating a meeting with the County to address culvert and drainage concerns and hopes to have that scheduled for September due to vacations. In regard to Jewell Street Park, he said that the contractor will be replacing the dead landscaping at no cost to the City and that the City can request liquidated damages as a result of the delay in time. City Attorney Lagana requested that Mr. O'Brien send him the contractor's next payment request so this can be addressed. Mayor Rigoglioso then took the liberty to say that the completion of the basketball court at Fire Company #3 has also taken too long and requested that, at some point, the fencing at Jewell Street Park be continued along the perimeter of the Splash Park.

**Mayor Rigoglioso left the meeting at 8:52PM and returned at 9:04PM.*

City Attorney Lagana:

Mr. Lagana, along with Mr. O'Brien, reviewed the City's sewer line ordinance as it needs to be tightened up in regard to responsibility. They stated they would work together to have a draft ordinance for the September Work Session. City Manager/City Clerk Delaney said that this issue was raised due to a particular incident on Jewell Street. He then spoke about the DISH Wireless pole/lease behind City Hall. He requested approval on the option period proposed. Mr. Lagana then noted that Omnipoint is looking to install additional equipment.

Report of the City Manager:

Discussion:

1. **Equipment Shared Service** – City Manager/City Clerk Delaney advised that the Borough of Lodi proposed entering into a shared service agreement for DPW equipment. She advised that the Superintendent was not in favor of doing so as it could result in overuse and damage to our equipment. The Governing Body requested that the municipalities who are entering the agreement share their equipment list so that it can be assessed should anything be of use.
2. **Elevator Inspection** – City Manager/City Clerk Delaney reviewed the request from the Construction Official to enter into an agreement with a company that would perform the City's elevator inspections. Currently, they are inspected by the State with the City reaping no benefit. Should the City enter into an agreement with this company, the City would receive a portion of the fees. The Governing Body was in support of doing so and City Attorney Lagana advised that he would prepare the necessary documentation.
3. **NJ Transit Gas Plant** – City Manager/City Clerk Delaney shared a follow-up letter requesting that the Mayor sign a letter of opposition to the creation of a major gas plant sited in Kearny. The Governing Body previously adopted a resolution of opposition. Mayor Rigoglioso was in favor of doing so.
4. **Passaic Street Paid Parking** – City Manager/City Clerk Delaney reviewed the Police Department's request for input on paid parking in the Passaic Street area, which is needed prior to the company providing a formal quote. The Governing Body agreed to paid parking Monday-Saturday from 9AM-5PM and on Sundays from 9AM-3PM. They asked that this be waived on Holidays. In terms of pricing and maximum parking time, the Mayor and Council asked that the Police Department survey other municipalities prior to agreeing on numbers.

5. **Business Insurance Registry** – City Manager/City Clerk Delaney advised that Governor Murphy signed into law the requirement for municipalities to create a business insurance registry. She requested that City Attorney Lagana look into the same and advise if any ordinance/fee should be put into place.

Resolution:

1. **Risk Management** – City Manager/City Clerk Delaney followed up on the request from Risk Manager John Calandriello for the City to switch firms. The City Attorney reviewed the same and drafted the appropriate resolutions to terminate the contract with the current provider and enter in agreement with the new provider for Risk Management, still under Mr. Calandriello.

Ordinances:

1. **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. Mayor Rigoglioso requested that this be held as he did not see how the ordinance could be enforced. He then suggested that, instead, a proclamation be adopted.

Departmental Reports

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

Action Items:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-408-22
CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO
SECONDED BY: COUNCILWOMAN BANCH**

**AUTHORIZING THE TERMINATION OF THE PROFESSIONAL SERVICE
CONTRACT WITH ACRISURE LLC D/B/A SIROCCO GROUP/REGIONAL RISK
MANAGERS AS THE RISK MANAGERS FOR THE CITY OF GARFIELD**

WHEREAS, it is necessary for the City of Garfield to retain the services of a professional risk management consultant for those insurance matters (property & casualty, workers compensation, property, excess liability, public officials’ liability, environmental liability) integral to the operation of the City of Garfield; and

WHEREAS, pursuant to Resolution R-158-22, the City of Garfield entered into a Professional Service Contract with Acrisure LLC d/b/a Scirocco Group/Regional Risk Managers for the calendar year 2022, commencing on January 1, 2022; and

WHEREAS, on March 28, 2022, the City of Garfield and Sirocco Financial Group executed the Risk Management Consultant’s Agreement (hereinafter the “Agreement”); and

WHEREAS, pursuant to the terms of the Agreement, Section 3, the Agreement may be terminated by either party at any time by mailing to the other written notice, certified mail return receipt, calling for the termination at not less than 30 days thereafter; and

WHEREAS, the Governing Body of the City of Garfield wishes to terminate the Agreement with Sirocco Financial Group in accordance with Section 3;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield hereby authorizes the City Attorney to prepare a written communication terminating the 2022 Risk Management Consultant’s Agreement with Acrisure LLC d/b/a Scirocco Group/Regional Risk Managers.

APPROVED: August 16, 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 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-409-22
CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO
SECONDED BY: COUNCILWOMAN BANCH**

**AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICE CONTRACT
WITH STANLEY H. ALLEN D/B/A ALLEN ASSOCIATES, AS RISK MANAGERS FOR
THE CITY OF GARFIELD**

WHEREAS, it is necessary for the City of Garfield to retain the services of a professional risk management consultant for those insurance matters (property & casualty, workers compensation, property, excess liability, public officials' liability, environmental liability) integral to the operation of the City of Garfield for the calendar year 2022, commencing on January 1, 2022 regardless of the date of execution; and

WHEREAS, such services are highly specialized in nature and exempt from a formal bidding pursuant to the New Jersey Public Contract Laws, N.J.S.A. 40A:11-5(1); and

WHEREAS, the Mayor and Council wish to appoint the Stanley H Allen Inc dba Allen Associates as the risk manager for the remainder of year 2022; and

WHEREAS, the Chief Financial Officer of the City of Garfield confirms there are sufficient funds available to enter into the contract; and

WHEREAS, said contract, in aggregate, is above \$17,500 as certified by the City Chief Financial Officer and therefore, such award be in compliance with the requirement set forth by P.L. 2004, Chapter 19 (as amended by P.L. 2005,c. 51) N.J.S.A. 19:44A-20.5 et. seq; and

WHEREAS, the contract amount for these services shall be no more than 6% of the City' annual JIF Assessment, payable by the Suburban Metro Joint Insurance Fund directly to Stanley H. Allen d/b/a Allen Associates;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield that Stanley H. Allen d/b/a Allen Associates is hereby appointed as Risk Management Consultant effective September 17, 2022 and that the City Manager is hereby authorized to execute the risk management consultant's agreement in accordance with the by-laws of the Suburban Metro Joint Insurance Fund for the period commencing on September 17, 2022 and ending on December 31, 2022 to be paid out of account Other Insurance Premiums 2-01-23-210-210-000; and

BE IT FURTHER RESOLVED, that a notice of said contract award, stating the nature, duration and services provided, be published in accordance with N.J.S.A. 40A:11-5(1).

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

August 15, 2022
Dated

APPROVED: August 16, 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 16th day of August 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

Executive Session:

A motion was made by Councilman Herrera and seconded by Councilwoman Banch 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
Legal Reports/Litigation

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 Deputy Mayor Delaney and seconded by Mayor Rigoglioso to return to the public portion. Motion carried by the members present.

Adjournment:

A motion was made by Councilman Maslag 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 October 25, 2022 Regular meeting of the Mayor & Council.