

**REGULAR MEETING  
OF THE  
GARFIELD MAYOR AND COUNCIL  
OCTOBER 25, 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, October 25, 2022 at 6:23PM in the Council Chambers of the Municipal Building, 111 Outwater Lane, Garfield, New Jersey. On Roll Call present members were: Councilmembers Maslag\*, Herrera\*\*, & Banch, Deputy Mayor Delaney, and Mayor Rigoglioso. Also present were City Manager/City Clerk Delaney, City Engineer Carl O'Brien, and City Attorney Daniel Lagana.

\*Councilman Maslag participated via teleconference.

\*\*Councilman Herrera arrived at 7:06PM.

**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 Councilwoman Banch and seconded by Deputy Mayor Delaney to approve the August 16, 2022 Work Session & Executive Session Meeting minutes. The motions carried unanimously by those present.

**6. PROCLAMATION:**

R-492-22                      Proclamation Celebrating the 100<sup>th</sup> Birthday of Rita Vissa

The Mayor and Council shared their best wishes for Ms. Vissa on her monumental birthday.

**7. PUBLIC HEARING – DAVID'S TOWING**

David Brigati of David's Towing and his attorney, William Pollinger were in attendance for the public hearing related to recent violations. The public hearing was held to determine whether or not there should be a revocation of David's Towing's license. Sgt. Pikul of the Garfield Police Department was in attendance to provide a sworn testimony on said violations. Discussion ensued regarding the testimony of Sgt. Pikul and the written complaints received by members of the public. Mr. Pollinger and Mr. Lagana spoke about the predatory towing act and the City's towing ordinance. The Mayor and Council highlighted their concerns about the demeanor and behavior of an employee at David's Towing and the fact that the company does not accept credit cards, which is a requirement of the City's towing ordinance. The Governing Body agreed to adjourn the public hearing and reconvene at a later date with a motion being made by Councilwoman Banch and seconded by Deputy Mayor Delaney. It was also determined that the City and

its representative would meet with Mr. Brigati and Mr. Pollinger to try to rectify the situation at hand, making any necessary adjustments to the City towing ordinance, prior to continuing with the public hearing.

*\*\*\*Mayor Rigoglioso stepped out at 6:51PM and returned at 7:01PM.*

**8. ORDINANCES: FIRST READING**

R-493-22 Introduce Ord. #2962

**ADOPTING THE REDEVELOPMENT PLAN FOR 94-104 PASSAIC AVENUE AND 43-45 SPENCER PLACE (BLOCK 14.02, LOTS 1, 4.01, 4.02, 9 AND 10) WHICH HAVE BEEN DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

R-494-22 Introduce Ord. #2963

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 329 VEHICLE SALES BUSINESSES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-495-22 Introduce Ord. #2964

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 242 ENTITLED "PROPERTY MAINTENANCE", OF THE CODE OF THE CITY OF GARFIELD REGARDING THE REQUIREMENT FOR INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS**

R-496-22 Introduce Ord. #2965

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 109, CHRISTMAS TREE SALES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-497-22 Introduce Ord. #2966

**AN ORDINANCE TO AMEND CHAPTER 73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED "ALCOHOLIC BEVERAGES" TO INCREASE LICENSE FEES**

**SECOND READING**

R-498-22 Introduce Ord. #2952

**AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 265, SEWERS, ARTICLE I, SEWER USE, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-499-22 Introduce Ord. #2961

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE VI,**

**RESIDENT PARKING PROGRAM, OF THE REVISED  
GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**9. CONSENT AGENDA:**

- R-500-22 Approval of Bills and Claims
- R-501-22 Authorizing Boswell Engineering to Perform Inspection Services in Connection with the River Drive Phase 2 Roadway and Park Improvement Project
- R-502-22 Authorizing Change Order #1 in Connection with Semel Avenue Road Improvements
- R-503-22 Approval of Tax Overpayment Refund
- R-504-22 Approval of Water Tap Fees Refund
- R-505-22 Approval of Refund of Street Opening
- R-506-22 Authorizing the City Manager to Enter into a Contract with Visual Computer Solutions, Inc. Under an Extraordinary Unspecifiable Service
- R-507-22 Authorizing the City Manager to Enter into a Contract with DMR Architects to Prepare a Redevelopment Plan for 22-26 Garfield Avenue Pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 et seq.
- R-508-22 Authorizing the City Manager to Enter into a Contract with DMR Architects to Prepare a Redevelopment Plan for 337-351 Midland Avenue Pursuant to the Local Redevelopment and Housing Law, N.J.S.A.40A:12A-1 et seq.
- R-509-22 Awarding Construction Contract & Authorizing Execution for the Hobart Park Playground Improvements Project
- R-510-22 Rejecting All Bids for a Project Known as “River Drive Improvements and Passaic River Bikeway (Phase 2)”
- R-511-22 Requesting Permission for the Dedication by Rider for Special Law Enforcement Fund Required by DLGS NJSA 2C:64-1
- R-512-22 Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
- R-513-22 Establishing A Curfew for the Halloween Holiday
- R-514-22 Approving Handicap Parking Space
- R-515-22 Authorizing Change Order #1 in Connection with Garfield Water System Improvements Well 8C and Packed Tower
- R-516-22 Authorizing Temporary Appointment of Acting Deputy Mayor
- R-517-22 Supporting Hera Solutions LLC as the Operator of a Class 2 Cannabis Manufacturing License to Be Located in the City of Garfield
- R-518-22 Approving Regular Active Member – Fire Department
- R-519-22 Declaring the Month of November as Family Court Awareness Month
- R-520-22 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Midland Avenue Streetscape Improvement Project
- R-521-22 Approval to Submit a Joint Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation and Borough of Lodi for Phase 1 of Roadway Improvements Along Harrison Avenue
- R-522-22 Authorizing Resolution to Accept Consent Agenda

**10. PUBLIC HEARING:**

**11. MAYOR AND COUNCIL COMMENTS:**

**12. ADJOURNMENT:**

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-492-22**

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

**PROCLAMATION CELEBRATING THE 100<sup>TH</sup> BIRTHDAY OF RITA VISSA**

**WHEREAS**, long-time Garfield resident Rita Vissa was born to Anna and Andrew Fallet on July 15, 1922 in Cokeburgh, Pennsylvania, and she is celebrating her 100<sup>th</sup> Birthday; and

**WHEREAS**, her parents were born in Czechoslovakia and moved to Garfield when she was five years old, she had one sister and two brothers who were both artists and Rita was in the Garfield High School Band during the Garfield Championship Football Game, and she worked at the Curtis Wright Defense Plant in the Propeller Division; and

**WHEREAS**, Rita married a local boy who worked in Samuel Herds Textile Mill named Hannibal Vissa, they moved to Grennelle (Mac Arthur Avenue) also known as “Nanny Goat Hill” where she has lived for 71 years and still resides there today; and

**WHEREAS**, together they had two beautiful daughters, Pam Piro who is resident of Garfield who just retired from the Garfield Public Library and Carleen Levitz, who resides in Fort Lauderdale, Florida and she has one very handsome grandson Jordan Levitz who also resides in Florida; and

**WHEREAS**, Rita enjoys playing Bingo and the Garfield Senior Center and has been a member of the AARP for 30 years; and

**WHEREAS**, the City Council is desirous of joining the chorus of those extending birthday greetings to her and of those acknowledging this outstanding human achievement;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield, Bergen County, New Jersey that Congratulations be extended upon the celebration of the 100<sup>th</sup> Birthday of Rita Vissa, and that they hereby honor her for her exemplary and inspiring long life and offer sincere best wishes for continued good health and happiness.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-493-22**

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

**INTRODUCE ORDINANCE #2962  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**ADOPTING THE REDEVELOPMENT PLAN FOR 94-104 PASSAIC AVENUE AND 43-45 SPENCER PLACE (BLOCK 14.02, LOTS 1, 4.01, 4.02, 9 AND 10) WHICH HAVE 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 at a meeting held on Tuesday, November 22, 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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2962**

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**ADOPTING THE REDEVELOPMENT PLAN FOR 94-104 PASSAIC AVENUE AND 43-45 SPENCER PLACE (BLOCK 14.02, LOTS 1, 4.01, 4.02, 9 AND 10) WHICH HAVE BEEN DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA 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,” P.L.1992, c.79 (C.40A:12A-1 et seq.)(the “Redevelopment Law”), the City of Garfield City Council (“City Council”), by a Resolution adopted on April 23, 2019, determined Block 14.02, Lot 4.01, also known as 95-109 Passaic Street, as shown on the City Tax Maps as an area in need of redevelopment, specifically as a non-condemnation redevelopment area.

**SECTION II** Pursuant to the Redevelopment Law, the City Council by Resolution adopted on December 21, 2021 determined Block 14.02, Lots 1, 4.01, 4.02, 9 & 10, also known as 94, 100 and 104 Passaic Street and 43 and 45 Spencer Place, as shown on the City Tax Maps as an area in need of redevelopment, specifically as a non-condemnation redevelopment area (the “Redevelopment Area”).

**SECTION III** In furtherance of redeveloping Redevelopment Area, the City Council directed the firm of DMR Architects to prepare a Redevelopment Plan for the Redevelopment Area, dated October 2022, 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 IV** The Redevelopment Plan shall supersede and replace any prior redevelopment plan adopted by the City Council for the Redevelopment Area.

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

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

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

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: October 25, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-494-22**

**TABLED BY: DEPUTY MAYOR DELANEY**

**SECONDED BY: MAYOR RIGOGLIOSO**

**INTRODUCE ORDINANCE #2963**

**FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 329  
VEHICLE SALES BUSINESSES, 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 at a meeting held on Tuesday, November 22, 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: October 25, 2022

\_\_\_\_\_  
Richard Rigoglioso, Mayor

ATTEST: \_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

**Record of Council Vote to Table**

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

This resolution was tabled by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2963**

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**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 329  
VEHICLE SALES BUSINESSES, OF THE REVISED GENERAL ORDINANCES OF  
THE CITY OF GARFIELD**

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

Section 1. The current text of the City Ordinance, Part II, General Legislation, Chapter 329, Vehicle Sales Business, Subsection 12, Parking restrictions is hereby amended as follows:

**§ 329-12 Parking restrictions.**

- A. No motor vehicle for sale or exchange shall be exhibited, stored, parked or located on the licensed premises within 50 feet of any building occupied solely for residence purposes nor 200 feet of a school, church or other place of assembly.
  
- B. Motor vehicles for sale or exchange shall be parked in a designated display area.
  - i. The display area shall be separated from employee and customer parking by a clearly distinguishable physical barrier or open space.
  - ii. The display area shall consist of an asphalt surface or its equivalent. Gravel areas are prohibited.
  - iii. The inventory area shall be striped with parking spaces measuring a minimum of 9’x18’. Stacked parking shall be permitted for inventory parking only.
  - iv. Motor vehicle inventory not yet prepared for sale shall be adequately screened by a solid fence six feet in height from ground level or enclosed in permanent buildings.

Section 2. The remainder of Chapter 329 is ratified and remains in full force and affect.

Section 3. 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 4. 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

Tabled: October 25, 2022

Introduced:

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-495-22**

**RESOLUTION BY: COUNCILMAN HERRERA  
SECONDED BY: COUNCILWOMAN BANCH**

**INTRODUCE ORDINANCE #2964  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 242 ENTITLED  
“PROPERTY MAINTENANCE”, OF THE CODE OF THE CITY OF GARFIELD  
REGARDING THE REQUIREMENT FOR INSPECTION OF LEAD-BASED PAINT IN  
RESIDENTIAL DWELLINGS**

be passed and adopted on first reading; and

**BE IT RESOLVED**, that a final hearing on said ordinance will be heard at a meeting held on Tuesday, November 22, 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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2964**

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**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 242 ENTITLED  
“PROPERTY MAINTENANCE”, OF THE CODE OF THE CITY OF GARFIELD  
REGARDING THE REQUIREMENT FOR INSPECTION OF LEAD-BASED PAINT IN  
RESIDENTIAL DWELLINGS**

**WHEREAS**, the City of Garfield (the “City”) maintains Chapter 242 entitled “Property Maintenance” of the City Code, specifically the Property Maintenance Code; and

**WHEREAS**, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every rental unit whether a single-family residential dwelling, a two-family residential dwelling, or a multiple residential unit dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and

**WHEREAS**, it is in the best interests of City residents to amend the City Code at this time to require inspections for lead-based paint in the aforementioned residential rental dwellings to conform with the State law;

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

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 242, Property Maintenance, is hereby amended to include the following:

**Article VI Lead-Based Paint**

Section 2. City Ordinance, Part II, General Legislation, Chapter 242, Property Maintenance, Article VI Lead-Based Paint is hereby amended to include the following:

**§242-13 - Lead-Based Paint Inspections.**

1. Required Initial Inspection. The owner, landlord and/or agent of every single-family, two family, and multiple dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards within two years of the effective date of the law, July 22, 2022, or upon tenant turnover, whichever is earlier.
2. Required Recurring Inspection. After the initial inspection required by Section 312-21, the owner, landlord and/or agent of such dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three years, or at tenant turnover, whichever is earlier, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification.

3. Standards. Inspections for lead-based paint in rental dwelling units shall be governed by the standards set forth in N.J.S.A. 52:27D-437.1 et seq., and N.J.S.A. 55:13A-1 et seq.

**§242-14 – Exceptions**

Exceptions. A dwelling unit in a single-family, two-family or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards or for the fees for such inspection or evaluation, if the unit:

- a. has been certified to be free of lead-based paint;
- b. was constructed during or after 1978;
- c. is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the “Hotel and Multiple Dwelling Law”, N.J.S.A. 55:13A-1, et seq.;
- d. is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or
- e. has a valid lead-safe certification issued in accordance with N.J.S.A. 52:27D-437.16(d)(2).

**§242-15- Fees**

Fees. Notwithstanding any other fees due pursuant to this Chapter, the following fees shall be paid:

- a. Inspection Fee. A dwelling owner or landlord shall owe a fee in the amount of \$220.00 which shall be paid for each lead-based paint inspection conducted by the City . Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection and the required contribution to the New Jersey Lead Hazard Control Assistance Fund (N.J.S.A. 52:27D-437.16(h)) and shall not be used for any other purpose.
- b. Administrative Fee. Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs in which case a \$50 administrative fee shall be paid. Said fee shall be dedicated to the costs of monitoring compliance with this subsection.

Section 3. The remainder of Chapter 242 is ratified and remains in full force and effect.

Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 5. All ordinances or parts of ordinance inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon final adoption and publication in accordance with Law.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: October 25, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-496-22**

**RESOLUTION BY: COUNCILMAN HERRERA**

**SECONDED BY: MAYOR RIGOGLIOSO**

**INTRODUCE ORDINANCE #2965**

**FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 109, CHRISTMAS TREE SALES, 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 at a meeting held on Tuesday, November 22, 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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2965**

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**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 109, CHRISTMAS TREE SALES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**WHEREAS**, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend Part II General Legislation, Chapter 109, Christmas Tree Sales, of the Code of the City of Garfield;

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

Section 1. Part II General Legislation, Chapter 109, Christmas Tree Sales, Subsection 109-8, Fees, of the Code of the City of Garfield is hereby amended as follows:

**§109-8 Fees.**

Licensees shall pay the City an annual fee of \$100.00

Section 2. All other provisions of Chapter 109 is hereby ratified and remains in full force and effect;

Section 3. Any other chapter of the City Code that conflicts with this amendment is hereby repealed to the extent of the conflict;

Section 4. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: October 25, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-497-22**

**RESOLUTION BY: COUNCILWOMAN BANCH  
SECONDED BY: COUNCILMAN HERRERA**

**INTRODUCE ORDINANCE #2966  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE TO AMEND CHAPTER 73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “ALCOHOLIC BEVERAGES” TO INCREASE LICENSE FEES**

be passed and adopted on first reading; and

**BE IT RESOLVED**, that a final hearing on said ordinance will be heard at a meeting held on Tuesday, November 22, 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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2966**

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**AN ORDINANCE TO AMEND CHAPTER 73 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED “ALCOHOLIC BEVERAGES” TO INCREASE LICENSE FEES**

**WHEREAS**, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to increase certain fees for liquor license applications for liquor licenses and renewals.

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

SECTION 1. Chapter 73 of the City Code of the City of Garfield, entitled ‘Alcoholic Beverages’ is hereby amended to read as follows:

**§73-2 Fee for plenary retail consumption license.**

The annual fee for a plenary retail consumption license shall be in the sum of \$1,296.00

**§73-3 Fee for plenary retail distribution license.**

The annual fee for a plenary retail distribution license shall be in the sum of \$1,296.00

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. All other provisions of Chapter 73 of the Code of the City of Garfield are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: October 25, 2022

Adopted:

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

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

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-498-22**

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

**INTRODUCE ORDINANCE #2952  
SECOND READING**

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

**AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 265, SEWERS, ARTICLE I, SEWER USE, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on Tuesday, October 11, 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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2952**

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**AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 265, SEWERS, ARTICLE I, SEWER USE, 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 265, Sewers, Article I, Sewer Use, Subsection 265-26(A), is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 265, Sewers, Article I, Sewer Use, Subsection 265-26, is hereby amended as follows:

**§265-24 Maintenance, installation, repair of sewer and sewer laterals; tampering**

- A. Before any portion of the building drain outside of the building is connected to the building connection, the owner shall prove to the satisfaction of the City Plumbing Inspector that it is clean and conforms in every respect to the Uniform Construction Code, and before any portion of the building connection is connected to the building sewer lateral, the Plumbing Inspector shall be satisfied that the building connection is in good order and conforms in every respect to the Uniform Construction Code.
- B. Maintenance of the public sewer and sewer laterals between the main and the curb shall be performed by the City's Department of Public Works or by a contractor selected by the City as a result of open competitive bidding or under the supervision of such other person or department of the City as may hereafter be designated by the Mayor and Council. Said contractor shall be governed by the terms of the ordinances of the City relating to sewer installation and maintenance and shall comply with plans and specifications of the Sewer Department on file with the City Clerk.
- C. Where there are no existing lateral connections and the installation of a new sewer lateral connection is required, it shall be the sole responsibility of the property owner to install the sewer lateral connection, at the property owner's cost and at no expense to the City of Garfield. The newly installed lateral connection must run from the building to the main line connection in the roadway.
- D. Where an existing sewer lateral must be replaced due to the construction of a new building or the renovation, remodeling or addition to an existing structure that is greater than 50% of the building's assessed value, it shall be the responsibility of the property owner to install the sewer lateral connection, at the property owner's cost and at no expense to the City of Garfield. The newly installed lateral connection must run from the building to the main line connection in the roadway.
- E. Where connection is made between the building drain outside of the building and the building connection, a long radius bend shall be appropriately installed at this connection along with a clean-out as required by the Uniform Construction Code. If no clean-out exists, the property owner shall be responsible for the installation and all costs associated therewith. This connection shall be subject to the approval of the Plumbing Inspector who shall be given ample notice prior to such work.
- F. Each contractor or other person performing work may be required to post a bond or cash acceptable to the Mayor and Council or such other official or department of the City as may hereafter be designated by the Mayor and Council. All work shall be adequately guarded with barricades, lights and other measures for protection of the public from hazard. Streets, sidewalks, parkways, curbs and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Borough.
- G. The Plumbing Inspector may apply any appropriate test as defined in the Uniform Construction Code to the plumbing, and the plumber and contractor, at his own expense,

shall furnish all necessary tools, labor, materials and assistance for such tests and shall remove or repair any defective materials when so ordered by the Inspector.

H. Each contractor or other person performing work on private property for the purpose of connecting from the curb or street line onto private property shall be governed by the terms of the ordinances of the City, the Uniform Construction Code and of the Board of Health

I. Installation and backfilling.

(1) Where there is no building sewer lateral available, the property owner or developer of the property shall, prior to the issuance of a building permit, apply to the City Clerk for a sewer lateral permit and a street opening permit, if necessary. The charge for this sewer connection permit is \$100.

(2) When installing the building connection, the trenches shall be dug in a careful manner and properly sheathed where required. The excavated materials shall be piled in a compact heap, so placed as to cause the least possible inconvenience to the public. Proper barricades and lights must be maintained around the trench to guard against accidents. Extreme care shall be taken to prevent any dirt, stones or other undesirable material from entering the public sewer system through the building sewer lateral during these operations.

(3) In backfilling, the material for the two feet immediately over the pipe shall be selected so it contains no stones. All backfill material for the trench shall be placed by tamping in eight-inch layers so as to avoid any settlement. When the trench has been filled to the proper height, the surface material shall be replaced and heavily tamped and rolled.

(4) Where the trench is excavated in rock, the rock must be carefully excavated to a depth of six inches below the grade line of the sewer and the trench brought to the proper elevation with gravel or other material satisfactory to the Plumbing Inspector. The remainder of the trench must be backfilled with suitable material.

(5) Nothing in this subsection shall be construed as abrogating any of the existing requirements of the Borough relating to the excavation and backfilling of trenches, but the requirements herein contained shall be in addition thereto.

(6) Where subsoil conditions are bad, such special precaution must be taken to secure a watertight job as may be directed by the Plumbing Inspector.

J. Tampering; cost of repair.

(1) No person shall intentionally break, damage, destroy, uncover, deface or tamper with any structure appurtenance or equipment that is part of the wastewater facilities.

(2) The property owner is also responsible for maintenance and/or repairs of all blockages that exist within the property owner's home. In the event that the Department of Public Works or other City agency incurs costs or expenses, including overtime costs, checking, repairing or otherwise addressing blockages which are ultimately determined to be inside the property owner's residence or property, the cost for said expense, including overtime costs, may be charged to the property owner.

a. The determination to charge the cost pursuant to this subsection shall be within the sound discretion of the Superintendent of the Department of Public Works; and

b. The amount to be charged to the property owner shall be determined based upon the actual cost incurred by the City, and the Superintendent of the Department of Public Works shall be required to prepare a certification of this cost and submit the same to the property owner within 30 days from the date that the cost is incurred;

- c. The amount charged shall be paid by the property owner within 15 days of the date of receipt of the statement from the Superintendent of the Department of Public Works. If the charge remains unpaid for a period of 30 days, the Superintendent shall immediately transmit a copy of the same to the office of the Tax Collector who shall enter the Superintendent of Department of Public Works certification as a lien on the subject property.

Section 2. The remainder of Chapter 265, Article 1 are ratified and remain unchanged as a result of this Ordinance amendment.

Section 3. 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 4. 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

Tabled: September 13, 2022

Introduced: October 11, 2022

Adopted: October 25, 2022

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

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

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-499-22**

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

**INTRODUCE ORDINANCE #2961  
SECOND READING**

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

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226,  
PARKING, ARTICLE VI, RESIDENT PARKING PROGRAM, OF THE REVISED  
GENERAL ORDINANCES OF THE CITY OF GARFIELD**

was introduced and passed at a meeting held on Tuesday, October 11, 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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2961**

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**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226, PARKING, ARTICLE VI, RESIDENT PARKING PROGRAM, 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 VI, Resident Parking Program, Section 226-28, Resident parking program, is hereby amended as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 226, Parking, Article VI, Resident Parking Program, Section 226-28, Resident parking program, Subsection B(2), Rules and regulations, is hereby amended as follows:

Proof of residency of the owner of a vehicle must be presented when applying for a permit. The following are required proof of residency:

- a. a copy of a valid New Jersey driver's license reflecting the vehicle owner's residency within the City of Garfield;
- b. a copy of a valid New Jersey motor vehicle registration for which the permit is sought showing the vehicle owner's address in the City of Garfield;
- c. a current car insurance statement showing the vehicle's owner's address in the City of Garfield; and
- d. one additional item reflecting the vehicle owner's residency, such as a utility bill or current bank statement. A post office box number will not be deemed proof of residency in order to receive a resident parking permit.
- e. In addition to the proof of residency described herein, all applicants for resident parking permits shall be required to produce a "dwelling certificate" in accordance with the provisions of City Ordinance No. 2213.<sup>11</sup> *[1]Editor's Note: See Ch. 128, Dwelling Certificates.*

Section 2. All other provisions of this Chapter, Article, and Section endure and shall remain in full force and effect;

Section 3. 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 4. 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

Tabled: September 27, 2022

Introduced: October 11, 2022

Adopted: October 25, 2022

APPROVED: \_\_\_\_\_

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-500-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
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. 2337 thru 2238 covering Escrow Developers Trust Account totaling \$6,759.00 and the Current Year Reserve Totaling \$6,333.18 and the Current Fund totaling \$2,245,115.47 and the Water Fund totaling \$36,202.47 and the General Capital Fund totaling \$568.023.10 and the Water Capital Fund totaling \$289.872.51 and the Current Year Revenue Line Item totaling \$50.00 and the Escrow Fund totaling \$1,113.75 and the Trust Account totaling \$4,159.25 and the State and Federal Grant Fund totaling \$328.00 per attached Computer Lists, dated October 21, 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 (40) 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

October 24, 2022

Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-501-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING BOSWELL ENGINEERING TO PERFORM INSPECTION SERVICES  
IN CONNECTION WITH THE RIVER DRIVE PHASE 2 ROADWAY AND PARK  
IMPROVEMENT PROJECT**

**WHEREAS**, the City of Garfield engaged Boswell Engineering to perform design, permitting, grant coordination and LSRP services in connection with the above referenced project; and

**WHEREAS**, the project is in the process of receiving all authorizations, permits and approvals to allow this project to proceed to public bidding and construction; and

**WHEREAS**, the City is desirous of retaining Boswell Engineering to perform bid coordination, inspection and coordination of grant reimbursement for this project, which has an estimated construction cost of approximately \$8,100,000.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield that Boswell Engineering be and is hereby authorized to perform the necessary inspection, bid coordination, and grant reimbursement coordination for a total fee not to exceed \$800,000.00 to be paid out of account C-04-55-222-958-002.

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

October 24, 2022  
Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-502-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING CHANGE ORDER #1 IN CONNECTION WITH SEMEL AVENUE  
ROAD IMPROVEMENTS**

**WHEREAS**, the City of Garfield awarded a contract to DLS Contracting Inc. for Semel Avenue Road Improvements; and

**WHEREAS**, Change Order #1 is necessary in order to adjust Allowance for Police Traffic Director within the project limits;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that Change Order #1 increasing Allowance for Police Traffic director in the amount of \$65,533.14 be and is hereby approved to be paid out of account C-04-55-999-000-990.

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

October 24, 2022  
Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-503-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**APPROVAL OF TAX OVERPAYMENT REFUND**

**WHEREAS**, the Receiver of Tax Collections reports that she has received a request from the following property owner for a refund due to Disability Allowed for the year 2022;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, that the proper offices be and are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Tax Collections for the purpose of noting her records and for mailing to the property owner out of account 2-01-17-001-001.

BLOCK #	LOT#	OWNER	REASON	AMOUNT
151	21	Jarosz, Franciszck & Danuta	O/P	\$250.00

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

October 24, 2022  
Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-504-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**APPROVAL OF WATER TAP FEES REFUND**

**WHEREAS**, a deposit has been received from the owner of 393 Outwater Lane, in the amount of \$9,000.00, for said Water Tap Fees; and

**WHEREAS**, the Building Inspector has investigated this deposit and has determined that only \$6,000.00 is due to the City; and

**WHEREAS**, the City Manager and the Mayor and Council, have agreed that the City of Garfield should refund the owner of 393 Outwater Lane for an overpayment of water tap fees;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that \$3,000.00 be refunded to the above-named claimant to be paid out of account 2-01-08-105-609.

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

October 24, 2022

Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-505-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**APPROVAL OF STREET OPENING REFUND**

**WHEREAS**, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager or 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 Dimetri Kataroski for 176 Prospect Street, in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on September 3, 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 they are 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 out of account T-03-56-286-286-004.

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

October 24, 2022  
Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-506-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH  
VISUAL COMPUTER SOLUTIONS, INC. UNDER AN EXTRAORDINARY  
UNSPECIFIABLE SERVICE**

**WHEREAS**, the City of Garfield wishes to retain the services for a workforce management software to assist the municipality with its scheduling, time & attendance, and human resource & payroll needs; and

**WHEREAS**, the City Manager has obtained a quote for this unique service from Visual Computer Solutions, Inc. as they are qualified to render said services through a personalized software portal; and

**WHEREAS**, the City of Garfield has a need to acquire these services without a “fair and open process” as defined by P.L. 2004, c.19, the “Local Unit Pay-to-Play Law” and in connection therewith, Visual Computer Solutions, Inc. has completed and filed with the City the required Campaign Contributions Affidavit pursuant to N.J.S.A. 19:44A-20.8, Certification Regarding Political Contributions pursuant to N.J.S.A. 19:44A-20.26 and affidavit (collectively, the “Pay-to-Play Forms”); and

**WHEREAS**, the agreement shall be for an amount not to exceed \$18,000.00 for the year 2023; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available to pay for said services out of account 2-01-20-100-100-029 – Admin OE; and

**WHEREAS**, the Local Public Contracts Law, *N.J.S.A. 40A:11-5(1)(a)(ii) et seq.*, authorizes the City of Garfield to award this agreement as an extraordinary unspecifiable service agreement, without public bidding.

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

1. The City Manager is hereby authorized and directed to execute an agreement with the Visual Computer Solutions, Inc. consistent with this Resolution and the above “Whereas” clauses.
2. The agreement is awarded without competitive bidding as an “Extraordinary Unspecifiable Service” in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-5(1)(a)(ii)*, for the reasons set forth in the “Whereas” clauses and in the Administrator’s Certification of Extraordinary Unspecifiable Service, which reasons are incorporated herein as if fully restated.
3. Visual Computer Solutions, Inc. shall be paid a fee by the City of Garfield up to an amount not to exceed \$18,000.00 and the contract shall be for a term of one year, from January 1, 2023 until December 31, 2023.
4. A copy of the Resolution, the Administrator’s Certification of Extraordinary Unspecifiable Service and the agreement shall be placed on file in the Office of the Clerk.
5. A notice of the action shall be published in the official newspaper as required by law.

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

October 24, 2022  
Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-507-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DMR  
ARCHITECTS TO PREPARE A REDEVELOPMENT PLAN FOR 22-26 GARFIELD  
AVENUE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW,  
N.J.S.A.40A:12A-1 ET SEQ.**

**WHEREAS**, there exists for the City of Garfield (the “City”), a need for the services of a firm specializing in planning consulting services to prepare a redevelopment plan for 22-26 Garfield Avenue (Block 19.01 Lots 47 & 49) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

**WHEREAS**, DMR Architects has submitted a proposal, dated October 19, 2022, to prepare the redevelopment plan for said area, a copy of the proposal is on file in the office of the City Clerk; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Garfield that:

1. The City Manager is hereby authorized and directed to execute for the City, subject to the availability of funds, a professional services contract with DMR Architects to provide services in accordance with its proposal, which shall remain on file in the Clerk’s office and available for public inspection.
2. That this contract shall be in an amount not to exceed a total of \$14,260.00, payable out of the redevelopment escrow account for said property, upon completion of the tasks as outlined in the proposal.
3. This agreement is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) because it is a recognized profession, licensed and regulated by law, the performance of which services requires knowledge of an advanced type pursuant to N.J.S.A. 40A:11-2 (6).
4. A notice of this action shall be printed in the Legal Newspaper of the City as required by law within ten (10) days of its passage.

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

October 24, 2022

Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-508-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DMR  
ARCHITECTS TO PREPARE A REDEVELOPMENT PLAN FOR 337-351 MIDLAND  
AVENUE PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW,  
N.J.S.A.40A:12A-1 ET SEQ.**

**WHEREAS**, there exists for the City of Garfield (the “City”), a need for the services of a firm specializing in planning consulting services to prepare a redevelopment plan for 337-351 Midland Avenue (Block 88.01, Lots 1 & 9) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”); and

**WHEREAS**, DMR Architects has submitted a proposal, dated October 19, 2022, to prepare the redevelopment plan for said area, a copy of the proposal is on file in the office of the City Clerk; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that resolutions authorizing the award of contracts for a professional service be publicly advertised;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Garfield that:

1. The City Manager is hereby authorized and directed to execute for the City, subject to the availability of funds, a professional services contract with DMR Architects to provide services in accordance with its proposal, which shall remain on file in the Clerk’s office and available for public inspection.
2. That this contract shall be in an amount not to exceed a total of \$14,260.00, payable out of the redevelopment escrow account for said property, upon completion of the tasks as outlined in the proposal.
3. This agreement is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5) because it is a recognized profession, licensed and regulated by law, the performance of which services requires knowledge of an advanced type pursuant to N.J.S.A. 40A:11-2 (6).
4. A notice of this action shall be printed in the Legal Newspaper of the City as required by law within ten (10) days of its passage.

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

October 24, 2022

Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-509-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AWARDING CONSTRUCTION CONTRACT & AUTHORIZING EXECUTION  
FOR THE HOBART PARK PLAYGROUND IMPROVEMENTS PROJECT**

**WHEREAS**, on Friday, October 21, 2022, at 10 AM, bids were opened in the presence of the City CFO/QPA and City Engineer; and

**WHEREAS**, there were three (3) bids received with the lowest bidder for the project being Whirl Corporation Inc., PO Box 110, 194 Main Street, Port Monmouth, NJ 07758 for a Base Bid in the amount of \$68,997.00; and

**WHEREAS**, the City Engineer and the other appropriate City Officials have reviewed the bids and recommend award of contract for the Base Bid; and

**WHEREAS**, the Chief Financial Officer reviewed the available funding for the improvements and has certified that sufficient funds are available within the current and/or previously adopted budget for said purpose by way of accounts G-02-41-722-000-428 and C-04-55-999-000-902; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the City of Garfield approves the authorization of the City Manager, Erin Delaney, to award and execute the contract for the Hobart Park Playground Improvements Project to Whirl Construction Inc., 194 Main Street, Port Monmouth, NJ 07758 for Base Bid in the amount of \$68,997.00.

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

October 24, 2022

Dated

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-510-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**REJECTING ALL BIDS FOR A PROJECT KNOWN AS “RIVER DRIVE  
IMPROVEMENTS AND PASSAIC RIVER BIKEWAY (PHASE 2)”**

**WHEREAS**, the City of Garfield received bids for the above referenced project at 11:00 AM on October 14, 2022; and

**WHEREAS**, a total of 2 bids were received; and

**WHEREAS**, both bids exceeded the total available funding for this project, as well as the engineer’s estimate;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield that all bids are hereby rejected and the City Clerk and Project Engineer are directed to make revisions to the project documents, consult with the various funding entities for the project, and re-advertise for new bids on an expedited basis.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-511-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR SPECIAL  
LAW ENFORCEMENT FUND REQUIRED BY DLGS NJSA 2C:64-1**

**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 NJSA 2C:64-1 Special Law Enforcement Funds by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, NJSA 40A:4-39 provides the dedicated revenues anticipated from NJSA 2C:64-1 Special Law Enforcement Funds 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 Mayor and 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 NJSA 2C:64-1 Special Law Enforcement Funds.
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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-512-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA  
40A:4-87**

**WHEREAS**, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$82,780.00 which is now available from the U.S. Department of Justice; and

**BE IT FURTHER RESOLVED**, that the sum of \$82,780.00 is hereby appropriated under the caption U.S. Department of Justice; and

**BE IT FURTHER RESOLVED**, that the above is the result of funds from U.S. Department of Justice, in the amount of \$82,780.00.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-513-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**ESTABLISHING A CURFEW FOR THE HALLOWEEN HOLIDAY**

**BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that a 9:00 P.M. curfew is hereby established for the nights of October 30, 2022 and October 31, 2022 for all individuals under eighteen years of age, unless they are escorted by an adult; and

**BE IT FURTHER RESOLVED** that the Police Department is hereby authorized to enforce this curfew; and

**BE IT FURTHER RESOLVED** that the City Clerk is hereby authorized and directed to immediately forward a certified and exact copy of this approved resolution to the Chief of the Police Department.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-514-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**APPROVING HANDICAP PARKING SPACE**

**WHEREAS**, Stojanka Ivanovski, 85 Cedar Street, who is the holder of a Disabled Person I.D. Card No. P2634208, has filed an application for a handicap parking sign to be placed at her address; 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 one parking space be designated as reserved for “Handicap Parking”, located on the west curb line of Cedar Street commencing 315 feet north of the intersection of Cedar Street 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: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-515-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING CHANGE ORDER #1 IN CONNECTION WITH GARFIELD WATER  
SYSTEM IMPROVEMENTS WELL 8C AND PACKED TOWER**

**WHEREAS**, the City of Garfield awarded a contract to Fred Devens Construction; and

**WHEREAS**, Change Order #2 is necessary in order to adjust as-built quantities within the project limits in order to close out the project;

**NOW, THEREFORE, BE IT RESOLVED** Change Order #2 decreasing the contract amount \$8,000.00 is hereby approved.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-516-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR**

**WHEREAS**, pursuant to Local Ordinance, Joseph P. Delaney III was appointed Deputy Mayor for the City of Garfield; and

**WHEREAS**, pursuant to the provisions of state and local law, the Deputy Mayor shall serve in the place of the Mayor and perform all functions of the Mayor in the Mayor's absence; and

**WHEREAS**, on Friday, November 18, 2022, it will be necessary and appropriate to temporarily appoint Romi Herrera as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Nora Romero and Michael Aguiar;

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

1. Councilman Romi Herrera be and is hereby appointed Deputy Mayor for the City of Garfield to perform the marriage ceremony of Nora Romero and Michael Aguiar; and
2. This temporary appointment shall be solely for the purpose of performance of this marriage ceremony and for no other reason. Similarly, no additional authority is granted hereby other than to perform said ceremony and to execute any and all documents which may be necessary in order to effectuate the provision of this Resolution and to confirm the performance of the marriage ceremony as described above.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-517-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**SUPPORTING HERA SOLUTIONS LLC AS THE OPERATOR OF A CLASS 2 CANNABIS  
MANUFACTURING LICENSE 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 and Ordinance 2956, creating Part II, General Legislation, Chapter 100, authorizing the operation of four (4) Class 2 adult-use Cannabis Manufacturing facilities as a conditionally permitted use in the LM Zoning District; and

**WHEREAS**, the issuance of a Class 2 license to Hera Solutions LLC to operate in the City of Garfield would not exceed the limit imposed by Ordinance;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the City of Garfield that Hera Solutions 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 2 Cannabis Manufacturing License in the City of Garfield. This Resolution should be viewed as unequivocal local support of the Class 2 Manufacturing application for Hera Solutions; and

**BE IT FURTHER RESOLVED** that Resolution R-190-22 be and is hereby rescinded.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-518-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 3 has advised that they have accepted Liam D. Robertson of 345 Mac Arthur Avenue, Garfield, New Jersey 07026 as a regular active member, effective October 3, 2022;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, be and is hereby approved.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-519-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**DECLARING THE MONTH OF NOVEMBER AS FAMILY COURT AWARENESS  
MONTH**

**WHEREAS**, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children; and

**WHEREAS**, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with physically or sexually abusive parents, while honoring the hundreds of children who have been reported as murdered due to visitation with a knowingly dangerous parent, including 6- year-old Corey Micciolo in our state of New Jersey; and

**WHEREAS**, the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence, child emotional and psychological abuse, childhood trauma, child sexual abuse, coercive control, post separation abuse for all professionals working on cases within the family court system; and

**WHEREAS**, the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value; and

**WHEREAS**, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC); Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice);

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey that the Month of November be and is hereby recognized as Family Court Awareness Month.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-520-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT  
CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR  
THE MIDLAND AVENUE STREETScape IMPROVEMENT PROJECT**

**WHEREAS**, the City of Garfield, County of Bergen, State of New Jersey desires to apply to the New Jersey Department of Transportation for grant funding under the Transportation Alternatives Set-aside Program; and

**WHEREAS**, the Midland Avenue Streetscape Improvement Project meets all the criteria necessary to receive funding under the Transportation Alternatives Program; and

**WHEREAS**, the Midland Avenue Streetscape Improvement Project will encourage alternative modes of transportation, enhance the travel experience, improve open space and smart growth, and improve the quality of life for the residents of the City of Garfield; and

**WHEREAS**, the City of Garfield agrees to assume a commitment of maintenance of the project after construction is completed; and

**WHEREAS**, responsibilities for administering the proposed project in accord with federal and state guidelines (to be known as the Responsible Charge) will be City Manager Erin Delaney, a full-time employee of the City of Garfield; and

**WHEREAS**, the City of Garfield fully supports the proposed Transportation Alternatives project;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Clerk of the City of Garfield, State of New Jersey, authorizes the City Manager to submit an electronic grant application identified as “*TA-2023-Midland Avenue Streetscape Improveme-00100*” to the New Jersey Department of Transportation under the Transportation Alternatives Set-aside Program on behalf of the City of Garfield; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Garfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-521-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
SECONDED BY: COUNCILMAN HERRERA**

**APPROVAL TO SUBMIT A JOINT GRANT APPLICATION AND EXECUTE A  
GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF  
TRANSPORTATION AND BOROUGH OF LODI FOR PHASE 1 OF ROADWAY  
IMPROVEMENTS ALONG HARRISON AVENUE**

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Garfield formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *LTPF-2023-Harrison Ave. Improvement Project -00033* alongside the Borough of Lodi to the New Jersey Department of Transportation on behalf of the City of Garfield. The project will consist of roadway improvements along Harrison Avenue, which sits along the municipal border with the Borough of Lodi and will be completed by both municipalities; and

**BE IT FURTHER RESOLVED** that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Garfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-522-22**

**CONSENT AGENDA**

**RESOLUTION BY: MAYOR RIGOGLIOSO  
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-500-22 through R-522-22 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: October 25, 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 25th day of October 2022. Signed and sealed before me.

\_\_\_\_\_  
Erin Delaney, MPA, RMC  
City Manager/City Clerk

\_\_\_\_\_  
Dated

## **PUBLIC COMMENT**

Mayor Rigoglioso opened the floor for public comment.

Riccarda Stefanik, Riverside Place, inquired about the demolition of the buildings the City recently acquired on River Drive and noted that the properties are becoming a dumping ground for construction debris. City Manager/City Clerk Delaney advised that there is a delay because the bids came in well over the estimated project cost and that the City needs to go back out to bid. She advised Ms. Stefanik that the City would put proper signage to deter any illegal dumping and ask that the Police Department be alert of any such violators when patrolling the area. Ms. Delaney also noted that she would request that the DPW remove any such rubbish that is currently on site.

## **MAYOR & COUNCIL COMMENTS**

There were no Mayor and Council comments.

## **ADJOURNMENT**

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

Respectfully submitted,

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Erin Delaney, MPA, RMC  
City Manager/City Clerk

*These meeting minutes were approved at the December 29, 2022 Rescheduled Regular meeting of the Mayor & Council.*