

**REGULAR MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
NOVEMBER 22, 2022
5:00P.M.**

1. CALL TO ORDER:

The Regular Meeting of the Mayor and Council of the City of Garfield was called to order on Tuesday, November 22, 2022 at 5:19PM in the Conference Room 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 Kevin Boyer, City Attorney Daniel Lagana, and City CFO Anders Hasseler.

*Councilman Herrera arrived at 5:23PM.

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 a rescheduled 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 October 21, 2022 and published on October 26, 2022.

5. APPROVAL OF MINUTES:

A motion was made by Councilwoman Banch and seconded by Councilman Maslag to approve the September 13, 2022 Work Session & Executive Session Meeting, September 20, 2022 Special Meeting, September 27, 2022 Regular Meeting, and October 3, 2022 Special Meeting minutes. The motions carried unanimously by those present.

6. ORDINANCES: FIRST READING

R-523-22 Introduce Ord. #2967

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

R-524-22 Introduce Ord. #2968

**BOND ORDINANCE TO AUTHORIZE THE UPGRADING
OF COMMUNICATIONS SYSTEMS AND EQUIPMENT
FOR THE POLICE DEPARTMENT, FIRE DEPARTMENT
AND DEPARTMENT OF PUBLIC WORKS IN, BY AND
FOR THE CITY OF GARFIELD, IN THE COUNTY OF
BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE
THE SUM OF \$1,550,000 TO PAY THE COST THEREOF,
TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE
ISSUANCE OF BONDS TO FINANCE SUCH
APPROPRIATION AND TO PROVIDE FOR THE
ISSUANCE OF BOND ANTICIPATION NOTES IN
ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

R-525-22 Introduce Ord. #2969

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

SECOND READING

R-526-22 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-527-22 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-528-22 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

Ordinance 2963 was mistakenly listed on the agenda for second reading. A motion was made by Councilwoman Banch and seconded by Councilman Herrera to pull said item. The motions carried unanimously.

7. CONSENT AGENDA:

- R-529-22 Approval of Bills and Claims
- R-530-22 Transfer of Funds Between Line Items
- R-531-22 Approval of Tax Settlement – Riverview Mall c/o Royal Properties
- R-532-22 Approval of Tax Settlement – 635-637 Midland Avenue, LLC.
- R-533-22 Revising Contract for Auditing Services
- R-534-22 Revising Contract for Services Rendered in Connection with River Drive Phase 2
- R-535-22 Approving Tax Overpayment Refund
- R-536-22 Approving Widow’s Pension
- R-537-22 Approving Widow’s Pension
- R-538-22 Adjustment of the Construction Contract Amount for the Jewell Street Park Improvements Project
- R-539-22 Adjustment of the Construction Contract Amount for the 2021 Road Program Project
- R-540-22 Requesting Additional Funding Authorization to Close Out the New Jersey Department of Environmental Protection Case at the Former Skultety Property Located at 649-651 River Drive
- R-541-22 Authorizing Submission of Garfield Municipal Alliance Strategic Plan & Acknowledging Grant Requirements
- R-542-22 Appointing Ronald P. Mondello, Esq. Special Tax Counsel
- R-543-22 Approving Handicap Parking Space
- R-544-22 Approving Handicap Parking Space

R-545-22	Approving Handicap Parking Space
R-546-22	Requesting an Extension of Time to Award a NJDOT MA-2019 Bikeway Grant in Connection with a Project Known as “River Drive Improvements and Passaic River Bikeway (Phase 2)”
R-547-22	Municipal Endorsing Resolution for Bergen County Community Development Block Grant (CDBG) Project – Garfield Boys & Girls Club
R-548-22	Municipal Endorsing Resolution for Bergen County Community Development Block Grant (CDBG) Project – Garfield Boys & Girls Club
R-549-22	Municipal Endorsing Resolution for Bergen County Community Development Block Grant (CDBG) Project – YMCA
R-550-22	Approving Resignation of Active Member – Fire Department
R-551-22	Approving Regular Active Member – Fire Department
R-552-22	Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
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R-555-22	Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
R-556-22	Authorizing the Submission of a Bergen County Community Development Block Grant Application
R-557-22	Confirming Endorsement of Community Development Project – GBCA
R-558-22	Approving Handicap Parking Space
R-559-22	Authorizing Resolution to Accept Consent Agenda

8. PUBLIC HEARING:

9. MAYOR AND COUNCIL COMMENTS:

10. ADJOURNMENT

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-523-22**

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

**INTRODUCE ORDINANCE #2967
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 226,
PARKING, 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, December 13, 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: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2967**

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

WHEREAS, to protect the health, safety, and welfare of the residents of the City of Garfield, the Governing Body seeks to limit the parking of larger vehicles from parking overnight on City streets

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

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 226, Parking, Article VIII, Overnight Parking, Subsection 224-40 No parking certain hours on public streets, is hereby amended as follows:

§ 226-40 Prohibition on parking on public property and City Streets.

- A. No person and/or business entity shall park a vehicle between the hours of 3:00 a.m. and 6:00 a.m. on public or municipally owned property and City Streets. Violations of this section shall be considered a motor vehicle parking violation and shall be subject to the penalties as those set forth in § **226-41** of the City Code of the City of Garfield.

- B. No van, truck or recreational vehicles that exceed twenty-two (22) feet in length and seven (7) feet in width shall be permitted to park on any street in the City of Garfield between the hours of 10:00 p.m. and 6:00 a.m.
 - i. The temporary standing of the aforementioned prohibited vehicle shall be permitted for the loading and unloading of passengers or property not to exceed 15 minutes

Section 2. The remainder of Chapter 226 is hereby ratified and remains 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

Introduced: November 22, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-524-22**

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

**INTRODUCE ORDINANCE #2968
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

BOND ORDINANCE TO AUTHORIZE THE UPGRADING OF COMMUNICATIONS SYSTEMS AND EQUIPMENT FOR THE POLICE DEPARTMENT, FIRE DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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, December 13, 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: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2968**

BOND ORDINANCE TO AUTHORIZE THE UPGRADING OF COMMUNICATIONS SYSTEMS AND EQUIPMENT FOR THE POLICE DEPARTMENT, FIRE DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,550,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS

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

Section 1. The City of Garfield, in the County of Bergen, State of New Jersey (the "City"), is hereby authorized to upgrade communications systems and equipment for the Police Department, Fire Department and Department of Public Works in, by and for the City in connection with the conversion to the County of Bergen (the "County") Communications System, pursuant to a shared services agreement between the City and the County. Said improvements shall include all equipment, building improvements, work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$1,550,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of the City, and (2) it is necessary to finance said purpose by the issuance of obligations of the City pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$1,550,000, and (4) \$74,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$1,476,000, and (6) the cost of said purpose, as hereinbefore stated, includes the aggregate amount of \$23,500, which is estimated to be necessary to finance the cost of said purpose, including architect's fees, accounting, engineering

and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$74,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the City, are now available to finance said purpose. The sum of \$74,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the City of an aggregate principal amount not exceeding \$1,476,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of the City of an aggregate principal amount not exceeding \$1,476,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance, shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law, and may be renewed from time to time pursuant to and within the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the City and attested by the City Clerk or Deputy City Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance, and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the City Clerk of the City, and that such statement so filed shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,476,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by the Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of said purpose shall be applied to the payment of the cost of said purpose or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for said purpose shall be reduced accordingly.

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the City Clerk and is available for public inspection.

Section 12. The City intends to issue bonds or notes to finance the cost of the improvements described in Section 1 of this ordinance. If the City incurs such costs prior to the issuance of such bonds or notes, the City hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this ordinance.

Section 13. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the City, and the City shall levy ad valorem taxes upon all the taxable real property within the City for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: November 22, 2022

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-525-22**

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

**INTRODUCE ORDINANCE #2969
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, 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, December 13, 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: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 2969**

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, 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 100, Cannabis, is hereby amended as follows:

Section 1. The Governing Body of the City of Garfield hereby amends Part II, General Legislation, Chapter 100, Cannabis, Section 100-5, Zoning, Subsection 100-5C(9). as follows:

Section 100-5. Zoning

C. All Cannabis Establishments operating in the City of Garfield shall be permitted as a Condition Use, subject to the following conditions:

- (9) No Class 5 Cannabis Retail Establishment shall be located within 750 feet from a parcel housing a pre-existing public, non-public, or charter school identified in the New Jersey Department of Education's School Directory within Garfield or shall be within 750 feet of a park or recreational facility including, but not limited to, those parks or recreation facilities identified in the Recreation Element of the City of Garfield's 2002 Master Plan.
 - a. Distances shall be measured in a straight line from the center of the entrance of the Cannabis Establishment to the closest point of the property line.
 - b. Emergency/fire exits, maintenance access, and doors to gain access to non-public areas are not used in the measurement. If the entrance is set back from the sidewalk by a walkway or doorway, the measurement is taken from the center of the line where the walkway/doorway meets the sidewalk or curb.
 - c. For an establishment in a multi-story building, the building entrance at street level is to be used to guide the measurement.

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

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

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: November 22, 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-526-22**

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

**INTRODUCE ORDINANCE #2964
SECOND READING**

WHEREAS, a public notice has been given by the City Clerk 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**

was introduced and passed at a meeting held on Tuesday, October 25, 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: November 22, 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 22nd day of November 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**

**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: November 22, 2022

APPROVED: _____

Richard Rigoglioso, Mayor

Mayor Rigoglioso opened the floor for a public hearing. No one wished to be heard. Mayor Rigoglioso asked for an additional stipulation be added to the ordinance at the next meeting addressing property maintenance for licensees.

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-527-22**

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

**INTRODUCE ORDINANCE #2965
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 109, CHRISTMAS TREE SALES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

was introduced and passed at a meeting held on Tuesday, October 25, 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: November 22, 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 22nd day of November 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**

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 109-4, Investigation and issuance, of the Code of the City of Garfield is hereby amended as follows:

B. The City Clerk may deny an application where the investigation or inquiry demonstrate that:

- 1) The information set forth in the application is fraudulent or misleading;
- 2) The applicant or any person conducting the business has been convicted of a crime or disorderly person offense which has not been expunged pursuant to N.J.S.A. 2C:52-1 et seq., or pardoned and which offense relates adversely to the business for which the license is sought, in this regard the City Clerk shall be guided by N.J.S.A. 2A:168A-2;
- 3) The proposed location is not a proper area and will cause obstruction of the public right-of-way or sidewalks or create a neighborhood disturbance;
- 4) The real estate property taxes or assessments for the proposed location are delinquent for more than six months;
- 5) The roadways adjacent to the location, its ingress and egress are inadequately designed for safe traffic or pedestrian circulation;
- 6) The proposed hours of business or nature of the business will coincide or overlap other business or activities currently permitted at the location; or
- 7) The proposed means of advertising, marketing, display or exhibition is contrary to the zoning or building codes, or other ordinances of the City of Garfield.

Section 2. 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 3. All other provisions of Chapter 109 is hereby ratified and remains in full force and effect;

Section 4. Any other chapter of the City Code that conflicts with this amendment is hereby repealed to the extent of the conflict;

Section 5. 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: November 22, 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-528-22**

RESOLUTION BY: DEPUTY MAYOR DELANEY

SECONDED BY: COUNCILWOMAN BANCH

INTRODUCE ORDINANCE #2966

SECOND READING

WHEREAS, a public notice has been given by the City Clerk 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

was introduced and passed at a meeting held on Tuesday, October 25, 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: November 22, 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 22nd day of November 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**

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: November 22, 2022

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-529-22**

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 Current Year Reserve Totaling \$1,026.32 and the Current Fund totaling \$464,593.01 and the Water Fund totaling \$18,736.01 and the General Capital Fund totaling \$1,377,598.54 and the Water Capital Fund totaling \$176,723.48 and the Trust Account totaling \$2,869.77 and the State and Federal Grant Fund totaling \$37,670.94 per attached Computer Lists, dated November 18, 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-two (42) 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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-530-22**

CONSENT AGENDA

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

TRANSFER OF FUNDS BETWEEN LINE ITEMS

WHEREAS, the Chief Financial Officer has determined that it is necessary to make the following transfers between budget line items in order to pay appropriations 2022 invoices;

From: Administrator S&W	\$ 12,000.00	
Clerk OE	\$ 5,000.00	
Finance S&W	\$ 13,000.00	
Zoning OE	\$ 3,000.00	
UCC Building S&W	\$ 5,000.00	
UCC Building OE	\$ 11,000.00	
Housing OE	\$ 8,000.00	
Other Insurance	\$ 150,000.00	
Health Insurance	\$ 250,000.00	
Police OE	\$ 125,000.00	
Purchase of Police Vehicles	\$ 39,000.00	
OEM OE	\$ 10,000.00	
Volunteer Fire OE	\$ 90,000.00	
LOSAP	\$ 7,000.00	
DPW OE	\$ 35,000.00	
Health S&W	\$ 12,000.00	
Health OE	\$ 8,000.00	
Celebration of Public Events	\$ 5,000.00	
Court S&W	\$ 30,000.00	
Public Defender	\$ 7,000.00	
Note Interest	\$ 1,000.00	
To: Clerk S&W	\$ 8,000.00	
Elections	\$ 3,000.00	
Audit Services	\$ 35,000.00	
Tax Collector S&W	\$ 1,000.00	
Tax Collector OE	\$ 11,000.00	

Legal S&W	\$ 8,000.00
Legal OE	\$ 10,000.00
Tax Court Appeal Counsel	\$ 5,000.00
Engineering OE	\$ 7,000.00
Planning OE	\$ 5,000.00
Housing S&W	\$ 40,000.00
Health Waiver	\$ 45,000.00
Police S&W	\$ 150,000.00
Traffic	\$ 12,000.00
Fire Safety S&W	\$ 45,000.00
Prosecutor	\$ 10,000.00
DPW S&W	\$ 60,000.00
Storm Recovery	\$ 10,000.00
Electricity	\$ 45,000.00
Communications	\$ 100,000.00
Gasoline	\$ 85,000.00
PERS	\$ 100,000.00
Unemployment	\$ 10,000.00
DCRP	\$ 12,000.00
Accumulated Absence	\$ 20,000.00
Green Acres Loan 2022	\$ 1,000.00
From: Note Interest	\$8,000.00
To: Bond Interest	\$ 4,000.00
EIT Loan	\$ 4,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Garfield, that the Chief Financial Officer be and is hereby authorized and directed to make the necessary transfers per above.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-531-22**

CONSENT AGENDA

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

**APPROVAL OF TAX SETTLEMENT – RIVERVIEW MALL C/O ROYAL
PROPERTIES**

WHEREAS, Riverview Mall c/o Royal Properties, as Tenant in a Parcel Owned by Royal Properties is the owner of real property known on the Tax Map of the City of Garfield as Block 199, Lot 5, commonly known as 789 River Drive, and Block 199, Lot 11, commonly known as 822 River Drive in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2020, 2021, and 2022, bearing Docket No. 009049-2020, 002903-21, and 001769-22; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Lavin & Associates, P.C., have recommended that the appeal be settled; and

WHEREAS, said properties were assessed for the year(s) as follows:

Block 199, Lot 5 (Street Address- 789 River Drive):

Year	Land	Improvements	Total
2021 Original Assessment	\$1,217,900.00	\$1,301,300.00	\$2,519,200.00
2022 Original Assessment	\$1,217,900.00	\$1,301,300.00	\$2,519,200.00

Block 199, Lot 11 (Street Address- 822 River Drive):

Year	Land	Improvements	Total
2021 Original Assessment	\$230,800.00	\$0.00	\$230,800.00
2022 Original Assessment	\$230,800.00	\$0.00	\$230,800.00

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax appeal by reducing the assessments as follows:

Block 199, Lot 5 (Street Address- 789 River Drive):

Year	Land	Improvements	Total
2021 Original Assessment	WITHDRAWN	WITHDRAWN	WITHDRAWN
2022 Original Assessment	WITHDRAWN	WITHDRAWN	WITHDRAWN

Block 199, Lot 11 (Street Address- 822 River Drive):

Year	Land	Improvements	Total
2021 Original Assessment	\$1,217,900.00	\$951,300.00	\$2,169,200.00

2022 Original Assessment	\$230,800.00	\$0.00	\$230,800.00
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BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-532-22**

CONSENT AGENDA

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

APPROVAL OF TAX SETTLEMENT – 635-637 MIDLAND AVENUE, LLC.

WHEREAS, 635-637 Midland Ave, LLC is the owner of real property known on the Tax Map of the City of Garfield as Block 144, Lot 1, commonly known as 637 Midland Ave, in the City of Garfield, County of Bergen and State of New Jersey, has filed real property tax appeal for the year(s) 2020, 2021, and 2022, bearing Docket No. 009049-2020, 002903-21, and 001769-22; and

WHEREAS, Robert McNerney, the appraisal expert retained by the City of Garfield, and/or James Tighe, the Tax Assessor and the City Special Litigation Counsel, Lavin & Associates, P.C., have recommended that the appeal be settled; and

WHEREAS, said properties were assessed for the year(s) as follows:

Block 144, Lot 1 (Street Address- 637 Midland Ave):

Year	Land	Improvements	Total
2020 Original Assessment	\$888,600.00	\$763,000.00	\$1,652,100.00
2021 Original Assessment	\$888,600.00	\$763,000.00	\$1,652,100.00
2022 Original Assessment	\$888,600.00	\$763,000.00	\$1,652,100.00

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the Special Litigation Counsel is hereby authorized to enter into a settlement of the real property tax appeal by reducing the assessments as follows:

Block 144, Lot 1 (Street Address- 637 Midland Ave):

Year	Land	Improvements	Total
2020 Settlement	WITHDRAWN	WITHDRAWN	WITHDRAWN
2021 Settlement	\$888,600.00	\$611,400.00	\$1,500,000.00
2022 Settlement	\$888,600.00	\$561,400.00	\$1,450,000.00

BE IT FURTHER RESOLVED, that no interest be paid on any refund or credit due the taxpayer provided it is paid within the statutory time period; and

BE IT FURTHER RESOLVED, that the City Special Litigation Counsel is hereby authorized to sign a Stipulation of Settlement consistent with the terms of this Resolution.

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

November 21, 2022

Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-533-22**

CONSENT AGENDA

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

REVISING CONTRACT FOR AUDITING SERVICES

WHEREAS, auditing services are required by Division of Local Government Services per New Jersey Administrative Code 5:31; and

WHEREAS, the auditors have assisted the City in negotiating with all three unions this year;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Garfield, County of Bergen, State of New Jersey approved the contract of \$70,000.00 to Lerch, Vinci, Bliss for auditing and advising services in R 14-22; and

BE IT FURTHER RESOLVED, by the City that an additional amount of \$30,000 is necessary to complete the services, for a total of \$100,000.00 to be paid out of account 2-01-20-135-135-000.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-534-22**

CONSENT AGENDA

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

**REVISING CONTRACT FOR SERVICES RENDERED IN CONNECTION WITH
RIVER DRIVE PHASE 2**

WHEREAS, the scope of eligible work involves the River Parkway and Bikeway Project; and

WHEREAS, the City has acquired multiple parcels along the Passaic River; and

WHEREAS, the City wishes to continue planning, designing, permitting, remediating, and applying for grants; and

WHEREAS, additional services were required to meet the NJDEP requirements;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Garfield, County of Bergen, State of New Jersey approved the contract of \$625,000.00 to Boswell Engineering for services rendered in connection with this project in R 17-070; and

BE IT FURTHER RESOLVED, by the City that an additional amount of \$125,000 is necessary to complete the services, for a total of \$750,000.00 to be paid out of account C-04-55-999-000-963.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-535-22**

CONSENT AGENDA

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

APPROVING 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 Senior Allowed for year 2022;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check from account 2-01-17-001-001 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.

BLOCK #	LOT#	OWNER	REASON	AMOUNT
215.01	15	Ismailoglu , Ibrahim	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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-536-22**

CONSENT AGENDA

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

APPROVING WIDOW’S PENSION

BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2023 and terminating December 31, 2023, to Mrs. Linda Yondolino, wife of deceased Nicholas A. Yondolino, who resides at 662 Upper Mountain Road, Pine Bush, New York 12566, pursuant to the provisions of Ordinance No. 1839 entitled: “An Ordinance Concerning the Payment of a Pension to the Widow and Dependent of Nicholas Yondolino, in the City of Garfield in the County of Bergen and State of New Jersey”, adopted by the City Council at a meeting held on October 2, 1984.

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

November 21, 2022

Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-537-22**

CONSENT AGENDA

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

APPROVING WIDOW’S PENSION

BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2023 and terminating December 31, 2023, to Mrs. Rose Ann Merendino, wife of deceased Joseph Merendino, who resides at 4609 Wheatland Drive, Fort Worth, Texas, 76179 pursuant to the provisions of Ordinance No. 1716 entitled: “An Ordinance Concerning the Payment of a Pension to the Widow and Dependent of Joseph Merendino, in the City of Garfield in the County of Bergen and State of New Jersey”, adopted by the City Council at a meeting held on February 19, 1980.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

Members of the Governing Body raised a question regarding liquidated damages as a result of the project being delayed by the contractor.

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-538-22**

CONSENT AGENDA

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

**ADJUSTMENT OF THE CONSTRUCTION CONTRACT AMOUNT FOR THE
JEWELL STREET PARK IMPROVEMENTS PROJECT**

WHEREAS, Resolution R-62-22 of the Mayor and Council of the City of Garfield has awarded the contract for the Jewell Street Park Improvements Project to AA Berms LLC, PO Box 180, Belleville, NJ 07109, on February 7, 2022 in the amount of \$182,583.00 for Base Bid plus Alternate Bids ‘A’, ‘B’ and ‘C’; and

WHEREAS, the total amount to complete this project is \$204,077.89. Additional funds were needed due to additional stone to address the additional excavation as a result of unmarked water service as well as installation of additional pavers and tree removal at the City’s request. This resolution will serve to increase the adjusted contract amount of \$204,077.89 by Change Order No. 1 in the amount of \$21,494.89; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to adjust the contract amount of the Jewell Street Park Improvements Project to \$204,077.89 with Change Order No. 1 in the amount of \$21,494.89 to be paid out of account C-04-55-999-000-981.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-539-22**

CONSENT AGENDA

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

**ADJUSTMENT OF THE CONSTRUCTION CONTRACT AMOUNT FOR THE
2021 ROAD PROGRAM PROJECT**

WHEREAS, Resolution R-21-323 of the Mayor and Council of the City of Garfield has awarded the contract for the 2021 Road Program to Smith-Sondy Asphalt Construction Co Inc., on September 27, 2021 in the amount of \$1,114,623.23 and Resolution R-42-22 for Change Order No. 1 in the amount of \$76,910.00 as approved on January 24, 2022 for a total adjusted contract amount of \$1,191,542.23 to be paid out of account C-04-55-999-000-985; and

WHEREAS, the total amount to complete this project is \$1,134,468.74. This resolution will serve to reduce the adjusted contract amount of \$1,191,542.23 by Change Order No. 2 in the amount of \$57,073.49 to the total adjusted contract amount of \$1,134,468.74; and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield does hereby approve the authorization of the City Manager, Erin Delaney, to adjust the contract amount of the 2021 Road Program to \$1,134,468.74 with Change Order No. 2 in the amount of \$57,073.49

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

November 21, 2022

Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-540-22**

CONSENT AGENDA

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

**REQUESTING ADDITIONAL FUNDING AUTHORIZATION TO CLOSE OUT THE
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION CASE AT THE
FORMER SKULTETY PROPERTY LOCATED AT 649-651 RIVER DRIVE**

WHEREAS, the City of Garfield authorized Boswell Engineering to perform various Licensed Site Remediation Professional (LSRP) services associated with the project known as “River Drive Improvements and Passaic River Bikeway (Phase 2)”; and

WHEREAS, the former property owner of 649-651 River Drive, Richard Skultety, was contractually responsible for removing two (2) underground storage tanks (UST) and conducting the requisite soil and groundwater investigation; and

WHEREAS, during the investigation groundwater contamination was encountered that was not associated with the USTs, but rather resulted from an off-site source (Presto Locks); and

WHEREAS, the former property owner was only responsible for work associated with the tanks; and

WHEREAS, the New Jersey Department of Environmental Protection required the City to document the off-site contamination source, locate and permanently abandon the two (2) monitoring wells installed during the UST investigation, and issue the site a Response Action Outcome (RAO) to close out the case; and

WHEREAS, it became necessary for Boswell to perform additional, work on behalf of the City, due to the unanticipated groundwater contamination;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Garfield that Boswell is hereby authorized to perform the requisite LSRP services to close out the NJDEP case on a time and materials basis, not to exceed \$7,500.00 to be paid out of account C-04-55-999-000-963.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-541-22**

CONSENT AGENDA

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

**AUTHORIZING SUBMISSION OF GARFIELD MUNICIPAL ALLIANCE STRATEGIC
PLAN & ACKNOWLEDGING GRANT REQUIREMENTS**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the City Council of the City of Garfield, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and, therefore, has an established Municipal Alliance Committee; and

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen;

NOW, THEREFORE, BE IT RESOLVED by the City of Garfield, County of Bergen, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the Garfield Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR	\$ 5754.10
Cash Match	\$ 1438.53
In-Kind	\$ 4315.58

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-542-22**

CONSENT AGENDA

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

APPOINTING RONALD P. MONDELLO, ESQ. SPECIAL TAX COUNSEL

WHEREAS, there is one (1) Tax Court case pending before the tax court in which there exists a conflict of interest with the City's special Tax Counsel Lavin & Associates, P.C.;

WHEREAS, there is also a conflict of interest with the City Attorney's office in these matters; and

WHEREAS, the City requires the appointment of special tax counsel for these limited matters;

WHEREAS, the matter requiring the appointment of special tax counsel is as follows, KEN-DAN, INC. v. CITY OF GARFIELD, Docket No. 005330-2022;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey, that the City Manager is hereby authorized to enter into a professional services contract with Ronald P. Mondello, Esq. as discussed herein;

BE IT FURTHER RESOLVED, that Ronald P. Mondello, Esq. shall be compensated at an hourly rate of \$150.00, per hour to be billed by the one-tenth of an hour for his services as special counsel to handle the foregoing matters;

BE IT FURTHER RESOLVED, that the City Clerk shall cause to be published, notice of the Award of Professional Services contract as required by the New Jersey local public contracts 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

November 21, 2022
Dated

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-543-22**

CONSENT AGENDA

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Peter C. Barno, of 219 Wessington Avenue, who is the holder of a Disabled Person I.D. Card No. P2406354, has filed an application for a handicap parking sign to be placed at his 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 Wessington Avenue commencing 125 feet north of the intersection of Wessington Avenue and Sampson Street and continue an additional 20 feet west 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: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-544-22**

CONSENT AGENDA

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Maggie Aguilar, 280 MacArthur Avenue, who is the holder of a Disabled Person I.D. Card No. P2537565, 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 east curb line of MacArthur Avenue commencing 293 feet south of the intersection of MacArthur Avenue and Elizabeth Street and continue an additional 25 feet west 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: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-545-22**

CONSENT AGENDA

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Karina Correa, 14 Mattausch Place #4, who is the holder of a Disabled Person I.D. Card No. P2268183, 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 south curb line of Sampson Street commencing 25 feet west of the intersection of Mattausch Place and Sampson Street and continue an additional 20 feet west 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: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-546-22**

CONSENT AGENDA

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

**REQUESTING AN EXTENSION OF TIME TO AWARD A NJDOT MA- 2019
BIKEWAY GRANT IN CONNECTION WITH A PROJECT KNOWN AS “RIVER
DRIVE IMPROVEMENTS AND PASSAIC RIVER BIKEWAY (PHASE 2)”**

WHEREAS, the City of Garfield received a MA-2019 Bikeway Grant in the amount of \$500,000 in connection with the above referenced project; and

WHEREAS, the grant originally had a deadline to award this contract of April 21, 2021; and

WHEREAS, the City of Garfield responsibly administered the design and permitting phases of this project but encountered delays in securing the requisite NJDEP Land Use permits for this project; and

WHEREAS, an extension of the April 21, 2021 deadline was requested and granted as the City sought the requisite NJDEP permits and new deadline of March 18, 2022 was established but the NJDEP permits were not secured until July 29, 2022; and

WHEREAS, the NJDOT granted an extension until October 31, 2022 to bid and award the project; and

WHEREAS, bids were received on October 14, 2022 with the lowest bid exceeding the available funding and engineer’s estimate by \$1.6 million; and

WHEREAS, the City is rejecting these bids, revising the project documents and rebidding this improvement; and

WHEREAS, the City must request another extension of time to award this project, which is now authorized to proceed to bid by the Mayor and Council of the City;

NOW, THEREFORE, BE IT RESOLVED the City hereby requests an extension of time until January 30, 2023 to award the project to the lowest responsible bidder.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-547-22**

CONSENT AGENDA

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

**MUNICIPAL ENDORSING RESOLUTION FOR BERGEN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT – GARFIELD BOYS & GIRLS
CLUB**

WHEREAS, a Bergen County Community Development Block Grant targeted for (CDBG) totaling \$276,075 has been proposed by the Boys & Girls Club of Garfield for bathroom renovations in the municipality of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, aforesaid project is in the best interest of the people of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-548-22**

CONSENT AGENDA

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

**MUNICIPAL ENDORSING RESOLUTION FOR BERGEN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT – GARFIELD BOYS & GIRLS
CLUB**

WHEREAS, a Bergen County Community Development Block Grant totaling \$60,000 has been proposed by the Boys & Girls Club of Garfield for Triple Play Healthy Habits in the municipality of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, aforesaid project is in the best interest of the people of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-549-22**

CONSENT AGENDA

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

**MUNICIPAL ENDORSING RESOLUTION FOR BERGEN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT – GARFIELD YMCA**

WHEREAS, a Bergen County Community Development grant of \$151,200.00 has been proposed by Garfield YMCA for Child Care Ventilation Upgrades in the municipality of Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-550-22**

CONSENT AGENDA

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

APPROVING RESIGNATION OF ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Nathalia Falette of 9 Onyx Court, Passaic, New Jersey 07055 as an active member, effective October 6, 2022;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 2 with respect to the above matter, is hereby approved.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-551-22**

CONSENT AGENDA

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

APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 5 has advised that they have accepted Zaire A. Harris of 22 Maple Street, Garfield, New Jersey 07026, as a regular active member, effective November 7, 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. 5 with respect to the above matter, is hereby approved.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-552-22**

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 \$22,326.00 which is now available from Division of Community Affairs; and

BE IT FURTHER RESOLVED, that the sum of \$22,326.00 is hereby appropriated under the caption Division of Community Affairs; and

BE IT FURTHER RESOLVED, that the above is the result of funds from Division of Community Affairs, in the amount of \$22,326.00.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-553-22**

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 \$109,380.05 which is now available from the NJ Department of Agriculture; and

BE IT FURTHER RESOLVED, that the sum of \$109,380.05 is hereby appropriated under the caption the NJ Department of Agriculture; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the NJ Department of Agriculture, in the amount of \$109,380.05.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-554-22**

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 \$20,327.20 which is now available as part of the National Opioid Settlement; and

BE IT FURTHER RESOLVED, that the sum of \$20,327.20 is hereby appropriated under the caption the National Opioid Settlement; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the National Opioid Settlement, in the amount of \$20,327.20.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-555-22**

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 \$20,762.28 which is now available from the FEMA; and

BE IT FURTHER RESOLVED, that the sum of \$20,762.28 is hereby appropriated under the caption FEMA; and

BE IT FURTHER RESOLVED, that the above is the result of funds from FEMA, in the amount of \$20,762.28.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-556-22**

CONSENT AGENDA

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

**AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION**

WHEREAS, a Bergen County Community Development Block Grant totaling \$204,000.00 has been proposed by the City of Garfield for the replacement of the HVAC unit at the Garfield Recreation Center to better mitigate the spread of COVID-19; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, aforesaid project is in the best interest of the people of the City of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-557-22**

CONSENT AGENDA

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

**CONFIRMING ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECT –
GBCA**

WHEREAS, a Bergen County Community Development grant of \$595,000 has been proposed by Greater Bergen Community Action for the equipment and installation of the HVAC system for Unity Health Partnership at 541 Midland Avenue in Garfield; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Garfield; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of Garfield hereby confirms endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

APPROVED: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-558-22**

CONSENT AGENDA

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, George Faddoul, 363 MacArthur Avenue, who is the holder of a Disabled Person I.D. Card No. P2636061, has filed an application for a handicap parking sign to be placed at his address; and

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

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 MacArthur Avenue commencing 174 feet west of the intersection of MacArthur Avenue and Leonard Street and continue an additional 16 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: November 22, 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 22nd day of November 2022. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-559-22**

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-529-22 through R-559-22 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: November 22, 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 22nd day of November 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. No one wished to be heard.

MAYOR & COUNCIL COMMENTS

The Mayor and Council wished everyone a Happy Thanksgiving.

Mayor Rigoglioso also shared information regarding Turkey giveaways.

ADJOURNMENT

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

Respectfully submitted,

Erin Delaney, MPA, RMC
City Manager/City Clerk

These meeting minutes were approved at the January 24, 2023 Regular Meeting of the Mayor & Council.