

**REGULAR MEETING  
OF THE  
GARFIELD MAYOR AND COUNCIL  
APRIL 25, 2023  
6:00P.M.**

**1. CALL TO ORDER:**

The Regular Meeting of the Mayor and Council of the City of Garfield was called to order on Tuesday, April 25, 2023 at 6:11PM in the Council Chambers of the Municipal Building, 111 Outwater Lane, Garfield, New Jersey. On Roll Call present members were: Councilmembers Maslag, Herrera, & Banch, Deputy Mayor Delaney\*, and Mayor Rigoglioso. Also present were City Manager/City Clerk Delaney, City Engineer Kevin Boswell, and City Attorney John Tuntevski.

*\*Deputy Mayor Delaney arrived at 6:21PM*

**2. ROLL CALL:**

**3. FLAG SALUTE**

**4. STATEMENT OF COMPLIANCE:**

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

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing an annual meeting notice in The Record and Herald News and by posting such notice in the office of the City Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was posted on January 9, 2023 and published on January 12, 2023.

**5. APPROVAL OF MINUTES:**

A motion was made by Councilwoman Banch and seconded by Councilman Herrera to approve the March 14, 2023 Work Session & Executive Session, March 17, 2023 Special meeting, and March 28, 2023 Regular Meeting minutes. The motions carried unanimously by those present.

**6. ORDINANCES:**

**FIRST READING**

R-174-23

Introduce Ord. #2990

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 308, TOBACCO RETAIL ESTABLISHMENTS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-175-23

Introduce Ord. #2991

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 105, CERTIFICATES OF CONTINUED OCCUPANCY, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-176-23

Introduce Ord. #2992

**AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 44, PERSONNEL REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

R-177-23 Introduce Ord. #2993  
**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 128, DWELLING CERTIFICATES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**SECOND READING**

R-178-23 Introduce Ord. #2989  
**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF NEIGHBORHOOD PRESERVATION PROGRAM IMPROVEMENTS ALONG THE PASSAIC STREET CORRIDOR (PHASE III) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$170,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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**

**7. CONSENT AGENDA:**

R-179-23 Approval of Bills and Claims  
R-180-23 Authorizing Change Orders #1 & Final to AB Contracting, LLC. for the CDBG Senior Center Kitchen Improvements  
R-181-23 Authorizing the Mayor and Council to Make a One-Time Adjustment to the LOSAP Program of the Volunteer Fire Department of the City of Garfield  
R-182-23 Approving Tax Overpayment Credit/Refund  
R-183-23 Approving Appointment of Financial Advisor Pursuant to the New Jersey Local Unit Pay to Play Law  
R-184-23 Appointing Fire Department Chaplain  
R-185-23 Appointment of Redevelopment Agency Member  
R-186-23 Supporting the 2023 Udrive. Utext. Upay. Distracted Driving Crackdown  
R-187-23 Approving Handicap Parking Space  
R-188-23 Approving 15-Minute Business Parking Zone  
R-189-23 Requesting Permission for The Dedication by Rider for Older Americans Act - Program Contributions Required by DLGS NJS A 40A:5-29  
R-190-23 Approving Exempt Member – Fire Department  
R-191-23 Approving Exempt Member – Fire Department  
R-192-23 Resolution to Accept Consent Agenda

**8. BUDGET INTRODUCTION**

R-193-23 Introduce Ord. #2994  
**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**  
R-194-23 Introduction of 2023 Municipal Budget

**9. PUBLIC HEARING:**

**10. MAYOR & COUNCIL REPORTS:**

**11. ADJOURNMENT:**

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-174-23**

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

**INTRODUCE ORDINANCE #2990  
FIRST READING**

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

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 308, TOBACCO RETAIL ESTABLISHMENTS, 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, May 9, 2023 at 6:00PM 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: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2990**

---

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 308, TOBACCO RETAIL ESTABLISHMENTS, 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 repeal and replace Part II, General Legislation, Chapter 308 Tobacco Retail Establishments, 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, Part II, General Legislation, Chapter 308 Tobacco Retail Establishments is repealed and replaced as follows:

Section 1. Part II, General Legislation, Chapter 308 Tobacco Retail Establishments is repealed and replaced as follows:

Chapter 308 Tobacco Retail Establishments; Vape Shop; Retail Electronic Smoking Establishments

**§ 308-1 Purpose.**

The purpose of this article is to regulate the location and operation of retail purveyors of tobacco, tobacco products and Electronic Smoking Devices, in the City of Garfield, Bergen County, in order to maintain the City's character, diversity and vitality of the City's business and commercial areas and the quality of life for its residents and visitors. This is considered part of a strategy to preserve and enhance the economic health of the City's business district and promote its continued positive development.

**§ 308-2 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated. Any terms not defined herein shall be given the meaning ascribed in Section 341-2.

**TOBACCO RETAIL ESTABLISHMENT**

An establishment in which at least 51% of retail business is the sale of tobacco products and accessories and in which the sale of other products is merely incidental.

**TOBACCO RETAILER**

Any person or entity that operates a store, stand, booth concession or other place at which sales rentals, or other distributions including giveaways of tobacco or tobacco products are made to persons for the purpose of consumption or use by such persons.

**RETAIL ELECTRONIC SMOKING DEVICE ESTABLISHMENT**

Any establishment that solely sells, distributes, gives, offers or manufactures electronic smoking devices, components or parts, electronic liquid, and/or liquid nicotine.

**VAPE SHOP**

Any commercial establishment whose principal business is the retail sale, service or use of electronic smoking devices, liquid nicotine or vapor products.

**VAPOR PRODUCT**

Any noncombustible product containing nicotine that employs a heating element, power source, electronic circuit, or other electronic or chemical means to produce vapor from nicotine or other inhalation agents.

**§ 308-3 Tobacco Retail Establishment. Permitted zone; restrictions.**

No person or entity shall operate a tobacco retail establishment in the City of Garfield in any zone except a business zone and subject to the following restrictions:

- A. The premises in question must be located in a B-1 Business Zone.
- B. The premises in question must be located on Route 46.
- C. The property and the structures lawfully existing thereon must not be within 1,000 feet of a church and/or a house of worship.
- D. The property and the structures lawfully existing thereon must not be within 1,000 feet of a day-care center.
- E. The property and the structures lawfully existing thereon must not be within 1,000 feet of a school.
- F. The premises and all other structures lawfully thereon must in all respects comply with the zoning requirements for the B-1 District, as established by Chapter 341, Zoning, of the Code of the City of Garfield.

**§ 308-4 Retail Electronic Smoking Device Establishments; Vape Shops. Use prohibited.**

Retail Electronic Smoking Device Establishments and Vape Shops are prohibited from operating in any zone in the City of Garfield. *See* §341-13I.

**§ 308-5 License**

- A. No person or entity shall conduct, maintain, or operate a Tobacco Retail Establishment without first obtaining a permit from the City Department of Health.
- B. No person or entity shall conduct, maintain or operate a pre-existing Retail Electronic Smoking Device Establishments or Vape Shops without first obtaining a permit from the City Department of Health.
- C. A license fee of \$1,200.00 shall be paid to the Department of Health before any license shall issue.
- D. Licenses issued pursuant to this article shall be an annual license which shall expire on the 31st of December of each calendar year, regardless of when issued.
- E. Licenses purchased pursuant to this article that are purchased after July 1 of the calendar year will be sold for \$600 and expire on the 31st of December of that calendar year.
- F. Licenses issued pursuant to this article are nontransferable and nonassignable by sale or otherwise.
- G. Any person or entity found to be in violation of this section shall be ordered to cease and desist the operation, sale, furnishing and/or distribution of such products and/or devices.

**§ 308-6 Sale or Distribution of Tobacco Products or Vapor Products to Persons Under 21 Years of Age.**

No person in the City of Garfield, either directly or indirectly by an agent or employee, or by a vending machine owned by the person or located in the person's establishment, shall sell, offer for sale, distribute for commercial purpose at no cost or minimal cost or with coupons or rebate offers, give or furnish, to a person under 21 years of age: Any cigarettes made of tobacco or of any other matter or substance which can be smoked, or any cigarette paper or tobacco in any form, including smokeless tobacco; or Any Vapor Product that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe, or any cartridge or other component of the device or related product.

**§ 308-7 Enforcement.**

Enforcement of the provisions of this article may be enforced by the City Health Officer, members of the Police Department, the City Building Department, the City Code official and any other person so designated by the City of Garfield.

**§ 308-8 Violations and penalties.**

- A. Any person or entity which violates the provisions of this chapter, including an employee of a retail dealer licensee shall be liable for a penalty of up to \$1,000 for the first violation, and up to \$2,000 and/or imprisonment for a term not exceeding 90 days for each subsequent violation.
- B. Each person found guilty of a violation shall be deemed guilty of a separate offense for every day during any portion of which a violation of any section of this article is committed, continued or permitted by such person, and shall be punishable as provided for in the City Code. Any use or occupation of any building or structure maintained contrary to the provisions of this title, shall constitute a public nuisance.

Section 2. Any other chapter of the City Code that conflicts with this amendment is hereby repealed to the extent of the conflict;

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

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

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: April 25, 2023

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-175-23**

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

**INTRODUCE ORDINANCE #2991  
FIRST READING**

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

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 105, CERTIFICATES OF CONTINUED OCCUPANCY, 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, May 9, 2023 at 6:00PM 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: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2991**

-----

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 105, CERTIFICATES OF CONTINUED OCCUPANCY, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**BE IT ORDAINED** by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, Part II, General Legislation, Chapter 105, Certificates of Continues Occupancy, Subsection 105-9, Fees, is hereby amended as follows:

Section 1. Part II, General Legislation, Chapter 105, Certificates of Continues Occupancy, Subsection 105-9, Fees, is hereby amended as follows

**§ 105-9 Fees.**

The following fees shall be applicable for the inspection and issuance of a certificate of continued occupancy:

<b>Type of unit</b>	<b>Fee</b>
For one-family homes and individual condominiums, cooperate units and apartment units	\$50.00
For two-family dwellings	\$100.00
For multiple-family dwellings for the first two units	\$100.00
For each additional unit	\$25.00
For commercial or industrial property:	
Less than 3,000 square feet of gross floor area	\$150.00
Between 3,000 and 10,000 feet of gross floor area	\$500.00
More than 10,000 square feet of gross floor area	\$500, plus \$30 for each 1,000 square feet
Issuance of duplicate copies for lost or misplaced certificates	\$5.00

Section 2. The remainder of Chapter 105 is ratified and remains in full force and effect;

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

Section 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

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

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: April 25, 2023

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-176-23**

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

**INTRODUCE ORDINANCE #2992  
FIRST READING**

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

**AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 44, PERSONNEL REGULATIONS, 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, May 9, 2023 at 6:00PM 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: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2992**

-----

**AN ORDINANCE TO AMEND PART I, ADMINISTRATIVE LEGISLATION, CHAPTER 44, PERSONNEL REGULATIONS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**BE IT ORDAINED** by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey that Part I, Administrative Legislation, Chapter 44, Personnel Regulations, is hereby amended as follows:

Section 1. Part I, Administrative Legislation, Chapter 44, Personnel Regulations, is hereby amended as follows:

**Article IV: Mandatory Payroll Direct Deposit**

**§ 44-9 Direct deposit.**

- A. City employees shall be paid by direct deposit only, pursuant to N.J.S.A. 52:14-15f.
- B. The City Manager may grant an exemption from these requirements as administratively necessary, subject to governing body approval by resolution.
- C. The City Manager may grant exemptions for seasonal and/or temporary employees, as administratively necessary, without governing body approval.
- D. Pursuant to N.J.S.A. 52:14-15f, any information concerning net pay, any accompanying information approved for distribution with net pay, and W-2 forms in accordance with applicable federal law shall be made available only on the internet with restricted access, provided by the City or an authorized third-party payroll provider.

Section 2. The remainder of Chapter 44 is ratified and remains in full force and effect;

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

Section 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.

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

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: April 25, 2023

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-177-23**

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

**INTRODUCE ORDINANCE #2993  
FIRST READING**

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

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 128, DWELLING CERTIFICATES, 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, May 9, 2023 at 6:00PM 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: April 25, 2023

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

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

**Record of Council Vote on Passage**

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2993**

---

**AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 128, DWELLING CERTIFICATES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD**

**BE IT ORDAINED** by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, Part II, General Legislation, Chapter 128, Dwelling Certificates, Subsection 128-4, Fees, is hereby amended as follows:

Section 1. Part II, General Legislation, Chapter 128, Dwelling Certificates, Subsection 128-4, Fees, is hereby amended as follows:

**§128-4 Fees.**

- A. The fee for the issuance of a dwelling certificate shall be \$60.00 per dwelling unit, which shall include the fee for the smoke detector certification.
- B. The fee for the reissuance of a lost or misplaced dwelling certificate shall be \$5.00 per certificate reissued.
- C. In the event that the owner and/or tenant does not provide access to the premises as set forth in this chapter and it is necessary for the Zoning Officer or his designee to return to the premises to conclude the inspection, an additional fee of \$60.00 shall be due and payable.

Section 2. The remainder of Chapter 128 is ratified and remains in full force and effect;

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

Section 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.

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

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: April 25, 2023

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-178-23**

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

**INTRODUCE ORDINANCE #2989  
SECOND READING**

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

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF NEIGHBORHOOD PRESERVATION PROGRAM IMPROVEMENTS ALONG THE PASSAIC STREET CORRIDOR (PHASE III) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$170,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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**

was introduced and passed at a meeting held on Tuesday, April 11, 2023 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: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2989**

---

**BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF NEIGHBORHOOD PRESERVATION PROGRAM IMPROVEMENTS ALONG THE PASSAIC STREET CORRIDOR (PHASE III) IN, BY AND FOR THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$170,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, 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, New Jersey, as follows:

Section 1. The City of Garfield, in the County of Bergen, New Jersey (the "City") is hereby authorized to undertake Neighborhood Preservation Program improvements along the Passaic Street corridor (Phase III) in, by and for the City. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$170,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 of this ordinance (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the State grant appropriated by this ordinance. No down payment is required pursuant to the provisions of N.J.S.A. 40A:2-11(c) because this ordinance involves a project to be funded by a State grant. 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) the making of such improvements is not a current expense of said City, and (2) it is necessary to finance said purpose by the issuance of obligations of said 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 \$170,000, and (4) \$125,000 of said sum is to be provided by a State grant hereinafter appropriated, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$45,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$25,000 which is estimated to be necessary to finance the cost of such 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 the sum of \$125,000 received or to be received as a grant from the New Jersey Department of Community Affairs

Neighborhood Preservation Program is hereby appropriated to the payment of the cost of such purpose.

Section 5. To finance said purpose, bonds of said City of an aggregate principal amount not exceeding \$45,000 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 said City of an aggregate principal amount not exceeding \$45,000 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 and 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 limitations prescribed by the Local Bond Law. Each of said notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said City and attested by the City Clerk or Deputy City Clerk. Said officers are hereby authorized to execute said notes and to issue 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 said City, and that such statement so filed shows that the gross debt of said City, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$45,000 and that

the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said 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 such purpose (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purpose, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such 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 the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the City incurs such costs prior to the issuance of the 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 bond ordinance.

Section 13. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the 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: April 11, 2023

Adopted: April 25, 2023

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-179-23**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILWOMAN BANCH  
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 \$1,984.60 and the Current Fund totaling \$9,252,164.78 and the Water Reserve Fund totaling \$0 and the Water Fund totaling \$97,899.53 and the General Capital Fund totaling \$420,873.94 and the Water Capital Budget totaling \$56,425.99 and the Trust Account totaling \$4,230,256.43 and the Grants totaling \$172,955.33 per attached Computer Lists, dated April 21, 2023, 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, totaling \$14,232,560.60 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

April 24, 2023  
Dated

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-180-23**

**CONSENT AGENDA**

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

**AUTHORIZING CHANGE ORDERS #1 & FINAL TO AB CONTRACTING, LLC. FOR  
THE CDBG SENIOR CENTER KITCHEN IMPROVEMENTS**

**WHEREAS**, the City of Garfield approved Resolution R-31-23 which awarded a contract to AB Contracting, LLC.; and

**WHEREAS**, the project has been successfully completed; and

**WHEREAS**, the original contract amount was for \$199,001.00, which included a \$7,500.00 allowance for unexpected items; and

**WHEREAS**, two matters arose that incurred additional work as follows:

1. Removal of sheetrock containing inactive mold and installation of new sheetrock, taped and spackled, in the amount of \$1,200.00.
2. Removal of an existing door and frame and installation of a new larger door and frame to accommodate the removal and replacement (by others) of an existing water heater that is too large to be removed through the existing door, in the amount of \$5,500.00.

; and

**WHEREAS**, the total amount of change orders for the project is \$6,700.00 to be deducted from the contract allowance of \$7,500.00, yielding an amount of \$800.00 of unused allowance (contract dollars) resulting in a credit (change order) to the overall contract;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield that the above-named change orders be and are hereby approved resulting in a new contract amount of \$198, 201.00 to be paid to AB Contracting, LLC.

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

April 24, 2023

Dated

APPROVED: April 25, 2023

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

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

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-181-23**

**CONSENT AGENDA**

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

**AUTHORIZING THE MAYOR AND COUNCIL TO MAKE A ONE-TIME  
ADJUSTMENT TO THE LOSAP PROGRAM OF THE VOLUNTEER FIRE  
DEPARTMENT OF THE CITY OF GARFIELD**

**WHEREAS**, the awards to emergency service volunteers by municipalities under Length of Service Awards Programs (LOSAP) are allowed cost of living increases; and

**WHEREAS**, the cost-of-living increases under the LOSAP program are adjusted according to the Consumer Price Index; and

**WHEREAS**, the enabling Ordinance, Ordinance #2348, did not provide for an automatic annual CPI adjustment, therefore, the LOSAP contribution may be increased up to a maximum equal to the cumulative percentage increase since the time the award was last set; and

**WHEREAS**, the maximum permissible increase cannot exceed the amount calculated by multiplying the current contribution by the inflation percentage; and

**WHEREAS**, the 2022 Consumer Price Index (November) was 7.8%; and

**WHEREAS**, in support of the Volunteer Fire Department of the City of Garfield, the Governing Body elects to adjust the LOSAP by the highest possible amount of 7.8%.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the City of Garfield hereby authorizes a one-time adjustment to the LOSAP of the Volunteer Fire Department of the City of Garfield by the highest possible amount of 7.8% to be distributed by the end of the first quarter of the succeeding year to be paid out of account 3-01-25-256-256-000.

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

April 24, 2023  
Dated

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-182-23**

**CONSENT AGENDA**

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

**APPROVING TAX OVERPAYMENT CREDIT/REFUND**

**WHEREAS**, the Receiver of Taxes reports that she has received a request from the following property owner for a refund due to overpayment for the year 2023;

**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 refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner to be paid out of account number 3-01-17-001-001.

BLOCK	LOT	OWNER	REASON	AMOUNT
44	38	CoreLogic	O/P	\$4,601.00

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

April 24, 2023  
Dated

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-183-23**

**CONSENT AGENDA**

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

**APPROVING APPOINTMENT OF FINANCIAL ADVISOR PURSUANT TO THE NEW  
JERSEY LOCAL UNIT PAY TO PLAY LAW**

**WHEREAS**, the City’s qualified evaluation committee has determined that it would be in the best interests of the City to make a professional appointment for Financial Advisor pursuant to a “Fair and Open Process” pursuant to the provisions of the New Jersey Local Pay to Play Law; and

**WHEREAS**, a legal notice and statement of criteria for submission of qualifications were prepared and issued by the City which solicited submissions for a Financial Advisor no later than April 19, 2023; and

**WHEREAS**, pursuant to the aforesaid notice statements of professional qualifications were, in fact, submitted; and

**WHEREAS**, contracts with these professionals may be entered into by the City of Garfield without the necessity of competitive bidding since these contracts are professional services which are exempt from competitive bidding pursuant to N.J.S.A. 40A-11-5(1);

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that Acacia Financial Group is hereby appointed as Financial Advisor for the City of Garfield in the amount not to exceed \$6,000.00 to be paid from Account# C-04-55-999-000-982; and

**BE IT FURTHER RESOLVED** that the appointment shall be for a period from May 1, 2023 through December 31, 2023, and that said appointment is subject to confirmation by the Chief Financial Officer that sufficient funds exist for the purposes.

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

April 24, 2023  
Dated

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-184-23**

**CONSENT AGENDA**

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

**APPOINTING FIRE DEPARTMENT CHAPLAIN**

**WHEREAS**, statutory authority provides that the Mayor and Council for the City of Garfield by Ordinance may create the appointment of a Chaplain to the City Fire Department; and

**WHEREAS**, in accordance with Ordinance 2930 which amended Chapter 23, Article 1 of the City Code, the position of Fire Chaplain was created; and

**WHEREAS**, in accordance with the aforesaid City Code, the position of Fire Chaplain is a volunteer position and shall be subject to the control of the Fire Chief; and

**WHEREAS**, in accordance with the aforesaid City Code, the Fire Chief has recommended one (1) individual who meets the qualifications in order to serve in the position of Fire Chaplain; and

**WHEREAS**, the Fire Chief has recommended that Pastor John Czubkowski, Praise Church, 145 Main Street, Garfield, NJ 07026 be appointed to serve in the position of Fire Chaplain;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Garfield that Pastor John Czubkowski be and is hereby appointed to serve in the position of Fire Chaplain in accordance with Ordinance 2930 and applicable state statutes through December 31, 2023.

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-185-23**

**CONSENT AGENDA**

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

**APPOINTMENT OF REDEVELOPMENT AGENCY MEMBER**

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

**Richard Torre**

to the Redevelopment Agency to fill an unexpired term, until December 31, 2024, be and is hereby confirmed.

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-186-23**

**CONSENT AGENDA**

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

**SUPPORTING THE 2023 UDRIVE. U TEXT. U PAY. DISTRACTED DRIVING  
CRACKDOWN**

**WHEREAS**, distracted driving is a serious, life-threatening practice that is preventable; and

**WHEREAS**, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

**WHEREAS**, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

**WHEREAS**, from 2011-2020 distracted driving-related crashes resulted in 32,000 deaths on our nation's roads; and

**WHEREAS**, in New Jersey distracted driving was listed as a contributing circumstance in 50-percent of all motor vehicle crashes from 2016-2020; and

**WHEREAS**, the State of New Jersey will participate in the nationwide Distracted Driving 2023 Crackdown from April 1 - 30, 2023 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

**WHEREAS**, the national slogan for the campaign is UDrive. UText. UPay; and

**WHEREAS**, a reduction in distracted driving in New Jersey will save lives on our roadways;

**NOW, THEREFORE, BE IT RSOLVED** that the Mayor and Council of the City of Garfield hereby declares it's support for the Distracted Driving 2023 Crackdown both locally and nationally from April 1 - 30, 2023 and pledges to increase awareness of the dangers of distracted driving.

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-187-23**

**CONSENT AGENDA**

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

**APPROVING HANDICAP PARKING SPACE**

**WHEREAS**, Lynette Smith, of 69A Wessington Avenue Floor 1, who is the holder of a Disabled Person I.D. Card No. P2657552, has filed an application for a handicap parking sign to be placed at her address; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the west curb line of Wessington Avenue commencing 94 feet north of the intersection of Wessington Avenue and Belmont Avenue and continue an additional 20 feet north from that point; and

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

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-188-23**

**CONSENT AGENDA**

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

**APPROVING 15-MINUTE BUSINESS PARKING ZONE**

**WHEREAS**, Nurur Rahman, owner of Daily Buy Mini Mart, 245 Palisade Avenue, has filed an application for a 15-minute parking zone be placed at his business; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that a 15-minute parking zone be designated in front of Daily Buy Mini Mart, located on the south curb line of Van Winkle Avenue commencing 40 feet west of the intersection of Van Winkle Avenue and Palisade Avenue and run an additional 25 feet west from that point; and

**BE IT FURTHER RESOLVED** that a 15-minute parking zone is hereby authorized to be in effect Monday-Sunday between the hours of 7:00AM and 10:00PM; and

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

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-189-23**

**CONSENT AGENDA**

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

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR OLDER  
AMERICANS ACT - PROGRAM CONTRIBUTIONS REQUIRED BY DLGS  
NJSA40A:5-29**

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

**WHEREAS**, the City of Garfield provides for receipt of Older Americans Act - Program Contributions NJSA 40A:5-29 by the municipality to provide for the operating costs to administer this act; and

**WHEREAS**, NJSA 40A:4-39 provides the dedicated revenues anticipated from Older Americans Act - Program Contributions are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The City Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of Older Americans Act - Program Contributions NJSA 40A:5-29.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward two certified copies of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-190-23**

**CONSENT AGENDA**

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

**APPROVING EXEMPT MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 3 advises that Daniel Harrison of 159 Grand Street, Apt 3B Garfield, New Jersey has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption; and

**WHEREAS**, the records in the City Clerk’s Office indicate that he has served for a period of seven years;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 3 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen’s Certificate to the above-named individual.

APPROVED: April 25, 2023

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

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

**Record of Council Vote on Passage**

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-191-23**

**CONSENT AGENDA**

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

**APPROVING EXEMPT MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 3 advises that Krzysztof Magdziak of 164 River Drive, Garfield, New Jersey has served as an active member of the Garfield Fire Department for a period of seven years and recommend that he be granted an exemption; and

**WHEREAS**, the records in the City Clerk’s Office indicate that he has served for a period of seven years;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that the recommendation of Fire Company No. 3 is hereby approved and that the proper officers are hereby authorized to issue an Exempt Firemen’s Certificate to the above-named individual.

APPROVED: April 25, 2023

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

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

**Record of Council Vote on Passage**

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-192-23**

**CONSENT AGENDA**

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

**RESOLUTION TO APPROVE 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-179-23 through R-192-23 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: April 25, 2023

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

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

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

City Manager/City Clerk Delaney reviewed the proposed budget for 2023 and explained the revenue issues related to the City’s water utility, which had a direct impact on the 2023 budget rate. Deputy Mayor Delaney advised that he has full faith in the proposed budget and the City Manager & CFO as they are hired to handle/oversee the City budget. Mayor Rigoglioso noted that while he originally wanted to see the budget number come down, he met with the necessary professionals and realized that the budget is necessary as is. He noted that in order to bring the budget in any lower the City would have had to dip into their surplus more, which raised concerns. Mayor Rigoglioso said that the City will continue to provide essential services to residents under the current budget and is satisfied with the same.

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-193-23**

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

**INTRODUCE ORDINANCE #2994  
FIRST READING**

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

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

be passed and adopted on first reading; and

**BE IT RESOLVED**, that a final hearing on said ordinance will be heard in City Hall on Tuesday, May 23, 2023 at 6:00PM or as soon thereafter as same can be heard, at which time any persons interested in said ordinance can be heard;

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

APPROVED: April 25, 2023

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

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

**Record of Council Vote on Passage**

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 2994**

-----

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

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

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

**WHEREAS**, the Governing Body of the City of Garfield in the County of Bergen finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Governing Body hereby determines that a 1.0% increase in the budget for said year, amounting to \$317,319 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

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

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Garfield in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the City of Garfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by up to 3.5 %, amounting to \$1,110,617, and that the CY 2023 municipal budget for the City of Garfield be approved and adopted in accordance with this ordinance; and

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

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

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

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

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: April 25, 2023

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-194-23**

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

**INTRODUCTION OF 2023 MUNICIPAL BUDGET**

**MUNICIPAL BUDGET NOTICE**

**Section 1.**

Municipal Budget of the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ GARFIELD \_\_\_\_\_, County of \_\_\_\_\_ BERGEN \_\_\_\_\_ for the Fiscal Year 2023  
 Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023:  
 Be it Further Resolved, that said Budget be published in the \_\_\_\_\_ The Record \_\_\_\_\_  
 in the issue of \_\_\_\_\_ May 2, 2023.

The Governing Body of the \_\_\_\_\_ CITY \_\_\_\_\_ of \_\_\_\_\_ GARFIELD \_\_\_\_\_ does hereby approve the following as the Budget for the year 2023:

<p style="text-align: center;"><b>RECORDED VOTE</b> <small>(Insert Last Name)</small></p>	<p><b>Ayes</b></p>	<p><b>Nays</b></p>
	<p><b>Abstained</b></p>	<p><b>Absent</b></p>

Notice is hereby given that the Budget and Tax Resolution was approved by the \_\_\_\_\_ COUNCIL MEMBERS \_\_\_\_\_ of the \_\_\_\_\_ CITY \_\_\_\_\_  
 of \_\_\_\_\_ GARFIELD \_\_\_\_\_, County of \_\_\_\_\_ BERGEN \_\_\_\_\_, on \_\_\_\_\_ April \_\_\_\_\_ 25 \_\_\_\_\_, 2023.  
 A Hearing on the Budget and Tax Resolution will be held at \_\_\_\_\_ City Hall \_\_\_\_\_, on \_\_\_\_\_ May 23, 2023, \_\_\_\_\_ at \_\_\_\_\_  
 \_\_\_\_\_ 6 \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

APPROVED: April 25, 2023

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

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

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Record of Council Vote on Passage

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

This resolution was approved by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 25th day of April 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

## **PUBLIC COMMENT**

Mayor Rigoglioso opened the floor for public comment.

Vicky Kukovski, Morris Avenue, inquired about the curb work that will be done in front of her home and questioned the length of the curb replacement. Additionally, she questioned when the work would be complete.

## **MAYOR & COUNCIL COMMENTS**

Councilman Maslag gave a shout out to Wanda at the VFW and the services she offers on Wednesdays.

Deputy Mayor Delaney congratulated Pastor John on his appointment as Fire Chaplain, though he missed the earlier vote. Additionally, he welcomed the new attorney.

Mayor Rigoglioso congratulated Pastor John on his appointment as Fire Chaplain. Additionally, he stated that the food truck festival and car show were successful events and that the City had a great Opening Day for spring baseball and softball. Mayor Rigoglioso shared information on upcoming events, including the wellness fair and cops & bobbers. Lastly, he asked that residents be diligent during the Spring season and participate in spring cleaning.

## **ADJOURNMENT**

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

Respectfully submitted,

---

Erin Delaney, MPA, RMC  
City Manager/City Clerk

*These meeting minutes were approved at the May 23, 2023 Regular meeting of the Mayor & Council.*