

**WORK SESSION MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
MAY 9, 2023
6:00P.M.**

The Work Session Meeting of the Garfield Mayor and Council for May 9, 2023 was called to order by City Manager/City Clerk Erin Delaney at 6:13PM. The Statement of Compliance was read.

Councilmembers Maslag, Herrera, & Banch, Deputy Mayor Delaney, and Mayor Rigoglioso were present. Also present were City Manager/City Clerk Erin Delaney, City Attorney John Tuntevski, City CFO Anders Hasseler, and City Engineer Kevin Boswell.

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 special 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 3, 2023 and published on January 5, 2023.

Work Meeting Agenda Items:

Action Items:

1. PUBLIC HEARING – 2023 BERGEN COUNTY OPEN SPACE APPLICATION – LITTLE LEAGUE TURF FIELD:

Mayor Rigoglioso opened the floor for a public hearing on the 2023 Bergen County Open Space application for the Little League turf field. No one wished to be heard.

2. ORDINANCES: SECOND READING

R-195-23

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-196-23

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-197-23

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

3. CONSENT AGENDA:

R-198-23

Approval of Bills and Claims

R-199-23

Authorizing the City Engineer to Prepare a Well Vulnerability Survey in Order to Request a Synthetic Organic Compound (SOC)

- R-200-23 Sampling Waiver Pursuant to the Requirements of the New Jersey Department of Environmental Protection (NJDEP)
Supporting MB1 Industries LLC, as the Operator of a Class 1 Cannabis Cultivator License to Be Located in the City of Garfield
- R-201-23 Approving Handicap Parking Space
- R-202-23 Approving Handicap Parking Space
- R-203-23 Approving Handicap Parking Space
- R-204-23 Adopting Revised Personnel Policies and Procedures Manual
- R-205-23 Resolution to Accept Consent Agenda

4. RESOLUTIONS:

- R-206-23 Authorizing Temporary Appointment of Acting Deputy Mayor
- R-207-23 Authorizing the City Manager to Execute a Contract for Services with the New Jersey Department of Community Affairs (DCA), Division of Housing and Community Resources for Participation in the Low-Income Household Water Assistance Program (LIHWAP)

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

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-195-23**

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

**INTRODUCE ORDINANCE #2990
SECOND READING**

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

was introduced and passed at a meeting held on Tuesday, April 25, 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: May 9, 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 Work Session Meeting held on the 9th day of May 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: May 9, 2023

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-196-23**

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

**INTRODUCE ORDINANCE #2991
SECOND READING**

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

was introduced and passed at a meeting held on Tuesday, April 25, 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: May 9, 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 Work Session Meeting held on the 9th day of May 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:

Type of unit	Fee
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 area
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: May 9, 2023

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-197-23**

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

**INTRODUCE ORDINANCE #2992
SECOND READING**

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

was introduced and passed at a meeting held on Tuesday, April 25, 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: May 9, 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 Work Session Meeting held on the 9th day of May 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: May 9, 2023

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-198-23**

**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 \$1,765.33 and the Current Fund totaling \$5,360,528.65 and the Water Fund totaling \$995.54 and the Developer's Escrow totaling \$21,665.20 and the General Capital Fund totaling \$132,663.18 and the Trust Account totaling \$6,853.53 and the Grants totaling \$50,795.57 per attached Computer Lists, dated May 9, 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 \$1,340,818.74 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

May 8, 2023
Dated

APPROVED: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-199-23**

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

**AUTHORIZING THE CITY ENGINEER TO PREPARE A WELL VULNERABILITY
SURVEY IN ORDER TO REQUEST A SYNTHETIC ORGANIC COMPOUND (SOC)
SAMPLING WAIVER PURSUANT TO THE REQUIREMENTS OF THE NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION (NJDEP)**

WHEREAS, the NJDEP has initiated new standards regarding Synthetic Organic Compounds (SOCs) testing and reporting; and

WHEREAS, the new SOC standards require either quarterly sampling or a well vulnerability assessment to determine if each well may qualify for a waiver from the ongoing costs of conducting quarterly sampling for these compounds; and

WHEREAS, the licensed water operator and Boswell Engineering have reviewed the standards and have concluded there is a reasonable opportunity to qualify for a waiver from this requirement following the completion of a well assessment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the City Engineer is hereby authorized to perform the necessary well vulnerability assessment for a fee not to exceed \$9,500.00 to determine if the City may qualify for a waiver and apply for said waiver to reduce future operating costs for the water utility to be paid out of account C-06-55-598-000-902.

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

May 8, 2023
Dated

APPROVED: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-200-23**

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

**SUPPORTING MB1 INDUSTRIES LLC, AS THE OPERATOR OF A CLASS 1
CANNABIS CULTIVATOR LICENSE TO BE LOCATED IN THE CITY OF
GARFIELD**

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

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

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

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

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

WHEREAS, the issuance of a Class 1 license to MB1 Industries LLC, to operate in the City of Garfield would not exceed the limit imposed by Ordinance;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the City of Garfield that MB1 Industries LLC, be granted this Resolution of Local Support, which is to be viewed by the State of New Jersey as unequivocal support of their application to operate as a Class 1 Cannabis Cultivator in the City of Garfield.

APPROVED: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-201-23**

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Lisa Brown, of 19 Market Street, who is the holder of a Disabled Person I.D. Card No. P2580718, 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 John Street commencing 33 feet north of the intersection of John Street and Market Street 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: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-202-23**

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Sean Guzman, of 28 Alpine Street, who is the holder of a Disabled Person I.D. Card No. P2658352, 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 Alpine Street commencing 135 feet south of the intersection of Alpine Street and Banta Avenue and continue an additional 20 feet south 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: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-203-23**

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Alma D. Henriquez, of 39 Division Avenue, who is the holder of a Disabled Person I.D. Card No. P2658372, 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 north curb line of Division Avenue commencing 186 feet west of the intersection of Division Avenue and Ann 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: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-204-23**

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

ADOPTING REVISED PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the Policies and Procedures Manual serves as a governing document for personnel matters involving employees, volunteers, appointed officials, and independent contractors of the City of Garfield; and

WHEREAS, the City administration and labor counsel have recommended certain revisions to the Policies and Procedures Manual to remain compliant with law and/or to adhere to best employment practices; and

WHEREAS, all revisions have been reviewed and approved by the Mayor and City Council;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby adopt the revised Policies and Procedures Manual for 2023; and

BE IT FURTHER RESOLVED that the policies and procedures revised in the new Policies and Procedures Manual shall be effective immediately upon adoption of this Resolution; and

BE IT FURTHER RESOLVED that copies of the revised Policies and Procedures Manual will be distributed and made available to all current and future City employees, volunteers, appointed officials, and independent contractors.

APPROVED: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-205-23**

CONSENT AGENDA

**RESOLUTION BY: MAYOR RIGOGLIOSO
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-198-23 through R-205-23 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-206-23**

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

AUTHORIZING TEMPORARY APPOINTMENT OF ACTING DEPUTY MAYOR

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

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

WHEREAS, on Sunday, May 14, 2023, it will be necessary and appropriate to temporarily appoint Romi Herrera as Deputy Mayor for the City of Garfield in order to perform the marriage ceremony of Ricardo Manuel Checa Willis and Maria del Carmen Cano Pena;

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

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

APPROVED: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-207-23**

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

**AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR
SERVICES WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS
(DCA), DIVISION OF HOUSING AND COMMUNITY RESOURCES FOR
PARTICIPATION IN THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE
PROGRAM (LIHWAP)**

WHEREAS, the Parties are “Local Units” located within the State of New Jersey authorized by law to enter into this agreement to jointly provide any lawful service to and for the residents pursuant to the provisions of the “Low Income Household Water Assistance Program (LIHWAP) pursuant to the adoption of P.L. 2023, c. 33; and

WHEREAS, the Parties are committed to delivering water and/or wastewater services to their respective taxpayers in the most effective, fair and cost-efficient manner; and

WHEREAS, the LIHWAP program, administered by the New Jersey Department of Community Affairs (DCA) provides benefits directly to water and wastewater providers on behalf of residential customers who are struggling to pay their bills; and

WHEREAS, the assistance can be used to restore services where services have been terminated, avoid service disruption for those residential customers who are in danger of disconnection, and support those household customers who are current in their bills but might be in danger of falling behind; and

WHEREAS, the State has mandated that each local authority or municipal utility shall enter into a vendor contract with the department and participate in the program, as required under the vendor contract; and

WHEREAS, the New Jersey Department of Community Affairs (DCA) and the City of Garfield wish to enter into a Contract for Services for participation in the Low-Income Household Water Assistance Program (LIHWAP);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield hereby directs the City Manager to execute the Contract for Services with the DCA effective immediately at the discretion of the Department, Division or its Agencies.

APPROVED: May 9, 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 Work Session Meeting held on the 9th day of May 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

Parking Program Discussion:

Mayor Rigoglioso went on to detail his request for placing the parking program on the agenda. He noted that there has been a large amount of complaints about the process itself and the amount of time it is taking for approval. Mayor Rigoglioso inquired as to if the City is being too strict and if/how it can be streamlined. Discussion ensued between Sgt. Follari, Patricia Cappadoccia, Debra Schult, and the Mayor and Council as to the current/past number of applications, what is required for renewal, issues with the program, residents not keeping their Certificate of Occupancy, etc. City Manager/City Clerk Delaney stated that prior to the next renewal season she will meet with the Parking Department and Police Department to make any necessary changes permitted by the program to simplify the process. It was also noted that the renewal season will be advertised well in advance moving forward.

Reports of the Cabinet and City Council:

Colliers Engineering:

City Manager/City Clerk Delaney advised that a copy of the electronic report was included in the Mayor and Council packets for their review.

Boswell Engineering:

Mr. Boswell reported that the buildings are being demolished along River Drive, however, there are issues that have arisen related to utilities. He noted that the design work for Prospect Street is ongoing and should be out to bid over the summer. In relation to the Harrison Avenue improvements grant, Mr. Boswell advised that there is a joint meeting scheduled with Lodi. Both he and City Manager/City Clerk Delaney stated that Willard Bierwas will need to confirm the scope of the lead line work that will need to be done prior to paving through the Congressional dollars funding. Mr. Boswell noted that it will be important to have a lengthy discussion regarding the utilities along River Drive for any future phase development.

Anders Hasseler – CFO:

Anders Hasseler stated that the City is currently in the budget examination phase and that the plan is to adopt at the May 23rd Regular meeting. He also noted that he is currently working on a note roll, which entails selling a debt next week with the County for a lower interest rate. Mr. Hasseler advised that he is currently working on cleaning up capital grants, in which over \$1 million has been collected since the start of the year. He also thanked Sgt. Follari for her assistance with collecting \$200,000.00 from FEMA.

City Attorney John Tuntevski:

City Attorney Tuntevski spoke about the parking of large tractor trailer trucks on private property. Additionally, discussion ensued regarding auto body shops and parking in the right of way. It was noted that an ordinance will need to be put into place to address all concerns related auto body shops, similar to the ordinance for auto sales.

Geese Management Discussion:

Recreation Director Golabek provided a summary of the program with Teterboro Airport, which follows all USDA and Federal guidelines. He noted that the program is set up as a means to address traffic safety with the airport, being that the City is within a certain distance to its location. After the review, the Mayor and Council decided to continue participating in the program.

Report of the City Manager:

Discussion:

1. **Fire Department Clothing Allowance** – Discussion ensued regarding increasing the clothing allowance afforded to the volunteer Fire Department members. It was noted that the Fire Committee would meet with the Department Chiefs regarding the City's new proposal.

2. **NJ DOT Grant** – City Manager/City Clerk Delaney advised that the NJDOT Municipal Aid grant is open. She will be reviewing potential projects with the DPW Superintendent for the City’s application.
3. **Outwater Lane – County Assessment** – City Manager/City Clerk Delaney reviewed the County’s assessment of Outwater Lane near Alaska Street. She stated that the City will comply with the County’s requirements to install a crosswalk at the closest intersection, which would be at Outwater Lane and Walnut Street. Deputy Mayor Delaney was not satisfied with the County’s response and requested that the City Manager inquire with the County about upgrading to a flashing light crosswalk at said intersection.
4. **Harrison Avenue Parking** – City Manager/City Clerk addressed the Mayor’s concerns about parking on Harrison Avenue in the area that currently has timed parking. She noted that the only way to address the matter would be by adopting an ordinance similar to the one adopted on Palisade Avenue.
5. **Fire Company #1 Appraisal** – City Manager/City Clerk shared the appraisal results for Fire Company #1.

Ordinances:

1. **Model Tree Ordinance** – City Manager/City Clerk shared correspondence received from the State regarding a model tree ordinance. She requested that the attorney review the same and provide insight as to what the City should adopt.

Departmental Reports:

2. **Clerk’s Office April 2023** – No discussion ensued.
3. **Building Department April 2023** – No discussion ensued.
4. **Recreation Department April 2023** – No discussion ensued.
5. **Millennium Strategies through April 2023** – No discussion ensued.

Executive Session:

A motion was made by Councilwoman Banch and seconded by Councilman Herrera to enter into Executive Session. The motions carried unanimously by those present.

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

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

Litigation/Legal Reports

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

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

A motion was made by Councilman Maslag and seconded by Councilman Herrera to return to the public portion. The motions carried unanimously.

Adjournment:

A motion was made by Councilwoman Banch 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 June 27, 2023 Regular Meeting of the Mayor & Council.