

**SPECIAL MEETING  
OF THE  
GARFIELD MAYOR AND COUNCIL  
JULY 10, 2023  
12:00P.M.**

**1. CALL TO ORDER:**

The Special Meeting of the Mayor and Council of the City of Garfield was called to order on Monday, July 10, 2023 at 12:01PM. On Roll Call present members were: Councilmembers Maslag, Herrera, & Banch and Deputy Mayor Delaney. Also present were City Manager/City Clerk Delaney and City Attorney John Tuntevski.

**2. ROLL CALL:**

**3. STATEMENT OF COMPLIANCE:**

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

Now, Therefore Be Advised, that the meeting requirements for this meeting have been met by publishing a 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 July 5, 2023 and published on July 7, 2023.

**4. ORDINANCES:      SECOND READING**

R-296-23

Introduce Ord. #3000

**BOND ORDINANCE TO AUTHORIZE THE REPLACEMENT OF THE WATER MAIN AND SERVICE LINES ON RIVER DRIVE (FROM GRAND STREET TO PASSAIC STREET) IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$723,037 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

**5. CONSENT AGENDA:**

R-297-23

Approval of Bills and Claims

R-298-23

Supporting The Lucky Leaf LLC as the Operator of a Class 1 Cannabis Cultivator License to Be Located in the City of Garfield

R-299-23

Resolution to Approve the Consent Agenda

**6. PUBLIC HEARING:**

**7. MAYOR AND COUNCIL COMMENTS:**

**8. ADJOURNMENT:**

Deputy Mayor Delaney opened the floor for public comment. No one wished to be heard.

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-296-23**

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

**INTRODUCE ORDINANCE #3000  
SECOND READING**

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

**BOND ORDINANCE TO AUTHORIZE THE REPLACEMENT OF THE WATER MAIN AND SERVICE LINES ON RIVER DRIVE (FROM GRAND STREET TO PASSAIC STREET) IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$723,037 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

was introduced and passed at a meeting held on Tuesday, June 27, 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: July 10, 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 Special Meeting held on the 10th day of July 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 3000**

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**BOND ORDINANCE TO AUTHORIZE THE REPLACEMENT OF THE WATER MAIN AND SERVICE LINES ON RIVER DRIVE (FROM GRAND STREET TO PASSAIC STREET) IN, BY AND FOR THE WATER UTILITY OF THE CITY OF GARFIELD, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$723,037 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

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

Section 1. The City of Garfield, in the County of Bergen, State of New Jersey (the "City") is hereby authorized to replace the water main and service lines on River Drive (from Grand Street to Passaic Street) in, by and for the Water Utility of the City. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$723,037 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose 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 \$723,037, and (4) \$171,888 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes hereinafter authorized necessary to be issued for said purpose is \$551,149, and (6) the cost of such purpose does not include any amount 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 \$171,888 received by the City pursuant to the Federal American Rescue Plan Act of 2021 is now available to serve as the down payment on said purpose. The sum of \$171,888 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said City of an aggregate principal amount not exceeding \$551,149 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 \$551,149 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 bond anticipation 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 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 forty 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 \$551,149 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 in the future from the United States of America or any of its agencies in aid of such purpose, 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 City intends to issue the bonds or notes to finance the cost of the improvement 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 12. 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 13. 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 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: June 27, 2023

Adopted: July 10, 2023

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-297-23**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN HERRERA  
SECONDED BY: COUNCILMAN MASLAG**

**APPROVAL OF BILLS AND CLAIMS**

**BE IT RESOLVED** by the City Council of the City of Garfield that the Current Year Reserve Totaling \$579.00 and the Current Fund totaling \$915,289.39 and the Water Reserve totaling \$680.00 and the Water Fund totaling \$140,437.74 and Grants totaling \$9,953.28 and the General Capital Fund totaling \$515,196.00 and the Water Capital Fund totaling \$80,658.19 and the Trust Account totaling \$10,555.35 per attached Computer Lists, dated July 10, 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 \$1,686,012.88 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

July 7, 2023  
Dated

APPROVED: July 10, 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 Special Meeting held on the 10th day of July 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-298-23**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN HERRERA  
SECONDED BY: COUNCILMAN MASLAG**

**SUPPORTING THE LUCKY LEAF 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;

**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 four (4) Class 1 adult-use cultivation establishments as conditionally permitted use in the LM Zoning District;

**WHEREAS**, the issuance of a Class 1 license to The Lucky Leaf LLC, to operate in the City of Garfield would not exceed the limit imposed by Ordinance;

**WHEREAS**, for those entities that have already received a Resolution of Local Support for the Class 1 licenses presently available, the licensed applicant that receives Commission approval first-in-time shall be deemed approved by the municipality;

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the City of Garfield that The Lucky Leaf LLC, be granted this Resolution of Local Support, which is to be viewed by the State of New Jersey as unequivocal support of their application to operate a Class 1 Cultivation Cannabis License in the City of Garfield.

APPROVED: July 10, 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 Special Meeting held on the 10th day of July 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-299-23**

**CONSENT AGENDA**

**RESOLUTION BY: COUNCILMAN HERRERA  
SECONDED BY: COUNCILMAN MASLAG**

**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-297-23 through R-299-23 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: July 10, 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 Special Meeting held on the 10th day of July 2023. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**PUBLIC COMMENT**

Deputy Mayor Delaney opened the floor for public comment. No one wished to be heard.

**MAYOR & COUNCIL COMMENTS**

There were no Mayor & Council comments.

**ADJOURNMENT**

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

Respectfully submitted,

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Erin Delaney, MPA, RMC  
City Manager/City Clerk

*These meeting minutes were approved at the July 18, 2023 Regular meeting of the Mayor & Council.*