

**WORK SESSION MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
JULY 18, 2023
6:30P.M.**

The Work Session Meeting of the Garfield Mayor and Council for July 18, 2023 was called to order by City Manager/City Clerk Erin Delaney at 7:20PM. 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 Attorneys John Tuntevski & John Lavin, and City Engineer Kevin Boswell.

**Mayor Rigoglioso briefly left the meeting at 8:06PM.*

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.

Munisite Presentation

Matthew Watkins from Munisite, along with his colleague, made a presentation regarding engaging with Munisite for their services related to 5G Right of Way. They would act as a neutral third party that leases space. Discussion ensued and, overall, the Mayor and Council were in support of collaborating with Munisite to provide a more uniform design throughout the City. They asked that Mr. Watkins continue to have discussions with the City Attorney to address their concerns and those questions raised by the engineer and attorneys.

Reports of the Cabinet and City Council:

Colliers Engineering:

City Manager/City Clerk Delaney advised that a copy of Colliers' report was submitted electronically and briefly reviewed it.

CFO Anders Hasseler:

City Manager/City Clerk Delaney advised that a copy of Mr. Hasseler's report was submitted electronically and briefly reviewed it.

Council Reports:

Councilman Maslag disseminated a proposal to the Mayor and Council that would involve integrating social worker Wanda Buenaventura-Castro, who currently offers her services at the VFW, more into the community. He noted that this would be through a fully paid grant and that the best way to incorporate her into the City would be by having her placed within the Police Department. It was advised that the PBA be informed of such proposal as they would need to provide their support.

Boswell Engineering:

Mr. Boswell reported that they are currently completing the survey work along Prospect Street for the awarded NJDOT grant for paving, in addition to pricing the water main work that should be done at this location prior to paving. He went on to note that the River Drive Phase II project is a difficult job. Mr. Boswell stated that the contractor is doing great work, however, there are many obstacles related to water mains and other utilities, in addition to headwall issues. He advised that the City did save money at the property located at 327 River Drive as it was

unexpectedly a concrete foundation that they were able to fill with dirt. He ended his report by sharing that they will be seeking additional money from NJDOT and the County for this project as a result of the additional, unanticipated work.

Report of the City Manager:

Discussion:

1. **Grand Opening** – City Manager/City Clerk Delaney shared a request for a Grand Opening for a company called Poppin’ with Lu. The Mayor and Council requested August 6th, 2023 as the date so that they could be in attendance as there were conflicts with July 30, 2023.
2. **Fire Department Annual Dinner/Installation** – Discussion took place regarding the Fire Department’s idea to combine the annual Fire Chief’s dinner and Installation dinner. The Mayor and Council felt that it would be best determined by the Fire Department, as long as the funds are there. Ms. Delaney noted that Fire Company 2 submitted a letter of opposition as their children and extended families cannot attend the Fire Chief’s dinner but they can enjoy the Installation dinner following the annual ceremony.

Ordinances:

1. **Transit Village/TOD Ordinance** – City Manager/City Clerk shared Councilman Maslag’s request for the City to apply for a grant that is applicable to those municipalities that are designated as Transit Villages. She noted that the City is currently not designated and, therefore, ineligible. Ms. Delaney went on to say that a requirement of being designated is to adopt a transit-oriented development (TOD) redevelopment plan and/or TOD zoning ordinance. For budget purposes, she recommended pursuing the route of the TOD zoning ordinance. Deputy Mayor Delaney recalled previously applying for this designation but being denied. It was determined that City Attorney Tuntevski would look into this matter.
2. **AI Ordinance as per Councilman Maslag** – City Manager/City Clerk advised that Councilman Maslag is seeking support for the City to adopt an ordinance related to AI and AI security. Discussion ensued and it was determined that Councilman Maslag and City Attorney Tuntevski would have further discussion on the draft ordinance that was presented so that a proper memo regarding the same can be presented.
3. **Nuisance Ordinance** – City Manager/City Clerk shared an ordinance from Toms River that Lt. Koptyra forwarded for consideration. City Attorney Tuntevski stated that he was in favor of this ordinance as it covers a wide array of items, such as the lighting issue previously discussed. He noted that the City can combine the initially drafted light ordinance and incorporate it in a nuisance ordinance. The ordinance will be ready for introduction at the August 15th meeting.
4. **Garbage Bins/Storage Ordinance** – City Manager/City Clerk shared that City Attorney Tuntevski drafted an ordinance at the suggestion of Mayor Rigoglioso addressing the storage of trash receptacles on private property. She noted that it was sent to City departments for review prior to introduction at the August 15th meeting.
5. **Vacant/Abandoned Properties Ordinance** – City Manager/City Clerk shared that City Attorney Tuntevski drafted an ordinance at the suggestion of members in attendance at the recent quality of life meeting. She noted that it was sent to City departments for review prior to introduction at the August 15th meeting. Ms. Delaney requested that an amendment be made to reflect that it would be the responsibility of the Tax Office to maintain, but Property Maintenance to enforce, as a result of staffing.
6. **Garbage Bins/Storage Ordinance** – City Manager/City Clerk shared that City Attorney Tuntevski drafted an ordinance similar to the vehicle sales ordinance. Discussion ensued regarding business operations after hours. It was noted that the City cannot regulate a business operating after hours if they are working within the confines of their building, as it would be unconstitutional. She noted that it was sent to City departments for review prior to introduction at the August 15th meeting.

Resolutions:

1. **Fire Company #1 Investigation Study** – City Manager/City Clerk reviewed the proposal submitted by DMR Architects for the Investigation Study at Fire Company #1. She asked that if a member of the Governing Body requests a proposal from a professional to please notify her as she was unaware. Ms. Delaney further went on to say that in order for the City to sell this property and build a new firehouse at a different location, the study would be the first step in doing so.

Departmental Reports:

2. **Clerk's Office June 2023** – No discussion ensued.
3. **Building Department June 2023** – No discussion ensued.
4. **Recreation Department June 2023** – No discussion ensued.
5. **Millennium Strategies through June 2023** – No discussion ensued.
6. **Court Department through June 2023** – No discussion ensued.

Resolution:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-332-23**

CONSENT AGENDA

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

**AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE CITY OF
GARFIELD, COUNTY OF BERGEN, STATE OF NEW JERSEY TO EXAMINE
WHETHER THE PROPERTIES LOCATED AT 89, 97 MIDLAND AVENUE AND ALSO
KNOWN AS BLOCK 31.02, LOTS 35 & 37 AS SHOWN ON THE OFFICIAL TAX MAP
OF THE CITY OF GARFIELD SHOULD BE DETERMINED TO BE AN AREA IN
NEED OF REDEVELOPMENT, SPECIFICALLY A NON-CONDEMNATION
REDEVELOPMENT AREA, PURSUANT TO THE LOCAL REDEVELOPMENT AND
HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the City Council of the City of Garfield (the “City”) has identified certain properties, located at 89, 97 Midland Avenue and also known as Block 31.02, Lots 35 & 37, as delineated on the tax map attached hereto and made part of this resolution (the “Properties”), to be considered for designation as an area “in need of redevelopment”, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, before an area may be declared in need of redevelopment, it is legally necessary for the adoption of a resolution authorizing the Planning Board of a given municipality to undertake a preliminary study to determine whether the Properties meet the criteria for designation as a redevelopment area pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the City desires that the Planning Board undertake an examination as to whether the Properties, may be deemed “an area in need of redevelopment”; and

WHEREAS, the City hereby states that any redevelopment area determination shall authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area"); and

WHEREAS, the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condemnation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire the Properties;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield being the Governing Body thereof, that the City Planning Board is hereby directed and authorized to examine whether the properties located 89, 97 Midland Avenue and also known as Block 31.02, Lots 35 & 37, as shown on the official tax map of the City of Garfield, should be determined “an area in need of redevelopment” pursuant to N.J.S.A. 40A:12A-5 and 6.

BE IT FURTHER RESOLVED THAT the City hereby states that any Non-Condemnation Redevelopment Area determination shall not authorize the municipality to use all those powers provided by the Local Redevelopment and Housing Law for use in a redevelopment area, except the use of eminent domain.

BE IT FURTHER RESOLVED THAT the notice of any hearing to be conducted by the Planning Board with regards to this Resolution shall specifically state that a Non-Condemnation Redevelopment Area determination shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the delineated area.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

APPROVED: July 18, 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 18th day of July 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

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:

Contract Negotiations
Personnel

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 Councilwoman Banch and seconded by Councilman Maslag to return to the public portion. The motions carried unanimously.

Adjournment:

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

Respectfully submitted,

Erin Delaney, MPA, RMC
City Manager/City Clerk

These meeting minutes were approved at the August 22, 2023 Regular Meeting of the Mayor & Council.