

**RE-SCHEDULED REGULAR MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
AUGUST 22, 2023
6:00P.M.**

1. CALL TO ORDER:

The re-scheduled Regular Meeting of the Mayor and Council of the City of Garfield was called to order on Tuesday, August 22, 2023 at 6:17PM in the Council Conference Room of the Municipal Building, 111 Outwater Lane, Garfield, New Jersey. On Roll Call present members were: Councilmembers Maslag & Banch, Deputy Mayor Delaney, and Mayor Rigoglioso*. Also present were City Manager/City Clerk Delaney, City Engineer Kevin Boswell, City CFO Anders Hasseler, and City Attorneys John Tuntevski & John Lavin.

**Mayor Rigoglioso 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 a rescheduled meeting notice in The Record and Herald News and by posting such notice in the office of the City Clerk as well as in a public place within the Municipal Building, and by notifying interested citizens. Said notice was posted on August 10, 2023 and published on August 14, 2023.

5. APPROVAL OF MINUTES:

A motion was made by Councilwoman Banch and seconded by Councilman Maslag to approve the July 18, 2023 Regular, Work Session, and Executive Session Meeting minutes. The motions carried unanimously by those present

6. ORDINANCES:

FIRST READING

R-333-23

Introduce Ord. #3003

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE PLACEMENT AND STORAGE OF GARBAGE, RUBBISH, AND REFUSE, AND AMENDING PART II, GENERAL LEGISLATION, CHAPTER 164, GARBAGE, RUBBISH AND REFUSE, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-334-23

Introduce Ord. #3004

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 243, VACANT AND ABANDONED PROPERTIES REGISTRATION, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

- R-335-23 Introduce Ord. #3005
AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 330, VEHICLE REPAIR AND AUTO BODY REPAIR FACILITIES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD
- R-336-23 Introduce Ord. #3006
AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 221, NUISANCES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD
- R-337-23 Introduce Ord. #3007
AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 226, OVERNIGHT PARKING, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD
- R-338-23 Introduce Ord. #3008
AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 128, DWELLING CERTIFICATES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD
- R-339-23 Introduce Ord. #3009
AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 260, SANITATION, TO INCLUDE ARTICLE IX, FEEDING OF BIRDS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD
- R-340-23 Introduce Ord. #3010
AN ORDINANCE TO FIX THE SALARY, WAGES, AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY
- SECOND READING**
- R-341-23 Introduce Ord. #3001
ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS 28 WALNUT STREET AT BLOCK 119.03, LOT 36 AS SHOWN ON THE TAX MAP OF THE CITY OF GARFIELD, AND AMENDING ORDINANCE § 341-16 BY ADDING THE WALNUT STREET REDEVELOPMENT ZONE-THE “RESIDENTIAL 2-1R” ZONING DISTRICT WITH CERTAIN ADDITIONAL RESTRICTIONS AND ALLOWANCES AT § 341-16 C TO THE R-2 ZONING DISTRICT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ., THE LOCAL REDEVELOPMENT AND HOUSING LAW

R-342-23 Introduce Ord. #3002
AN ORDINANCE TO AMEND §226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, “PARKING” SPECIFICALLY AMENDING §226-23 ENTITLED “RESTRICTED STREETS”

7. CONSENT AGENDA:

R-343-23 Approval of Bills and Claims
R-344-23 Authorizing Release of LOSAP Payments
R-345-23 Approving Refund of Street Opening
R-346-23 Appointing Alternate Prosecutor
R-347-23 Amending Resolution R-87-23 Appointing Certain Professionals Pursuant to the New Jersey Local Unit Pay to Play Law
R-348-23 Amending Resolution R-249-22 and Authorizing the Modification of the Scope of the Professional Services Agreement with Colliers Engineering & Design to Provide Engineering Services for the 2022 NJDOT Midland Avenue Project for the City of Garfield
R-349-23 Authorizing Payment of Payment Requisition No. 3 to DLS Contracting Inc. for Services Rendered in Connection with the 2022 Road Program
R-350-23 Authorizing Payment of Payment Requisition No. 5 & 6 to Creamer-Sanzari, A Joint Venture for Services Rendered in Connection with the River Drive Improvements & Passaic River Bikeway Phase 2
R-351-23 Authorizing Payment of Payment Requisition No. 7 to National Metering Services, Inc., for Services Rendered in Connection with the Water Meter Replacement Program Phase 2
R-352-23 Authorizing Payment of Payment Requisition No. 8 To National Metering Services, Inc., for Services Rendered in Connection with the Water Meter Replacement Program Phase 2
R-353-23 Authorizing Payment of Payment Requisition No. 9 to Fred Devens Construction for Construction Services Provided in Connection with Garfield Water System Treatment Improvements, Elmwood Park Well Field
R-354-23 Authorizing Payment to Montana Construction for Work Performed in Connection with an Emergency Storm Drain Repair on 42 Belmont Avenue From 6/29/2023 Through 7/7/2023
R-355-23 Authorizing Payment to Montana Construction for Work Performed in Connection with an Emergency Sanitary Video Inspection and Repair, 246 – 253 Division Street on 4/10/2023, 4/26/2023, 5/18/23 and 5/22/23
R-356-23 Authorizing the City Engineer to Provide Quote Solicitation, Construction Oversight and Payment Coordination Services in Connection with an Emergency Sewer Repair at 42 Belmont Avenue
R-357-23 Approving Sewer Payment Refund
R-358-23 Approving Regular Active Member – Fire Department
R-359-23 Approving Regular Active Member – Fire Department
R-360-23 Approving Resignation of Active Member – Fire Department
R-361-23 Approving Resignation of Active Member – Fire Department
R-362-23 Approving Resignation of Active Member – Fire Department
R-363-23 Approving Expulsion of Active Member – Fire Department
R-364-23 Approval of Vehicle Sales Business License
R-365-23 Authorizing Removal of Planning Board & Zoning Board of Adjustment Members
R-366-23 Approving Handicap Parking Space
R-367-23 Approving Handicap Parking Space
R-368-23 Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87

R-369-23	Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
R-370-23	Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
R-371-23	Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
R-372-23	Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87
R-373-23	Authorizing Cancellation of Old Outstanding Checks
R-374-23	Authorizing the City Manager to Execute an Amended Shared Service Contract with the Garfield Board of Education
R-375-23	Authorizing the Tax Collector to Sell Delinquent Municipal Taxes
R-376-23	Authorizing Temporary Appointment of Acting Deputy Mayor
R-377-23	Authorizing the City of Garfield to Enter into and Execute an Agreement and All Necessary Documents with Nationwide Retirement Solutions, Inc. to Provide a 457 Deferred Compensation Plan for Officials and Employees of the City of Garfield
R-378-23	Supporting the Submission of An Application and Approving Abiding by Concessions of The New Jersey Department of Community Affairs Recreational Opportunities for Individuals With Disabilities (ROID) FY2024 Grant Program
R-379-23	Proclaiming the Month of September 2023 as Prostate Cancer Awareness Month
R-380-23	Resolution to Accept Consent Agenda

8. APPROVAL OF 2022 AUDIT

R-381-23	Approve Annual Municipal Audit Report for the Year 2022
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9. OUTDOOR EMERGENCY CAFÉ HEARING – THE HIVE

The Hive owner, Mr. Cifelli, was in attendance with his attorney, Mr. Zalarick, for a hearing related to the suspended permit for an emergency outdoor café at his establishment. Discussion ensued regarding the numerous complaints from residents and the improper work that Mr. Cifelli undertook on his properties. Mr. Zalarick ascertained that the improper work was rectified and Mr. Cifelli is now in full compliance and apologizes for his actions. The City Manager/City Clerk and Mayor & Council advised that action had to be taken. It was affirmed that it is not the intent to hurt businesses but that there is a responsibility to the residents of the surrounding area and the quality of life of the City. It was determined that discussion would continue and both Mr. Cifelli and Mr. Zalarick would be informed of the outcome on whether or not the permit would be reinstated.

10. PUBLIC HEARING:

11. MAYOR & COUNCIL REPORTS:

12. ADJOURNMENT:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-333-23**

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

**INTRODUCE ORDINANCE #3003
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE PLACEMENT AND STORAGE OF GARBAGE, RUBBISH, AND REFUSE, AND AMENDING PART II, GENERAL LEGISLATION, CHAPTER 164, GARBAGE, RUBBISH AND REFUSE, 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, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3003**

AN ORDINANCE ESTABLISHING REQUIREMENTS FOR THE PLACEMENT AND STORAGE OF GARBAGE, RUBBISH, AND REFUSE, AND AMENDING PART II, GENERAL LEGISLATION, CHAPTER 164, GARBAGE, RUBBISH AND REFUSE, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, improved sanitation storage standards is vital to the revitalization of the City of Garfield and the improvement of the quality of life of its residents; and

WHEREAS, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend Part II General Legislation, Chapter 164, of the Code of the City of Garfield;

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

Section 1. Purpose.

An ordinance to improve requirements for the placement and storage of garbage, rubbish and refuse and penalties for noncompliance in the City of Garfield to protect the environment, public health, safety and welfare.

Section 2. Definitions.

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Ashes" means the residue from the burning of wood, coal or other combustible material.
- B. "Container" means any portable device or receptacle in which garbage, rubbish or refuse is stored, transported, treated, disposed of, or otherwise handled.
- C. "Food waste" means food processing by-products (food processing vegetative wastes and/or food processing residuals generated from food processing and packaging operations or similar industries that process food products), vegetative waste (produce trimmings and over-ripe produce generated by supermarkets, produce brokers and produce distributors), off-spec food products, food product over-runs, and similar food waste materials.
- D. "Fully enclosed structure" means an area where one or more containers are located for temporary storage of garbage, rubbish or refuse while awaiting periodic removal pursuant to the City code, such as, but not limited to, a fenced in area or storage bin. A fully enclosed structure should be of appropriate make and size so as to obscure receptacles from public view and the height of which should not exceed 5 inches above the height approved for the type of receptacles required by City code.
- E. "Garbage" means putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods. It shall not include food-processing wastes from canneries, packing plants or similar industries nor large quantities of condemned food products.
- F. "Receptacle" means container.
- G. "Refuse" means all putrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, dismantled automobiles and parts thereof, scrap metal, junk, machinery and solid market and industrial wastes.
- H. "Rubbish" means non-putrescible solid wastes, consisting of both combustible and noncombustible wastes, such as papers, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, building materials and similar materials.

- I. "Recyclable materials" means materials which would otherwise become nonhazardous solid waste which can be separated, collected and processed and returned to the economic mainstream in the form of raw materials or products

Section 3. Regulated Activities.

§ 164-1 Hours for placing at curb; residential properties.

The property owner shall be responsible for any garbage, refuse, solid waste, recyclables or any other materials placed at the curb/sidewalk area in front of and/or on the side of his/her/their properties for disposal or pickup prior to 4:00 p.m. of the day before said pickup is scheduled. Each individual property owner who violates this section shall be punished as follows:

- A.** First offense: A \$150 fine, payable by mail or in person or online. Court appearance is not required.
- B.** Second offense within a twelve-month period: A \$250 fine, payable by mail or in person or online. Court appearance is not required.
- C.** Third offense within a twelve-month period: A fine of \$500 and a mandatory court appearance. The City Municipal Judge shall have the authority to sentence the offending party to not less than eight hours and no more than 30 hours of community service.
- D.** Fourth offense and each offense thereafter, within a twelve-month period: A \$2,000 maximum fine and a mandatory court appearance. The City Municipal Judge shall have the authority to sentence the offending party to not less than 50 hours and no more than 100 hours of community service.

§ 164-2 Hours for placing at curb; commercial properties.

The property owner shall be responsible for any garbage, refuse, solid waste, recyclables or any other materials placed for disposal or pickup at the curb for pickup prior to 4:00 p.m. of the day before said pickup is scheduled. Each property owner who violates this section shall be punished as follows:

- A.** First offense: A \$500 fine, payable by mail or in person or online. Court appearance is not required.
- B.** Second offense within a twelve-month period: A \$750 fine, payable by mail or in person or online. Court appearance is not required.
- C.** Third offense within a twelve-month period: A fine of \$1,000 payable by mail or in person or online. Court appearance is not required.
- D.** Fourth offense and each offense thereafter, within a twelve-month period: A fine of not less \$1,000 and not greater than \$2,000 and a mandatory court appearance. The City Municipal Judge shall have the authority to sentence the offending party to not less than 100 hours and no more than 200 hours of community service.

§ 164-3 Storage and placement.

- A.** Storage. Garbage, refuse, solid waste, recyclables or any other materials awaiting collection shall be deposited in a covered container(s) or receptacles in accordance with Chapter 201 of the City code, which shall be kept in an upright position and regularly disinfected.
- B.** Placement. Refuse receptacles shall not be stored in front or on side of buildings or houses between collections, except in a fully enclosed structure; or kept in such place or places so as not to become a nuisance to the occupants of any dwelling.

§ 164-4 Exceptions to prohibited conduct.

Nothing in this chapter shall be construed to nullify or replace any of the provisions of Chapter 201, Littering; or any otherwise approved activity in accordance with the zoning requirements of the City of Garfield.

Section 5. Enforcement.

This ordinance shall be enforced by the Construction Code Officer, the Police Department, Sanitation Officer and Property Maintenance Officer are hereby empowered and authorized to exercise such powers as may be necessary or convenient to carry and effectuate the purposes and provisions of this chapter.

Section 7. Severability.

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

Section 8. Effective Date.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: August 22, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-334-23**

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

**INTRODUCE ORDINANCE #3004
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 243, VACANT AND ABANDONED PROPERTIES REGISTRATION, 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, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3004**

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 243, VACANT AND ABANDONED PROPERTIES REGISTRATION, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, vacant and abandoned properties pose a danger to the public and residents of the City of Garfield; and

WHEREAS, vacant and abandoned properties impact the revitalization of the City of Garfield and the quality of life of its residents; and

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 243, 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 243 is repealed and replaced as follows:

Section 1. Part II, General Legislation, Chapter 243 is repealed and replaced as follows:

Chapter 243 Vacant and Abandoned Properties Registration

§ 243-1 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 Chapter 242.

OWNER

Any title holder, any agent of the title holder having authority to act with respect to a vacant property, a foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended by P.L. 2009, c. 296), or any other entity determined by a court of competent jurisdiction the City of Garfield to have authority to act with respect to the property.

VACANT PROPERTY

Any vacant land, or any building used or to be used as a business or residence that is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including, but not limited to, any property meeting the definition of "abandoned property" in N.J.S.A. 55:19-81; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this article.

§ 243-2 Registration requirements.

The owner of any vacant property as defined herein shall, within 60 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later; or within 10 calendar days of receipt of notice by the City, file a registration statement for such vacant property with the Zoning Officer, Assistant Zoning Officer or designee assigned by the City Manager to administer this Chapter ("public officer"), utilizing forms provided by the City for such purposes. Failure to receive notice from the municipality shall not constitute grounds for failing to register the property. Notwithstanding the foregoing, the owner of any property meeting the definition of vacant property as of the effective date of this ordinance, shall be required to submit an initial registration statement for that property on or before January 1, 2024.

- A. Each party having a separate block and lot number as designated in the City's official records shall be registered separately.
- B. Registration statement.
 - (1) The registration statement shall include:
 - (a) The name, street address, telephone number, and email address (if applicable) of a person 21 years or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such owner or owners in connection with the enforcement of any applicable code; and
 - (b) The name, street address, telephone number, and email address (if applicable) of the person or entity responsible for maintaining the property, who shall be available by telephone or in person on a twenty-four-hour-per-day, seven-day-per-week basis. If an entity is designated to maintain the property, the actual name(s) of the entity's individual principal(s) shall be disclosed in the registration statement.
 - (2) The authorized agent and the party responsible for maintaining the property may be the same. However, both the authorized agent and the party responsible for maintaining the property must either maintain an office in the state of New Jersey or reside within the state of New Jersey.
- C. The registration shall remain valid for one year from the date of registration except for the initial registration, which shall expire on December 31 of the year the property is initially registered. The owner shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or renewal fee, in the amount prescribed in § 243-5, for each vacant property registered.
- D. The annual renewal shall be completed by December 31st for the subsequent year. The initial registration fee shall be prorated for registration statements received on or after March 1.
- E. The owner shall notify the public officer within 30 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the public officer for such purpose.
- F. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the City against the owner or owners of the building.

§ 243-3 Access to vacant properties.

The owner of any vacant property registered under this section shall provide access to the City to conduct exterior and interior inspections of the building to determine compliance with municipal codes, upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours of 9:00 a.m. through 4:00 p.m. or such other time as may be mutually agreed upon between the owner and the City.

§ 243-4 Responsible owner or agent.

- A. An owner who meets the requirements of the section with respect to the location of his or her residence or workplace in the State of New Jersey may designate himself or herself as agent or as the individual responsible for maintaining the property.
- B. By designating an authorized agent under the provisions of this section, the owner consents to receive any and all notices of code violations concerning the registered vacant property and all process in any court proceeding or administrative enforcement proceeding brought to enforce code provisions concerning the registered building by service of the notice or process on the authorized agent. Any owner who has designated an authorized agent under the provisions of this section shall be deemed to consent to the continuation of the agent's designation for the purposes of this section until the owner notifies the City of Garfield, by regular and certified mail, any and all notices of code violations and all process in an administrative proceeding brought to enforce code provisions concerning the building.

§ 243-5 Fee Schedule.

The initial registration of the property shall be \$250. Upon renewal of the registration for the second year, the registration fee shall be \$500; renewal for the third year shall be \$1,000; renewal for the fourth year shall be \$2,000; and for every year thereafter said registration fee shall be \$4,000.

§ 243-6 Requirements of owners of vacant property.

The owner of any building that has become vacant property, and any person maintaining or operating or collecting rent for any such building that has become vacant shall, within 30 days thereof:

- A. Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the City Code, or as set forth in the rules and regulations supplementing those codes until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and
- B. Ensure that the exterior grounds of the structure, including yards, fences, swimming pools, sidewalks, walkways, rights-of-way, alleys, retaining walls, attached or unattached accessory structures and driveways, are well-maintained and free from trash, debris, loose litter, and grass and weed growth.

§ 243-7 Rights of the City.

- A. If the owner is in violation of any terms and conditions of this article, the City shall send notice to the owner, via certified and regular mail, as identified on the registration, that such violation must be remedied within 30 days. If such violation is not remedied within 30 days of such notice, the City shall cause a summons to be issued.
- B. In addition to such summons, the City shall have the right to expend public funds in order to abate the nuisance, correct or remedy the violation, or secure the premises against unauthorized entry, and such costs shall be paid by the property owner and/or registered agent.
- C. For the purposes of obnoxious weeds or growth, the cutting of the grass, or removal of snow and ice, the notice provided to the owner pursuant to § 243-6A, above, shall include such notice that unless the owner shall object, a regular schedule shall be established between the contractor and the City to trim said obnoxious weeds or growth, to cut the grass, or remove the snow and ice on the property. Said regular schedule of work shall be no more than twice a month.

§ 243-8 Violations and penalties.

- A. Any person who violates any provision of this article or of the rules and regulations issued hereunder shall be fined not less than \$100 and not more than \$2,000 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this subsection shall be recoverable from the owner and shall be a lien on the property; and

- B.** For purposes of this article, failure to file a registration statement within 30 calendar days after a building becomes vacant property or within 30 calendar days after assuming ownership of a vacant property, whichever is later, or within 10 calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this article.

§ 243-9 Additional legal requirements.

The provisions of this article are intended to supplement, and not replace, any other legal requirements regulating vacant and abandoned properties which have established by New Jersey law or regulation, or the City Code, including, but not limited to, §§ **242-1** through **242-15** of the City Code. Nothing in this article shall be read to limit in any way the City from taking action against buildings found to be unfit for human habitation or structurally unsafe as authorized by New Jersey law or regulation or City Code provision. Further, any action taken under any such code provision other than the demolition of a structure shall not relieve an owner from its obligations under this article.

§ 243-10 Administration.

The City Manager may issue rules and regulations for the administration of the provisions of this article. Such rules and regulations, as approved by the City Attorney, shall be maintained on file by the Office of the Tax Collector of the City of Garfield.

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: August 22, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-335-23**

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

**INTRODUCE ORDINANCE #3005
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 330,
VEHICLE REPAIR AND AUTO BODY REPAIR FACILITIES, 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, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3005**

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 330, VEHICLE REPAIR AND AUTO BODY REPAIR FACILITIES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 330 is hereby repealed and replaced as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 330, is hereby repealed and replaced as follows:

Chapter 330 Vehicle Repair and Auto Body Repair Facilities

§ 330-1 Purpose.

This chapter is deemed necessary and proper for the protection of persons and property, for the preservation of the public safety of the municipality and to reduce traffic congestion and hazards in the public streets and along the county and state highways in the City.

§ 330-2 Regulations made applicable by reference; definitions.

- A. N.J.A.C. 13:45A-26C et seq. pertaining to regulation of automotive repair shops, which statutes and regulations are attached hereto and made a part hereof, are applicable within the City of Garfield, subject to the limitations, qualifications and expansion set forth in this article.
- B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

AUTO BODY REPAIR FACILITY

Includes a business or person who, for compensation, engages in the business of repairing, removing or installing integral component parts of an engine, power train, chassis or body of an automobile damaged as a result of a collision. For the purpose of this article, the following are not deemed to be "auto body repair facilities":

- (1) An employee of an auto body repair facility who engages in the business of repairing automobiles solely by reason of his employment.
- (2) Any person who is solely engaged in the business of repairing automobiles owned or leased by a single commercial or industrial establishment.
- (3) Any person or business whose activities consist solely of fueling; changing oil, water, batteries or tires; replacing fan belts, air filters or oil filters; installing windshield wiper blades, light bulbs, communications equipment; or such other minor repair and servicing functions.
- (4) A person or business which solely examines automobiles to determine the cause or location of malfunctions where no repairs as a result of collision take place.
- (5) Any person or business that solely performs four-wheel alignment, air-conditioning services, window glazing, mechanical repairs and/or structural (frame machine) repairs pursuant to a subcontracting agreement with a properly licensed, full- or limited-service auto body facility. All such subcontracting agreements must be filed with the New Jersey Motor Vehicle Commission.
- (6) Any person or business that solely performs restoration services for motor vehicles that have not otherwise been damaged as a result of a collision.

MAINTENANCE, DIAGNOSIS OR REPAIR SERVICES ON A MOTOR VEHICLE

All maintenance, diagnosis and repair of motor vehicles performed by an automotive repair dealer, excluding any person or business whose activities consist solely of fueling, installing windshield wiper blades, or such other minor repair or servicing function as deemed by the Administrator Officer.

VEHICLE REPAIR FACILITY

Any location which, for compensation, engages in the business of performing or employing persons who perform maintenance, diagnosis or repair services on a motor vehicle or the replacement of parts other than body parts, but excluding those persons who engage in the business of repairing motor vehicles of commercial or industrial establishments or government agencies, under contract or otherwise, but only with respect to such accounts.

§ 330-3 License required.

It shall be unlawful for any person to use any land, building or premises to engage in the business of performing maintenance, diagnosis or repair services on a motor vehicle or the replacement of parts, or the repair, removal or installation of integral component parts of an engine, power train, chassis or body of an automobile without first obtaining a license therefor from the City. A license shall be required whenever more than one motor vehicle is stored for repair on any such land, building or premises. A separate license shall be required for each separate place or location of business.

§ 330-4 Application for license.

- A.** Any person desiring a license under this chapter shall file with the City Clerk an original and four copies of an application, under oath, in writing, on a form furnished by the City Clerk.
- B.** The application shall set forth the following information:
 - (1)** The applicant's name, business name and business address.
 - (2)** Whether the applicant is an individual, a partnership, a corporation or another entity, and if another entity, a full explanation and description thereof.
 - (3)** If the applicant is an individual, the applicant's residence address and date and place of birth.
 - (4)** If the applicant is a partnership, the full name, residence address, date and place of birth of each partner.
 - (5)** If the applicant is a corporation or other entity, in the case of a corporation the full name, residence address, date and place of birth of each major officer and each stockholder, and the name and address of the registered agent and the address of the principal office (the term "stockholder" as used herein means and includes any person owning or having an interest, either legal or equitable in 10% or more of the stock issued and outstanding of the applicant corporation); in the case of another entity, the full name, residence address, date and place of birth of each person owning or having any interest, either legal or equitable, aggregating in value 10% or more of the total capital of the said entity, and the name and address of the registered agent, if any, and the address of the principal office.
 - (6)** Whether the applicant or any partners, officers or stockholders thereof have ever been arrested or convicted of a crime, and, if so, the name of the person arrested or convicted, the date of arrest, the crime or charge involved and the disposition thereof (the term "officers" as used herein means and includes the president, vice presidents, secretary and treasurer of a corporate applicant).

- (7) The business addresses of the manager or the person in charge of the licensed premises during the five-year period preceding the date of application.
- (8) A description in metes and bounds of the place where the business is to be located and carried on.
- (9) A survey or scale drawing of the plot showing structures and open areas to be used in the business, approved existing or proposed entrances to and from the place where the business is to be conducted, the location and place of said business, the location and size of all structures and fences thereon and the setback thereof from street lines.
- (10) If the applicant is not the owner of the site where the said business is to be conducted, the owner's consent to the conduct of said business shall be endorsed on the application.

§ 330-5 Licensing and regulation.

The procedure for licensing and regulation, as well as the penalties for noncompliance with this article, as set forth in N.J.S.A. 39:13-1 through 8 and N.J.A.C. 13:21-21.1 et seq., are applicable in the City of Garfield, subject to the following provisions:

- A. Wherever the term "Commissioner" or "Commissioner of Motor Vehicles" appears in the foregoing regulations such provisions shall refer to the City Clerk of the City of Garfield.
- B. The fees for licenses set forth in N.J.A.C. 11:14-2.2(b)[1] shall not mean that auto body repair facilities in the City of Garfield must pay said fees to the City of Garfield. Instead, such facilities shall pay the following fees to the City Clerk of the City of Garfield at the time of initial application for a license and at the time of the renewal thereof:
 - (1) Initial application fee: \$100.00
 - (2) Renewal application fee: \$25.00
- C. An additional fee will be charged for any licensed business having more than one location, which location is not adjoining or contiguous thereof.
- D. All licenses shall run for a period of one year commencing January 1 and ending December 31 of the year of its issuance.
- E. All existing licenses and those issued hereafter may, upon payment of the prescribed license fee and compliance with the terms of this chapter, be renewed annually. Renewals of an expiring license shall be made upon payment of the annual fee and the filing of a short-form application, supplied by the City Clerk, stating that no changes have been made in any of the facts or information stated in the original application or to the licensed premises during the preceding license period.
- F. The license shall authorize the licensee to conduct business only on the premises specified in the license. Without the consent of the Council, the license shall not be transferable to any other premises nor assignable or transferable in any manner or to any other person.
- G. All licenses under this chapter shall at all times be subject to such reasonable rules as may be made from time to time by the Council for the proper operation and regulation of the places of business named in such licenses.

§ 330-6 Suspension or revocation of license.

A. Licenses issued under the provisions of this chapter may be suspended or revoked by the City Council after notice and hearing for any of the following causes:

1. Fraud, misrepresentation or false statement contained in the application for license.
2. Any violation of this chapter.
3. Conviction of any crime involving moral turpitude.

B. Notice of the hearing for revocation of a license shall be given to the licensee, in writing, setting forth specifically the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed by registered or certified mail, return receipt requested, addressed to the licensee at his last known address, at least five days prior to the date set for the hearing.

§ 330-8 Parking restrictions.

No motor vehicle awaiting repair shall be exhibited, stored, parked or located on the licensed premises within 50 feet of any building occupied solely for residence purposes nor 200 feet of a school, church or other place of assembly.

§ 330-9 Use of sidewalks, streets or front yards restricted.

The licensee shall not place any vehicle on the sidewalk, street or the front yard between the street and the setback line applicable thereto. The licensee shall not use or permit the use of the sidewalk, street or front yard areas aforesaid for the storage, display or repair of motor vehicles or for the parking of any other vehicles on any of said areas.

§ 330-10 Maintenance of premises.

- A. The licensee shall not create or allow undue noise on the premises so as to constitute a public or private nuisance.
- B. The licensee shall not permit smoke, dust or any noxious odors to escape from the premises so as to constitute a public or private nuisance.
- C. The licensee shall maintain all surface parking areas and driveways with concrete or asphalt paving.
- D. All licensees whose business has a parking lot that abuts a sidewalk shall maintain a guardrail, concrete curb stop, or similar structure along that portion of the parking lot abutting the sidewalk to prevent motor vehicles from intruding on to the sidewalk. All licensees whose business has a parking lot that abuts a street where no sidewalk exists shall maintain a guardrail, concrete curb stop, or similar structure along that portion of the parking lot abutting the street at a minimum distance of five (5) feet measured from the end of the street or an existing curb.

§ 330-11 Hours of Operation, open to the public.

No business licensed under this section shall be open to the public between the hours of 8:00 p.m. and 7:00 a.m. the following day.

§ 330-12 Enforcement.

Every business licensed for vehicle sales shall at all times comply with the requirements of this chapter and with all authorities having jurisdiction in the licensed premises. Any violation of the terms of this chapter or any nuisances or hazard to health or safety which may exist or develop in or in consequence of or in connection with any such premises shall forthwith be abated and removed by the licensee upon receipt of a notice to that effect from the Construction Official,

Police Department or other authority having jurisdiction in the licensed premises. The Construction Official's office and the Police Department shall be responsible for the enforcement of this chapter.

§330-13 Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by one or more of the following: a fine not exceeding \$2,000; imprisonment for a term not exceeding 90 days; and/or a period of community service not exceeding 90 days. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

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

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

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: August 22, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-336-23**

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

**INTRODUCE ORDINANCE #3006
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 221, NUISANCES, 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, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3006**

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 221, NUISANCES, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, the Governing Body of Garfield has concern as to the quality of life in the City and believes it is in the best interest of the City of Garfield to repeal and replace Part II, General Legislation, Chapter 221, Nuisances, 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 221 is repealed and replaced as follows:

Section 1. Part II, General Legislation, Chapter 221 is repealed and replaced as follows:

Article I

Chapter 221 Nuisances

§ 221-1 Word usage.

The word "person," as used herein, shall include the singular and plural and shall also mean and include any person, firm, partnership, limited-liability company, corporation, association, club, society or any other form of association or organization.

§ 221-2 Prohibited conduct.

It shall be unlawful for any person to make, cause, suffer or permit to be made or to be continued any loud noise, unnecessary noise, unusual noise or any noise or act which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of any other person within the corporate limits of the City of Garfield. Such conduct shall be considered a "nuisance."

§ 221-3 Nuisance acts.

The following acts, among others, are declared to be a nuisance in violation of this chapter, when the noise emanating from such acts is clearly audible from at least 100 feet from the actor, source or device; provided, however, that this enumeration shall not be deemed to be exclusive:

- A.** Radios, stereos, etc. The playing of any radio, television, stereo, musical instrument or other machine or device for the production or reproduction of sound in such a manner or in such volume as to unreasonably annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence, or to disturb the peace, quiet and comfort of neighboring inhabitants, or to play or operate the same with louder volume than is necessary for convenient hearing of the person or persons who are in the room, chamber or venue in which said machine or device is operated and who are voluntary listeners to such sound.
- B.** Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on public streets or yelling, shouting, hooting, whistling or singing at any other place, whether public or private, in such a manner and in such volume and intensity to disturb the peace and quiet of the neighborhood, or to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or any other place of residence, or of any persons in the vicinity.
- C.** Peddlers, hawkers and vendors. The shouting of peddlers, hawkers and vendors, in such a manner and in such volume and intensity to disturb the peace and quiet of the neighborhood, so as to annoy or disturb the quiet, comfort or repose of

persons in any dwelling, hotel or any other type of residence, or of any persons in the vicinity.

- D.** Loudspeakers and amplifiers for advertising. The use, operation or permitting the playing, use or operation of any radio, television, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the production or reproduction of sound which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building, structure, store or establishment.
- E.** Construction. The operation of any equipment used in commercial construction, repair, alteration or demolition work on buildings, structures, streets or appurtenances thereto in residential or commercial land use zones on weekdays between the hours of 6:00 p.m. and 8:00 a.m. the following day, or between 6:00 p.m. Saturday night and 8:00 a.m. Monday morning, and on legal holidays, except in the case of urgent necessity in the interest of public health and safety, and then only with permission from the City Council.
- F.** Landscaping equipment. The operation of power mowers and power tools used in landscaping outdoors between the hours of 8:00 p.m. and 8:00 a.m. the following day.
- G.** Loading operations. Loading, unloading, opening or otherwise handling boxes, crates, containers, garbage cans or similar objects between the hours of 6:00 p.m. and 6:00 a.m. the following day, in such a manner as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or any other type of residence, or of any persons in the vicinity.
- H.** Refuse-compacting vehicles. Operating or permitting the operation of any motor vehicle which can compact refuse, and which creates, during the compacting cycle, a disturbing noise between 6:00 p.m. and 6:00 a.m. the following day in residential land use zones.
- I.** Vehicle repairs or testing. Repairing, rebuilding, modifying or testing any motor vehicle, off-road vehicle or motorboat in or near a residential land use zone in such a manner as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or any other type of residence, or of any persons in the vicinity.
- J.** Standing motor vehicles. Operating or permitting the operation of a motor vehicle whose gross vehicle weight is in excess of 10,000 pounds, or any attached auxiliary equipment, for a period longer than three minutes in any hour while such vehicle is stationary on a public right-of-way in a residential land use zone, or is on private property in a residential or commercial land use zone, and is not within a completely enclosed structure.
- K.** Bells and alarms. The sounding or permitting the sounding of any exterior building alarm on any building or motor vehicle, unless such burglar alarm system or similar device shall terminate its operation within 15 minutes after being activated.

- L. Horns, signal devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, bus or any other vehicle on any street or public place, except as a danger warning; the creation by means of any horn or signaling device of any unreasonably loud or harsh sound; the sounding of any said horn or signaling device for any unnecessary and unreasonable period of time; the use of said horn or signaling device when traffic is for any reason held up; or the use of any horn, whistle or device operated by engine exhaust.
- M. The keeping of any animal or bird which shall emit frequent or long-continued noises.

§ 221-4 Light trespass in residential areas.

The following acts, among others, are declared to be a nuisance in violation of this chapter:

- A. Placing or maintaining spotlights or other types of artificial lighting that provide a concentrated beam of light extending beyond any property lines.
- B. Placing or maintaining spotlights or other types of artificial lighting extending beyond the vertical plane of the face of any building or structure that causes a beam of light to be reflected upon any adjoining property or public street.

§ 221-5 Prevailing time.

The hours referred to in this chapter shall be prevailing time, i.e., either Eastern standard time or Eastern daylight-saving time.

§ 221-6 Applicability.

This chapter is intended to apply and to bind the owners, tenants, occupants, guests and all other persons within the corporate limits of the City of Garfield. This chapter shall not apply to representatives and employees of the City of Garfield performing tasks on official business of the City of Garfield or for specific activities authorized by the City Council.

§ 221-7 Enforcement; complaints.

- A. It shall be the duty of the Police Department and Code Enforcement Officials of the City of Garfield to determine whether or not this chapter has been and is being complied with and to enforce the provisions of this chapter against any person violating the same.
- B. Any police officer or Code Enforcement Official of the City of Garfield, or any individual person, may file a complaint in Municipal Court of the City of Garfield for any violations of this chapter.

§ 221-8 Violations and penalties.

Any person who shall violate any provision of this chapter shall, upon conviction thereof, be subject to the maximum fines and penalties established under N.J.S.A. 40:49-5, and as same shall be amended from time to time. Each and every day a violation of this chapter shall exist shall constitute a separate violation.

Article II

Excessive Consumption of Municipal Services

§ 221-9 Findings and purpose.

- A. The City Council finds and declares that there are properties located in the City where nuisances exist and other activities occur which have resulted in the excessive consumption of municipal services.

- B.** The City Council finds and declares that the cost of the excessive consumption of municipal services relating directly to these nuisance properties should be paid by the property owner and, if applicable, the responsible tenant or occupant, and not through general tax revenues.
- C.** This article is intended to establish regulations and procedures identifying, and providing for the assessment and timely payment of the cost of excessive consumption of municipal services, associated with these nuisance properties.

§ 221-10 Definitions.

As used in this article, the following terms are defined as set forth herein:

EXCESSIVE MUNICIPAL SERVICES

Any qualifying calls made to a property while that property is on probationary nuisance status.

NUISANCE PROPERTY

Properties on which activities occur that result in qualifying calls for municipal services during any sixty-day period in excess of the number of calls listed on the schedule in § 221-13 are considered nuisance properties and are subject to the penalties and procedures as set forth in this article.

PROBATIONARY NUISANCE STATUS

The designation applied to properties which, as determined by a public officer, have received the requisite number of qualifying calls within a sixty-day period. Probationary nuisance status is effective for a twelve-month period beginning on the date of the public officer's determination. During probationary nuisance status, the property owner and, if applicable, the tenant/occupant, is liable to the Township for user charges from each qualifying call.

QUALIFYING CALLS

Calls resulting from violations of state or local laws, regulations, or ordinances, including, but not limited to, those cited in the following list, and others not so identified, but specifically determined to be qualifying by the hearing officer, but not including calls for permitting, licensing, inspections, or similar administrative functions:

- A.** The sale, service, or consumption of alcoholic beverages.
- B.** Disorderly conduct, disturbing the peace, littering or excessive noise.
- C.** Damage to property or injury to a person.
- D.** Improperly parking a vehicle, or any motor vehicle violation, on private property.
- E.** Possession of a barking, howling, biting, or dangerous animal.
- F.** Possession, distribution, or use of a controlled substance.
- G.** Prostitution.
- H.** Public urination, defecation, or indecent exposure.
- I.** Criminal activity.
- J.** City property maintenance, zoning, construction, fire, and health codes.

USER FEE

A fee of \$300 for each additional qualifying call made to the subject property within the twelve-month period following the date a complaint is issued for excessive consumption of municipal services.

§ 221-11 Designation of public officer.

Each City department, division, agency, or authority, providing municipal services to properties shall designate, either on a permanent or as-needed basis, one or more officials to serve as a public officer to administer and enforce this article. Officials that may serve in this capacity include, but are not limited to, code enforcement officers, the Construction Official or his or her designee; the Chief of Police or his designee; an investigating police officer; the Zoning Officer; or the Fire Official.

§ 221-12 Reporting of municipal services use.

A. Each department, division, agency, or authority of the City government providing municipal services to properties must keep and maintain records documenting the following information concerning the properties serviced:

- (1) The exact address and Tax Map designation of the subject property.
- (2) The name and address of property owners and tenants, if known and applicable.
- (3) The dates of the incident.
- (4) A full description of the nature of the incident and the violations.
- (5) The identity of the public employee providing the services.

B. The department providing the excessive municipal services shall coordinate, as needed, with other municipal agencies and the Division of Law to enforce this article.

§ 221-13 Determination of excessive use.

During any sixty-day period, properties that necessitate qualifying calls for municipal services that exceed the amounts set forth in the following schedule are designated nuisance properties and subject to the penalties and procedures established under this article.

A. Residential properties of one through four dwelling units: five qualifying calls.

B. Multifamily dwelling and hotel/motel uses:

- (1) Five through 40 dwelling units: 10 qualifying calls.
- (2) Forty-one through 80 dwelling units: 20 qualifying calls.
- (3) Eighty-one through 200 dwelling units: 30 qualifying calls.
- (4) Over 200 dwelling units: 40 qualifying calls.

C. Convenience, grocery, liquor and retail stores: 10 qualifying calls.

D. Restaurants, bars, and adult entertainment establishments: 30 qualifying calls.

E. All other properties not included in the preceding categories: 10 qualifying calls.

§ 221-14 Notice requirements, complaint procedure.

A. Whenever the public officer determines that any property has become a nuisance property based on excessive consumption of municipal services, he or she shall issue a complaint and summons reciting the location of the property and the allegations supporting a finding of excessive use and a notice of hearing setting for the date and time and place for a hearing on the matter.

B. The complaint shall also provide notice:

- (1) That the property is on probationary nuisance status for the 12 months following the date of the complaint.

- (2) That during the probationary nuisance status period, each additional qualifying call to the property will be subject to a user fee of \$300 per call.
 - (3) Listing the dates and the nature of the qualifying calls made to the subject property that gave rise to the determination of excessive use.
 - (4) Directing that the offending activities be immediately abated.
- C. The complaint and notice of hearing shall be served on the property owner and on the tenant or occupant, if applicable. Service shall be made by regular mail and either certified mail return receipt requested, or overnight delivery service to the last known address of the recipient as it appears in City records.
- D. If the whereabouts of the property owner or the tenant/occupant are unknown and cannot be ascertained by reasonable diligence, service of the complaint and notice of hearing shall be effectuated as follows:
 - (1) One-time publication of the complaint and notice of hearing in one of the City's official newspapers.
 - (2) Conspicuous posting of the complaint and notice of hearing on a building or structure located on the subject property.
- E. Whenever an individual dwelling unit within a multifamily dwelling has received five qualifying calls within a sixty-day period, the public officer shall notify the property owner and tenant/occupant as provided hereunder so that the property owner can take action to abate the nuisance. This notice shall be issued notwithstanding that the multifamily dwelling did not receive the required number of qualifying calls that would trigger a notice of violation.
- F. Should the number of qualifying calls to any property meet or exceed 50% of the number specified in § 221-13, the public officer may, but is not required to, so notify the owner, tenant, or occupant thereof.

§ 221-15 Hearing procedure, costs to be assessed; violations and penalties.

- A. A hearing shall be held on the allegations recited in the complaint. The public officer or officers involved shall present evidence and testify at the hearing and may produce witnesses in support of the allegations recited in the complaint. The property owner and any interested party shall have the right to appear at the hearing and testify, produce witnesses, and be represented by an attorney.
- B. One of the City Attorneys in the Division of Law shall serve as hearing officer. The hearing officer is charged with determining whether, in a sixty-day period, the subject property received qualifying calls in excess of those permitted under § 368-13. If so, the hearing officer shall confirm that the property was on probationary nuisance status from the date of the complaint. If the hearing officer also determines that qualifying calls were made to the subject property during the probationary period, that fact shall be so noted in the hearing officer's findings. Based on these findings, the hearing officer shall enter an order against the property owner or, as applicable, the tenant/occupant, or both.

- C. The following shall be memorialized in the hearing officer's order:
- (1) A finding that the subject property was on probationary nuisance status.
 - (2) A determination that an excessive number of qualifying calls were made to the subject property during the probationary nuisance status period.
 - (3) An assessment of the reasonable costs of litigation, including, but not limited to, the costs of a court reporter and transcript, and an administrative fee of \$100.
 - (4) An assessment of a user fee of \$300 per call for each qualifying call in excess of the permitted number. If the qualifying calls involve the same tenant or occupant, this fee may be apportioned between the owner and the tenant/occupant.
- D. Additional qualifying calls to the subject property following the hearing and within a one-year period from the date of the complaint constitute a further violation of this article and are subject to a user fee of \$300 per call. A summons and complaint shall be filed in the Garfield Municipal Court for each subsequent qualifying call, each being a separate violation, with the \$300 per call user fee the penalty to be imposed upon a guilty plea or conviction. Notice of this provision shall be incorporated in the hearing officer's order.
- E. The hearing officer's order shall be served upon the appropriate parties in the same manner as service of the complaint and notice of hearing; except that, in the event the whereabouts of the property owner, tenant, or occupant cannot be ascertained, then the order shall also be recorded in the Bergen County Clerk's office.

§ 221-16 Assessment of lien.

- A. Any fees, costs, or penalties that remain unpaid 60 days from the date of an order issued pursuant to this article shall be assessed as a lien against the subject property, enforceable and collectible in the same manner as liens for delinquent real property taxes and municipal service charges.
- C. Pursuant to N.J.S.A. 40:52-1.2, municipal licenses, permits, and certificates of occupancy applied for or issued to the subject property may be revoked, suspended, withheld, or denied renewal for failure to comply with and satisfy any payment obligations under an order imposed pursuant to this article.

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

APPROVED: _____

Richard Rigoglioso, Mayor

Introduced: August 22, 2023

Adopted:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-337-23**

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

**INTRODUCE ORDINANCE #3007
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 226, OVERNIGHT PARKING, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

be passed and adopted on first reading; and

BE IT RESOLVED, that a final hearing on said ordinance will be heard at a meeting held on Tuesday, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3007**

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 226, OVERNIGHT PARKING, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

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

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, the current text of City Ordinance, Part II, General Legislation, Chapter 226, Parking, Article VIII, Overnight Parking, is hereby repealed and replaced as follows:

Section 1. Part II, General Legislation, Chapter 226 is repealed and replaced as follows:

§ 226-40 Prohibition on parking on public and City streets.

- A.** No person and/or business entity shall park a vehicle between the hours of 3:00 a.m. and 6:00 a.m. on public or municipally owned property and City streets. Violations of this section shall be considered a motor vehicle parking violation and shall be subject to the penalties as those set forth in § 226-42 of the City Code of the City of Garfield.
- B.** No van, truck or recreational vehicle that exceeds 22 feet in length and eight feet in width shall be permitted to park on any street in the City of Garfield between the hours of 10:00 p.m. and 6:00 a.m.
 - (1)** The temporary standing of the aforementioned prohibited vehicle shall be permitted for the loading and unloading of passengers or property not to exceed 15 minutes.
- C.** Vehicles over the registered gross weight designated in § 226-41 of the City Code of the City of Garfield are hereby excluded from the streets or parts of streets described therein, except for the pickup and delivery of materials on such streets.
- D.** No person shall park a truck, tractor, trailer, semi-trailer or omnibus having a vehicle registered gross weight or combination of vehicles having registered gross weights in excess of 5,500 pounds upon any street between the hours specified as described in § 226-41A.

§ 226-41 Vehicles over designated weight.

In accordance with the provisions of subsection § 226-40C, vehicles over designated weights indicated below are excluded from the following described streets or parts of streets, except for pickup and delivery of material on such streets.

- A.** In accordance with the provisions of § 226-40D, no person shall park a truck, tractor, semi-tractor or omnibus having a vehicle weight or combination of weights in excess of 5,500 pounds upon any street between the hours specified.

Name of Street	Side	Hours
All streets	Both	10:00 p.m. to 6:00 a.m.
Passaic Street, from River Drive to Frederick Street	Both	Anytime
Hobart Place, from Passaic Street to Marsellus Place	Both	Anytime
Marsellus Place, from Passaic Street to Hobart Place	Both	Anytime

§ 226-42 Violations and penalties.

Any person violating any of the provisions of this article shall be punished by one or more of the following: a fine not exceeding \$2,000; imprisonment for a term not exceeding 90 days; and/or a period of community service not exceeding 90 days, in the discretion of the Judge before whom such person shall be convicted.

§ 226-43 Enforcement.

Enforcement of this article and further rules and regulations as may be promulgated from time to time shall be under the jurisdiction of either the Police Department of the City of Garfield and/or the Chief of Police of the City of Garfield as determined by the City Manager of the City of Garfield.

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: August 22, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-338-23**

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

**INTRODUCE ORDINANCE #3008
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, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3008**

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

WHEREAS, due to a rise in the number of unlawful dwellings, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to amend Part II, General Legislation, Chapter 134, Dwellings, Unlawful, Subsection 134-5, Violations and penalties;

BE IT ORDAINED by the Mayor and City Council of Garfield, County of Bergen, State of New Jersey, Part II, General Legislation, Chapter 134, Dwellings, Unlawful, Subsection 134-5, Violations and penalties, is hereby amended as follows:

Section 1. Part II, General Legislation, Chapter 134, Dwellings, Unlawful, Subsection 134-5, Violations and penalties, is hereby amended as follows:

§134-5 Violations and penalties.

For violation hereof, the court shall impose one or more of the following for each violation hereof: a minimum fine of \$2,000; imprisonment for a term not exceeding 90 days; and/or a period of community service not exceeding 90 days. Each day in which the owner violates a provision of this chapter shall be deemed as a separate offense. The minimum fine under this section shall not be applicable to violations under Chapter **105** for failure to obtain a continued certificate of occupancy or violations under Chapter **128** for failure to obtain a dwelling certificate.

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: August 22, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-339-23**

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

**INTRODUCE ORDINANCE #3009
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 260, SANITATION, TO INCLUDE ARTICLE IX, FEEDING OF BIRDS, 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, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3009**

**AN ORDINANCE TO AMEND PART II, GENERAL LEGISLATION, CHAPTER 260,
SANITATION, TO INCLUDE ARTICLE IX, FEEDING OF BIRDS, OF THE REVISED
GENERAL ORDINANCES OF THE CITY OF GARFIELD**

WHEREAS, the Governing Body of Garfield believes it is in the best interest of the City of Garfield to amend Part II, General Legislation, Chapter 260, Sanitation, to include Article IX, Feeding of Birds, 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 260, Sanitation as follows:

Section 1. Part II, General Legislation, Chapter 260, Sanitation, is hereby amended to include as follows:

Article IX Feeding of Birds

§ 260-59 Definitions.

For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of the chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

FEED

To place, give, expose, deposit, distribute, or scatter any edible material with the intention of feeding, attracting, or enticing a bird as mentioned above.

PERSON

Any individual, corporation, company, firm, partnership, association, or political subdivision of the state subject to municipal jurisdiction.

§ 260-60 Prohibited conduct on public property.

In the City of Garfield, no person, while in any public park or on any other property owned or operated by the City of Garfield, shall attract or feed or attempt to attract or feed waterfowl, songbirds, pigeons and other backyard birds which are not the person's personal property by placing, throwing, or providing by any means food for said birds.

§ 260-61 Prohibited conduct on private property.

The feeding of waterfowl, songbirds, pigeons and other backyard birds shall be permitted outdoors on private property only if:

- A.** Such feeding does not create an unreasonable disturbance that intrudes on the rights of surrounding property owners and renders others insecure in the use of their property;
- B.** The feeding does not create an accumulation of droppings on the feeder's property or on the neighboring properties;
- C.** The property does not become an attractant for rodents or other wild animals;

- D. All birdfeeders are placed at least five feet above the ground; and
- E. The birdfeeder's capacity for seed is no more than five pounds.

§ 260-62 Enforcement.

- A. Every property owner shall have the duty to remove any named materials placed on the owner's property that is in violation of this article.
- B. Failure to remove such materials or to make such modifications within 24 hours after notice from the City shall constitute a violation of this article.
- C. The Health Department, animal control officers and all police officers of the City of Garfield are hereby given full power and authority to enforce this article.

§ 260-63 Violations and penalties.

Any person who violates a provision of this article shall be liable to a fine of no less than \$50 and no more than \$500 for the first offense, together with the cost of prosecution. A second offense shall make a person liable for a fine of no less than \$100 and no more than \$1,000. Any subsequent offenses shall make a person liable for a fine of no less than \$250 and no more than \$2,000. A separate offense will be deemed committed on each day or part of each day during which a violation occurs or continues.

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: August 22, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-340-23**

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

**INTRODUCE ORDINANCE #3010
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO FIX THE SALARY, WAGES, AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY

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, September 12, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3010**

AN ORDINANCE TO FIX THE SALARY, WAGES, AND COMPENSATION OF CERTAIN OFFICERS AND EMPLOYEES OF THE CITY OF GARFIELD, BERGEN COUNTY, NEW JERSEY

WHEREAS, pursuant to N.J.S.A. 40A:9-1 65, the City must set salaries and state all compensation and benefits for non-contractual officers and employees, statutory employees and elected officials not directly subject to duly adopted collective bargaining agreements by separate ordinance; and

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

SECTION 1. The salary, wages, and compensation to be paid the following officers and employees of the City of Garfield, be and the same are hereby established as set forth as Exhibit A attached hereto.

SECTION 2. Longevity.

A. In addition to the foregoing compensation, all full-time officers and employees of the City of Garfield identified in this Ordinance, except for the Chief of Police, Sewer Water Facilities Manager, Assist. Water Supervisor, Assist. Water Superintendent, Superintendent/ Streets and Public Works, Supervisor of Streets and Public Works, Recreation Director, Assist. Municipal Parks Superintendent, hired on or before July 1, 1999 shall be entitled to longevity and compensation in the amount of:

- 4% of base salary for employment of not less than five (5) years through the end of the ninth (9th) year;
- 5% of base salary for employment beginning on the tenth (10th) year through the end of the fifteenth (15th) year;
- 6% of base salary for employment beginning with the sixteenth (16th) year through the end of the nineteenth (19th) year;
- 7% base salary for employment beginning with the twentieth (20th) year and annually thereafter.

Employees identified in this Ordinance hired on or after July 1, 1999 shall not be eligible for longevity compensation.

SECTION 3. Fringe and Healthcare Benefits.

All full-time officers and employees of the City of Garfield identified in this Ordinance, except for the Chief of Police, Sewer Water Facilities Manager, Assist. Water Supervisor, Assist. Water Superintendent, Superintendent/ Streets and Public Works, Supervisor of Streets and Public Works, Recreation Director, Assist. Municipal Parks Superintendent shall be entitled to the same fringe benefits as set forth in the then-in-effect Collective Bargaining Agreement by and between the City of Garfield and United Public Service Employees Union, including but not limited to the accrual of vacation and sick time.

The same health benefits shall also be provided subject to the contribution requirements set forth in the 2018-2022 Collective Bargaining Agreement by and between the City of Garfield and United Public Service Employees Union.

SECTION 4. Chief of Police Fringe Benefits.

Any person appointed and serving under the title of Chief of Police shall be entitled to and receive the same fringe benefits as set forth in the Collective Bargaining Agreement between Policemen's Benevolent Association, Local No. 46 and the City of Garfield effective January 1, 2018 through December 31, 2022, including but not limited to the accrual of

vacation and sick time but shall have no entitlement to overtime or compensatory time as Chief of Police; however, the Chief of Police shall retain any compensation of overtime he/she may have accrued as a police officer prior to their appointment as the Chief of Police. The same health benefits shall also be provided subject to the contribution requirements set forth in the Collective Bargaining Agreement between Policemen's Benevolent Association, Local No. 46 and the City of Garfield effective January 1, 2018 through December 31, 2022.

SECTION 5. Sewer Water Facilities Manager, Assist. Water Supervisor, Assist. Water Superintendent, Superintendent/ Streets and Public Works, Supervisor of Streets and Public Works, Recreation Director, Assist. Municipal Parks Superintendent Fringe Benefits.

Any person employed and serving as Facilities Manager, Assist, Water Supervisor, Assist. Water Superintendent, Superintendent/Street and Public Works, Recreation Director, Assist. Municipal Parks Superintendent shall be entitled to the same fringe benefits as set forth in the then-in-effect Collective Bargaining Agreement by and between The City of Garfield Bergen County, N.J. and Teamsters Local Union No. 469, an Affiliate of the International Brotherhood of Teamsters, including but not limited to the accrual of vacation and sick time; excluding clothing allowance and any additional pay for endorsements, including but not limited to CDL and tanker endorsements. The same health benefits shall also be provided subject to the contribution requirements set forth in the then-in-effect Collective Bargaining Agreement by and between The City of Garfield Bergen County, N.J. and Teamsters Local Union No. 469.

SECTION 6. Repealer.

All ordinances and parts of Ordinance in conflict with or inconsistent with this ordinance be and the same are hereby repealed but to the extent of such conflict or inconsistency.

SECTION 7. Effective Date

This Ordinance shall take effect twenty (20) days after the final passage, provided notice of same has been duly published as required by law. This Ordinance shall have a retroactive effect to July 1, 2023, to the extent necessary, as specified in applicable appointment letters.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: August 22, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

EXHIBIT A

	2023		2024		2025	
	Min	Max	Min	Max	Min	Max
Statutory						
Municipal Clerk	100,000	200,060	100,000	206,062	100,000	212,244
Chief Finance Officer* (*Chief Finance Officer/QPA/ Treasurer)	49,000	133,900	49,000	137,917	49,000	142,055
Chief Assessor	40,000	47,277	40,000	48,695	40,000	50,156
Municipal Tax Collector	65,000	87,550	65,000	90,177	65,000	92,882
Governing Body						
Council Member	7,531	8,564	7,531	8,821	7,531	9,086
Mayor	7,531	13,817	7,531	14,232	7,531	14,658
City Manager's Office						
City Manager	20,000	41,638	20,000	42,887	20,000	44,174
Assistant Affirmative Action EOO	1,200	1,273	1,200	1,273	1,200	1,273
Executive Secretary (Exec./Confidential)	33,000	65,137	33,000	67,091	33,000	69,104
Others						
Attorney - BD of Adjustment	5,490	6,061	5,490	6,061	5,490	6,061
Secretary/Clerk - BD of Adjustment (effective 10/4/21)	6,000	6,000	6,000	6,000	6,000	6,000
Attorney -Planning Board	6,774	6,774	6,774	6,774	6,774	6,774
Secretary/Clerk - Planning Board (effective 10/4/21)	6,000	6,000	6,000	6,000	6,000	6,000
Veterans Officer	3,821	4,055	3,821	4,055	3,821	4,055
Emergency Management Coordinator	5,000	5,253	5,000	5,411	5,000	5,573
Deputy Emergency Management Coordinator(s)	1,000	1,050	1,000	1,082	1,000	1,114
P/T Fire Inspectors	\$29.10 per hour	\$32.77 per hour	\$29.10 per hour	\$32.77 per hour	\$29.10 per hour	\$32.77 per hour
P/T Recreation Counselors	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour
P/T Lunch Program Monitor	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour	\$15.00 per hour
P/T Recreation Teachers	\$21.23 per hour	\$23.93 per hour	\$21.23 per hour	\$23.93 per hour	\$21.23 per hour	\$23.93 per hour
Summer Teacher /Supervisor	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour	\$25.00 per hour
Finance Department						
Confidential Finance Assistant	33,000	60,000	33,000	61,800	33,000	63,654

Building/Fire Prevention Department						
Construction Official/Plumbing Sub-code /Flood Plain Manager/Multi-Dwelling Inspector/Bldg. Inspector/Code Enforcement/Zoning Officer – Garfield Code 341-59/Bldg. Sub-Code/ Plumbing Sub-code/Plumbing Inspector Fire Sub-Code/Elect. Sub-Code (effective 8/1/23)	50,000	157,384	50,000	162,106	50,000	166,969
Fire Safety Official – Garfield Code 39-78-39-81 (Part-time effective 1/1/2022)/Multi-Dwelling Inspector	35,000	50,000	35,000	51,000	35,000	53,045
Municipal Court						
Municipal Magistrate	57,239	72,029	57,239	72,029	57,239	72,029
Muni. Court Administrator	65,000	110,545	65,000	113,861	65,000	117,277
Municipal Prosecutor	32,000	41,132	32,000	41,132	32,000	41,132
Public Defender	4,176	5,715	4,176	5,715	4,176	5,715
Alternate Municipal Prosecutor	10,000	10,000	10,000	10,000	10,000	10,000
P/T Constable	\$25.00 per hour	\$27.00 per hour	\$25.00 per hour	\$27.00 per hour	\$25.00 per hour	\$27.00 per hour
Alternate Public Defender	\$65 per diem	\$65 per diem	\$65 per diem	\$65 per diem	\$65 per diem	\$65 per diem
Shared Service Court Administrator	10,000	10,000	10,000	10,000	10,000	10,000
Department of Health						
Health Physician	10,000	17,777	10,000	17,777	10,000	17,777
Registrar	40,000	43,260	40,000	44,558	40,000	45,895
Social Worker	\$35 per hour	\$35 per hour	\$35 per hour	\$35 per hour	\$35 per hour	\$35 per hour
Police Personnel						
Crossing Guards (Hired prior to 8/1/2023)	\$20.11 per hour	\$22.65 per hour	\$20.11 per hour	\$22.65 per hour	\$20.11 per hour	\$22.65 per hour
Crossing Guards (Hired after 8/1/2023)	9,000	12,000	9,000	12,000	9,000	12,000
Police Chief	170,357	207,494	170,357	213,719	170,357	220,130
Water Dept.						
Sewer/Water Facilities Manager	100,000	126,072	100,000	129,854	100,000	133,750
Assist Water Supervisor	65,000	65,000	65,000	65,000	65,000	65,000
Assist Water Superintendent	70,000	96,397	70,000	99,289	70,000	102,268
Water Collector	3,000	5,150	3,000	5,305	3,000	5,464
DPW						
Superintendent/ Streets and Public Works	90,000	140,715	90,000	144,936	90,000	149,285

Supervisor of Streets and Public Works	70,000	80,000	70,000	80,000	70,000	80,000
Recreation						
Recreation Director (if Full-time)	66,500	75,000	66,500	75,000	66,500	77,250
Recreation Director (if Part-time)	25,000	30,000	25,000	30,000	25,000	30,900
Assist Municipal Parks Superintendent	75,000	89,301	75,000	91,980	75,000	94,739
Unclassified						
Tax Assessing Aide	33,000	72,888	33,000	75,075	33,000	77,327
Part-time Employees	\$15 per hour	\$60 per hour	\$15 per hour	\$60 per hour	\$15 per hour	\$60 per hour

Mayor Rigoglioso opened the floor for a public hearing.

Jaroslav Podczerwinski, Shaw Street, advised that according to the City's current zoning this area is considered a Light Manufacturing zone. He inquired whether or not the City was changing the entire district or just one parcel. He further questioned why only one parcel was being changed as opposed to the other homes in the area. Discussion ensued regarding the same. Deputy Mayor Delaney made a motion to approve the ordinance, which was withdrawn. It was determined that it would be best to table this ordinance and discuss Mr. Podczerwinski's points before adoption.

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-341-23**

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

**INTRODUCE ORDINANCE #3001
SECOND READING**

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

ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS 28 WALNUT STREET AT BLOCK 119.03, LOT 36 AS SHOWN ON THE TAX MAP OF THE CITY OF GARFIELD, AND AMENDING ORDINANCE § 341-16 BY ADDING THE WALNUT STREET REDEVELOPMENT ZONE-THE "RESIDENTIAL 2-1R" ZONING DISTRICT WITH CERTAIN ADDITIONAL RESTRICTIONS AND ALLOWANCES AT § 341-16 C TO THE R-2 ZONING DISTRICT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ., THE LOCAL REDEVELOPMENT AND HOUSING LAW

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: August 22, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC
City Manager/City Clerk

Record of Council Vote to Table

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

This resolution was tabled by the Mayor and Council of the City of Garfield at the Regular Meeting held on the 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3001**

ORDINANCE OF THE CITY OF GARFIELD, COUNTY OF BERGEN, NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR THE PROPERTY COMMONLY KNOWN AS 28 WALNUT STREET AT BLOCK 119.03, LOT 36 AS SHOWN ON THE TAX MAP OF THE CITY OF GARFIELD, AND AMENDING ORDINANCE § 341-16 BY ADDING THE WALNUT STREET REDEVELOPMENT ZONE-THE “RESIDENTIAL 2-1R” ZONING DISTRICT WITH CERTAIN ADDITIONAL RESTRICTIONS AND ALLOWANCES AT § 341-16 C TO THE R-2 ZONING DISTRICT PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ., THE LOCAL REDEVELOPMENT AND HOUSING LAW

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.*, as amended (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of rehabilitation or redevelopment; and

WHEREAS, in accordance with the Redevelopment Law, the City Council of (“Council”) of the City of Garfield (the “City”) on September 14, 2021, adopted Resolution #21-302 designating the proposed Redevelopment Plan area, Block 119.03, Lot 36 (as may have been or may be merged with each other) as an area in need of redevelopment for non-condemnation purposes pursuant to the Redevelopment Law (“Property”), and

WHEREAS, to facilitate the proper development of the Property and effectuate the redevelopment of same, the City had caused the preparation of a Redevelopment Plan for the Property pursuant to the authority granted under the Redevelopment Law; and

WHEREAS, due to the continued stagnation of the properties the City Council finds it necessary to implement the 2023 Walnut Street Redevelopment Plan to allow for a site plan application to be completed and submitted to the Garfield Planning Board (“Planning Board”) for the Planning Board’s review and approval, said site plan application shall be submitted by any potential redeveloper having contractual ownership interest(s) in the Property; and

WHEREAS, pursuant to the Redevelopment Law, the Planning Board of the City must review the Redevelopment Plan and transmit its comments relating to the Redevelopment Plan to the City in accordance with the provisions of N.J.S.A. 40A:12A-7 of the Redevelopment Law; and

WHEREAS, upon receipt of the Planning Board’s comments relating to the Redevelopment Plan, the City Council believes that the adoption of the 2023 Walnut Street Redevelopment Plan is in the best interest of the City and will further the health, safety and welfare of its citizens and will fulfill the objective of the state Development and Redevelopment Plan by enhancing commuter access to the nearby Plauderville Train Station;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Garfield as follows:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Redevelopment Plan, first dated January 31, 2023 as revised as of June 18, 2023, prepared by Benecke Economics and attached hereto as Exhibit A and made a part hereof, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Section 3. The City Council hereby finds and determines that pursuant to Section 5 of the Redevelopment Plan that the “Property having a minimum of thirty thousand square feet of land” shall be subject to the Land Use and Bulk Regulations of the Redevelopment Plan. Accordingly, a site plan must be filed by the designated redeveloper with the Garfield Planning Board for the Redevelopment Plan, and any interpretations thereto shall be referred to the redevelopment consultant, to be effectuated.

Section 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 6. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the City Clerk during regular business hours.

Section 7. This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

ATTEST: _____

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: June 27, 2023

Tabled: July 18, 2023

Tabled: August 22, 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-342-23**

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

**INTRODUCE ORDINANCE #3002
SECOND READING**

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

AN ORDINANCE TO AMEND §226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, “PARKING” SPECIFICALLY AMENDING §226-23 ENTITLED “RESTRICTED STREETS”

was introduced and passed at a meeting held on Tuesday, July 18, 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3002**

AN ORDINANCE TO AMEND §226 OF THE CITY CODE OF THE CITY OF GARFIELD, ENTITLED, “PARKING” SPECIFICALLY AMENDING §226-23 ENTITLED “RESTRICTED STREETS”

WHEREAS the Governing Body of Garfield believes it is in the best interest of the City of Garfield to Amend §226 of the City Code of the City of Garfield to restrict the parking on the portion of Harrison Avenue between Charles Street and Frederick Street;

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

SECTION 1. §226-23 of the City Code of the City of Garfield, entitled ‘**Restricted Streets**’, is hereby amended to add the following:

§ 226-23. Restricted Streets

Pursuant to the provisions of this article and based upon the findings of the Chief of Police, or his designee, made in accordance therewith, no person who does not hold a parking permit issued in accordance with the terms of this article shall park any vehicle on the following described streets or portions thereof in the City of Garfield between the hours and on the days *or for longer than the duration* indicated:

Name of Street	Side	Hours/Days/Duration	Location
Harrison Avenue	West	1 Hour	Charles Street to Frederick Street

SECTION 2. All ordinances of the City of Garfield, which are inconsistent with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

SECTION 4. All other provisions of §226 of the Code of the City of Garfield are not further amended and remain in full force and effect.

The ordinance shall take effect immediately upon final passage.

ATTEST: _____

Erin Delaney, MPA, RMC
City Manager/City Clerk

Introduced: July 18, 2023

Adopted: August 22, 2023

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-343-23**

CONSENT AGENDA

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

APPROVAL OF BILLS AND CLAIMS

BE IT RESOLVED by the City Council of the City of Garfield that the Current Year Reserve totaling \$16,734.39 and the Current Fund totaling \$56,619.75 and the Water Fund totaling \$68,300.43 and Grants totaling \$13,890.95 and the Trust Accounts totaling \$69,599.37 and Water Capital totaling \$1,982.36 per attached Computer Lists, dated August 22, 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 of the Ratification List, totaling \$25,237,483.93 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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-344-23**

CONSENT AGENDA

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

AUTHORIZING RELEASE OF LOSAP PAYMENTS

WHEREAS, the City Manager and the Mayor and Council, have agreed that the City of Garfield, Bergen County, New Jersey, adopted an ordinance implementing a Length of Service Awards Program (LOSAP) in 2001 in accordance with Section 457(e)(11)(13) of the Internal Service Code of 1986; and

WHEREAS, the Chief Financial Officer has reviewed and has forwarded a certified list(s) to the City Manager, certified by the Fire Department Chief(s) disclosing all Volunteer Fire Department members who have met the minimum requirements to receive such funds; and

WHEREAS, a certified list containing the names of the recipients is on file in the office of the City CFO;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield do hereby approve of the CFO releasing said payment out of accounts 2-01-25-256-256-000 and 3-01-25-256-256-020.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-345-23**

CONSENT AGENDA

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

APPROVING REFUND OF STREET OPENING

WHEREAS, the rules of procedure of Ordinance No. 1856, adopted on 1/22/1985, as per the City Manager and her designee of the City of Garfield state that a Performance Guarantee shall be made, in an amount as determined by the City Engineer, to cover a Street Opening Bond for the period of one year; and

WHEREAS, a deposit has been received from Mohamad & Ghada Abouroumi for property located at 125 Ray St, in the City of Garfield, Bergen County, New Jersey, in the amount of \$2,500.00 for said Street Opening Bond on or prior to August of 2022 and said funds are being held in the Trust Other Fund; and

WHEREAS, the Building Inspector has investigated this deposit and has determined that they are due to the above individual/entity;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that these monies be refunded to the above-named claimant from account #T-03-56-287-287-004.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-346-23**

CONSENT AGENDA

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

APPOINTING ALTERNATE PROSECUTOR

WHEREAS, the Court Administrator has advised of a conflict in the matter of State v. (Nasarenko & Nasarenko et al.); and

WHEREAS, there is now a need to appoint an alternate prosecutor to oversee said case due to the conflict; and

WHEREAS, the City of Garfield would like to appoint Hisham I. Masri, Esq. as alternate prosecutor;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that Hisham I. Masri, Esq. is hereby appointed as alternate prosecutor for the above-mentioned cases, to be paid at the per diem rate of the previous prosecutor, in an amount not to exceed \$3,000.00 to be paid out of 3-01-20-155-155-020.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-347-23**

CONSENT AGENDA

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

**AMENDING RESOLUTION R-87-23 APPOINTING CERTAIN PROFESSIONALS
PURSUANT TO THE NEW JERSEY LOCAL UNIT PAY TO PLAY LAW**

WHEREAS, on February 21, 2023 the Mayor and Council approved Resolution R-87-23 Appointing Certain Professionals Pursuant to the New Jersey Local Unit Pay to Play Law; and

WHEREAS, a need has arisen to amend said resolution;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that Resolution R-87-23 Appointing Certain Professionals Pursuant to the New Jersey Local Unit Pay to Play Law be and is hereby amended to reflect the following:

1. John Lavin of the firm Lavin & Associates PC is hereby appointed as City Special Legal Counsel for the City of Garfield in the amount not to exceed \$150,000.00 to be paid from Account 3-01-20-155-155-020.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-348-23**

CONSENT AGENDA

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

**AMENDING RESOLUTION R-249-22 AND AUTHORIZING THE MODIFICATION OF
THE SCOPE OF THE PROFESSIONAL SERVICES AGREEMENT WITH COLLIERS
ENGINEERING & DESIGN TO PROVIDE ENGINEERING SERVICES FOR THE 2022
NJDOT MIDLAND AVENUE PROJECT FOR THE CITY OF GARFIELD**

WHEREAS, it is necessary for the City of Garfield to retain the services of engineering professionals to provide engineering services for the 2022 NJDOT Midland Avenue Project integral to the health, safety and welfare of the general public in the City of Garfield; and

WHEREAS, pursuant to Resolution No. R-249-22, the City of Garfield entered into a Professional Service Contract with Colliers Engineering & Design for the calendar year 2022, commencing in May 2022; and

WHEREAS, on May 20, 2022, the City of Garfield and Colliers Engineering & Design executed the Engineering and Design Services Agreement (hereinafter the “Agreement”); and

WHEREAS, the initial scope of services was expanded as outlined in their proposal number GFC-0017P to include streetscape work with conduit and lighting; and

WHEREAS, the additional scope of services required further NJDOT grant funding which was not approved; and

WHEREAS, the Governing Body of the City of Garfield wishes to have Colliers Engineering & Design complete design & inspection services for the initial scope of the project only; and

WHEREAS, as a result, Colliers Engineering & Design has submitted an amended proposal for the remainder of the work;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield hereby authorizes the City Manager to amend the original proposal and approves execution of the new scope for the 2022 NJDOT Midland Avenue Project as outlined in the initial grant application; and

BE IT FURTHER RESOLVED that no further payment on Resolution R-249-22 be issued and the only further payments to Colliers Engineering & Design for the 2022 NJDOT Midland Avenue Project is to not exceed \$16,500.00 as outlined in the amended proposal to be paid out of account C-04-55-999-000-975.

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

August 21, 2023

Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-349-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 3 TO DLS
CONTRACTING INC. FOR SERVICES RENDERED IN CONNECTION WITH THE
2022 ROAD PROGRAM**

WHEREAS, the City of Garfield awarded a contract to DLS Contracting Inc. of 36 Montesano Road, Fairfield, NJ 07004; and

WHEREAS, DLS Contracting Inc. has provided services for this project and submitted a payment request for work completed in the amounts of \$140,933.51; and

WHEREAS, Colliers Engineering has indicated that DLS Contracting Inc. has completed the construction items included in this payment for the 2022 Road Program; and

WHEREAS, Colliers Engineering recommends the release of Payment No. 3 in the amount of \$140,933.51 to DLS Contracting Inc. for the 2022 Road Program;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the City hereby authorizes the payment of \$140,933.51 to DLS Contracting Inc. for services rendered in connection with this project to be paid out of account C-06-55-222-946-001.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-350-23**

CONSENT AGENDA

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

AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 5 & 6 TO CREAMER-SANZARI, A JOINT VENTURE FOR SERVICES RENDERED IN CONNECTION WITH THE RIVER DRIVE IMPROVEMENTS & PASSAIC RIVER BIKEWAY PHASE

2

WHEREAS, the City of Garfield awarded a contract to Creamer-Sanzari – A Joint Venture; and

WHEREAS, Creamer-Sanzari – A Joint Venture has provided services for this project and submitted payment requests for work completed thus far in the amounts of \$478,304.66 & \$1,118,495.35, respectively; and

WHEREAS, the City’s Engineering firm recommends the release of Payments No. 5 & No.6 in the total amount of \$1,596,800.01 to Creamer-Sanzari – A Joint Venture;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the City hereby authorizes the payment of \$1,596,800.01 to Creamer-Sanzari – A Joint Venture for services rendered in connection with this project to be paid out of account C-04-55-222-958-001.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-351-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 7 TO NATIONAL
METERING SERVICES, INC., FOR SERVICES RENDERED IN CONNECTION WITH
THE WATER METER REPLACEMENT PROGRAM PHASE 2**

WHEREAS, the City of Garfield awarded a contract to National Water Metering Services, Inc.; and

WHEREAS, National Water Metering Services, Inc., provided services for this project for work completed for June 2023;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the City hereby authorizes the payment of \$15,886,05 to National Water Metering Services, Inc., for services rendered in connection with this project to be paid out of account C-06-55-222-947-001.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-352-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 8 TO NATIONAL
METERING SERVICES, INC., FOR SERVICES RENDERED IN CONNECTION WITH
THE WATER METER REPLACEMENT PROGRAM PHASE 2**

WHEREAS, the City of Garfield awarded a contract to National Water Metering Services, Inc.; and

WHEREAS, National Water Metering Services, Inc., provided services for this project for work completed for July 2023;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the City hereby authorizes the payment of \$22,388.35 to National Water Metering Services, Inc., for services rendered in connection with this project to be paid out of account C-06-55-222-947-001.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-353-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 9 TO FRED DEVENS
CONSTRUCTION FOR CONSTRUCTION SERVICES PROVIDED IN CONNECTION
WITH GARFIELD WATER SYSTEM TREATMENT IMPROVEMENTS, ELMWOOD
PARK WELL FIELD**

WHEREAS, the City of Garfield awarded a contract to Fred Devens Construction;

WHEREAS, Fred Devens Construction provided construction services for this project for the period ending July 1, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the City hereby authorizes the payment of \$54,521.73 to Fred Devens Construction for construction services rendered in connection with this project to be paid out of account C-06-55-222-946-001.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-354-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT TO MONTANA CONSTRUCTION FOR WORK
PERFORMED IN CONNECTION WITH AN EMERGENCY STORM DRAIN REPAIR
ON 42 BELMONT AVENUE FROM 6/29/2023 THROUGH 7/7/2023**

WHEREAS, the City of Garfield required a contractor to perform an emergency storm drain repair on 42 Belmont Avenue; and

WHEREAS, The City retained Montana Construction to perform these services; and

WHEREAS, the services were successfully performed and approved by the City Engineer;

NOW, THEREFORE BE IT RESOLVED by the City Council that the City of Garfield is hereby authorized to make payment to Montana Construction in the amount of \$57,120.42 for the work performed to be paid out of account C-04-55-999-000-970.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-355-23
CONSENT AGENDA**

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

**AUTHORIZING PAYMENT TO MONTANA CONSTRUCTION FOR WORK
PERFORMED IN CONNECTION WITH AN EMERGENCY SANITARY VIDEO
INSPECTION AND REPAIR, 246 – 253 DIVISION STREET ON 4/10/2023, 4/26/2023,
5/18/23 AND 5/22/23**

WHEREAS, the City of Garfield required a contractor to perform an emergency sanitary video inspection and repair; and

WHEREAS, the City retained Montana Construction to perform these services; and

WHEREAS, the services were successfully performed and approved by the City Engineer;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the City of Garfield is hereby authorized to make payment to Montana Construction in the amount of \$27,402.50 for the work performed to be paid out of account C-04-55-999-000-970.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-356-23**

CONSENT AGENDA

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

**AUTHORIZING THE CITY ENGINEER TO PROVIDE QUOTE SOLICITATION,
CONSTRUCTION OVERSIGHT AND PAYMENT COORDINATION SERVICES IN
CONNECTION WITH AN EMERGENCY SEWER REPAIR AT 42 BELMONT
AVENUE**

WHEREAS, there was a sewer collapse at 42 Belmont Avenue on June 28, 2023; and

WHEREAS, it was necessary to secure quotes, retain a contractor on an emergency basis, inspect the work being performed and coordinate payment to the contractor; and

WHEREAS, services were provided between June 28, 2023 and July 10, 2023, in the total amount of \$9,264.00;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the City Engineer is hereby authorized to provide the necessary services for a fee not to exceed \$9,264.00 to be paid out of account C-04-55-999-000-970.

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-357-23**

CONSENT AGENDA

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

APPROVING SEWER PAYMENT REFUND

WHEREAS, the Receiver of Sewer Collections reports that she has received a request from the following property owner for an ACH refund due to the house being sold 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 payment and forward same to the Receiver of Sewer Collections for the purpose of noting her records and for mailing to the property owner out of account T-07-56-286-000-801.

ACCOUNT #	OWNER	REASON	AMOUNT
4-14-89	Roy Kesenci	ACH Refund	\$82.50

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

August 21, 2023
Dated

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-358-23**

CONSENT AGENDA

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

APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 3 has advised that they have accepted Lindsay Giordano, 174 Wessington Avenue, Garfield, New Jersey 07026, as a regular active member, effective July 3, 2023;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-359-23**

CONSENT AGENDA

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

APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 2 has advised that they have accepted Luis Escanio, 34 Park Avenue, Garfield, New Jersey 07026, as a regular active member, effective July 20, 2023;

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

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-360-23**

CONSENT AGENDA

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

APPROVING OF RESIGNATION ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Justin Velazquez of 25 Wessington Avenue, Garfield, New Jersey 07026 as an active member, effective July 20, 2023;

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

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-361-23**

CONSENT AGENDA

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

APPROVING OF RESIGNATION ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 5 has advised that they have accepted the resignation of Jason Tani of 32 Center Court, Garfield, New Jersey 07026 as an active member, effective July 11, 2023;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 5 with respect to the above matter, is hereby approved.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-362-23**

CONSENT AGENDA

RESOLUTION BY: DEPUTY MAYOR DELANEY

SECONDED BY: COUNCILWOMAN BANCH

APPROVING RESIGNATION OF ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 3 has advised that they have accepted the resignation of Daniel Harrison of 507 Hoboken Road, Apt 1S, Carlstadt, New Jersey 07072 as an active member, effective July 3, 2023;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 3 with respect to the above matter, is hereby approved.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-363-23**

CONSENT AGENDA

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

APPROVING EXPULSION OF ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 3 has advised that they have expelled Joseph Nunez of 108 Main Street, as an active member effective July 3, 2023;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 3 with respect to the above matter, is hereby accepted.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-364-23**

CONSENT AGENDA

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

APPROVAL OF VEHICLE SALES BUSINESS LICENSE

BE IT RESOLVED by the City Council of the City of Garfield that Erin N. Delaney, City Manager/ City Clerk, is hereby authorized to issue the following licenses for Vehicle Sales Business for the year 2023 described in the application, duly filed:

<u>Business Name:</u>	<u>Fee Paid:</u>
MJ Traders LTD 610 River Drive Garfield, NJ 07026	\$365.00

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-365-23**

CONSENT AGENDA

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

**AUTHORIZING REMOVAL OF PLANNING BOARD & ZONING BOARD OF
ADJUSTMENT MEMBERS**

WHEREAS, in accordance with N.J.A.C. 5:87 an individual who is appointed to serve on the Planning Board and/or Zoning Board of Adjustment must complete the Land Use Law and Planning Training Course within 18-months of their appointment; and

WHEREAS, a board member who fails to satisfy the requirements of the course within the prescribed 18-month period shall be deemed ineligible to continue to serve as a board member; and

WHEREAS, any board member deemed ineligible for failure to complete the required course shall be removed as a member of the applicable board by the Governing Body of the affected municipality; and

WHEREAS, any board member removed under this provision shall not be eligible for subsequent appointment to any board (as defined in N.J.A.C. 5:87-1.5) without first successfully completing the course; and

WHEREAS, the 18-month period has lapsed for the following members, on their respective boards:

<u>Name</u>	<u>Board</u>
Carmin V. Breonte	Zoning Board
Paul Houlis	Zoning Board
Constantino Conte	Planning Board

; and

WHEREAS, it is the responsibility of the Mayor and Council of the City of Garfield to remove said members from their respective positions until the completion of said course, at which point they can be re-appointed;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the above-named individuals be and are hereby removed from their appointments on the board stated above.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-366-23**

CONSENT AGENDA

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Antonio Angel Gonzalez-Saeuz, of 23 Dewey Street, who is the holder of a Disabled Person I.D. Card No. P2693499, 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 north curb line of Dewey Street commencing 270 feet east of the intersection of Dewey Street and Palisade Avenue and continue an additional 20 feet east 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-367-23**

CONSENT AGENDA

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Quintino N. Almonte, of 59 Commerce Street, who is the holder of a Disabled Person I.D. Card No. P2693196, 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 south curb line of Commerce Street commencing 284 feet east of the intersection of Commerce Street and Palisade Avenue and continue an additional 20 feet east 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-368-23**

CONSENT AGENDA

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

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$810,975.46 which is now available from Bergen County; and

BE IT FURTHER RESOLVED, that the sum of \$810,975.46 is hereby appropriated under the caption Bergen County; and

BE IT FURTHER RESOLVED, that the above is the result of funds from Bergen County, in the amount of \$810,975.46.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-369-23**

CONSENT AGENDA

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

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$14,187.73 which is now available from the NJ Department of Agriculture; and

BE IT FURTHER RESOLVED, that the sum of \$14,187.73 is hereby appropriated under the caption the NJ Department of Agriculture; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the NJ Department of Agriculture, in the amount of \$14,187.73.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-370-23**

CONSENT AGENDA

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

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$9,629.10 which is now available as part of the National Opioid Settlement; and

BE IT FURTHER RESOLVED, that the sum of \$9,629.10 is hereby appropriated under the caption the National Opioid Settlement; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the National Opioid Settlement, in the amount of \$9,629.10.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-371-23**

CONSENT AGENDA

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

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$10,500.00 which is now available from the NJ Division of Highway Traffic Safety; and

BE IT FURTHER RESOLVED, that the sum of \$10,500.00 is hereby appropriated under the caption the NJ Division of Highway Traffic Safety; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the NJ Division of Highway Traffic Safety, in the amount of \$10,500.00.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-372-23**

CONSENT AGENDA

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

**REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA
40A:4-87**

WHEREAS, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Service to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$30,000.00 which is now available as part of the National Fitness Campaign; and

BE IT FURTHER RESOLVED, that the sum of \$30,000.00 is hereby appropriated under the caption the National Fitness Campaign; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the National Fitness Campaign, in the amount of \$30,000.00.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-373-23**

CONSENT AGENDA

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

AUTHORIZING CANCELLATION OF OLD OUTSTANDING CHECKS

WHEREAS, certain checks have been identified in the Current Fund, Water Utility, and Trust Fund bank accounts as outstanding by the Chief Financial Officer; and

WHEREAS, it is a normal financial practice to review the bank accounts for old outstanding items for cancellation with the balances to be returned to the Fund Balance; and

WHEREAS, it is necessary to formally cancel said checks so that the unnecessary balances may be returned to the Fund Balance of the respective funds;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, County of Bergen, State of New Jersey that the following old outstanding checks, be cancelled:

Date of Check Issue	Check Number	Amount
Feb 2022	27052 - Net Payroll	1061.00
Feb 2022	27258 - Net Payroll	364.40
Mar 2022	27331 - Net Payroll	692.72
Mar 2022	27491 - Net Payroll	194.48
Apr 2022	27559 - Net Payroll	242.40
Apr 2022	27594 - Net Payroll	165.48
Apr 2022	27609 - Net Payroll	1030.64
Apr 2022	27640 - Net Payroll	10,577.18
Apr 2022	27641 - Net Payroll	10,577.18
Jun 2022	27969 - Net Payroll	2807.17
Jun 2022	27992 - Net Payroll	959.89
Jun 2022	28005 - Net Payroll	466.80
Jun 2022	28015 - Net Payroll	982.85
Jun 2022	28099 - Net Payroll	1551.71
Jul 2022	28267 - Net Payroll	1833.41
Aug 2022	28341 - Net Payroll	410.82
Aug 2022	28397 - Net Payroll	12.60
Aug 2022	28398 - Net Payroll	0.90
Sep 2022	28630 - Net Payroll	503.96

Oct 2022	28970 - Net Payroll	35.32
Dec 2022	29214 - Net Payroll	893.50
Dec 2022	29279 - Net Payroll	163.41
Dec 2022	29316 - Net Payroll	77.16
Mar 2022	4857 - Net Payroll	28.94
Apr 2022	4874 - Net Payroll	43.22
Jul 2022	4961 - Net Payroll	20.87
Sep 2022	4981 - Net Payroll	23.86
Mar 2022	46948 - Current	510.30
Aug 2022	47822 - Current	2250.00
Aug 2022	47852 - Current	3.00
Sep 2022	47943 - Current	2515.66
Oct 2022	48127 - Current	510.30
Nov 2022	48297 - Current	499.00
Dec 2022	48407 - Current	510.30
Jan 2023	48578 - Current	84.00
Nov 2022	1306 - Trust	2500.00
Aug 2022	1075 - Sewer	37.50
Aug 2022	5836 - Payroll Agency	2975.62
Aug 2022	5848 - Payroll Agency	655.68
Aug 2022	5849 - Payroll Agency	840.00

; and

BE IT FURTHER RESOLVED the following:

1. The City Clerk is hereby authorized and directed to transmit to the Chief Financial Officer and Auditor a certified copy of this resolution.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward a copy of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-374-23**

CONSENT AGENDA

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

**AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED SHARED
SERVICE CONTRACT WITH THE GARFIELD BOARD OF EDUCATION**

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 “Uniform Shared Service and Consolidation Act,” N.J.S.A. 40A:65-1 et seq.; and

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

WHEREAS, the Garfield Board of Education is interested in utilizing the City’s park and recreation facilities for high school sports; and;

WHEREAS, the City of Garfield is willing to accommodate said request as outlined in a previously executed shared service agreement commencing July 20, 2022 and ending June 30, 2023, which was extended until August 31, 2023; and

WHEREAS, said contract has been amended to reflect an extension until November 1, 2023;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield hereby directs the City Manager to execute the Shared Services Contract with the Garfield Board of Education.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-375-23**

CONSENT AGENDA

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

**AUTHORIZING THE TAX COLLECTOR TO SELL DELINQUENT MUNICIPAL
TAXES**

WHEREAS, the Governing Body of the City of Garfield, County of Bergen, State of New Jersey, Desires to collect all taxes, assessments, and other Municipal charges that are now delinquent; and

WHEREAS, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2022 in a manner prescribed by N.J.S.A. 54-5-19, and as amended by Chapter 99, Public Laws of 1997;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Garfield, that the Tax Collector is hereby authorized and directed to sell all Municipal liens in accordance with the New Jersey law, and as stated above on October 5, 2023 at 9:00AM.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-376-23**

CONSENT AGENDA

**RESOLUTION BY: DEPUTY MAYOR DELANEY
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 Monday, September 25, 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 Roberto Lopez Ricardes and Roxana Verano Bazalar;

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 Roberto Lopez Ricardes and Roxana Verano Bazalar; 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: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-377-23**

CONSENT AGENDA

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

**AUTHORIZING THE CITY OF GARFIELD TO ENTER INTO AND EXECUTE AN
AGREEMENT AND ALL NECESSARY DOCUMENTS WITH NATIONWIDE
RETIREMENT SOLUTIONS, INC. TO PROVIDE A 457 DEFERRED
COMPENSATION PLAN FOR OFFICIALS AND EMPLOYEES OF THE CITY OF
GARFIELD**

WHEREAS, the City of Garfield (the “City”) has considered adding Nationwide Retirement Solutions as a 457 Deferred Compensation Plan provider to be made available to all eligible employees, elected officials, and independent contractors pursuant to Section 457 of the Internal Revenue Code permitting such Plans; and

WHEREAS, certain tax benefits could accrue to employees, elected officials, and independent contractors participating in said Deferred Compensation Plans; and

WHEREAS, such benefits will act as incentives to employees to voluntarily set aside and invest portions of their current income to meet their future financial requirements and supplement their retirement and Social Security (if applicable); and

WHEREAS, by adoption of the Nationwide Program, all regulatory, operational, and administrative responsibilities are hereby assumed by Nationwide on behalf of the City; and

WHEREAS, Nationwide as Plan Administrator, agrees to hold harmless and indemnify the City, its appointed and elected officials and participating employees from any loss resulting from the City or its agent’s failure to perform its duties and services pursuant to the Nationwide Program;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, New Jersey, that the City Manager and City Finance Officer are hereby authorized to enter into and execute an agreement and all necessary documents with Nationwide Retirement Solutions, Inc. to provide a Deferred Compensation Plan for officials and employees of the City; and

BE IT FURTHER RESOLVED that the City Manager & City Finance Officer is hereby authorized to act as Administrators of the Plan.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-378-23**

CONSENT AGENDA

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

**SUPPORTING THE SUBMISSION OF AN APPLICATION AND APPROVING
ABIDING BY CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS
WITH DISABILITIES (ROID) FY2024 GRANT PROGRAM**

WHEREAS, the City of Garfield desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$20,000 to carry out a project to expand upon the Sharing Garden Program that provides youth of all abilities with a hands-on, innovative experience that involves the cultivation of food items in a community garden. City of Garfield will provide matching funds not to exceed \$4,000 (a 20% match of the total project cost, which will be approximately \$20,000);

NOW, THEREFORE, BE IT RESOLVED that the City Manager and City Council do hereby authorize the preparation and submission of such a grant; and

BE IT FURTHER RESOLVED that the City Manager and City Council do hereby recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, in this case, the City Manager and City Council do further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Garfield and the New Jersey Department of Community Affairs; and

BE IT FURTHER RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-379-23**

CONSENT AGENDA

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

**PROCLAIMING THE MONTH OF SEPTEMBER 2023 AS PROSTATE CANCER
AWARENESS MONTH**

WHEREAS, this year, approximately 288,300 men will be diagnosed with prostate cancer in the United States alone – one man every 2 minutes, and roughly 34,700 will die this year from the disease, about 3,500 more than 2020 – which is one man every 15 minutes; and

WHEREAS, in New Jersey, an estimated 9,460 new cases of prostate cancer will be diagnosed and an estimated 730 deaths will occur in 2023; and

WHEREAS, men with relatives – father, brother, son – with a history of prostate cancer are twice as likely to develop the disease; and

WHEREAS, prostate cancer is the most commonly diagnosed cancer in American Men and the third leading cause of cancer death behind lung and colon cancer; and

WHEREAS, 1 in 8 men are diagnosed with prostate cancer in their lifetime and 1 in 6 African American men will develop prostate cancer in their lifetime. Overall, African American men are 1.7 times more likely to be diagnosed with - and 2.1 times more likely to die from - prostate cancer than white men; and

WHEREAS, Veterans who were exposed to herbicides like Agent Orange are at increased risk for developing prostate cancer, and are more likely to have an aggressive form of the disease; and

WHEREAS, education regarding prostate cancer and early detection strategies is critical to saving lives, preserving, and protecting our families. As well as the economic and social burden of prostate cancer is huge on families; and

WHEREAS, if caught early prostate cancer has a five-year survival rate of nearly 100%. However, for late stage prostate cancer the five-year survival rate is 31%; and

WHEREAS, many more men will be diagnosed in 2023 at a later stage because of delayed screenings and treatment due to COVID-19; and

WHEREAS, all men are at risk for prostate cancer and we encourage the citizens of Garfield to increase the importance of prostate awareness and screenings;

NOW, THEREFORE, BE IT RESOLVED that the City of Garfield does hereby proclaim the month of September 2023 to be Prostate Cancer Awareness Month in the City of Garfield.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-380-23**

CONSENT AGENDA

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

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-343-23 through R-380-23 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: August 22, 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 22nd day of August 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC
City Manager/City Clerk

Dated

City CFO Anders Hasseler reviewed the 2022 audit with the Mayor and Council, to which he advised fund balance is up and that he was pleased with the number of comments. He noted that the Corrective Action Plan would be on the agenda for approval in September. Councilman Maslag inquired as to whether or not the increase in interest rates affected the City's finances.

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-381-23**

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

APPROVE ANNUAL MUNICIPAL AUDIT REPORT FOR THE YEAR 2022

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of Governing Body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local Fiscal as per R.S. 52:2788-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the section of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

and;

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Audit, and specifically and sections of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

as evidenced by the group affidavit form to the Governing Body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as state aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 - to with:

R.S. 52:278852 - "A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both in addition in addition shall forfeit his office;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Garfield, hereby states that it has complied with the promulgations of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

APPROVED: August 22, 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 22nd day of August 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.

Paul Zito, Shaw Street, stated that he was pleased and impressed with the newly introduced quality of life ordinances. He then went on to say that there is an issue with a zoning approval on his street, of which cannot be discussed due to pending litigation, and inquired about the removal of board members who have not received the proper training on the Zoning Board. Mr. Zito also inquired about the building of the new School #5 and whether or not a solution has been discussed related to parking, which is already limited in the area.

Grzegorz Dymora, Pacific Avenue, asked whether or not the Mayor and Council was able to review the videos that were forwarded to Councilman Maslag related to the health issues he has raised with the autobody shop near his home.

Jaroslaw Podczerwinski, Shaw Street, questioned how and why Zoning Board members were reappointed without receiving the proper training. He also inquired about their removal. Mr. Podczerwinski then had a question related to the height with mean measurement and the City's ordinance table, specifically which version is correct.

MAYOR & COUNCIL COMMENTS

Deputy Mayor Delaney congratulated City Manager/City Clerk Delaney on her recent CMC certification/designation. He thanked everyone for their work and support on the quality of life ordinances and reminded residents of the Fireworks show to be held on September 8th.

Mayor Rigoglioso shared that September and October will be busy months with schools reopening and several planned activities throughout the City. He stated that he feels the City is moving in a positive direction and they need to continue protecting and supporting each other, despite what is posted on social media. Mayor Rigoglioso said that past councils and politics stood in the way of moving the City forward, especially with the lack of progress surrounding our two train stations. He concluded by stating the City is becoming a trailblazer with their recent efforts.

ADJOURNMENT

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

Respectfully submitted,

Erin Delaney, MPA, RMC
City Manager/City Clerk

These meeting minutes were approved at the September 26, 2023 Regular meeting of the Mayor & Council.