

**REGULAR MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
OCTOBER 24, 2023
6:00P.M.**

1. CALL TO ORDER:

The Regular Meeting of the Mayor and Council of the City of Garfield was called to order on Tuesday, October 24, 2023 at 6:15PM 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, and City Attorney John Tuntevski.

**Councilwoman Banch arrived at 6:16PM.*

2. ROLL CALL:

3. FLAG SALUTE

4. STATEMENT OF COMPLIANCE:

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

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

5. APPROVAL OF MINUTES:

A motion was made by Mayor Rigoglioso and seconded by Councilman Maslag to approve the September 26, 2023 Regular; October 10, 2023 Work & Executive Session; and October 17, 2023 Special meeting minutes. The motions carried unanimously by those present.

6. PROCLAMATION:

R-454-23 Congratulating the Garfield PBA Local No. 46 Awards Dinner Recipients

7. ORDINANCES:

FIRST READING

R-455-23 Introduce Ord. #3015

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 202, CURFEW, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-456-23 Introduce Ord. #3016

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

R-457-23 Introduce Ord. #3017
**AN ORDINANCE AMENDING PART II, GENERAL
LEGISLATION, CHAPTER 226, OVERNIGHT PARKING,
OF THE REVISED GENERAL ORDINANCES OF THE
CITY OF GARFIELD**

SECOND READING

R-458-23 Introduce Ord. #3013
**AN ORDINANCE AMENDING PART II, GENERAL
LEGISLATION, CHAPTER 100, CANNABIS, OF THE
REVISED GENERAL ORDINANCES OF THE CITY OF
GARFIELD**

R-459-23 Introduce Ord. #3014
**AN ORDINANCE REPEALING AND REPLACING PART II,
GENERAL LEGISLATION, CHAPTER 284,
STORMWATER CONTROL, OF THE REVISED GENERAL
ORDINANCES OF THE CITY OF GARFIELD**

8. CONSENT AGENDA:

R-460-23 Approval of Bills and Claims
R-461-23 Appointing a Professional Appointment Pursuant to the New
Jersey Local Unit Pay to Play Law
R-462-23 Authorizing the Appointment of Santo T. Alampi, Esq., as Special
Counsel to Represent the City of Garfield in the Matter of I.W.S.
Transfer Systems of N.J., Inc., v City of Garfield et. al.
R-463-23 Authorizing Payment of Payment Requisition No. 10 to Fred
Devens Construction for Construction Services Provided in
Connection with Garfield Water System Treatment Improvements,
Elmwood Park Wellfield
R-464-23 Authorizing Payment of Payment Requisition No. 8 to Creamer
Sanzari, A Joint Venture for Construction Services Provided in
Connection with River Drive Improvements & Passaic River
Bikeway (Phase 2)
R-465-23 Authorizing Boswell Engineering to Perform Continued Licensed
Site Remediation Professional (LSRP) Services in Connection with
the Garfield Department of Public Works
R-466-23 Approving Subsequent Tax Payment Refund
R-467-23 Authorizing Payment to Samuel Stothoff Co., Inc., for Emergency
Repairs to Well No. 12
R-468-23 Approving Tax Sale Refund
R-469-23 Authorizing Payment of Payment Requisition No. 9 to National
Metering Services, Inc., for Services Rendered in Connection
With the Water Meter Replacement Program Phase 2
R-470-23 Authorizing Payment of Payment Requisition No. 10 to National
Metering Services, Inc., for Services Rendered in Connection
With the Water Meter Replacement Program Phase 2
R-471-23 Approving 2023 Cannabis Licenses
R-472-23 Authorizing the City Manager and City Officials to Execute
Documentation Related to the Enterprise Fleet Management
Program
R-473-23 Authorizing Execution of Completion Certificate for the 2023
LCBA Grant
R-474-23 Requesting Approval of Items of Revenue and Appropriation
NJSA 40A:4-87

- R-475-23 Requesting Approval of Items of Revenue and Appropriation
NJSA 40A:4-87
- R-476-23 Requesting Approval of Items of Revenue and Appropriation
NJSA 40A:4-87
- R-477-23 Entering Into a Grant Agreement with the County of Bergen –
FY2023 CDBG Unprogrammed Funds – Recreation Building
Exterior Rehabilitation
- R-478-23 Approving Resignation of Active Member – Fire Department
- R-479-23 Approving Resignation of Active Member – Fire Department
- R-480-23 Approving Regular Active Member – Fire Department
- R-481-23 Approving 2023 Halloween Curfew
- R-482-23 Approving Release of Maintenance Bond No. 56776 in Connection
with the Meridia Transit Crossing Garfield Project
- R-483-23 Approving Handicap Parking Space
- R-484-23 Rejecting Bids Related to Columbus Park Improvement Project
- R-485-23 Approving Appointment of Public Hearing Officer
- R-486-23 Requesting Permission for the Dedication by Rider for Uniform
Fire Safety Act Dedicated Penalties Required by DLGS
NJSA 52:27D-192
- R-487-23 Resolution to Accept Consent Agenda

9. RESOLUTION:

- R-488-23 Approving Liquor License Transfer – Person to Person –
0221-33-030-004

10. PUBLIC HEARING:

11. MAYOR & COUNCIL REPORTS:

12. ADJOURNMENT:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-454-23**

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

**CONGRATULATING THE GARFIELD PBA LOCAL NO. 46 AWARDS DINNER
RECIPIENTS**

WHEREAS, the Garfield P.B.A. Local No. 46 will hold their Annual Awards Dinner on Thursday, November 2, 2023 at the Venetian Restaurant located at 546 River Drive, Garfield, New Jersey; and

WHEREAS, the P.B.A. is honoring Police Officers Chief Richard Uram, Captain Ronald Bohannon, Detective Lieutenant Thomas LaMantia Jr., Sergeant Michael Bocco and Sergeant Pedro Gongora as Gold Card Lifetime Membership Recipients and Ciro G. Randazzo as Silver Card Lifetime Membership Recipients for their many years of dedicated service; and

WHEREAS, the City Council is desirous of joining with the P.B.A. in honoring these fine individuals;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that Gold Card Lifetime Membership Recipients Police Chief Richard Uram, Captain Ronald Bohannon, Detective Lieutenant Thomas LaMantia Jr., Sergeant Michael Bocco, Sergeant Pedro Gongora and Silver Card Lifetime Membership Recipient Ciro G. Randazzo are hereby publicly congratulated and acknowledged for being deservedly honored with a dinner celebration by Garfield P.B.A. Local No. 46 for their dedicated service to our community and the Garfield Police Department.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-455-23**

**RESOLUTION BY: DEPUTY MAYOR DELANEY
SECONDED BY: MAYOR RIGOGLIOSO**

**INTRODUCE ORDINANCE #3015
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 202, CURFEW, 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, November 21, 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: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3015**

AN ORDINANCE TO REPEAL AND REPLACE PART II, GENERAL LEGISLATION, CHAPTER 202, CURFEW, 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 ensure the safety of minors and juveniles during nighttime hours with an appropriate curfew and supervision;

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 202, Curfew, is hereby repealed and replaced as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 202, Curfew, is hereby repealed and replaced to include Chapter 202, Curfew, as follows:

§ 202-1 Title.

This chapter shall be known and may be cited as the "Ordinance Regulating the Presence and Conduct of Juveniles on Public Streets and Public Places During Nighttime Hours."

§ 202-2 Definitions; word usage.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have the meaning given herein. When consistent with the appropriate context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. The word "shall" is considered to be mandatory and not merely directory or discretionary in nature.

CITY

The City of Garfield.

CURFEW HOURS

Between the hours of 10:00 p.m. and 6:00 a.m., Sunday through Thursday, and between the hours of 12:00 midnight and 6:00 a.m., Friday through Saturday.

EMERGENCY

An unforeseen combination of circumstances or the resulting state, including those circumstances which call for immediate action in response to a threat to public health and safety. This term shall be understood to include but not be limited to a fire, a natural disaster, an automobile accident or any other situation requiring immediate action to prevent serious bodily harm, injury or loss of life. "Serious bodily injury" shall mean bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

GUARDIAN

Any person, other than a parent, to whom legal custody of a juvenile or minor has been given by court order or who is acting in the place of the parent or is responsible for the care and welfare of the juvenile.

JUVENILE or MINOR

Any person under the age of 18.

KNOWINGLY

Includes knowledge or information which a parent or legal guardian should reasonably be expected to have concerning the whereabouts of a minor in the legal custody of a parent or guardian. It is intended to include and require neglectful or careless parents to maintain a reasonable community standard of parental responsibility through an objective test. It

shall be no defense to this chapter that a parent was indifferent to the activities or conduct or whereabouts of such a minor or juvenile.

OPERATOR

Any individual, firm, association, partnership or corporation operating, managing or conducting business in any establishment. The term includes the member or partners of an association or partnership and the officers of a corporation.

PARENT

The natural or adoptive parent of a juvenile or minor.

PUBLIC PLACE

Any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot or any other public building, structure or area.

REMAIN

To linger or stay; or to fail to leave a public place or establishment when requested to do so by a police officer or the owner, operator or other person in control of the establishment or premises.

§ 202-3 Offenses.

- A.** A minor commits an offense if the minor remains in any public place or on the premises of any establishment within the city between the hours of 10:00 p.m and 6:00 a.m., Sunday through Thursday, and between the hours of 12:00 midnight and 6:00 a.m., Friday through Saturday.
- B.** A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during the curfew hours.
- C.** The owner, operator or any employee of an establishment or public place commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during the curfew hours.

§ 202-4 Permitted exceptions.

- A.** The following are exceptions to an offense under § 202-3. The minor was:
 - (1)** Accompanied by the minor's parent or guardian;
 - (2)** On an errand at the direction of the minor's parent or guardian, without any detour or stop for the purpose of responding to a medical problem or emergency;
 - (3)** In a motor vehicle involved in interstate travel not originating in the City of Passaic;
 - (4)** Engaged in an employment activity, or going to or returning from an employment activity, without any detour or stop;
 - (5)** Involved in an emergency as defined in § 202-2;
 - (6)** On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor has not filed a complaint with the Police Department about the minor's presence;
 - (7)** Attending an official school, religious or other recreational activity supervised by adults and sponsored by the city, a civic organization or

another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious or other cultural, social or recreational activity supervised by adults and sponsored by the city, a civic organization or similar entity that takes responsibility for the minor;

- (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech and the right of assembly; or
- (9) Married or had been married or had disabilities of minority removed in accordance with law.

- B. It is a defense to prosecution under § 202-3C that the owner, operator or employee of an establishment or public place promptly notified the Police Department that a minor was present on the premises of the establishment during curfew hours and refused to leave.

§ 202-5 Enforcement.

- A. Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the establishment or public place. The officer shall not issue a citation or make an arrest under this section unless this officer reasonably believes that an offense has occurred and that, based on any response from the minor or juvenile and other circumstances, no exception under § 202-4 is present.
- B. If a police officer reasonably believes that a juvenile is on the streets in violation of this chapter, the officer shall notify the juvenile that he or she is in violation of the curfew chapter and shall ask the juvenile or minor to provide to the officer his or her name, address and telephone number and how to contact a parent or guardian. In determining the age of the minor or juvenile, and in the absence of evidence such as a driver's license or copy of birth certificate, a police officer shall be authorized to use his or her best judgment in determining the age of the minor or juvenile.
- C. If the officer determines that a person is in violation of this chapter, the minor or juvenile shall be taken into custody. The parent or guardian shall then be notified by any authorized member of the City of Garfield Police Department to come to the Police Department to take custody of the minor or juvenile. When the parent or guardian arrives to take custody of the juvenile or minor, they shall be given written notice by an authorized member of the City of Garfield Department which sets forth the nature of the alleged violation and which also includes a copy of this chapter in its entirety. A copy of this notice shall also be kept on file with the Municipal Court Clerk of the City of Garfield for the purpose of providing evidence of failure by the parent or guardian to observe the provisions of this chapter in the event of any subsequent citation for an alleged violation of this chapter.
- D. In the event that a parent or guardian cannot be located, then the juvenile or minor may be released to the appropriate juvenile authorities or to an adult relative, neighbor or other adult who will, on behalf of a parent or guardian, assume the responsibility of caring for the juvenile pending the availability or arrival of a parent or guardian. A copy of the notice described in Subsection C shall be given to the minor, and another copy shall be sent to the parent or guardian, by certified mail, return receipt requested.
- E. The Police Department shall issue written warnings in lieu of a summons for an alleged first violation of this chapter. An additional copy of this warning shall be kept on file with the Municipal Court Clerk of the City of Garfield for the purpose of providing evidence of failure by the minor, as well as the parent or guardian, to observe the provisions of this chapter in the event of any subsequent citation for an alleged violation of this chapter. No written warning shall be issued for any subsequent alleged violation of this chapter.

§ 202-5 Violations and penalties.

- A.** A person who violates a provision of this chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued or permitted.
- B.** A first offense, upon conviction, is punishable by a fine not to exceed \$100 and may also include community service of up to 15 hours to the city.
- C.** A second offense, upon conviction, is punishable by a fine not to exceed \$500 and may also include community service of up to 30 hours to the city.
- D.** A third or subsequent offense, upon conviction, is punishable by a fine not to exceed \$1,000 and may also include community service of up to 45 hours to the city.
- F.** If both a juvenile and the juvenile's parent or guardian are convicted of violating the chapter, they shall be required to perform any community service together.

Section 2. The remainder of Chapter 202 is hereby ratified and remains in full force and effect.

Section 3. 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 4. 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, CMC
City Manager/City Clerk

Introduced: October 24, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-456-23**

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

**INTRODUCE ORDINANCE #3016
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, 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, November 21, 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: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3016**

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, the Mayor and Council finds it is in the best interest of the City to permit Cannabis retailers and to allow for the operation of such business in the City; and

WHEREAS, the Mayor and Council finds it is in the best interest of the City to expand the hours of operation of such business in the City;

BE IT ORDAINED by the Governing Body of the City of Garfield that Part II, General Legislation, Chapter 100, Cannabis, is hereby amended as follows:

Section 1. The Governing Body of the City of Garfield hereby amends Part II, General Legislation, Chapter 100, Cannabis, Section 100-5, Zoning, as follows:

Section 5. Section 100-5. Zoning

C. All Cannabis Establishments operating in the City of Garfield shall be permitted as a Condition Use, subject to the following conditions:

(7) Cannabis Establishments shall be permitted to conduct its business during the hours of 10:00 a.m. to 10:00 p.m., Monday through Saturday;

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, CMC
City Manager/City Clerk

Introduced: October 24, 2023

Adopted:

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-457-23**

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

**INTRODUCE ORDINANCE #3017
FIRST READING**

BE IT RESOLVED, that an ordinance entitled:

**AN ORDINANCE AMENDING 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, November 21, 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: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3017**

AN ORDINANCE AMENDING 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;

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 amended 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 an oversized vehicle between the hours of 10:00 p.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 vehicle, including but not limited to, 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 an oversized vehicle, including but not limited to, truck, tractor, trailer, semi-trailer or omnibus, having a vehicle registered gross weight or combination of vehicles having registered gross weights in excess of 5,000 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 an oversized vehicle, including but not limited to, truck, tractor, semi-tractor or omnibus, having a vehicle weight or combination of weights in excess of 5,000 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 \$100; 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, CMC
City Manager/City Clerk

Introduced: October 24, 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-458-23**

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

**INTRODUCE ORDINANCE #3013
SECOND READING**

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

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

was introduced and passed at a meeting held on Tuesday, October 10, 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: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3013**

AN ORDINANCE AMENDING PART II, GENERAL LEGISLATION, CHAPTER 100, CANNABIS, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, the Mayor and Council finds it is in the best interest of the City to permit the addition of an Adult Use Retail license to allow for the operation of such business in the City;

BE IT ORDAINED by the Governing Body of the City of Garfield that Part II, General Legislation, Chapter 100, Cannabis, is hereby amended as follows:

Section 1. The Governing Body of the City of Garfield hereby amends Part II, General Legislation, Chapter 100, Cannabis, Section 100-3, Limitations of number of licenses, as follows:

§100-3. Limitations of number of licenses

The City of Garfield expressly permits 18 total cannabis licenses to operate within the City limits as follows:

- A.** Four Class One Cultivation licenses;
- B.** Four Class Two Manufacturing licenses;
- C.** Four Class Three Wholesaler licenses;
- D.** Four Class Four Distributor licenses;
- E.** Two Class Five Adult-Use Retail license.
- F.** One Alternative Treatment Center License

Section 2. The Governing Body of the City of Garfield hereby amends Part II, General Legislation, Chapter 100, Cannabis, Section 100-5, Zoning, as follows:

- B.** A Cannabis Establishment seeking to operate under a Class 5 retail license or as an Alternative Treatment Center may operate within the B-2 District as a conditional use.

Section 3. 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 4. 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, CMC
City Manager/City Clerk

Introduced: October 10, 2023

Adopted: October 24, 2023

APPROVED: _____

Richard Rigoglioso, Mayor

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

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-459-23**

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

**INTRODUCE ORDINANCE #3014
SECOND READING**

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

AN ORDINANCE REPEALING AND REPLACING PART II, GENERAL LEGISLATION, CHAPTER 284, STORMWATER CONTROL, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

was introduced and passed at a meeting held on Tuesday, October 10, 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: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO.: 3014**

AN ORDINANCE REPEALING AND REPLACING PART II, GENERAL LEGISLATION, CHAPTER 284, STORMWATER CONTROL, OF THE REVISED GENERAL ORDINANCES OF THE CITY OF GARFIELD

WHEREAS, improved stormwater control standards are vital to the safety 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 Repeal and Replace Part II General Legislation, Chapter 284, of the Code of the City of Garfield;

BE IT ORDAINED, by the Governing Body of the City of Garfield, that Part II, General Legislation, Chapter 284, Stormwater Control, is hereby repealed and replaced as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 284, Stormwater Control, is hereby amended as follows:

Article I Stormwater Control

§284-1 Scope and purpose.

- A. Policy Statement. Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for green infrastructure, water quality, quantity, and groundwater recharge.
- B. Purpose. The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.
- C. Applicability.
 - 1. This ordinance shall be applicable to the following major developments:
 - i. Non-residential major developments and redevelopment projects; and
 - ii. Aspects of residential major developments and redevelopment projects that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21 et seq.
 - 2. This ordinance shall also be applicable to all major developments undertaken by City of Garfield.
 - 3. Applicability of this ordinance to major developments shall comply with last amended N.J.A.C. 7:8-1.6, incorporated herein by reference and minor developments as defined herein.
- D. Compatibility with Other Permit and Ordinance Requirements
Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the

responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§284-2 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 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. The definitions used in this ordinance shall be the same as the last amended Stormwater Management Rules at N.J.A.C. 7:8-1.2, incorporated herein by reference. The following additional terms are defined for this chapter only.

- a. **EXEMPT DEVELOPMENT** – Shall mean any development that creates less than 1,000 square feet of new impervious area and disturbs less than 2,500 square feet of land. Further, an exempt development shall not meet the definition of "minor development."
- b. **MINOR DEVELOPMENT** – Shall mean any development that results in the creation of 1,000 square feet or more of new impervious area or one that disturbs more than 2,500 square feet of land area. Further, a minor development shall not meet the definition of "major development" in N.J.A.C. 7:8.

§284-3 Design and performance standards for stormwater management measures.

This section establishes design and performance standards for stormwater management measures for major development intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. Design and performance standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5, incorporated herein by reference.

- a. Exempt Developments. Any project meeting the definition of "exempt development" shall be exempt from the provisions of this section.
- b. Minor Developments. Minor developments shall be designed to include the following stormwater management measures:
 - 1. Water Quality. Soil erosion and sediment control measures shall be installed in accordance with the Standards for Soil Erosion and Sediment Control in New Jersey.
 - 2. Rate/Volume Control. Seepage pits or other infiltration measures shall be provided with a capacity of three (3") inches of runoff for each square foot of new impervious area. Stone used in the infiltration devices shall be two and one-half (2 1/2") inches clean stone and design void ratio of 33% shall be used. The infiltration measures shall be designed with an overflow to the surface which shall be stabilized and directed to an existing stormwater conveyance system or in a manner to keep the overflow on the developed property to the greatest extent feasible. If the new impervious surface is not roof area, an equivalent area of existing roof may be directed to the

infiltration system. This shall be permitted where the existing roof is not already directed to infiltration devices.

§284-4 Solids and floatable materials control standards.

A. Site design features identified under Section 284-3 above, or alternative designs in accordance with Section 284-3 above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 284-4.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Note that the Residential Site Improvement Standards at N.J.A.C. 5:21 include requirements for bicycle safe grates.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in Section 284-4.A.1. above does not apply:
 - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in the last amended Stormwater Management rules at N.J.A.C. 7:8 et seq. are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and

floatable materials that could not pass through one of the following:

- a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
- b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

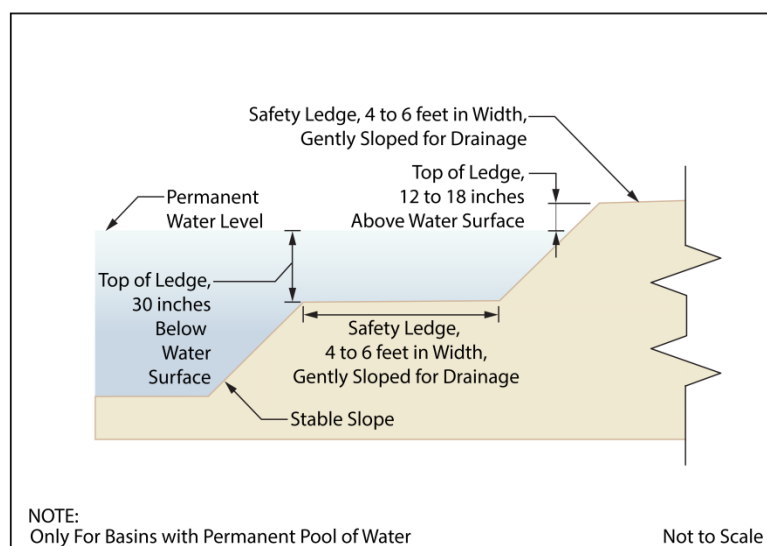
- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§284-5 Safety standards for stormwater management basins.

A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin. Safety standards for stormwater management measures shall comply with last amended N.J.A.C. 7:8-6, incorporated herein by reference.

B. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§284-6 Requirements for a site development stormwater plan.

A. Submission of Site Development Stormwater Plan

- 1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section 284-6.C below as part of the submission of the application for approval.

2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit [specify number] copies of the materials listed in the checklist for site development stormwater plans in accordance with Section 284-6.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Section III is being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 284-3 of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal highwater table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 284-7.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section 284-6.C.1 through 284-6.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

9. Application and Review Fees

There shall be no additional fees for stormwater review for applications to the Land Use Board. Applications to the City Engineer shall be accompanied by a review fee in the amount of \$250 for minor developments and an initial escrow deposit of \$1,000 for major developments. If a project is approved, an inspection escrow deposit shall be made in an amount to be determined by the City Engineer.

§284-7 Maintenance and repair.

A. Applicability

Projects subject to review as in Section 284-1.C of this ordinance shall comply with the requirements of Section 284-7.B and 284-7V.C.

B. General Maintenance

1. Maintenance for stormwater management measures shall comply with last amended N.J.A.C. 7:8-5.8, incorporated herein by reference.
2. The following requirements of N.J.A.C. 7:8-5.8 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department:
 - i. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation; and
 - ii. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
3. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§284-8 Penalties.

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the penalties set forth in the City Code of the City of Garfield, in the discretion of the Judge of the Municipal Court before whom such violation is heard and conviction made. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provision of this Chapter.

§284-9 Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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.

§284-10 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.

Article II Privately-Owned Salt Storage

§284-11 Purpose.

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the City of Garfield to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

§284-12 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 Chapter 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 word “shall” is always mandatory and not merely directory.

- A. **“De-icing materials”** means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. **“Impervious surface”** means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. **“Storm drain inlet”** means the point of entry into the storm sewer system.
- D. **“Permanent structure”** means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. **“Person”** means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. **“Resident”** means a person who resides on a residential property where de-icing material is stored.

§284-13 Deicing material storage requirements.

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
- C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

§284-14 Exemptions.

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in **Section 284-**

13 above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

§284-15 Enforcement.

This ordinance shall be enforced by the Police Department and/or City of Garfield Department of Public Works during the course of ordinary enforcement duties.

§284-16 Violations and penalties.

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Thereafter, any person, firm or corporation who or which shall violate any of the provisions of this Chapter shall, upon conviction thereof, be liable for penalties set forth in the City Code of the City of Garfield, in the discretion of the Judge of the Municipal Court before whom such violation is heard and conviction made. Each day that a violation occurs shall be deemed a separate and distinct violation, subject to the penalty provision of this Chapter.

§284-17 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.

§284-18 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.

Section 2. The remainder of Chapter 284, are ratified and remain unchanged as a result of this Ordinance amendment.

Section 3. 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 4. 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, CMC
City Manager/City Clerk

Introduced: October 10, 2023

Adopted: October 24, 2023

APPROVED: _____

Richard Rigoglioso, Mayor

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-460-23**

CONSENT AGENDA

**RESOLUTION BY: MAYOR RIGOGLIOSO
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 \$9,555.00 and the Current Fund totaling \$2,539,477.24 and the Water Utility Reserve totaling \$2,780.00 and the Water Utility Fund totaling \$80,903.15 and the General Capital Fund totaling \$746,725.45 and Grants totaling \$61,103.31 and the Trust Accounts totaling \$5,672.79 and Water Capital totaling \$196,421.40 and Escrow totaling \$10,107.10 per attached Computer List, dated 10/24/2023, be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations; and

BE IT FURTHER RESOLVED that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the attached Computer List, dated 10/11-10/23/2023 totaling \$1472451.79 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

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-461-23**

CONSENT AGENDA

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

**APPOINTING A PROFESSIONAL APPOINTMENT PURSUANT TO THE
NEW JERSEY LOCAL UNIT PAY TO PLAY LAW**

WHEREAS, pursuant to a previously adopted resolution, the qualified evaluation committee has determined that it would be in the best interest of the City to make certain professional appointments pursuant to a “Fair and Open Process” pursuant to the provisions of the New Jersey Local Pay to Play Law; and

WHEREAS, a statement of professional qualifications was, in fact, submitted; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Garfield, Bergen County, New Jersey that Dan Dressel, Architect is hereby appointed as the Architect for the City of Garfield in connection with the City of Garfield Recreation Building Exterior Rehabilitation Project only, with compensation in the amount not to exceed \$16,400.00 to be paid from C-04-55-000-246-000; and

BE IT FURTHER RESOLVED that the appointments shall be for the City of Garfield Recreation Building Exterior Rehabilitation Project only, and this appointment is subject to confirmation by the Chief Financial Officer that sufficient funds exist for the said purposes.

I, Anders Hasseler, Chief Financial Officer for the City of Garfield do hereby confirm that there are sufficient funds available for this resolution.

Anders Hasseler, Chief Financial Officer

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-462-23**

CONSENT AGENDA

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

**AUTHORIZING THE APPOINTMENT OF SANTO T. ALAMPI, ESQ., AS SPECIAL
COUNSEL TO REPRESENT THE CITY OF GARFIELD IN THE MATTER OF I.W.S.
TRANSFER SYSTEMS OF N.J., INC., V CITY OF GARFIELD ET. AL.**

WHEREAS, on or about August 9, 2023, I.W.S. Transfer Systems of N.J., Inc., filed a Complaint in Lieu of Prerogative Writs in the Superior Court of Bergen County, Law Division, bearing docket number BER-L-4206-23 challenging the designation of certain properties, known as Block 34.02, Lot 28, as an Area in Need of Redevelopment as designated pursuant to the redevelopment laws of the State of New Jersey; and

WHEREAS, Santo T. Alampi, Esq., of the Law Firm of Santo T. Alampi, LLC, One University Plaza, Suite 404, Hackensack, New Jersey 07601, serves as general counsel to the City's Redevelopment Agency and is fully familiar with the facts alleged in the Complaint; and

WHEREAS, legal counsel with the requisite professional experience is necessary to undertake the defense of the allegations set forth in the Complaint; and

WHEREAS, a new professional services contract containing the same hourly rate of \$175.00 currently in effect with the Redevelopment Agency will be presented to the Mayor and Council for approval, for a not to exceed amount of \$2,000.00 to be paid out of account 3-01-20-155-155-020; and

WHEREAS, legal counsel has not previously been appointed by the City of Garfield to perform legal services in connection with the Complaint; and

WHEREAS, independent legal counsel must be appointed forthwith so that a timely defense of the City of Garfield can be effectuated;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield hereby appoints special counsel, Santo Alampi, Esq., of the Law Firm of Santo T. Alampi, LLC, One University Plaza, Suite 404, Hackensack, New Jersey 07601 to undertake the defense of the City of Garfield against the allegations set forth in the Complaint, I.W.S. Transfer Systems of N.J., Inc., v City of Garfield et. al. bearing docket number BER-L-4206-23; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be immediately forwarded to the Law Firm of Santo T. Alampi, LLC, One University Plaza, Suite 404, Hackensack, New Jersey 07601.

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

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-463-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 10 TO FRED DEVENS
CONSTRUCTION FOR CONSTRUCTION SERVICES PROVIDED IN CONNECTION
WITH GARFIELD WATER SYSTEM TREATMENT IMPROVEMENTS, ELMWOOD
PARK WELLFIELD**

WHEREAS, the City of Garfield awarded a contract to Fred Devens Construction for the above-named project; and

WHEREAS, Fred Devens Construction provided construction services for this project for the period ending October 1, 2023, and submitted Payment Requisition No. 10 in the amount of \$196,421.40; and

WHEREAS, the City's Engineering firm recommends the payment of Requisition No.10 in the amount of \$196,421.40 to Fred Devens Construction;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that the City hereby authorizes the payment of \$196,421.40 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

October 23, 2023

Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____

Erin Delaney, MPA, RMC, CMC

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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-464-23**

CONSENT AGENDA

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

AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 8 TO CREAMER-SANZARI, A JOINT VENTURE FOR CONSTRUCTION SERVICES PROVIDED IN CONNECTION WITH 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 Requisition No. 8 in the amount of \$734,164.99; and

WHEREAS, the City’s Engineering firm recommends the payment of Requisition No.8 in the amount of \$734,164.99 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 \$734,164.99 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

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-465-23**

CONSENT AGENDA

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

**AUTHORIZING BOSWELL ENGINEERING TO PERFORM CONTINUED LICENSED
SITE REMEDIATION PROFESSIONAL (LSRP) SERVICES IN CONNECTION WITH
THE GARFIELD DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the City of Garfield engaged Boswell Engineering to perform continued LSRP services for the above referenced project; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) regulations require the City to perform additional services including Administrative, Utility Mark-out, Site Investigation Services and the preparation of a Remedial Investigation Report;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield that Boswell Engineering is hereby authorized to perform the necessary LSRP Services in accordance with the proposal dated October 3, 2023 for a total fee not to exceed \$24,000.00 to be paid out of accounts C-06-55-237-000-000 and C-06-55-598-000-903.

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

October 23, 2023

Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-466-23**

CONSENT AGENDA

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

APPROVING SUBSEQUENT TAX PAYMENT REFUND

WHEREAS the Receiver of Taxes requests a Tax Payment refund due to early 4th Quarter Subsequent Payment for the year 2023;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the Lien Holder to be paid out of account 3-01-17-001-001.

BLOCK	LOT	OWNER	REASON	AMOUNT
86	32	Robert Rothman Pension Plan	4 th Quarter Subsequent	\$5,484.08

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

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-467-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT TO SAMUEL STOTHOFF CO., INC., FOR EMERGENCY
REPAIRS TO WELL NO. 12**

WHEREAS, on August 23, 2023, the pump for Well #12 failed causing an emergency situation;
and

WHEREAS, the City Water Department retained Samuel Stothoff Co., Inc. to provide and
install a new pump at Well #12; and

WHEREAS, the Water Facilities Manager has inspected the work and recommends the payment
of invoice 527971 for \$7,172.00;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council hereby authorize
payment to Samuel Stothoff Co., Inc. in the amount of \$7,172.00 for their pump repair services
to be charged to account C-06-55-598-000-903.

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

October 23, 2023

Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-468-23**

CONSENT AGENDA

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

APPROVING TAX SALE REFUND

WHEREAS, the Receiver of Taxes reports that she has received a request from the following property owner for a Tax Sale refund due to Landlock for the year 2022.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, that the proper offices are hereby authorized to issue a check refunding this over payment and forward same to the Receiver of Taxes for the purpose of noting her records and for mailing to the property owner.

BLOCK	LOT	OWNER	REASON	AMOUNT
72.01	10	MGRP TL Capital	Landlock	\$18,329.20

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

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-469-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 9 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 August 2023;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the payment of Requisition No. 9 in the amount of \$35,633.53 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

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-470-23**

CONSENT AGENDA

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 10 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 September 2023;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the payment of Requisition No. 10 in the amount of \$13,293.45 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

October 23, 2023
Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-471-23**

CONSENT AGENDA

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

APPROVING 2023 CANNABIS LICENSES

WHEREAS, the following applicants have submitted their application for a cannabis license for the year 2023;

<u>NAME</u>	<u>ADDRESS</u>	<u>CLASS</u>	<u>DATE FOR ISSUANCE/APPROVAL</u>
Yuma Way NJ LLC	517 River Drive	ATC	June 15, 2023
Yuma Way NJ LLC	517 River Drive	Class 5 Retail	October 30, 2023
Lily Extracts LLC	163 Belmont Avenue	Class 2 Manufacturer	August 17, 2023

WHEREAS, it is certified that they have conformed with provisions of Ch. 100, Cannabis, adopted 7-20-2021 by Ord. No. 2890, as amended;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the City Clerk be and is hereby authorized to issue licenses to the above-named applicants, effective on the date for issuance/approval listed above.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-472-23**

CONSENT AGENDA

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

**AUTHORIZING THE CITY MANAGER AND CITY OFFICIALS TO EXECUTE
DOCUMENTATION RELATED TO THE ENTERPRISE FLEET MANAGEMENT
PROGRAM**

WHEREAS, the City of Garfield incurs costs related to providing certain employees vehicles for official use; and

WHEREAS, a vendor has approached the City of Garfield to participate in the Enterprise Fleet Management program for the leasing of City vehicles for a period of two (2) to five (5) years; and

WHEREAS, a discussion of the merits of this program was held at the meeting on October 10, 2023, and the same is further incorporated herein; and

WHEREAS, this program provides a reduction in costs related to the procurement of vehicles for use by employees of the City of Garfield; and

WHEREAS, this program is in the best interest of the health, safety and welfare of the general public in the City of Garfield;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield hereby authorize the City Manager and any appropriate City Official assigned by the City Manager to engage in the negotiation with and execute appropriate documentation related to the Enterprise Fleet Management Program.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-473-23**

CONSENT AGENDA

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

**AUTHORIZING EXECUTION OF COMPLETION CERTIFICATE FOR 2023 LCBA
GRANT**

WHEREAS, Notice to the New Jersey State Library is required to show completion of the project funded by the grant issued pursuant to the New Jersey Library Construction Bond Act, P.L. 2017, c. 149; and

WHEREAS, the City of Garfield seeks to provide the appropriate Notice to certify the completion of the subject project pursuant to the terms of its Agreement; and

WHEREAS, Section 4.2 of the Grant Agreement requires certification to the New Jersey State Library that the above-described Project was completed and the date of the completion; and

WHEREAS, a Certificate of Occupancy, permanent or temporary, is required to be delivered to the New Jersey State Library, with a copy of same;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield hereby approves the execution of completion certificate for the 2023 LCBA grant; and

BE IT FURTHER RESOLVED that the City Manager and City Chief Financial Officer are hereby authorized to execute all documentation in accordance with the LCBA grant.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-474-23**

CONSENT AGENDA

**RESOLUTION BY: MAYOR RIGOGLIOSO
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 \$198,500.00 which is now available from the CDBG; and

BE IT FURTHER RESOLVED, that the sum of \$198,500.00 is hereby appropriated under the caption CDBG; and

BE IT FURTHER RESOLVED, that the above is the result of funds from CDBG, in the amount of \$198,500.00.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-475-23**

CONSENT AGENDA

**RESOLUTION BY: MAYOR RIGOGLIOSO
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 \$1,085.39 which is now available from the NJ Division of Plant Industry; and

BE IT FURTHER RESOLVED, that the sum of \$1,085.39 is hereby appropriated under the caption the NJ Division of Plant Industry; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the NJ Division of Plant Industry, in the amount of \$1,085.39.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-476-23**

CONSENT AGENDA

**RESOLUTION BY: MAYOR RIGOGLIOSO
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 \$43,302.92 which is now available from the NJ Department of Agriculture; and

BE IT FURTHER RESOLVED, that the sum of \$43,302.92 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 \$43,302.92.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-477-23**

CONSENT AGENDA

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

**ENTERING INTO A GRANT AGREEMENT WITH THE COUNTY OF BERGEN –
FY2023 CDBG UNPROGRAMMED FUNDS – RECREATION BUILDING EXTERIOR
REHABILITATION**

BE IT RESOLVED that the Mayor and Council of the City of Garfield wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$198,500 in FY2023 Unprogrammed Community Development Block Grant funds for Recreation Building Exterior Rehabilitation; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes City Manager Erin Nora Delaney to be a signatory for the aforesaid grant agreement; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorizes CFO Anders Hasseler to sign all County vouchers submitted in connection with the aforesaid project; and

BE IT FURTHER RESOLVED that the Mayor and Council recognizes that the City of Garfield is liable for any funds not spent in accordance with the Grant Agreement and that liability of the Mayor and Council is in accordance with HUD requirements.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-478-23**

CONSENT AGENDA

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

APPROVING RESIGNATION OF ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 4 has advised that they have accepted the resignation of William Peterson of 69 Westminster Place, Garfield, New Jersey 07026 as an active member, effective October 13, 2023;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that the action taken by Fire Company No. 4 with respect to the above matter, is hereby approved.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-479-23**

CONSENT AGENDA

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

APPROVING RESIGNATION OF ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 2 has advised that they have accepted the resignation of Cesar Reyes of 271 Hope Avenue, Passaic, New Jersey 07055 as an active member, effective October 13, 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: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-480-23**

CONSENT AGENDA

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

APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT

WHEREAS, Fire Company No. 2 has advised that they have accepted Ariel Perez Geronimo, 34 Wall Street, Apt. 2, Passaic, New Jersey 07055, as a regular active member, effective September 7, 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: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-481-23**

CONSENT AGENDA

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

APPROVING 2023 HALLOWEEN CURFEW

BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey that a 9:00 P.M. curfew is hereby established for the nights of October 30, 2023 and October 31, 2023 for all individuals under eighteen years of age, unless they are escorted by an adult; and

BE IT RESOLVED that the Police Department is hereby authorized to enforce this curfew; and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to immediately forward a certified and exact copy of this approved resolution to the Police Chief.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-482-23**

CONSENT AGENDA

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

**APPROVING RELEASE OF MAINTENANCE BOND NO. 56776 IN CONNECTION
WITH THE MERIDIA TRANSIT CROSSING GARFIELD PROJECT**

WHEREAS, the City of Garfield (the “City”) and Meridia Transit Crossing, Urban Renewal, LLC (“Redeveloper”) executed a redevelopment agreement to redevelop the former Sketchley property, located at 200 & 202 Schley Street, Garfield, New Jersey (Block 119.03, Lot 52); and

WHEREAS, the Redeveloper was required to post a maintenance bond following the completion of the project in order to guarantee the improvements and to replace, repair or pay for any defects for a period of two (2) years after the issuance of a certification of completion; and

WHEREAS, the Redeveloper did post a maintenance bond, identified as Maintenance Bond # 56776 issued by the Service Insurance Company, Inc., pursuant to the terms of the redevelopment agreement; and

WHEREAS, the Bond is more fully identified as: Bond # 56776, Amount: \$11,000.00, Property Covered: 200 & 202 Schley Street, Garfield, New Jersey, Block 119.03, Lot 52, SP No. 8269; and

WHEREAS, the City issued a Certificate of Completion on October 15, 2018; and

WHEREAS, a period of two (2) years or more has elapsed since the issuance of the Certificate of Completion, representing final acceptance by the City and there being no deficiencies or known defects requiring either repair or replacement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Garfield hereby releases Meridia Transit Crossing from any further requirements to post this bond and the bond is released in its entirety.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-483-23**

CONSENT AGENDA

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

APPROVING HANDICAP PARKING SPACE

WHEREAS, Aman B. Aka, 241 Palisade Avenue, who is the holder of a Disabled Person I.D. Card No. P2604273, has filed an application for a handicap parking sign to be placed at his address; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the west curb line of Palisade Avenue commencing 66 feet south of the intersection of Palisade Avenue and Van Winkle Avenue and continue an additional 20 feet south from that point; and

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

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-484-23**

CONSENT AGENDA

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

REJECTING BIDS RELATED TO COLUMBUS PARK IMPROVEMENT PROJECT

WHEREAS, on Thursday, October 19, 2023 at 10AM, bids were opened in the presence of the City CFO and Engineer as to the Columbus Park Improvement Project, Project No. GFC003; and

WHEREAS, bids were received for the project at Columbus Park in the City of Garfield from CMC Construction Inc., Let It Grow Inc., Thomas & Sons Builders LLC, and Zenith Construction Services; and

WHEREAS, the City Engineer and other appropriate City Officials have reviewed the bids and recommend a rejection of the bids due to the lowest bidder being \$2.5 million above the City's estimate; and

WHEREAS, it is in the best interest of the health, safety, and welfare of the general public in the City of Garfield that as a result of the review these bids be rejected;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Garfield hereby rejects all the bids for the Columbus Park project; and

BE IT FURTHER RESOLVED that the City Manager and City Chief Financial Officer are hereby authorized to proceed with a review of scope and reopening of the bids related to the Columbus Park Improvement project.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-485-23**

CONSENT AGENDA

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

APPROVING APPOINTMENT OF PUBLIC HEARING OFFICER

WHEREAS, there are numerous City disciplinary matters currently pending that require a hearing; and

WHEREAS, the City Manager is authorized and empowered by State Law and local ordinance to delegate his authority to preside over City disciplinary hearings; and

WHEREAS, it is in the City's best interest to appoint a neutral and experienced hearing officer to preside over the City's disciplinary hearings; and

WHEREAS, upon the recommendation of the City's Special Litigation and Labor Counsel and the City Manager, the City wishes to appoint the Hon. Maurice J. Gallipoli, J.S.C. (Ret.) as hearing officer for all pending City disciplinary matters; and

WHEREAS, acting as a hearing officer in city discipline matters constitutes legal services as defined by the New Jersey Local Public Contracts Law and is therefore exempt from public bidding requirements but a copy of this resolution will be published in the City's official newspapers;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Garfield, Bergen County, New Jersey, that the City Manager is hereby authorized to enter into a professional services contract with the Hon. Maurice J. Gallipoli, J.S.C. (Ret.). as discussed herein where he shall be authorized act as hearing officer for all City disciplinary matters pending in the City; and

BE IT FURTHER RESOLVED, that the Hon. Maurice J. Gallipoli, J.S.C. (Ret.). shall be compensated \$400.00 per hour for all services rendered subject to a \$2,500.00 minimum for each hearing, and a \$2,5000 maximum, for his services as hearing officer to be paid out of account 3-01-20-155-155-020; and

BE IT FURTHER RESOLVED, the City Clerk shall cause to be published notice of the award of the Professional Services Contract as required by the New Jersey Local Public Contracts Law.

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

October 23, 2023

Dated

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-486-23**

CONSENT AGENDA

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

**REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR UNIFORM
FIRE SAFETY ACT DEDICATED PENALTIES REQUIRED BY DLGS
NJSA 52:27D-192**

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

WHEREAS, the City of Garfield provides for receipt of NJSA 52:27D-192 (via NJAC 5:70-2.12A) Uniform Fire Safety Act Dedicated Penalties by the municipality to provide for the operating costs to administer this act; and

WHEREAS, NJSA 40A:4-39 provides the dedicated revenues anticipated from NJSA 52:27D-192 (via NJAC 5:70-2.12A) Uniform Fire Safety Act Dedicated Penalties are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement;

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

1. The City Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of NJSA 52:27D-192 (via NJAC 5:70-2.12A) Uniform Fire Safety Act Dedicated Penalties.
2. This resolution shall take effect immediately.
3. The Clerk of the City of Garfield, County of Bergen is hereby directed to forward two certified copies of this resolution to the Director of New Jersey, Division of Local Government Services.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-487-23**

CONSENT AGENDA

**RESOLUTION BY: MAYOR RIGOGLIOSO
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-460-23 through R-487-23 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-488-23**

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

**APPROVING LIQUOR LICENSE TRANSFER – PERSON TO PERSON
0221-33-030-004**

WHEREAS, an application has been filed for a Person to Person Transfer Application of Plenary Retail Consumption License No. 0221-33-030-004, Yogiji Enterprises Inc. t/a Boggy's Bar & Liquors, 142 Division Avenue, Garfield, New Jersey 07026 (Bhadresh Patel, 142 Division Avenue, Garfield, New Jersey 07026, who owns 40% of the shares of the Corporation, Kaufhika Patel, 707 Pascack Road, Paramus, New Jersey 07652 who owns 30% of the shares of the Corporation and Hitesh C. Patel, 78-19 268 Street, Floral Park, New York 11004 who owns 30% of the shares of the Corporation) to Jay's Liquormart LLC, t/a Jay's Liquormart LLC, 142 Division Avenue, (Ivo Rodrigues 215-217 Trimble Avenue, Clifton, New Jersey 07011, – who will own 100% of the shares of the Corporation), located at 142 Division Avenue, Garfield, New Jersey 07026; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business; and

WHEREAS, the Police Department has conducted a background investigation and the applicant and premises are suitable for licensing; and

WHEREAS, a "Tax Clearance - Transfer Certificate" has been issued and has been received as required pursuant to regulations promulgated by the State of New Jersey Division of Taxation;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Garfield, Bergen County, New Jersey, does hereby approve, effective October 24, 2023, the Person to Person transfer of the aforesaid Plenary Retail Consumption License No. 0221-33-030-004 to Jay's Liquormart LLC, t/a Jay's Liquormart LLC, 142 Division Avenue, (Ivo Rodrigues 215-217 Trimble Avenue, Clifton, New Jersey 07011, – who will own 100% of the shares of the Corporation), located at 142 Division Avenue, Garfield, New Jersey 07026 and does hereby direct the City Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Jay's Liquormart LLC, t/a Jay's Liquormart LLC, 142 Division Avenue, Garfield, NJ 07026, effective October 25, 2023"; and

BE IT FURTHER RESOLVED that this license is transferred on the condition that no Go-Go, live entertainment or discotheque be used in connection with this license; (A fee of \$200.00 was collected for the State of New Jersey in connection with the person to person license transfer, and a fee of \$129.60 was collected for the City of Garfield in connection with the person to person license transfer).

APPROVED: October 24, 2023

Richard Rigoglioso, Mayor

ATTEST: _____
Erin Delaney, MPA, RMC, CMC
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 24th day of October 2023. Signed and sealed before me.

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

Dated

PUBLIC COMMENT

Parth Shah, New York, NY, shared information regarding his company, Polimorphic. He detailed the services that they are able to provide municipalities related to online processing and AI. Mr. Shah noted that they are currently engaged with Prospect Park and that their platform is known to simplify internal processes and save on staff time. It was noted that the City currently is in contract with other companies for their online platforms but will reach out to discuss future partnerships.

Al Spoto, Clifton, NJ, inquired about the cancellation of Fire Company #1's breakfast with Santa and the process of obtaining an overnight parking pass. He concluded by saying he grew up in Garfield and hopes to move back to the City as he likes the progress that he is seeing, giving kudos to the Council.

Gloria Vega, Harrison Avenue, discussed parking issues on Harrison Avenue as residents with driveways do not utilize them. She inquired if the City could make driveway usage mandatory. Ms. Vega then spoke about the legalization of cannabis and questioned if there is an obligation for parents to attend assemblies offered by the school district.

MAYOR & COUNCIL COMMENTS

Councilman Maslag thanked those in attendance for coming to the meeting, especially the high school students. He discussed fall events, including the upcoming City trunk or treat. Councilman Maslag ended by announcing the publication of the most recent newsletter which is available on the City website.

Deputy Mayor Delaney thanked the students for attending the meeting and for participating in the most recent City clean-up. He advised that the Mayor and Council will be honoring residents at their November meeting in honor of Thanksgiving and shared information regarding Hispanic Heritage month and the Hispanic Alliance Gala.

Mayor Rigoglioso thanked everyone for attending the meeting, in addition to Polimorphic for their brief presentation. He announced that there would be a trunk or treat at the Middle School for pre-school students. Mayor Rigoglioso concluded his comments by encouraging everyone to keep the vision going and to stick together.

ADJOURNMENT

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

Respectfully submitted,

Erin Delaney, MPA, RMC, CMC
City Manager/City Clerk

These meeting minutes were approved at the November 21, 2023 Regular meeting of the Mayor & Council.