

**WORK SESSION MEETING  
OF THE  
CITY OF GARFIELD MAYOR AND COUNCIL  
December 10, 2024  
6:00P.M.**

The Work Session Meeting of the Garfield Mayor and Council for December 10, 2024 was called to order by City Manager/City Clerk Erin Delaney at 6:11PM. The Statement of Compliance was read.

Councilmembers Herrera\* & Maslag\*\*, Deputy Mayor Delaney, and Mayor Rigoglioso were present. Also present were City Manager/City Clerk Erin Delaney, City CFO Nicholas Prochilo, and City Attorney John Tuntevski.

*\*Councilman Herrera left the meeting at 8:18PM.*

*\*\*Councilman Maslag participated via teleconference.*

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 8, 2024 and published on January 11, 2024.

**Work Meeting Agenda Items:**

**Action Items:**

**1. APPROVAL OF MINUTES:**

A motion was made by Councilman Herrera and seconded by Mayor Rigoglioso to approve the November 12, 2024 Regular & Work Session meeting minutes. The motions carried unanimously by those present.

**2. ORDINANCES: FIRST READING**

R-479-24 Introduce Ord. #3047

**AN ORDINANCE AMENDING CHAPTER 242 ENTITLED  
“PROPERTY MAINTENANCE”, OF THE CODE OF THE  
CITY OF GARFIELD REGARDING FEES FOR  
INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL  
DWELLINGS**

R-480-24 Introduce Ord. #3048

**AN ORDINANCE AMENDING CHAPTER 226 ENTITLED  
“PARKING”, ARTICLE VI “RESIDENT PARKING  
PROGRAM”, OF THE CODE OF THE CITY OF  
GARFIELD REGARDING COMPLIANCE WITH  
INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL  
DWELLINGS**

R-481-24 Introduce Ord. #3049

**AN ORDINANCE AMENDING CHAPTER 128 ENTITLED  
“DWELLING CERTIFICATES”, OF THE CODE OF THE  
CITY OF GARFIELD REGARDING COMPLIANCE WITH  
INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL  
DWELLINGS**

R-482-24 Introduce Ord. #3050

**AN ORDINANCE REPEALING AND REPLACING PART II,  
GENERAL LEGISLATION, CHAPTER 284,**

**STORMWATER CONTROL, STORMWATER CONTROL,  
OF THE REVISED GENERAL ORDINANCES OF THE  
CITY OF GARFIELD**

**3. CONSENT AGENDA:**

- R-483-24 Approval of Bills List
- R-484-24 Authorizing Increase of Annual Length of Service Awards Programs (LOSAP) Contributions
- R-485-24 Authorizing the City Manager to Execute a Contract for Shared Services with the Mid Bergen Regional Health Commission for Local Public Health Promotion Services
- R-486-24 Authorizing Additional Charges for Engineering Services in Connection with the Elmwood Park Wellfield PFC Treatment Facility
- R-487-24 Approving Payment for the Installation of Rubber Surfacing – Columbus Park Improvements Project
- R-488-24 Approving Purchase of Rubber Surfacing – Columbus Park Improvements Project
- R-489-24 Adjustment of the Construction Contract Amount for the Columbus Park Improvements Project Via Change Order No. 7
- R-490-24 Approve Progress Payment No. 1 (General Recreation Inc.) for the Columbus Park Improvements Project
- R-491-24 Approving Widow’s Pension
- R-492-24 Approving Widow’s Pension
- R-493-24 Authorizing Approval of Change Order #5 to Creamer-Sanzari, A Joint Venture for Construction Services Provided in Connection with Sprinkler System Installation River Drive Improvements & Passaic River Bikeway (Phase 2)
- R-494-24 Authorizing Payment of Payment Requisition No. 21 to Creamer-Sanzari, A Joint Venture for Construction Services Provided in Connection with River Drive Improvements & Passaic River Bikeway (Phase 2)
- R-495-24 Approving Tax Overpayment Credit/Refund
- R-496-24 Appointment of Event Planning and Recreation Advisory Committee Member
- R-497-24 Appointment of Event Planning and Recreation Advisory Committee Member
- R-498-24 Appointment of Event Planning and Recreation Advisory Committee Member
- R-499-24 Appointment of Event Planning and Recreation Advisory Committee Member
- R-500-24 Appointment of Event Planning and Recreation Advisory Committee Member
- R-501-24 Appointment of Event Planning and Recreation Advisory Committee Member
- R-502-24 Appointment of Event Planning and Recreation Advisory Committee Member
- R-503-24 Appointment of Garfield Housing Authority Member
- R-504-24 Approving Regular Active Member – Fire Department
- R-505-24 Approving Resignation Active Member Fire Department
- R-506-24 Approving Regular Active Member – Fire Department
- R-507-24 Confirming the Submission of a Grant Application and Abiding by the Concessions of the New Jersey Department of Community Affairs 2025 Local Recreational Improvement Grant Program
- R-508-24 Authorizing the Submission of a Bergen County Community Development Block Grant Application – Plauderville Avenue

- R-509-24 Municipal Endorsing Resolution for Bergen County Community Development Block Grant (CDBG) Project – Boys & Girls Club of Garfield
- R-510-24 Municipal Endorsing Resolution for Bergen County Community Development Block Grant (CDBG) Project – Boys & Girls Club of Garfield
- R-511-24 Extending the Support of Rising Sun Hospitality L.L.C., as the Operator of a Class 5 Cannabis Adult Use Retailer to be Located in the City of Garfield
- R-512-24 Rescinding Resolution of Local Support – R-255-22 Culture Cannabis
- R-513-24 Supporting Leafy Lux, LLC., as the Operator of a Class 5 Cannabis Adult Use Retailer to be Located in the City of Garfield
- R-514-24 Approving Handicap Parking Space
- R-515-24 Approving Extension of Liquor License to Executor
- R-516-24 Authorizing the Execution of a Contract for Elevator Sub-Code Official
- R-517-24 Authorizing the Submission of a Sustainable Jersey Climate Vulnerability Assessment Technical Assistance Grant Application
- R-518-24 Entering into a Grant Agreement with the County of Bergen – CDBG FY2024-2025 – Banta Avenue Improvements Phase II
- R-519-24 Extension of Hours Due to Holiday – Plenary Retail Consumption Licensees
- R-520-24 Authorize Agreement for a Certified Recycling Professional with the Bergen County Utilities Authority
- R-521-24 Authorizing the Mayor and City Manager/Clerk to Execute a Shared Service Agreement with the Borough of Paramus for a Maintenance/Repair Shared Service for Vehicles
- R-522-24 Authorizing the City Manager to Execute the TWA Application Approval on Behalf of The Governing Body for The Construction of a Sanitary Sewer Extension at 67-69, 73 & 77 Passaic Street
- R-523-24 Resolution to Approve the Consent Agenda

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-479-24**

**RESOLUTION BY: DEPUTY MAYOR DELANEY  
SECONDED BY: COUNCILMAN MASLAG**

**INTRODUCE ORDINANCE #3047  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE AMENDING CHAPTER 242 ENTITLED “PROPERTY MAINTENANCE”, OF THE CODE OF THE CITY OF GARFIELD REGARDING FEES FOR INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS**

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, December 30, 2024 at 11:45AM 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: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 3047**

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**AN ORDINANCE AMENDING CHAPTER 242 ENTITLED “PROPERTY MAINTENANCE”, OF THE CODE OF THE CITY OF GARFIELD REGARDING FEES FOR INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS**

**WHEREAS**, the City of Garfield (the “City”) maintains Chapter 242 entitled “Property Maintenance” of the City Code, specifically the Property Maintenance Code; and

**WHEREAS**, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every rental unit whether a single-family residential dwelling, a two-family residential dwelling, or a multiple residential unit dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and

**WHEREAS**, it is in the best interests of City residents to amend the City Code at this time to aid in the compliance of State law for lead-based paint in the aforementioned residential rental dwellings to conform with the State law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, Chapter 242 is hereby amended to include as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 242, Property Maintenance, Article IV, Lead-based paint, is hereby amended to include the following:

**§242-15- Fees.**

Fees. Notwithstanding any other fees due pursuant to this Chapter, the following fees shall be paid:

- a. **Initial Inspection Fee.** A dwelling owner or landlord shall owe a fee in the amount of \$220.00 which shall be paid for each lead-based paint inspection conducted by the City. A dwelling owner or landlord shall owe a fee of \$50.00 for each additional unit in the same building provided all inspections are completed on the same date and time. Said fee(s) shall be dedicated to meeting the costs of implementing and enforcing this subsection and the required contribution to the New Jersey Lead Hazard Control Assistance Fund (N.J.S.A. 52:27D-437.16(h)) and shall not be used for any other purpose.
- b. **Recertification Fee.** A dwelling owner or landlord shall owe a recertification fee in the amount of \$65.00 which shall be paid for each lead-based paint inspection completed by the City every two (2) years or a maximum of three (3) years should the tenants of said unit remain the same. Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection and the required contribution to the New Jersey Lead Hazard Control Assistance Fund (N.J.S.A. 52:27D-437.16(h)) and shall not be used for any other purpose. The City shall not conduct any recertification if a state licensed contractor performed the initial inspection.
- c. **Administrative Fee.** Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs in which case a \$50 administrative fee shall be paid per unit. Said fee shall be dedicated to the costs of monitoring compliance with this subsection.

\* \* \*

**§242-16- Violations and penalties.**

**Violations and penalties.** Any person(s) or property owner who is found to be in violation of the provisions of this article and has failed to conduct the required inspection or initiate any remediation as required by N.J.S.A. 52:27D-437.1 et seq., that person shall have 30 days to cure the violation. If a person or property owner fails to cure the violation after 30 days, the person or property owner shall be subject to a penalty not to exceed \$200 per week until the required inspection has been conducted or remediation efforts have been initiated.

Section 3. The remainder of Chapter 242 is ratified and remains in full force and effect.

Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 5. All ordinances or parts of ordinance inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon final adoption and publication in accordance with Law.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: December 10, 2024

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-480-24**

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

**INTRODUCE ORDINANCE #3048  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE AMENDING CHAPTER 226 ENTITLED “PARKING”, ARTICLE VI “RESIDENT PARKING PROGRAM”, OF THE CODE OF THE CITY OF GARFIELD REGARDING COMPLIANCE WITH INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS**

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, December 30, 2024 at 11:45AM 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: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 3048**

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**AN ORDINANCE AMENDING CHAPTER 226 ENTITLED “PARKING”, ARTICLE VI “RESIDENT PARKING PROGRAM”, OF THE CODE OF THE CITY OF GARFIELD REGARDING COMPLIANCE WITH INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS**

**WHEREAS**, the City of Garfield (the “City”) maintains Chapter 226 entitled “Parking”, Article VI “Resident Parking Program” of the City Code; and

**WHEREAS**, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every rental unit whether a single-family residential dwelling, a two-family residential dwelling, or a multiple residential unit dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and

**WHEREAS**, it is in the best interests of City residents to amend the City Code at this time to aid in the compliance of State law for lead-based paint in the aforementioned residential rental dwellings to conform with the State law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, Chapter 226 is hereby amended to include as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 226, Parking, is hereby amended to include the following:

**§ 226 -37 Compliance with lead-based paint requirements.**

Residents of properties shall not be eligible for resident parking permits issued under this chapter unless they provide proof of inspection and remediation in compliance with lead-based paint regulations as required by the relevant City ordinances and N.J.S.A. 52:27D-437.1 et seq.

Section 3. The remainder of Chapter 226 is ratified and remains in full force and effect.

Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 5. All ordinances or parts of ordinance inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon final adoption and publication in accordance with Law.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC  
City Manager/City Clerk

Introduced: December 10, 2024

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-481-24**

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

**INTRODUCE ORDINANCE #3049  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE AMENDING CHAPTER 128 ENTITLED “DWELLING CERTIFICATES”, OF THE CODE OF THE CITY OF GARFIELD REGARDING COMPLIANCE WITH INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS**

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, December 30, 2024 at 11:45AM 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: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 3049**

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**AN ORDINANCE AMENDING CHAPTER 128 ENTITLED “DWELLING CERTIFICATES”, OF THE CODE OF THE CITY OF GARFIELD REGARDING COMPLIANCE WITH INSPECTION OF LEAD-BASED PAINT IN RESIDENTIAL DWELLINGS**

**WHEREAS**, the City of Garfield (the “City”) maintains Chapter 128 entitled “Dwelling Certificates” of the City Code; and

**WHEREAS**, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every rental unit whether a single-family residential dwelling, a two-family residential dwelling, or a multiple residential unit dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and

**WHEREAS**, it is in the best interests of City residents to amend the City Code at this time to aid in the compliance of State law for lead-based paint in the aforementioned residential rental dwellings to conform with the State law.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Garfield, County of Bergen, State of New Jersey, Chapter 128 is hereby amended to include as follows:

Section 1. The current text of City Ordinance, Part II, General Legislation, Chapter 128, Dwelling Certificates, is hereby amended to include the following:

**§128-3 Dwelling inspection required.**

Upon filing a dwelling certificate, except in the case of a dwelling certificate filed pursuant to § 128-2A hereof, an inspection of the dwelling unit shall be required upon any change of occupancy, whether by change of ownership or as a result of a new lease, rental or other occupancy, unless the property owner had previously filed a dwelling certificate for the dwelling unit and a dwelling inspection was conducted within 11 months of the new occupancy and/or sale or where the dwelling unit is located with a garden apartment and/or multi-dwelling unit having more than two dwelling units and the owner shows proof of being registered with the State of New Jersey under the New Jersey Hotel and Multiple Dwelling Law (N.J.S.A. 55:13A-1 et seq.).

- A. An inspection as a result of a change of ownership shall take place prior to the transfer of title to the new owner.
- B. An inspection required as the result of a change of occupancy for a rental or lease may take place either prior to or subsequent to the change of occupancy, provided that a dwelling certificate has been filed with the City of Garfield setting forth the location of the dwelling unit and the identity of the new occupants.
- C. The owner and/or tenants shall provide access to the premises, common areas, the basement and/or cellar and the attic at a time designated by the Zoning Officer of the City of Garfield or his designee in order to conduct the inspection required in accordance with this chapter.
- D. The owner shall provide proof of inspection and remediation in compliance with lead-based paint regulations as required by the relevant City ordinances and N.J.S.A. 52:27D-437.1 et seq.

Section 3. The remainder of Chapter 128 is ratified and remains in full force and effect.

Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 5. All ordinances or parts of ordinance inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon final adoption and publication in accordance with Law.

ATTEST: \_\_\_\_\_

Erin Delaney, MPA, RMC

City Manager/City Clerk

Introduced: December 10, 2024

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-482-24**

**RESOLUTION BY: COUNCILMAN HERRERA  
SECONDED BY: DEPUTY MAYOR DELANEY**

**INTRODUCE ORDINANCE #3050  
FIRST READING**

**BE IT RESOLVED**, that an ordinance entitled:

**AN ORDINANCE REPEALING AND REPLACING PART II, GENERAL LEGISLATION, CHAPTER 284, STORMWATER CONTROL, STORMWATER CONTROL, 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, December 30, 2024 at 11:45AM 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: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO.: 3050**

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**AN ORDINANCE REPEALING AND REPLACING PART II, GENERAL LEGISLATION, CHAPTER 284, STORMWATER CONTROL, 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 Section I. 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:
    - a. Non-residential major developments; and
    - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
  - 2. This ordinance shall also be applicable to all major developments undertaken by the City of Garfield.
  - 3. An application required by ordinance pursuant to (b)1 above that has been submitted prior to December 10, 2024, shall be subject to the stormwater management requirements in effect on December 9, 2024.
  - 4. An application required by ordinance for approval pursuant to (b)1 above that has been submitted on or after March 2, 2021, but prior to December

10, 2024, shall be subject to the stormwater management requirements in effect on December 9, 2024.

5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

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 Section II. 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 below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2

**“CAFRA Centers, Cores or Nodes”** means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

**“CAFRA Planning Map”** means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

**“Community basin”** means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

**“Compaction”** means the increase in soil bulk density.

**“Contributory drainage area”** means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

**“Core”** means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

**“County review agency”** means an agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

**“Department”** means the Department of Environmental Protection.

**“Designated Center”** means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

**“Design engineer”** means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

**“Development”** means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 et seq.

**“Disturbance”** means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

**“Drainage area”** means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

**“Environmentally constrained area”** means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

**“Environmentally critical area”** means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

**“Empowerment Neighborhoods”** means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“**Erosion**” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“**Green infrastructure**” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

“**HUC 14**” or “**hydrologic unit code 14**” means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“**Impervious surface**” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“**Infiltration**” is the process by which water seeps into the soil from precipitation.

“**Lead planning agency**” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“**Major development**” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021 {or the effective date of this ordinance, whichever is earlier}; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“**Motor vehicle**” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“**Motor vehicle surface**” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, race-tracks, and runways.

“**Municipality**” means any city, borough, town, township, or village.

“**New Jersey Stormwater Best Management Practices (BMP) Manual**” or “**BMP Manual**” means the manual maintained by the Department providing, in

part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

**“Node”** means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

**“Nutrient”** means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

**“Person”** means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

**“Pollutant”** means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

**“Public roadway or railroad”** means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

**“Public transportation entity”** means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

**“Recharge”** means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

**“Regulated impervious surface”** means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);

3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

**“Regulated motor vehicle surface”** means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

**“Sediment”** means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

**“Site”** means the lot or lots upon which a major development is to occur or has occurred.

**“Soil”** means all unconsolidated mineral and organic material of any origin.

**“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)”** means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

**“State Plan Policy Map”** is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

**“Stormwater”** means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

**“Stormwater management BMP”** means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

**“Stormwater management measure”** means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

**“Stormwater runoff”** means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

**“Stormwater management planning agency”** means a public body authorized by legislation to prepare stormwater management plans.

**“Stormwater management planning area”** means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

**“Tidal Flood Hazard Area”** means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is

governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

**“Urban Coordinating Council Empowerment Neighborhood”** means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

**“Urban Enterprise Zones”** means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

**“Urban Redevelopment Area”** is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

**“Water control structure”** means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

**“Waters of the State”** means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**“Wetlands”** or **“wetland”** means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

### **§284-3 Section III. Design and performance standards for stormwater management measures.**

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
  2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater

management plan or Water Quality Management Plan adopted in accordance with Department rules.

**§284-4 Section IV. Stormwater management requirements for major developments.**

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q and R:
  - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
  - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  - 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
  - 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
  - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

| <b>Table 1</b><br><b>Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</b> |   |                                   |   |   |
|---|---|-----------------------------------|---|---|
| <b>Best Management Practice</b>   | <b>Stormwater Runoff Quality TSS Removal Rate (percent)</b> | <b>Stormwater Runoff Quantity</b> | <b>Groundwater Recharge</b>                         | <b>Minimum Separation from Seasonal High Water Table (feet)</b> |
| <u>Cistern</u>  | <u>0</u>  | <u>Yes</u>                        | <u>No</u>   | <u>--</u>   |
| <u>Dry Well<sup>(a)</sup></u>   | <u>0</u>  | <u>No</u>                         | <u>Yes</u>  | <u>2</u>  |
| <u>Grass Swale</u>  | <u>50 or less</u>   | <u>No</u>                         | <u>No</u>   | <u>2<sup>(e)</sup></u><br><u>1<sup>(f)</sup></u>                |
| <u>Green Roof</u>   | <u>0</u>  | <u>Yes</u>                        | <u>No</u>   | <u>--</u>   |
| <u>Manufactured Treatment Device<sup>(a) (g)</sup></u>  | <u>50 or 80</u>   | <u>No</u>                         | <u>No</u>   | <u>Dependent upon the device</u>                                |
| <u>Pervious Paving System<sup>(a)</sup></u>   | <u>80</u>   | <u>Yes</u>                        | <u>Yes<sup>(b)</sup></u><br><u>No<sup>(c)</sup></u> | <u>2<sup>(b)</sup></u><br><u>1<sup>(c)</sup></u>                |
| <u>Small-Scale Bioretention Basin<sup>(a)</sup></u>   | <u>80 or 90</u>   | <u>Yes</u>                        | <u>Yes<sup>(b)</sup></u><br><u>No<sup>(c)</sup></u> | <u>2<sup>(b)</sup></u><br><u>1<sup>(c)</sup></u>                |
| <u>Small-Scale Infiltration Basin<sup>(a)</sup></u>   | <u>80</u>   | <u>Yes</u>                        | <u>Yes</u>  | <u>2</u>  |
| <u>Small-Scale Sand Filter</u>  | <u>80</u>   | <u>Yes</u>                        | <u>Yes</u>  | <u>2</u>  |
| <u>Vegetative Filter Strip</u>  | <u>60-80</u>  | <u>No</u>                         | <u>No</u>   | <u>--</u>   |

| <b>Table 2</b><br><b>Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)</b> |   |                                   |   |   |
|--|---|-----------------------------------|---|---|
| <b>Best Management Practice</b>  | <b>Stormwater Runoff Quality TSS Removal Rate (percent)</b> | <b>Stormwater Runoff Quantity</b> | <b>Groundwater Recharge</b>                         | <b>Minimum Separation from Seasonal High Water Table (feet)</b> |
| <u>Bioretention System</u>   | <u>80 or 90</u>   | <u>Yes</u>                        | <u>Yes<sup>(b)</sup></u><br><u>No<sup>(c)</sup></u> | <u>2<sup>(b)</sup></u><br><u>1<sup>(c)</sup></u>                |
| <u>Infiltration Basin</u>  | <u>80</u>   | <u>Yes</u>                        | <u>Yes</u>  | <u>2</u>  |
| <u>Sand Filter<sup>(b)</sup></u>   | <u>80</u>   | <u>Yes</u>                        | <u>Yes</u>  | <u>2</u>  |
| <u>Standard Constructed Wetland</u>  | <u>90</u>   | <u>Yes</u>                        | <u>No</u>   | <u>N/A</u>  |
| <u>Wet Pond<sup>(d)</sup></u>  | <u>50-90</u>  | <u>Yes</u>                        | <u>No</u>   | <u>N/A</u>  |

| <u>Table 3</u><br><u>BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</u><br><u>only with a Waiver or Variance from N.J.A.C. 7:8-5.3</u> |  |                                   |                             |   |
|---|--|-----------------------------------|-----------------------------|---|
| <u>Best Management Practice</u>   | <u>Stormwater Runoff Quality (SS Removal Rate (percent))</u> | <u>Stormwater Runoff Quantity</u> | <u>Groundwater Recharge</u> | <u>Minimum Separation from Seasonal High Water Table (feet)</u> |
| <u>Blue Roof</u>  | <u>0</u>   | <u>Yes</u>                        | <u>No</u>                   | <u>N/A</u>  |
| <u>Extended Detention Basin</u>   | <u>40-60</u>   | <u>Yes</u>                        | <u>No</u>                   | <u>1</u>  |
| <u>Manufactured Treatment Device<sup>(h)</sup></u>  | <u>50 or 80</u>  | <u>No</u>                         | <u>No</u>                   | <u>Dependent upon the device</u>                                |
| <u>Sand Filter<sup>(c)</sup></u>  | <u>80</u>  | <u>Yes</u>                        | <u>No</u>                   | <u>1</u>  |
| <u>Subsurface Gravel Wetland</u>  | <u>90</u>  | <u>No</u>                         | <u>No</u>                   | <u>1</u>  |
| <u>Wet Pond</u>   | <u>50-90</u>   | <u>Yes</u>                        | <u>No</u>                   | <u>N/A</u>  |

Notes to Tables 1, 2, and 3:

- a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
  - b) designed to infiltrate into the subsoil;
  - c) designed with underdrains;
  - d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
  - e) designed with a slope of less than two percent;
  - f) designed with a slope of equal to or greater than two percent;
  - g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
  - h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- A. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.

- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high-water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high-water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
  2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;
  3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
  4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 8; and
  5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section 2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Bergen County Clerk’s Office. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Bergen County Clerk’s Office and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

| <u>Best Management Practice</u>         | <u>Maximum Contributory Drainage Area</u>   |
|---|---|
| <u>Dry Well</u>                         | <u>1 acre</u>   |
| <u>Manufactured Treatment Device</u>    | <u>2.5 acres</u>  |
| <u>Pervious Pavement Systems</u>        | <u>Area of additional inflow cannot exceed three times the area occupied by the BMP</u> |
| <u>Small-scale Bioretention Systems</u> | <u>2.5 acres</u>  |
| <u>Small-scale Infiltration Basin</u>   | <u>2.5 acres</u>  |
| <u>Small-scale Sand Filter</u>          | <u>2.5 acres</u>  |

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.G.

4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
  - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
  - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section V.D of this ordinance is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
  - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
  - ii. Industrial stormwater exposed to “source material.” “Source material” means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw

materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
  - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
  - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

**Table 4 - Water Quality Design Storm Distribution**

| Time (Minutes) | Cumulative Rainfall (Inches) | Time (Minutes) | Cumulative Rainfall (Inches) | Time (Minutes) | Cumulative Rainfall (Inches) |
|----------------|------------------------------|----------------|------------------------------|----------------|------------------------------|
| 1              | 0.00166                      | 41             | 0.1728                       | 81             | 1.0906                       |
| 2              | 0.00332                      | 42             | 0.1796                       | 82             | 1.0972                       |
| 3              | 0.00498                      | 43             | 0.1864                       | 83             | 1.1038                       |
| 4              | 0.00664                      | 44             | 0.1932                       | 84             | 1.1104                       |
| 5              | 0.00830                      | 45             | 0.2000                       | 85             | 1.1170                       |
| 6              | 0.00996                      | 46             | 0.2117                       | 86             | 1.1236                       |
| 7              | 0.01162                      | 47             | 0.2233                       | 87             | 1.1302                       |
| 8              | 0.01328                      | 48             | 0.2350                       | 88             | 1.1368                       |
| 9              | 0.01494                      | 49             | 0.2466                       | 89             | 1.1434                       |
| 10             | 0.01660                      | 50             | 0.2583                       | 90             | 1.1500                       |
| 11             | 0.01828                      | 51             | 0.2783                       | 91             | 1.1550                       |
| 12             | 0.01996                      | 52             | 0.2983                       | 92             | 1.1600                       |
| 13             | 0.02164                      | 53             | 0.3183                       | 93             | 1.1650                       |
| 14             | 0.02332                      | 54             | 0.3383                       | 94             | 1.1700                       |
| 15             | 0.02500                      | 55             | 0.3583                       | 95             | 1.1750                       |
| 16             | 0.03000                      | 56             | 0.4116                       | 96             | 1.1800                       |
| 17             | 0.03500                      | 57             | 0.4650                       | 97             | 1.1850                       |
| 18             | 0.04000                      | 58             | 0.5183                       | 98             | 1.1900                       |
| 19             | 0.04500                      | 59             | 0.5717                       | 99             | 1.1950                       |
| 20             | 0.05000                      | 60             | 0.6250                       | 100            | 1.2000                       |
| 21             | 0.05500                      | 61             | 0.6783                       | 101            | 1.2050                       |
| 22             | 0.06000                      | 62             | 0.7317                       | 102            | 1.2100                       |
| 23             | 0.06500                      | 63             | 0.7850                       | 103            | 1.2150                       |
| 24             | 0.07000                      | 64             | 0.8384                       | 104            | 1.2200                       |
| 25             | 0.07500                      | 65             | 0.8917                       | 105            | 1.2250                       |
| 26             | 0.08000                      | 66             | 0.9117                       | 106            | 1.2267                       |
| 27             | 0.08500                      | 67             | 0.9317                       | 107            | 1.2284                       |
| 28             | 0.09000                      | 68             | 0.9517                       | 108            | 1.2300                       |
| 29             | 0.09500                      | 69             | 0.9717                       | 109            | 1.2317                       |
| 30             | 0.10000                      | 70             | 0.9917                       | 110            | 1.2334                       |
| 31             | 0.10660                      | 71             | 1.0034                       | 111            | 1.2351                       |
| 32             | 0.11320                      | 72             | 1.0150                       | 112            | 1.2367                       |
| 33             | 0.11980                      | 73             | 1.0267                       | 113            | 1.2384                       |
| 34             | 0.12640                      | 74             | 1.0383                       | 114            | 1.2400                       |
| 35             | 0.13300                      | 75             | 1.0500                       | 115            | 1.2417                       |
| 36             | 0.13960                      | 76             | 1.0568                       | 116            | 1.2434                       |
| 37             | 0.14620                      | 77             | 1.0636                       | 117            | 1.2450                       |
| 38             | 0.15280                      | 78             | 1.0704                       | 118            | 1.2467                       |
| 39             | 0.15940                      | 79             | 1.0772                       | 119            | 1.2483                       |
| 40             | 0.16600                      | 80             | 1.0840                       | 120            | 1.2500                       |

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs,

and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P, Q and R.

7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
  - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
  - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section V.C and D, respectively, of this ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
  - iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
  - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required

unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

**§284-5 Section V. Calculation of stormwater runoff and groundwater recharge.**

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using the following method:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 - Urban Hydrology for Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "curve number" applies to the NRCS methodology above at Section V.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious

area modifications as described in the NRCS Technical Release 55 – Urban Hydrology for Small Watersheds or other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

[https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\\_map\\_cont.html?bkmrk=nj](https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj); and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

**Table 5: Current Precipitation Adjustment Factors**

| County     | Current Precipitation Adjustment Factors |                      |                       |
|------------|--|----------------------|-----------------------|
|            | 2-year Design Storm                      | 10-year Design Storm | 100-year Design Storm |
| Atlantic   | 1.01                                     | 1.02                 | 1.03                  |
| Bergen     | 1.01                                     | 1.03                 | 1.06                  |
| Burlington | 0.99                                     | 1.01                 | 1.04                  |
| Camden     | 1.03                                     | 1.04                 | 1.05                  |
| Cape May   | 1.03                                     | 1.03                 | 1.04                  |
| Cumberland | 1.03                                     | 1.03                 | 1.01                  |
| Essex      | 1.01                                     | 1.03                 | 1.06                  |
| Gloucester | 1.05                                     | 1.06                 | 1.06                  |
| Hudson     | 1.03                                     | 1.05                 | 1.09                  |
| Hunterdon  | 1.02                                     | 1.05                 | 1.13                  |

|           |      |      |      |
|-----------|------|------|------|
| Mercer    | 1.01 | 1.02 | 1.04 |
| Middlesex | 1.00 | 1.01 | 1.03 |
| Monmouth  | 1.00 | 1.01 | 1.02 |
| Morris    | 1.01 | 1.03 | 1.06 |
| Ocean     | 1.00 | 1.01 | 1.03 |
| Passaic   | 1.00 | 1.02 | 1.05 |
| Salem     | 1.02 | 1.03 | 1.03 |
| Somerset  | 1.00 | 1.03 | 1.09 |
| Sussex    | 1.03 | 1.04 | 1.07 |
| Union     | 1.01 | 1.03 | 1.06 |
| Warren    | 1.02 | 1.07 | 1.15 |

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service’s Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

**Table 6: Future Precipitation Change Factors**

|            | Future Precipitation Change Factors |                      |                       |
|------------|-------------------------------------|----------------------|-----------------------|
|            | 2-year Design Storm                 | 10-year Design Storm | 100-year Design Storm |
| Atlantic   | 1.22                                | 1.24                 | 1.39                  |
| Bergen     | 1.20                                | 1.23                 | 1.37                  |
| Burlington | 1.17                                | 1.18                 | 1.32                  |
| Camden     | 1.18                                | 1.22                 | 1.39                  |
| Cape May   | 1.21                                | 1.24                 | 1.32                  |
| Cumberland | 1.20                                | 1.21                 | 1.39                  |
| Essex      | 1.19                                | 1.22                 | 1.33                  |
| Gloucester | 1.19                                | 1.23                 | 1.41                  |
| Hudson     | 1.19                                | 1.19                 | 1.23                  |
| Hunterdon  | 1.19                                | 1.23                 | 1.42                  |
| Mercer     | 1.16                                | 1.17                 | 1.36                  |
| Middlesex  | 1.19                                | 1.21                 | 1.33                  |
| Monmouth   | 1.19                                | 1.19                 | 1.26                  |
| Morris     | 1.23                                | 1.28                 | 1.46                  |
| Ocean      | 1.18                                | 1.19                 | 1.24                  |
| Passaic    | 1.21                                | 1.27                 | 1.50                  |
| Salem      | 1.20                                | 1.23                 | 1.32                  |
| Somerset   | 1.19                                | 1.24                 | 1.48                  |
| Sussex     | 1.24                                | 1.29                 | 1.50                  |
| Union      | 1.20                                | 1.23                 | 1.35                  |

|        |      |      |      |
|--------|------|------|------|
| Warren | 1.20 | 1.25 | 1.37 |
|--------|------|------|------|

**§284-6 Section VI. Sources for technical guidance.**

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department’s website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department’s website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

**§284-7 Section VII. Solids and floatable materials control standards.**

A. Site design features identified under Section IV.F above, or alternative designs in accordance with Section IV.G 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 VII.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. 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 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 N.J.A.C. 7:8 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.

#### **§284-8 Section VIII. 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 BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
  1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
    - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
    - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
    - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge.

Velocity is to be computed on the basis of the net area of opening through the rack; and

- iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.

2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:

- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
- ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension
- iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.

3. Stormwater management BMPs shall include escape provisions as follows:

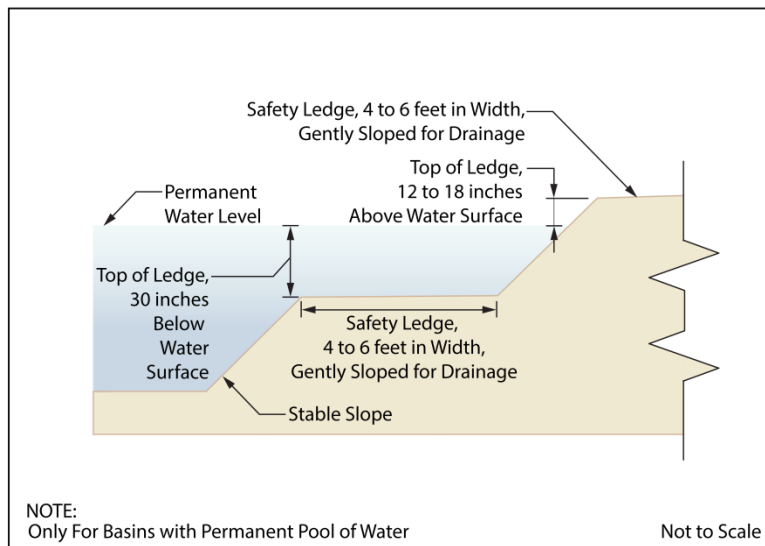
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
- ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

#### D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

#### E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



**§284-9 Section IX. 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 IX.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 two (2) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.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 Sections III through V are 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 IV 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 high water 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 X.

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 IX.C.1 through IX.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.

**§284-10 Section X. Maintenance and repair.**

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section X.B and X.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. 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.
4. 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.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:

- i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
  - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
  - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
  
- 8. The requirements of Section X.B.3 and B.4 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.
  
- 9. 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.

**§284-11 Section XI. 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.

**§284-12 Section XII. 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.

**§284-13 Section XIII. 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**

**§284-14 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.

**§284-15 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.

**§284-16 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.

#### **§284-17 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 284-16** 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.

**§284-18 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.

**§284-19 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.

**§284-20 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.

**§284-21 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  
City Manager/City Clerk

Introduced: December 10, 2024

Adopted:

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

Richard Rigoglioso, Mayor

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-483-24**

**CONSENT AGENDA**

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

**APPROVAL OF BILLS LIST**

**BE IT RESOLVED** by the City Council of the City of Garfield that the Current Year Reserve totaling \$0.00 and the Current Fund totaling \$2,016,527.58 and the Water Reserves totaling \$0.00 and the Water Fund totaling \$31,200.96 and the Grants totaling \$61,032.43 and the General Capital Fund totaling \$91,580.37 and the Water Capital Fund totaling \$127,603.93 and the Trust Accounts totaling \$601,500.25 and the Developer’s Escrow totaling \$0.00 per attached Computer Lists, dated December 10, 2024 be ordered paid and the proper officers are hereby authorized to issue checks for same provided there are funds in the respective appropriations; and

**BE IT FURTHER RESOLVED** that the action of the Mayor, City Clerk and City Treasurer in issuing checks in payment on the Ratification List, totaling \$2,929,445.52 to the meeting be ratified.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-484-24**

**CONSENT AGENDA**

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

**AUTHORIZING INCREASE OF ANNUAL LENGTH OF SERVICE AWARDS  
PROGRAMS (LOSAP) CONTRIBUTIONS 2023**

**WHEREAS**, a Length of Service Awards Program (LOSAP) has been created in accordance with P.L. 1997, c. 388 and the provisions of N.J.S.A. 40A:14-183 to reward active members of the City of Garfield's Fire Department for their loyal, diligent, and devoted services to the resident of the City; and

**WHEREAS**, the LOSAP shall provide for fixed annual contributions to a deferred income account for each volunteer member that meets the criteria set forth herein. Such contributions shall be administered in accordance with the laws of the State of New Jersey, the United States Internal Revenue Code, and the guidelines set forth in this document; and

**WHEREAS**, the enabling Ordinance, Ordinance #2348, provided for cost-of-living increases under the LOSAP program which may be adjusted according to the Consumer Price Index (CPI);

**WHEREAS**, the maximum annual contribution may be increased without public hearing or public question provided such increased contributions do not exceed the number calculated by multiplying the original contribution as approved by public question, plus the cumulative percentage increase since that time, by the Consumer Price Index factor. The Consumer Price Index factor shall be established as set forth in N.J.S.A. 40A:14-185.

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

1. The Governing Body recognizes that the annual LOSAP contribution warrants an increase due to the Fire Department's loyal, diligent, and devoted services to the resident of the City.
2. After using the CPI averages for the relevant fiscal years as posted by the Bureau of Labor Statistics of the United States Department of Labor, the will of the Governing Body is to increase the annual LOSAP contributions in 2023 for each member of the Garfield Fire Department that successfully meets the requirements set forth in the City LOSAP policies.
3. Based on the CPI averages and Cost of Living Adjustments (COLA), the annual LOSAP contribution for 2023 shall be \$1,271, for each member of the Garfield Fire Department that successfully meets the requirements set forth in the City LOSAP policies.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024

Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-485-24**

**CONSENT AGENDA**

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

**AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SHARED  
SERVICES WITH THE MID BERGEN REGIONAL HEALTH COMMISSION FOR  
LOCAL PUBLIC HEALTH PROMOTION SERVICES**

**WHEREAS**, the Parties are “Local Units” located within the State of New Jersey authorized by law to enter into this agreement to jointly provide any lawful service to and for the residents pursuant to N.J.S.A. 40A:65-1 et seq.; and

**WHEREAS**, the City is in need of an organization to continue to provide local public health promotion services as it’s previous partner will no longer be offering said service; and

**WHEREAS**, the Mid Bergen Regional Health Commission has submitted a proposal to provide this service at a reduced rate of \$26,800.00 to be paid in quarterly installments of \$6,700.00; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield hereby directs the City Manager to execute the Contract for Services with the Mid Bergen Regional Health Commission effective January 1, 2025 for a term of one year to be paid out of account 5-01-42-331-331-020.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-486-24**

**CONSENT AGENDA**

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

**AUTHORIZING ADDITIONAL CHARGES FOR ENGINEERING SERVICES IN  
CONNECTION WITH THE ELMWOOD PARK WELLFIELD PFC TREATMENT  
FACILITY**

**WHEREAS**, the City of Garfield authorized Boswell Engineering to provide design, permitting, and inspection services for the above referenced improvement; and

**WHEREAS**, charges were incurred for the following additional services:

1. Engineering design work to coordinate the umps and media replacement in the packed column aeration tower.
2. Environmental permitting for a NJDEP air permit for the new generator.
3. Additional inspection services due to the extension of time from a delay in the delivery of the new generator.

; and

**WHEREAS**, Boswell Engineering provided the additional design, permitting and inspection services for a cost of \$23,144.00;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Garfield hereby authorizes the additional charges be paid to Boswell Engineering for the above noted work in the amount of \$23,144.00 to be paid out of account C-06-55-598-000-909.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024

Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

---

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

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Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-487-24**

**CONSENT AGENDA**

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

**APPROVING PURCHASE OF RUBBER SURFACING – COLUMBUS PARK  
IMPROVEMENTS PROJECT**

**WHEREAS**, the purchase and installation of the playground rubber surfacing in the total amount of \$165,000.00 was purchased from General Recreation Inc., PO Box 440, Newtown Square, PA 19073 through the State Contract 16-Fleet-00130 for the Columbus Park Improvements Project; and

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

**WHEREAS**, the Engineer overseeing the project has recommended payment to General Recreation Inc. for their satisfactory installation of said surfacing;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby approves the payment of \$165,000.00 to General Recreation In. for the payment of the playground rubber surfacing to be paid out of account C-04-55-243-041-400.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-488-24**

**CONSENT AGENDA**

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

**ADJUSTMENT OF THE CONSTRUCTION CONTRACT AMOUNT FOR THE  
COLUMBUS PARK IMPROVEMENTS PROJECT VIA CHANGE ORDER NO. 6**

**WHEREAS**, Resolution R-539-23 of the Mayor and Council of the City of Garfield has awarded the contract for the Columbus Park Improvements Project to Let It Grow, Inc., 52 Ackerson Street, River Edge, NJ 07661 on February 16, 2024, in the amount of \$5,137,783.00 for Base Bid plus Alternate Bids 'B', 'C'; and 'D', plus Change Order No. 1, No 2, No. 3, No. 4 and No. 5 for an adjusted contract amount of \$5,625,264.97; and

**WHEREAS**, the total amount to complete this project is \$5,630,626.00. Additional funds were needed for the supply and installation of an additional flagpole at Columbus Park; and

**WHEREAS**, this resolution will serve to increase the adjusted contract amount of \$5,630,626.00 by Change Order No. 6 in the amount of \$5,361.03 for an overall increase of 10.96% in total contract amount; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Garfield hereby approves the adjusted contract amount of the Columbus Park Improvements Project to \$5,630,626.00 by Change Order No. 6 in the amount of \$5,361.03, to be paid out of account C-04-55-243-041-400.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

---

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

---

Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-489-24**

**CONSENT AGENDA**

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

**ADJUSTMENT OF THE CONSTRUCTION CONTRACT AMOUNT FOR THE  
COLUMBUS PARK IMPROVEMENTS PROJECT VIA CHANGE ORDER NO. 7**

**WHEREAS**, Resolution R-539-23 of the Mayor and Council of the City of Garfield has awarded the contract for the Columbus Park Improvements Project to Let It Grow, Inc., 52 Ackerson Street, River Edge, NJ 07661 on February 16, 2024, in the amount of \$5,137,783.00 for Base Bid plus Alternate Bids ‘B’, ‘C’; and ‘D’, plus Change Order No. 1, No 2, No. 3, No. 4 and No. 5 and No. 6 for an adjusted contract amount of \$5,630,626.00;

**WHEREAS**, the total amount to complete this project is \$5,643,767.11. Additional funds were needed for the supply and installation of a 25’ Evergreen Tree at Columbus Park;

**WHEREAS**, this resolution will serve to increase the adjusted contract amount of \$5,630,626.00 by Change Order No. 7 in the amount of \$13,141.11 for an overall increase of 10.98% in total contract amount; and

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

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Garfield hereby approves the adjusted contract amount of the Columbus Park Improvements Project to \$5,643,767.11 by Change Order No. 7 in the amount of \$13,141.11, to be paid out of account C-04-55-243-041-400.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024

Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

---

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

---

Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-490-24**

**CONSENT AGENDA**

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

**APPROVE PROGRESS PAYMENT NO. 1 (GENERAL RECREATION INC.) FOR  
THE COLUMBUS PARK IMPROVEMENTS PROJECT**

**WHEREAS**, the Contractor, General Recreation Inc., PO Box 440, Newtown Square, PA 19073 has submitted Progress Payment No. 1 in the amount of \$368,210.00 for the Playground Equipment and Safety Surface and Installation to the City of Garfield in connection with the Columbus Park Improvements Project; and

**WHEREAS**, the City's Consulting Engineering Department has indicated that General Recreation Inc. has completed the construction items included in this payment for the Columbus Park Improvements Project; and

**WHEREAS**, the City's Consulting Engineering Department recommends the release of Payment No. 1 in the amount of \$368,210.00 to General Recreation Inc. for the Columbus Park Improvements Project;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Garfield hereby approves the release of Payment No. 1 to General Recreation Inc. as outlined above for the Columbus Park Improvements Project to be paid out of account C-04-55-243-041-400.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-491-24**

**CONSENT AGENDA**

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

**APPROVING WIDOW’S PENSION**

**BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2025 and terminating December 31, 2025, to Mrs. Rose Ann Merendino, wife of deceased Joseph Merendino, who resides at 8301 Boat Club Road Apt. 915 Fort Worth, Texas 76179, pursuant to the provisions of Ordinance No. 1716 entitled: “An Ordinance Concerning the Payment of a Pension to the Widow and Dependent of Joseph Merendino, in the City of Garfield in the County of Bergen and State of New Jersey”, adopted by the City Council at a meeting held on February 19, 1980.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-492-24**

**CONSENT AGENDA**

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

**APPROVING WIDOW’S PENSION**

**BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that the proper officers are hereby authorized to issue monthly pension checks in the sum of \$100.00 for a period of one year commencing January 1, 2025 and terminating December 31, 2025, to Mrs. Linda Yondolino, wife of deceased Nicholas A. Yondolino, who resides at 662 Upper Mountain Road, Pine Bush, New York 12566, pursuant to the provisions of Ordinance No. 1839 entitled: “An Ordinance Concerning the Payment of a Pension to the Widow and Dependent of Nicholas Yondolino, in the City of Garfield in the County of Bergen and State of New Jersey”, adopted by the City Council at a meeting held on October 2, 1984.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-493-24**

**CONSENT AGENDA**

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

**AUTHORIZING APPROVAL OF CHANGE ORDER #5 TO CREAMER-SANZARI, A  
JOINT VENTURE FOR CONSTRUCTION SERVICES PROVIDED IN CONNECTION  
WITH SPRINKLER SYSTEM INSTALLATION RIVER DRIVE IMPROVEMENTS &  
PASSAIC RIVER BIKEWAY (PHASE 2)**

**WHEREAS**, the City of Garfield awarded a contract to Creamer-Sanzari, A Joint Venture in the original contract amount of \$9,148,908.90; and

**WHEREAS**, Change Order #5 in the amount of \$117,458.45 is necessary for the sprinkler system installation by Creamer-Sanzari, A Joint Venture, for the River Drive Improvements and Passaic River Bikeway (Phase 2) project;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield that Change Order #5 increasing the amount of this project by \$117,458.45 be and is hereby approved to be paid out of account C-04-55-000-243-000.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-494-24**

**CONSENT AGENDA**

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

**AUTHORIZING PAYMENT OF PAYMENT REQUISITION NO. 21 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. 21 in the amount of \$260,964.50; and

**WHEREAS**, the City’s Engineering firm recommends the payment of Requisition No. 21 in the amount of \$260,964.50 to Creamer-Sanzari – A Joint Venture; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield that the City hereby authorizes the payment of \$260,964.50 to Creamer-Sanzari – A Joint Venture for services rendered in connection with this project to be paid out of accounts C-04-55-999-000-939 and G-02-41-723-000-368.

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-495-24**

**CONSENT AGENDA**

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

**APPROVING TAX OVERPAYMENT CREDIT/REFUND**

**WHEREAS**, the Receiver of Taxes reports that she has received a refund request from the following property owners’s servicing agent due to tax overpayment for the year 2024;

**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, to be paid out of account 4-01-17-001-001.

| BLOCK  | LOT | OWNER     | REASON | AMOUNT     |
|--------|-----|-----------|--------|------------|
| 28     | 3   | CoreLogic | O/P    | \$59.09    |
| 76.01  | 52  | CoreLogic | O/P    | \$467.34   |
| 90     | 42  | CoreLogic | O/P    | \$148.77   |
| 96     | 78  | CoreLogic | O/P    | \$2,248.53 |
| 108    | 55  | CoreLogic | O/P    | \$1,752.36 |
| 143.10 | 9   | CoreLogic | O/P    | \$3,298.48 |
| 171    | 20  | CoreLogic | O/P    | \$57.10    |
| 206.01 | 22  | CoreLogic | O/P    | \$2,252.89 |
| 211.01 | 26  | CoreLogic | O/P    | \$2,210.70 |
| 215.01 | 18  | CoreLogic | O/P    | \$84.09    |

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

\_\_\_\_\_  
Nicholas Prochilo, Chief Financial Officer

December 9, 2024  
Dated

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-496-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF EVENT PLANNING AND RECREATION ADVISORY  
COMMITTEE MEMBER**

**BE IT RESOLVED** by the Mayor and Council of the City of Garfield that the appointment of:

**Teshawn Warren**

to the Event Planning and Recreation Advisory Committee for a three-year term beginning January 1, 2024 and ending December 31, 2026 be and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that Resolution No. R-31-24 be and is hereby rescinded.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-497-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF EVENT PLANNING AND RECREATION ADVISORY  
COMMITTEE MEMBER**

**BE IT RESOLVED**, by the Mayor and Council of the City of Garfield that the appointment of:

**Patricia Gallagher**

to the Event Planning and Recreation Advisory Committee for a three-year term beginning January 1, 2024 and ending December 31, 2026 be and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that Resolution No. R-28-24 be and is hereby rescinded.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-498-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF EVENT PLANNING AND RECREATION ADVISORY  
COMMITTEE MEMBER**

**BE IT RESOLVED**, by the Mayor and Council of the City of Garfield that the appointment of:

**Alejandina Banch**

to the Event Planning and Recreation Advisory Committee for a three-year term beginning January 1, 2024 and ending December 31, 2026 be and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that Resolution No. R-29-24 be and is hereby rescinded.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-499-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF EVENT PLANNING AND RECREATION ADVISORY  
COMMITTEE MEMBER**

**BE IT RESOLVED**, by the Mayor and Council of the City of Garfield that the appointment of:

**James Clark**

to the Event Planning and Recreation Advisory Committee for a three-year term beginning January 1, 2023 and ending December 31, 2025 be and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that Resolution No. R-24-23 be and is hereby rescinded.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-500-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF EVENT PLANNING AND RECREATION ADVISORY  
COMMITTEE MEMBER**

**BE IT RESOLVED**, by the Mayor and Council of the City of Garfield that the appointment of:

**Michael Garcia**

to the Event Planning and Recreation Advisory Committee for a three-year term beginning January 1, 2023 and ending December 31, 2025 be and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that Resolution No. R-25-23 be and is hereby rescinded.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-501-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF EVENT PLANNING AND RECREATION ADVISORY  
COMMITTEE MEMBER**

**BE IT RESOLVED**, by the Mayor and Council of the City of Garfield that the appointment of:

**Mariggi Lopez Houck**

to the Event Planning and Recreation Advisory Committee for a three-year term beginning January 1, 2024 and ending December 31, 2026 be and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that Resolution No. R-30-24 be and is hereby rescinded.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-502-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF EVENT PLANNING AND RECREATION ADVISORY  
COMMITTEE MEMBER**

**BE IT RESOLVED** by the Mayor and Council of the City of Garfield that the appointment of:

**Marie Marx**

to the Event Planning and Recreation Advisory Committee for a three-year term beginning January 1, 2023 and ending December 31, 2025 be and is hereby confirmed; and

**BE IT FURTHER RESOLVED** that Resolution No. R-26-23 be and is hereby rescinded.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-503-24**

**CONSENT AGENDA**

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

**APPOINTMENT OF GARFIELD HOUSING AUTHORITY MEMBER**

**WHEREAS**, Claire Follari has previously served on the Garfield Housing Authority; and

**WHEREAS**, said term has since expired October 19, 2024; and

**WHEREAS**, Ms. Follari has continued to serve on the Authority;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Garfield that the appointment of:

**Claire Follari**

to the Garfield Housing Authority to continue for a five-year term backdating to October 19, 2024, and ending October 19, 2029 be and is hereby confirmed.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-504-24**

**CONSENT AGENDA**

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

**APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 2 has advised that they have accepted Robin Carballo, 98 Belmont Avenue, Garfield, New Jersey 07026, as a regular active member, effective November 7, 2024;

**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: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-505-24**

**CONSENT AGENDA**

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

**APPROVING RESIGNATION ACTIVE MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 4 has advised that they have accepted the resignation of Luis Soltill of 22 Portland Avenue, Clifton, New Jersey 07011 as an active member, effective November 8, 2024;

**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: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-506-24**

**CONSENT AGENDA**

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

**APPROVING REGULAR ACTIVE MEMBER – FIRE DEPARTMENT**

**WHEREAS**, Fire Company No. 3 has advised that they have accepted Alberto Toro, 255 Shaw Street, Garfield, New Jersey 07026, as a regular active member, effective November 4, 2024;

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

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-507-24**

**CONSENT AGENDA**

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

**CONFIRMING THE SUBMISSION OF A GRANT APPLICATION AND ABIDING BY  
THE CONCESSIONS OF THE NEW JERSEY DEPARTMENT OF COMMUNITY  
AFFAIRS 2025 LOCAL RECREATIONAL IMPROVEMENT GRANT PROGRAM**

**WHEREAS**, the City of Garfield desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for a maximum of \$100,000 to carry out a project to improve and upgrade the spray park in Jewell Street Park;

**NOW, THEREFORE, BE IT RESOLVED** that the City Manager and City Council do hereby authorize the application for such a grant; and

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

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

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-508-24**

**CONSENT AGENDA**

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

**AUTHORIZING THE SUBMISSION OF A BERGEN COUNTY COMMUNITY  
DEVELOPMENT BLOCK GRANT APPLICATION**

**WHEREAS**, a Bergen County Community Development Block Grant totaling \$908,000 has been proposed by the City of Garfield for the Plauderville Avenue Improvement Project in the municipality of the City of Garfield; and

**WHEREAS** pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS** the aforesaid project is in the best interest of the people of the City of Garfield; and

**WHEREAS** this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4<sup>th</sup> Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-509-24**

**CONSENT AGENDA**

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

**MUNICIPAL ENDORSING RESOLUTION FOR BERGEN COUNTY COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT – BOYS & GIRLS CLUB OF  
GARFIELD**

**WHEREAS**, a Bergen County Community Development Block Grant targeted for (CDBG) totaling \$100,000 has been proposed by the Boys & Girls Club of Garfield for our Healing Canvas programming with focus on Art, Wellness and Growth in the municipality of Garfield; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, aforesaid project is in the best interest of the people of Garfield; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-510-24**

**CONSENT AGENDA**

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

**MUNICIPAL ENDORSING RESOLUTION FOR BERGEN COUNTY COMMUNITY  
DEVELOPMENT BLOCK GRANT (CDBG) PROJECT – BOYS & GIRLS CLUB OF  
GARFIELD**

**WHEREAS**, a Bergen County Community Development Block Grant targeted for (CDBG) totaling \$230,400 has been proposed by the Boys & Girls Club of Garfield for Kitchen Renovations in the municipality of Garfield; and

**WHEREAS**, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

**WHEREAS**, aforesaid project is in the best interest of the people of Garfield; and

**WHEREAS**, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development application;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the City of Garfield hereby confirms endorsement of the aforesaid project; and

**BE IT FURTHER RESOLVED** that a copy of this resolution shall be sent to the Director of the Bergen County Division of Community Development (Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, 4th Floor; Hackensack, NJ 07601) so that implementation of the aforesaid project may be expedited.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-511-24**

**CONSENT AGENDA**

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

**EXTENDING THE SUPPORT OF RISING SUN HOSPITALITY L.L.C., AS THE  
OPERATOR OF A CLASS 5 CANNABIS ADULT USE RETAILER TO BE LOCATED IN  
THE CITY OF GARFIELD**

**WHEREAS**, Resolution R-349-24 titled “Supporting Rising Sun Hospitality L.L.C., as the Operator of a Class 5 Cannabis Adult Use Retailer to Be Located in the City of Garfield” was passed at a meeting held on August 20, 2024; and

**WHEREAS**, the Governing Body wishes to extend said resolution for an additional period of six (6) months;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the City of Garfield hereby confirms endorsement of extending Resolution R-349-24 for an additional period of six (6) months through August 20, 2025.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-512-24**

**CONSENT AGENDA**

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

**RESCINDING RESOLUTION OF LOCAL SUPPORT – R-255-22 CULTURE  
CANNABIS**

**BE IT RESOLVED** by the Mayor and Council of the City of Garfield that Resolution R-255-22 titled “Supporting Culture Cannabis as the Operator of a Class 5 Retail Cannabis Dispensary to Be Located in the City of Garfield “ be and is hereby rescinded due to inaction of the operation of business.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-513-24**

**CONSENT AGENDA**

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

**SUPPORTING LEAFY LUX, LLC., AS THE OPERATOR OF A CLASS 5 CANNABIS  
ADULT USE RETAILER TO BE LOCATED IN THE CITY OF GARFIELD**

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

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

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

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

**WHEREAS**, on July 20, 2021, the Governing Body of the City of Garfield passed Ordinance 2890, as was subsequently amended on November 21, 2023, creating Part II, General Legislation, Chapter 100, authorizing the operation of: three (3) Class 5 Cannabis Adult Use Retail businesses as a conditionally permitted use in the B-2 Zoning District; and

**WHEREAS**, the issuance of a Class 5 license to Leafy Lux, LLC., to operate in the City of Garfield would not exceed the limit imposed by Ordinance; and

**WHEREAS**, for those entities that have already received a Resolution of Local Support for the Class 5 Adult Use Retail License presently available, the licensed applicant that receives Commission approval first-in-time shall be deemed approved by the municipality; and

**WHEREAS**, the within Resolution of Support may be automatically revoked by the Governing Body of the City of Garfield upon Notice to Leafy Lux, LLC., if operation of the business does not begin within six (6) months of the entry of this Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the City of Garfield that Leafy Lux, LLC., be granted this Resolution of Local Support, which is to be viewed by the State of New Jersey as unequivocal support of their application to operate a Class 5 Adult Use Retail Cannabis License in the City of Garfield.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-514-24**

**CONSENT AGENDA**

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

**APPROVING HANDICAP PARKING SPACE**

**WHEREAS**, Benedetta Costa, of 201 Midland Avenue, who is the holder of a Disabled Person I.D. Card No. P2854351, has filed an application for a handicap parking sign to be placed at her address; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield that one parking space be designated as reserved for “Handicap Parking”, located on the west curb line of Midland Avenue commencing 94 feet north of the intersection of Midland Avenue and Monroe Street and continue an additional 20 feet north from that point; and

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

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-515-24**

**CONSENT AGENDA**

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

**APPROVING EXTENSION OF LIQUOR LICENSE TO EXECUTOR  
#0221-44-063-004**

**WHEREAS**, an application has been filed for an extension of Plenary Retail Distribution License #0221-44-063-004, to the Executor of the Estate of Ronald Pelikan, sole proprietary owner of the license; and

**WHEREAS**, the submitted application form is complete in all respects, including proof of appointment to act as Executor;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Garfield does hereby approve, effective December 10, 2024, the extension of the aforesaid Plenary Retail Distribution license to Theresa Pelikan to conduct business under the privileges, terms and conditions of the license as Executor of the estate of Ronald Pelikan for the benefit of the estate until such time as the will is probated and the license may be transferred in compliance therewith and directs the Municipal Clerk to endorse the License Certificate as follows: "This license is hereby extended, subject to all its terms and conditions to Theresa Pelikan until June 30, 2025.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-516-24**

**CONSENT AGENDA**

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

**AUTHORIZING THE EXECUTION OF A CONTRACT FOR ELEVATOR SUB-CODE  
OFFICIAL**

**WHEREAS**, a legal notice and statement of criteria for submission of qualifications were prepared and issued by the City on November 6, 2024 which solicited submissions for an elevator sub-code official due no later than December 3, 2024; and

**WHEREAS**, pursuant to the aforesaid notice statements of professional qualifications were, in fact submitted and one (1) submission was received; and

**WHEREAS**, the City is interested in continuing its contract with Top Floor Elevated Solutions (TFES);

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey that City Manager Erin Nora Delaney is hereby authorized to enter into a contract with TFES for their services as an elevator sub-code official.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-517-24**

**CONSENT AGENDA**

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

**AUTHORIZING THE SUBMISSION OF A SUSTAINABLE JERSEY CLIMATE  
VULNERABILITY ASSESSMENT TECHNICAL ASSISTANCE GRANT  
APPLICATION**

**WHEREAS**, the City of Garfield aims to be a climate-ready community that is resilient to climate change; and

**WHEREAS**, a climate-ready community seeks to understand current and projected climate hazards affecting health, safety, infrastructure, property, and businesses so that appropriate actions may be implemented before hazard events occur to cause harm; and

**WHEREAS**, a climate-ready community seeks to optimize sustainability through improving quality of life for its residents by ensuring that its environmental, economic, and social objectives are balanced and mutually supportive; and

**WHEREAS**, the City of Garfield's Master Plan is aimed at guiding the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and

**WHEREAS**, the City of Garfield strives to save tax dollars, assure clean land, air, and water, and improve working and living environments; and

**WHEREAS**, a Climate Change-Related Hazard Vulnerability Assessment is required by NJ law (N.J.S.A. 40:55D28) to be included in the City of Garfield's Master Plan Land Use Plan Element; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and, recognizing municipalities are interested in guidance on climate resilience, created a Guide to Local Climate Change Adaptation Planning; and

**WHEREAS**, Sustainable Jersey provides a Climate Vulnerability Assessment Technical Assistance Program for municipalities to use the Guide to Local Climate Change Adaptation Planning to complete a Climate Change Related Hazard Vulnerability Assessment consistent with the NJ law;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Garfield has determined that the City of Garfield should apply for the aforementioned Climate Vulnerability Assessment Technical Assistance Program; and

**BE IT FURTHER RESOLVED**, that the City of Garfield will commit to providing staff support for the duration of the Climate Vulnerability Assessment Technical Assistance project, including providing planning documents and relevant assessment data and supporting public events and opportunities to share and receive comment on the project; and

**BE IT FURTHER RESOLVED**, that the City of Garfield will commit to providing a professional planner to review the draft and final version of the Climate Change-Related Vulnerability Assessment for potential adoption into the municipal Master Plan Land Use Plan Element; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of Garfield, State of New Jersey, authorize the submission of the aforementioned application to Sustainable Jersey for Climate Vulnerability Assessment Technical Assistance.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-518-24**

**CONSENT AGENDA**

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

**ENTERING INTO A GRANT AGREEMENT WITH THE COUNTY OF BERGEN –  
CDBG FY2024-2025 – BANTA AVENUE IMPROVEMENTS PHASE II**

**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 \$199,000.00 in FY2024-2025 Community Development Block Grant funds for Banta Avenue Improvements Phase II; 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 Nicholas Prochilo 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: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-519-24**

**CONSENT AGENDA**

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

**EXTENSION OF HOURS DUE TO HOLIDAY – PLENARY RETAIL CONSUMPTION  
LICENSEES**

**BE IT RESOLVED** by the City Council of the City of Garfield, Bergen County, New Jersey, that the provisions of Chapter 73-17 of the code of the City of Garfield concerning the hours of services and sales, specifically the portion regulating the hours an establishment holding a Plenary Retail Consumption License may stay open for business, is hereby suspended strictly for the 2024-2025 New Year’s Day Holiday and that permission is hereby granted to said establishments to remain open an additional two hours until 4:00 AM on January 1, 2025; and

**BE IT FURTHER RESOLVED** that the City Clerk is hereby authorized and directed to forward a certified copy of this Resolution to the Chief of Police of the Garfield Police Department.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-520-24**

**CONSENT AGENDA**

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

**AUTHORIZE AGREEMENT FOR A CERTIFIED RECYCLING PROFESSIONAL  
WITH THE BERGEN COUNTY UTILITIES AUTHORITY**

**WHEREAS**, in accordance with the Recycling Enhancement Act P.L. 2008, Chapter 6 that beginning in 2012 each New Jersey municipality is required to submit an Annual Tonnage Report to the New Jersey Department of Environmental Protection; and

**WHEREAS**, said report needs to be signed by a Certified Recycling Professional; and

**WHEREAS**, as a part of the Bergen County Utilities Authority (BCUA) Certified Recycling Professional Tonnage Grant Assistance Program, the BCUA will provide the services of a Certified Recycling Professional to sign and submit said tonnage report free of charge;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council that the following agreement between the City of Garfield and the Bergen County Utilities Authority be hereby executed enabling the BCUA to submit the Annual Tonnage Report for the City; and

**BE IT FURTHER RESOLVED** that City Manager/Clerk Erin Delaney is hereby authorized to execute said agreement.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-521-24**

**CONSENT AGENDA**

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

**AUTHORIZING THE MAYOR AND CITY MANAGER/CLERK TO EXECUTE A  
SHARED SERVICE AGREEMENT WITH THE BOROUGH OF PARAMUS FOR A  
MAINTENANCE/REPAIR SHARED SERVICE FOR VEHICLES**

**WHEREAS**, the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A65.1 et seq., allows any municipality or county to enter into a contract with any other municipality or county for the joint provision of any services within their joint jurisdiction; and

**WHEREAS**, the City of Garfield and the Borough of Paramus seek to enter into a Shared Services Agreement wherein the Borough of Paramus will provide maintenance and repair to vehicles which are directed to the Borough of Paramus by the City effective January 1, 2025 and terminating on December 31, 2025; and

**WHEREAS**, the City of Garfield has reviewed and approves of the “Agreement” between the Borough of Paramus and the City of Garfield as on file with the Office of the City Clerk for the term of the contract and the expenditure of funds pursuant to the terms thereof;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the City of Garfield agrees to authorize Mayor and City Manager/Clerk to execute the “Agreement” between the Borough of Paramus and the City of Garfield.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-522-24**

**CONSENT AGENDA**

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

**AUTHORIZING THE CITY MANAGER TO EXECUTE THE TWA APPLICATION  
APPROVAL ON BEHALF OF THE GOVERNING BODY FOR THE CONSTRUCTION  
OF A SANITARY SEWER EXTENSION AT 67-69, 73 & 77 PASSAIC STREET**

**WHEREAS**, the Developer of the property (BYLT Development Company, LLC) known as Block 24.01, Lots 5.01, 8 & 10, proposes a sanitary sewer connection from the above referenced property at 67-69, 73 & 77 Passaic Street to an existing sanitary sewer main located in Passaic Street; and

**WHEREAS**, the Developer must apply to the State of New Jersey Department of Environmental Protection for a Sanitary Sewer Extension Permit (TWA-1); and

**WHEREAS**, the Boswell Engineering has reviewed the plans and has determined the project is in conformance with the requirements of all City ordinances;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and the Council of the City of Garfield that the City Manager is hereby authorized and directed to execute the Statement of Consent Form (WQM-003) on behalf of the Governing Body for the construction of a sanitary sewer connection to a 12-inch sewer located within the Passaic Street right-of-way.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

**CITY OF GARFIELD  
BERGEN COUNTY, NEW JERSEY  
RESOLUTION R-523-24**

**CONSENT AGENDA**

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

**RESOLUTION TO APPROVE THE CONSENT AGENDA**

**BE IT RESOLVED**, by the Mayor and Council of the City of Garfield that the actions noted in the Consent Agenda, Resolutions R-483-24 through R-523-24 be and are hereby approved and the proper officers are directed to take necessary action on same.

APPROVED: DECEMBER 10, 2024

\_\_\_\_\_  
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 a Work Session Meeting held on the 10<sup>th</sup> day of December 2024. Signed and sealed before me.

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

\_\_\_\_\_  
Dated

## **Reports of the Cabinet and City Council:**

### *City Attorney's Report:*

Mr. Tuntevski advised that Yuma Way has requested the Mayor and Council's consideration to reduce their annual fee for their ATC license. Currently, as the ordinance is written, they are responsible for paying the yearly fee twice as they are recognized as both a Class 5 and ATC license. In their request, they noted that their ATC sales are limited. Discussion ensued regarding the same and, ultimately, it was decided that the Mayor and Council are amenable to reducing the ATC fee to \$10,000.00 yearly as opposed to \$20,000.00. The Governing Body noted that this can be revisited in the future if necessary.

## **Report of the City Manager:**

### Discussion:

1. **Albanian Banner Request** – City Manager/City Clerk Delaney shared the request from the Albanian Alliance to have a banner placed for two-weeks. The Mayor and Council approved said request.
2. **Street Dedication Request** – City Manager/City Clerk Delaney advised that Margaret Valenti has submitted a request for a street dedication on behalf of her father. Discussion ensued and, ultimately, it was decided that the request could not be accommodated. It was suggested that Ms. Valenti be connected with the VFW for a special honor for her father.
3. **LOSAP** – City Manager/City Clerk Delaney advised that a resolution was passed to increase the LOSAP amounts for volunteer firefighters in 2022 and that a similar ordinance was passed in 2024. As a result, as it stands, there was not an approved increase for 2023. Ms. Delaney inquired if the Mayor and Council would be obliged to approve said payment retroactively, of which she supports. The Mayor and Council approved said request.
4. **Food Trucks** – City Manager/City Clerk Delaney advised that she has requested that the engineers amend the parking layout for Champion Park as there were only two designated spaces for food trucks in their plans. The Mayor and Council were in support of her request, in addition to increasing the number of yearly permits to 7 as opposed to 5 if need be. Discussion ensued regarding the process for revocation of said license should a permittee not be present for consecutive weeks.

### Ordinances:

1. **Fire Department Stipend Program** – City Manager/City Clerk Delaney reviewed the estimates forecasted by the CFO based off of the Fire Department's initial stipend proposal. Discussion ensued regarding their proposal and the amounts, however, it was decided that the decision should be held for the incoming Mayor and Council.

### Departmental Reports:

1. **Clerk's Office October 2024** – No discussion ensued.
2. **Building Department October 2024** – No discussion ensued.
3. **Millennium Strategies through October 2024** – No discussion ensued.
4. **Court Department through September 2024** – No discussion ensued.
- 5.

## **Executive Session:**

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

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

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**WHEREAS**, the Governing Body wishes to discuss:

## **Personnel**

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

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

A motion was made by Deputy Mayor Delaney and seconded by Mayor Rigoglioso to return to the public portion. The motions carried unanimously by those present.

**Adjournment:**

A motion was made by Mayor Rigoglioso and seconded by Deputy Mayor Delaney 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 December 17, 2024 Regular Meeting of the Mayor & Council.*