

**EMERGENCY MEETING
OF THE
GARFIELD MAYOR AND COUNCIL
January 24, 2025
1:00P.M.**

1. CALL TO ORDER:

The Emergency Meeting of the Garfield Mayor and Council for January 24, 2025 was called to order by City Attorney Richard Malagiere at 1:00PM. The Statement of Compliance was read.

Deputy Mayor Kane, Deputy Mayor/Mayoral Advisor Raymond, and Mayor Garnto were present. Also present was City Attorney Richard Malagiere.

2. STATEMENT OF COMPLIANCE:

The Statement of Compliance was read by City Attorney Richard Malagiere.

3. ROLL CALL:

4. RESOLUTION:

R-63-25

Authorizing the City Attorney to Sue the Garfield Board of Education to Restrain the BOE from Voting on a Resolution to Move the BOE Election Back to November and for Final Declaratory Judgment That the BOE Election Will Be Held on the Third Tuesday in April 2025

5. PUBLIC HEARING:

6. MAYOR & COUNCIL REPORTS:

7. ADJOURNMENT:

**CITY OF GARFIELD
BERGEN COUNTY, NEW JERSEY
RESOLUTION R-63-25**

RESOLUTION BY: MAYOR GARNTO

SECONDED BY: DEPUTY MAYOR RAYMOND

**AUTHORIZING THE CITY ATTORNEY TO SUE THE GARFIELD BOARD OF
EDUCATION TO RESTRAIN THE BOE FROM VOTING ON A RESOLUTION TO
MOVE THE BOE ELECTION BACK TO NOVEMBER AND FOR FINAL
DECLARATORY JUDGMENT THAT THE BOE ELECTION WILL BE HELD ON THE
THIRD TUESDAY IN APRIL 2025**

WHEREAS, on or about June 2, 2020, the City—by and through its Mayor and Council—adopted Resolution 20-147 Establishing the Election of Members of the Garfield Board of Education as the first Tuesday after the first Monday in November; and

WHEREAS, on January 7, 2025 (after four school elections had been held in November), the City provided adequate notice of a special meeting to be held on January 10, 2025 for consideration of a resolution titled “Resolution Establishing the Election of Members of the Garfield Board of Education as the Third Tuesday in April” (the “City Resolution”). Notice was served by email and hand delivery to the Superintendent of Schools of the BOE and to the secretary of the BOE; and

WHEREAS, on January 10, 2025, the governing body of the City adopted Resolution 37-25 establishing the Election of Members of the Garfield Board of Education as the Third Tuesday in April – April 15, 2025; and

WHEREAS, on January 13, 2025—more than 85 days before the April 15, 2025 election day—the City provided notice to defendant, Hogan, of adoption of the City Resolution; and

WHEREAS, on or about January 23, 2025, the BOE issued a notice to the City that it will consider adoption of a resolution entitled “A RESOLUTION MOVING THE DATE OF THE GARFIELD BOARD OF EDUCATION ANNUAL ELECTION TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER (THE GENERAL ELECTION)” (the “BOE Resolution”) at its meeting on January 27, 2025; and

WHEREAS, the City believes that the BOE Resolution is prohibited by N.J.S.A. 19:60-1.1 and desires to obtain a court order enjoining (prohibiting) the BOE from acting on this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Attorney is hereby authorized to prepare and file all necessary court applications to enjoin (prohibit) the BOE from acting on the BOE Resolution and seeking a Declaratory Judgment from the trial court that the BOE election in the City of Garfield will take place on April 15, 2025.

APPROVED: JANUARY 24, 2025

Everett E. Garnto Jr., Mayor

ATTEST: _____
Richard Malagiere
City Attorney

Record of Council Vote on Passage

	AYE	NAY	Abstain	Absent
Rigoglioso				X
Delaney				X
Kane	X			
Raymond	X			
Garnto	X			

This resolution was approved by the Mayor and Council of the City of Garfield at an Emergency Meeting held on the 24th day of January 2025. Signed and sealed before me.

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

Dated

PUBLIC COMMENT

There was no public in attendance.

MAYOR & COUNCIL COMMENTS

There were no Mayor & Council comments.

ADJOURNMENT

A motion was made by Mayor Garnto and seconded by Deputy Mayor Raymond to adjourn. The motions carried unanimously by those present.

Respectfully submitted,

Richard Malagiere, City Attorney

These meeting minutes were approved at the February 11, 2025 Work Session Meeting of the Mayor & Council.