

**CITY OF CLIFTON  
CLIFTON, NEW JERSEY  
REGULAR MEETING MINUTES FEBRUARY 2, 2021**

The Regular Meeting of the Municipal Council of the City of Clifton was held in the Municipal Court Room of Clifton City Hall, 900 Clifton Avenue, Clifton, New Jersey.

**8:05 P.M. CALL OF ROLL**

Councilman Grabowski called the meeting to order and presided, and announced that the location of exits should be noted for use in case of fire or other emergencies and also that smoking regulations apply to the building and cell phones should be deactivated and turned off and read the following Statement of Compliance into the record:

Adequate notice of this meeting has been provided by the Annual Notice of regularly scheduled meetings of the Municipal Council for the year 2021 which was published as legal advertisements in the Herald News on December 26, 2020 and was additionally advertised in the Record on December 27, 2020. Further notice of this meeting was given on Friday prior to the meeting to The Herald News and by posting of said notice on the bulletin board at City Hall and on the Clifton Website which notice stated that formal action may or may not be taken on matters to come before the Municipal Council.

Upon roll call, the following were noted present:

Councilman Eagler	(PE)
Councilman Gibson	(BG)
Councilman Grabowski	(RG)
Councilwoman Murphy	(LM)
Councilwoman Pino	(RP)
Councilwoman Sadrakula	(MS)
Mayor Anzaldi	(JA) Absent

Also present were City Manager, Dominick Villano; City Attorney, Matthew Priore; (via Zoom) Assistant City Attorney, David Bruins; (via Zoom) Nancy Ferrigno, City Clerk and Deputy Clerk, Michele Butler

**CALL TO ORDER / ROLL CALL / INVOCATION / PLEDGE TO THE FLAG**

City Clerk

Councilman Grabowski offered condolences to the Anzaldi family on the passing of Ross Anzaldi. He called for a moment of silence in remembrance of Ross Anzaldi.

**PUBLIC HEARING**

**APPROVAL OF MINUTES**

A Motion was made by Councilman Eagler, seconded by Councilman Gibson and passed on roll call vote to approve the Minutes of the Workshop, Executive and Regular Session Minutes of January 19, 2021.

Minutes of Workshop Meeting of January 19, 2021

Minutes of Executive Session of January 19, 2021

Minutes of Regular Meeting of January 19, 2021

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

## **COMMUNICATIONS FROM THE CITY MANAGER**

- C-1 Marilyn Arroyo School Traffic Guard, resigned her position effective 01/13/2021.
- C-2 Victoria Petriella PST Trainee Public Safety, hired effective 01/16/2021 at \$31,837.38 annually.
- C-3 Liana Bolcato Records Support Technician 1 Regulatory Affairs, hired effective 01/15/2021 at \$45,000. annually.
- C-4 Alfred DiMartino Fire Prevention Specialist Public Safety, resigned his position effective 01/25/2021.

## **COMMUNICATIONS – MEETING MINUTES**

- C-5 Minutes of Passaic Valley Water Commission of December 9, 2020
- C-6 Minutes of Board of Adjustment of January 20, 2021
- C-7 Minutes of Board of Recreation of November 23, 2020 and Reorganization Meeting of January 4, 2021
- C-8 Minutes of Planning Board of November 5, 2021
- C-9 Minutes of North Jersey District Water Supply Commission of December 16, 2020

## **SECOND READING ORDINANCES**

### **A. Adoption of Ordinance 7628-21**

### **B. Public Hearing on Ordinance 7628-21**

Councilman Grabowski opened the floor to the public with regard to the Ordinance 7628-21

With no one wishing to be heard, a Motion was made by Councilman Eagler, seconded by Councilwoman Murphy and passed on roll call vote to close the public hearing.

The following entitled ordinance had been introduced and having passed on first reading, which first reading was by title and said entitled ordinance having been published according to the law and thereafter placed on the Agenda of the present meeting, said ordinance was brought up for public hearing at the opening of such hearing said ordinance was given a second reading which reading was by title and all persons interested having been given an opportunity to be heard concerning said ordinance and upon motion, adopted said hearing was closed and said ordinance was thereafter finally passed without amendments, upon motion regularly made by Councilman Eagler, seconded by Councilwoman Murphy and carried by roll call vote.

### **An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Deletes 1 Restricted Handicapped Space)**

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

### **C. Adoption of Ordinance 7629-21**

### **D. Public Hearing on Ordinance 7629-21**

Councilman Grabowski opened the floor to the public with regard to the Ordinance 7629-21

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilman Eagler and passed on roll call vote to close the public hearing.

The following entitled ordinance had been introduced and having passed on first reading, which first reading was by title and said entitled ordinance having been published according to the law and thereafter placed on the Agenda of the present meeting, said ordinance was brought up for public hearing at the opening of such hearing said ordinance was given a second reading which

reading was by title and all persons interested having been given an opportunity to be heard concerning said ordinance and upon motion, adopted said hearing was closed and said ordinance was thereafter finally passed without amendments, upon motion regularly made by Councilman Gibson, seconded by Councilman Eagler and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 6 Restricted Handicapped Spaces)**

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

**E. Adoption of Ordinance 7630-21**

**F. Public Hearing on Ordinance 7630-21**

Councilman Grabowski opened the floor to the public with regard to the Ordinance 7630-21

With no one wishing to be heard, a Motion was made by Councilwoman Murphy, seconded by Councilman Eagler and passed on roll call vote to close the public hearing.

The following entitled ordinance had been introduced and having passed on first reading, which first reading was by title and said entitled ordinance having been published according to the law and thereafter placed on the Agenda of the present meeting, said ordinance was brought up for public hearing at the opening of such hearing said ordinance was given a second reading which reading was by title and all persons interested having been given an opportunity to be heard concerning said ordinance and upon motion, adopted said hearing was closed and said ordinance was thereafter finally passed without amendments, upon motion regularly made by Councilwoman Murphy, seconded by Councilman Eagler and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 6 Restricted Handicapped Spaces No Longer in Use)**

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

**FIRST READING ORDINANCES**

**A. Introduction of Ordinance 7622-21**

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Eagler and passed on roll call vote to table Ordinance 7622-21.

**An Ordinance of the City of Clifton, County of Passaic, New Jersey Approving and Adopting the Clifton HLR Redevelopment Plan - Phase III**

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

**B. Introduction of Ordinance 7631-21**

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Gibson, seconded by Councilman Eagler and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton Entitled "Vehicles & Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 1 Restricted Handicapped Space)**

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, February 16, 2021 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

**C. Introduction of Ordinance 7632-21**

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Eagler, seconded by Councilwoman Murphy and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 37 of the Code of the City of Clifton, Entitled "Fire Department", More Particularly Article II Thereof, Entitled "Salaries and Benefits" (2021, 2022, 2023 and 2024 Salaries and Benefits)**

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, February 16, 2021 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

**CITY MANAGER PRIVILEGE**

City Manager, Dominick Villano, announced that the upcoming Covid-19 vaccine clinic is postponed from Wednesday to Thursday due to the recent snow storm. He discussed the procedures to schedule a vaccine and spoke about the shortage of vaccine doses. Mr. Villano spoke about snow removal and asked the public to be patient with snow removal due to the amount of snowfall the City experienced. Councilwoman Sadrakula asked if residents could volunteer at the vaccine clinics. Mr. Villano remarked that he would check with the Health Officer.

**FLOOR TO MEMBERS OF THE PUBLIC**

Ray Robertello, 64 Woodlawn Ave., discussed speeding on Woodlawn Ave. He offered accolades to resident Mary Flynn, for all her efforts in regard to saving and maintaining trees in the City.

Robert Popowich, 57 Dalewood Rd., spoke about removing cars from the roadway in order for the DPW to plow efficiently.

A Motion was made by Councilman Eagler, seconded by Councilwoman Sadrakula and passed on roll call vote to close the Public Session.

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

Councilman Grabowski stated that Mary Flynn's ideas have been taken seriously at the Tree Committee meetings and that some of her suggestions are being implemented.

## **COUNCIL PRIVILEGE**

### **Councilman Eagler**

Councilman Eagler expressed his condolences to the Anzaldi family on the passing of Ross Anzaldi. He discussed how efficiently the FMBA contract was settled. Councilman Eagler asked all residents to be patient with snow removal due to the large amount of snow that fell. He asked that everyone work together during the clean-up. Councilman Eagler announced some upcoming holidays and told residents that there is a lock box in front of City Hall where tax payments can be dropped off.

### **Councilman Gibson**

Councilman Gibson expressed his condolences to the Anzaldi family on the passing of Ross Anzaldi. He discussed the daunting task the DPW has in regard to snow clean up and asked that neighbors help each other at this time. Councilman Gibson asked that residents who have driveways, to use them, so the snow plows can get through. He also asked anyone who has a fire hydrant in front of their house to shovel it out and asked that residents not to throw snow onto the roadways. Councilman Gibson thanked the moderators of a Facebook site that is keeping residents informed about events happening around the City. He discussed bringing the issue of speeding on Woodlawn Avenue to the Traffic Safety Committee. Councilman Gibson spoke about the City's Swift 911 information blast and explained to residents how to sign up for the broadcast.

### **Councilwoman Murphy**

Councilwoman Murphy expressed her condolences to the Anzaldi family on the passing of Ross Anzaldi. She read recreation news and thanked the DPW for their hard work during the recent snow storm. Councilwoman Murphy spoke about the number of Covid-19 cases in the City and safety precautions that need to be met. She announced that she would be changing her seat at future Council meetings if anyone in close proximity is not wearing a mask.

### **Councilwoman Pino**

Councilwoman Pino expressed her condolences to the Anzaldi family on the passing of Ross Anzaldi. She discussed the postponing of garbage collection and street cleaning due to the recent snowstorm. Councilwoman Pino announced the sub-committee meeting on Committees will be held on February 5, 2021. She suggested some type of acknowledgement be placed in front of City Hall to honor Black History Month. Councilwoman Pino remarked that since the Covid numbers have been rising, that the Council should consider holding future Council meetings virtually.

### **Councilwoman Sadrakula**

Councilwoman Sadrakula expressed her condolences to the Anzaldi family on the passing of Ross Anzaldi. She discussed speeding and speed tables. Councilwoman Sadrakula asked that the City Arborist attend the next Tree Committee meeting. She thanked the DPW for their clean-up efforts during a recent snow storm. Councilwoman Sadrakula questioned if an Ordinance exists that mandates residents who have driveways to move their cars off the street to allow for plowing. She also discussed the recent snow storm in regard to recycling, the time frame for residents to remove snow from sidewalks, residents throwing snow in the road, storm drain cleaning and using front loaders to haul away the snow.

### **Councilman Grabowski**

Councilman Grabowski expressed his condolences to the Anzaldi family on the passing of Ross Anzaldi. He discussed a traffic issue at the intersection of Van Houten Ave. and Wonham Street where there is a Dunkin Donuts and a 7-11. He suggested Wonham Street be made a one-way street up to Speer Ave and to eliminate parking spots nearest to the intersection.

February 2, 2021

Councilwoman Sadrakula asked that a section be added to future agendas entitled “City Manager Privilege”.

**Mayor Anzaldi**

Mayor Anzaldi was absent.

**RESOLUTIONS VOTED ON SEPERATELY**

A Motion was made by Councilman Eagler, seconded by Councilman Gibson and passed on roll call to vote on the following Resolutions separately.

R066-21 Resolution: Approve Claims List Resolution for the City Council Meeting of February 2, 2021.

**RESOLUTION TO APPROVE CLAIMS TO BE PAID  
MEETING OF FEBRUARY 2, 2021**

Resolved that all claims on the attached sheets are approved as reasonable and proper claims against the City of Clifton.

Current Fund	\$	17,919,454.96
Grant Fund	\$	180,838.40
General Capital Fund	\$	19,435.42
Sewer Utility - Operating	\$	106,756.68
Sewer Utility - Capital	\$	10,698.29
Developers Escrow	\$	13,889.92
Dog Trust	\$	665.30
Police Extra Duty	\$	
Trust Other	\$	40,732.26
Section 8 Public Housing	\$	209.90
Community Development	\$	3,165.90
COAH	\$	675.00
Self Insurance	\$	1,877,240.07
Fire Dedicated Penalties	\$	
Revolving Loan Fund	\$	
Tax Title Lien Redemption	\$	
Unemployment Trust Fund	\$	
Library	\$	323,261.54
General Liability Trust	\$	246,144.16
Workers Compensation Trust	\$	38,063.60
<b>TOTAL CLAIMS</b>	<b>\$</b>	<b>20,781,231.40</b>

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R067-21      Reclassification of Payments

**CITY OF CLIFTON  
RESOLUTION  
RECLASSIFICATION OF PAYMENTS**

**BE IT RESOLVED**, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that the Chief Financial Officer is hereby authorized to reclassify the following payments as follows:

CHECK#	DATE	PAYEE	AMOUNT	FROM	TO
131963 (partial)	1/19/2021	SIGNS AND SAFETY DEVICES SALES	\$4,743.00	01-203-26-292-255	02-213-40-719-020
131987 (partial)	1/19/2021	TUNNEL BARREL & DRUM CO., INC.	\$400.00	01-203-26-292-255	02-213-40-719-020
131370 (partial)	12/1/2020	DECOTIIS, FITZPATRICK, COLE & GIBLIN	\$87.50	01-203-20-105-263	02-213-40-719-020

R068-21 Resolution for Budget Transfers in 2020 Appropriation Reserves - Current Fund

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**RESOLUTION FOR BUDGET TRANSFERS  
2020 APPROPRIATION RESERVES  
CURRENT FUND**

**WHEREAS**, transfers between appropriation reserves are permitted by N.J.S.A. 40A:4-59 during the first three (3) months of the next succeeding fiscal year; and

**WHEREAS**, certain 2020 appropriation reserves are expected to be insufficient to meet expenditure requirements for 2020 liabilities, and certain 2020 appropriation reserves have funds available to offset these expenditure requirements;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Clifton (not less than two-thirds of the full membership thereof affirmatively concurring (5)) that the transfers listed below, between 2020 appropriation reserves, be made.

Department	Account Number	Amount - In	Amount - Out
Statutory Exp Pension – PERS	01-203-36-471-201	\$ 35,000.00	
Statutory Exp Pension – PFRS	01-203-36-475-259	\$ 35,000.00	
Statutory Exp – Employer Taxes	01-203-36-472-300	\$ 60,000.00	
Finance Dept – S&W	01-203-20-130-109	\$ 200.00	
Health & Welfare – S&W	01-203-27-220-101	\$ 22,000.00	
Police S&W – School Guards	01-203-25-240-104		\$152,200.00
		\$152,200.00	\$152,200.00

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(5-1-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, and Councilwoman Pino voted aye. Councilwoman Sadrakula voted nay. Mayor Anzaldi was absent.

**RESOLUTIONS**

A Motion was made by Councilman Eagler, seconded by Councilwoman Murphy and passed on roll call vote to move the group:

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

R069-21 Resolution Authorizing Purchase of Fence Repair and Installation off the Bergen County Cooperative Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION AUTHORIZING PURCHASE OF FENCE REPAIR AND  
INSTALLATION, OFF THE BERGEN COUNTY COOPERATIVE PURCHASING  
PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a**

February 2, 2021

**WHEREAS**, the City of Clifton has an ongoing need for fence repair and new fence installation for City park and other City properties; and,

**WHEREAS**, the City is a member of the New Jersey Cooperative Purchasing Association (11BCCP), the sister cooperative under Bergen County (CK04), from which a contract for fence repair and new fence installation services is available under Bergen County's NJCPA Cooperative Contract BID #19-51, which was awarded to multiple vendors, including the following: Absolute Fence Service, Challenger Fence, Inc., EB Fence LLC., Giacorp Contracting, Inc. Guardian Fence. Co., and Senco Metals LLC; and,

**WHEREAS**, City departments, including Recreation, have expressed need or requested procurement of fencing that in total would exceed the Local Public Contracts bid threshold during the term of contract in 2021, the contract of which expires October 15, 2021;

**WHEREAS**, the above contract provides a list of contractors from which quotes for unique projects may be obtained, with all due diligence having been performed by the County, and no specific or uniquely quoted project exceeding the bid threshold established pursuant to N.J.S.A. 40A:11-1 et seq., shall be awarded a without supplemental resolution by the City Council; and,

**WHEREAS**, pursuant to said Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Municipal Council wishes to authorize procurement of Fencing and Appurtenances), via the aforesaid Bergen County cooperative contract, and therefore delegates the power to make the same to the following named official: James J. Jorgensen, Purchasing Agent upon the terms and conditions hereafter stated; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned procurements as needed from the above named awarded contractors off the Bergen County's NJCPA Cooperative Contract No. Bid 19-51, through to October 15, 2021.

**BE IT FURTHER RESOLVED**, that each using department shall be required to obtain two or more quotes from the list of awarded contractors, and that no individual project shall exceed the bid threshold established pursuant to N.J.S.A. 40A:11-1 et seq., without a prior resolution of this governing body.

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R070-21 Resolution Authorizing Purchase of Tires and Re-Capped Tires As-Needed off the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION AUTHORIZING PURCHASE OF TIRES AND RE-CAPPED TIRES  
AS-NEEDED OFF THE NJ STATE CONTRACT PURCHASING PROGRAM  
PURSUANT TO N.J.S.A. 40A:11-12a**

**WHEREAS**, the City of Clifton has an ongoing need to purchase tires and re-capped tires, off of NJ State Contracts #19-FLEET-00708 and #20-FLEET-00948, respectively; and,

**WHEREAS**, Custom Bandag Co., 401 East Linden Avenue, Linden, NJ 07036 has been awarded both NJ State Contracts No. 19-FLEET-00708 (expiring March 31, 2024), and Contract No. 20-FLEET-00948 (expiring March 31, 2024); and,

**WHEREAS**, the above vendor, Custom Bandag, has been encumbered at an average of \$85,000 per year over the past four years, and the departmental need has not diminished due to the nature of the above given commodities; and,

**WHEREAS**, the Purchasing Agent in seeking to maintain compliance with regard to aggregate commodity procurement is requesting authority to purchase off the above New Jersey State Contracts, as awarded to Custom Bandag Co., in an amount not to exceed \$85,000 for calendar year 2021 in aggregate; and,



**WHEREAS**, pursuant to said Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Municipal Council wishes to authorize the aforesaid mentioned purchases and delegate the power to make the same to the following named official: James J. Jorgensen, Purchasing Agent upon the terms and conditions hereafter stated; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned ability to purchase the above from Custom Bandag Co., 401 East Linden Avenue, Linden, NJ 07036, as-needed off the New Jersey State Contracts No. 19-FLEET-00708, and No. 20-FLEET-00948, at an aggregate cost not to exceed \$85,000 per year, through to December 31, 2021, pursuant to the above New Jersey State contracts.

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R071-21 Resolution Awarding Professional Services Contract for Provision of Medical Director Services to Timothy Kowal, MD - January 1, 2021 Through December 31, 2021

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT FOR  
PROVISION OF MEDICAL DIRECTOR SERVICES TO TIMOTHY KOWAL, MD -  
JANUARY 1, 2021 THROUGH DECEMBER 31, 2021**

**WHEREAS**, the City of Clifton requires performance of professional services in connection with Clifton's Medical Clinic for calendar year 2021; and

**WHEREAS**, the Health Director recommends his services in connection with Clifton's Medical Clinic at the rate \$150.00 per hour when such services are required, at a total cost not to exceed \$24,000.00 for the term of the agreement, and

**NOW THEREFORE BE IT RESOLVED**, that an agreement between the City of Clifton and Timothy Kowal, MD of Clifton, NJ, for performance of professional services in connection with Clifton's Medical Clinic, at the rate of \$150.00 per hour, at a total cost not to exceed \$24,000.00 for the term of the agreement, be and the same is hereby approved by the Municipal Council; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are authorized and directed to execute same on behalf of the City of Clifton; and

**BE IT FURTHER RESOLVED**, that this resolution and the agreement be made available for public inspection in the Office of the City Clerk of the City of Clifton.

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R072-21 Resolution Approving an Extension of the Memorandum of Understanding ("MOU") with Public Service Electric & Gas Company ("PSE&G")

**RESOLUTION APPROVING AN EXTENSION OF THE MEMORANDUM OF  
UNDERSTANDING ("MOU") WITH PUBLIC SERVICE ELECTRIC AND GAS  
COMPANY ("PSE&G")**

**WHEREAS**, A Memorandum of Understanding with Public Service Electric and Gas Company was approved by Resolution #R412-19 adopted on August 20, 2019; and

**WHEREAS**, PSE&G desires to extend the MOU into 2021 and add an additional 180,000 linear feet at the rate of \$1.20 per foot for a total of \$216,000;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, New Jersey that the extension of the MOU with PSE&G is hereby authorized and approved in a form to be approved by the Law Department; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk be and are hereby authorized to execute the aforementioned agreement.

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R073-21 Resolution Authorizing Addition to Rule 20 of the Rules of Order to Establish the Speaking Order of Council Members During Council Privilege

**RESOLUTION AUTHORIZING ADDITION TO RULE 20 OF THE RULES OF ORDER TO ESTABLISH THE SPEAKING ORDER OF COUNCIL MEMBERS DURING COUNCIL PRIVILEGE**

**BE IT RESOLVED**, by the Municipal Council of the City of Clifton that Rule 20 concerning “Privilege of Floor to Council Members” is hereby amended by the addition of the following language:

The privilege of the floor to council members during council privilege shall be granted in alphabetical order with the first speaker alternating by one from meeting to meeting.

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R074-21 Resolution Establishing the Permitted Hours of Operation for Licensed Food and Beverage Establishments Offering Outdoor Dining During the Winter Months (Permits Licensed Restaurants and Beverage Establishments to Operate Between the Hours of 7:00 a.m. and 11:00 p.m.)

**RESOLUTION ESTABLISHING THE PERMITTED HOURS OF OPERATION FOR LICENSED FOOD AND BEVERAGE ESTABLISHMENTS OFFERING OUTDOOR DINING DURING THE WINTER MONTHS (PERMITS LICENSED RESTAURANTS AND BEVERAGE ESTABLISHMENTS TO OPERATE BETWEEN THE HOURS OF 7:00 A.M. AND 11:00 P.M.)**

**WHEREAS**, on or about June 3, 2020, Governor Murphy issued Executive Order 150 permitting licensed restaurants and beverage establishments to expand their eating area by permitting outdoor dining effective June 15, 2020; and

**WHEREAS**, in accordance with Executive Order 150, the Clifton Municipal Council adopted Resolution 204-20 on June 3, 2020, which became effective June 15, 2020, permitting outdoor dining in the City of Clifton; and

**WHEREAS**, on or about November 10, 2020, Governor Murphy issued Executive Order 194 which, *inter alia*, permits food and dining establishments to continue their outdoor dining operations; and

**WHEREAS**, on or about November 12, 2020, Governor Murphy issued Executive Order 195 which, *inter alia*, permits municipalities to impose additional restrictions on the hours of operations of non-essential retail businesses and food establishments;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Members of the Municipal Council of the City of Clifton that effective January 19, 2021, all licensed restaurants and beverage establishments shall continue to be permitted to offer outdoor dining in accordance with Executive Orders 150 and 194; and

**BE IT FURTHER RESOLVED**, in accordance with Executive Order 195, that all such outdoor dining shall be permitted between the hours of 7:00 a.m. and 11:00 p.m. each day, subject to all applicable state laws and local ordinances; and

**BE IT FURTHER RESOLVED**, that all licensed restaurants and beverage establishments continuing to offer outside dining during the winter months shall abide by the regulations of Chapter 377 of the Code of City of Clifton; and

**BE IT FURTHER RESOLVED**, that all licensed restaurants offering outdoor dining shall fully comply with all social distancing guidelines, gathering restrictions and other provisions contained

in all executive Orders issued by Governor Murphy, as may be modified in the future, as well as any other ordinances and/or rules or regulations that may be implemented by the Clifton Health Department and/or Zoning Officer.

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R075-21 Resolution Awarding Professional Services Contract to George A. Held, AIA and Associates for Additional Architectural, Engineering Design and Contract Administration Services for Fire Stations 2, 4 and 6

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO GEORGE A. HELD, AIA AND ASSOCIATES FOR ADDITIONAL ARCHITECTURAL, ENGINEERING DESIGN AND CONTRACT ADMINISTRATION SERVICES FOR FIRE STATIONS 2, 4 AND 6**

**WHEREAS**, the City of Clifton requires additional professional architectural services for Fire Stations 2, 4 and 6; and

**WHEREAS**, the City Engineer recommends that a contract be awarded to George A. Held, AIA and Associates in accordance with its two submitted proposals, both dated December 10, 2020, in the cumulative amount not to exceed \$55,250.00; and

**WHEREAS**, the services to be performed are professional services, within the meaning of those terms as used in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and, accordingly, a contract may be awarded therefore without public advertising for bids and bidding in accordance with N.J.S.A. 40A:11-5; and

**WHEREAS**, this award is of a non-fair and open contract in accordance with N.J.S.A. 19:44-A-20.4 et seq.; and

**WHEREAS**, the estimated value of this contract is in excess of \$17,500.00 and the duration of the contract will be until completion; and

**WHEREAS**, the Business Entity Disclosure Certification has been received from George A. Held, AIA and Associates and is incorporated in the contract awarded hereby; and

**NOW, THEREFORE, BE IT RESOLVED**, that a professional services contract for additional architectural, engineering design and contract administration services for fire stations 2, 4 and 6 is hereby awarded to GEORGE A. HELD, AIA AND ASSOCIATES, in accordance with its two proposals dated December 10, 2020, in the cumulative amount not to exceed \$55,250.00, without the adoption of a supplemental resolution authorizing additional funding; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized and directed to execute a contract on behalf of the City of Clifton, and that the original of this resolution and the contract above referred to be placed on file and made available for inspection at the Office of the City Clerk of the City of Clifton; and

**BE IT FURTHER RESOLVED**, that the following short notice be printed once in a legal newspaper of the City of Clifton:

**CITY OF CLIFTON  
NOTICE OF CONTRACT AWARDED**

The City of Clifton has awarded a contract without competitive bidding as a professional service pursuant to *N.J.S.A. 40:11-5(1)(a)*. The contract and the resolution authorizing it are available for public inspection in the Office of the City Clerk.

February 2, 2021

Awarded to: George A. Held, AIA and Associates  
Services: Additional Architectural, Engineering Design  
and contract administration services  
Project: Improvements of Fire Stations 2, 4 and 6  
Cost: Not to exceed \$55,250.00  
Term: Until completion

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R076-21 Resolution Authorizing the Renewal Appointment of Acrisure, LLC d/b/a IMAC Insurance Agency as the Insurance Broker of Record for the City of Clifton (Insurance Brokerage Services - Medical, Dental and Prescription Drugs)

**RESOLUTION AUTHORIZING THE RENEWAL APPOINTMENT OF ACRISURE, LLC D/B/A IMAC INSURANCE AGENCY AS THE INSURANCE BROKER OF RECORD FOR THE CITY OF CLIFTON (INSURANCE BROKERAGE SERVICES - MEDICAL, DENTAL AND PRESCRIPTION DRUGS)**

**BE IT RESOLVED**, that the appointment of Acrisure LLC d/b/a IMAC Insurance Agency of Belleville, New Jersey as the insurance broker of record for the City for Medical, Dental and Prescription Drug Coverage is hereby renewed; and

**BE IT FURTHER RESOLVED**, that the original of this resolution be placed on file and made available for public inspection at the Office of the City Clerk of the City of Clifton; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized and directed to execute any and all required documents in connection with this appointment on behalf of the City of Clifton.

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R077-21 Resolution Authorizing the Renewal Appointment of Polaris Galaxy Insurance, LLC as Insurance Broker of Record for the City of Clifton (Insurance Brokerage Services - Including Property, Equipment and Boilers, General Liability, Employment Practices Liability, Auto Liability and Physical Damage, Commercial Crime, Flood, Earthquake, Terrorism, Umbrella Excess Liability, Excess Workers' Compensation and Environmental Impairment)

**RESOLUTION AUTHORIZING THE RENEWAL APPOINTMENT OF POLARIS GALAXY INSURANCE, LLC AS THE INSURANCE BROKER OF RECORD FOR THE CITY OF CLIFTON (INSURANCE BROKERAGE SERVICES - INCLUDING PROPERTY, EQUIPMENT AND BOILERS, GENERAL LIABILITY, EMPLOYMENT PRACTICES LIABILITY, AUTO LIABILITY AND PHYSICAL DAMAGE, COMMERCIAL CRIME, FLOOD, EARTHQUAKE, TERRORISM, UMBRELLA EXCESS LIABILITY, EXCESS WORKERS' COMPENSATION AND ENVIRONMENTAL IMPAIRMENT)**

**BE IT RESOLVED**, that the appointment of Polaris Galaxy Insurance, LLC of Hasbrouck Heights, New Jersey as the insurance broker of record for the City regarding the Administration of Self-Insurance Program for Property, Equipment and Boilers, General Liability, Employment Practices Liability, Auto Liability and Physical Damage, Commercial Crime, Flood, Earthquake, Terrorism, Umbrella Excess Liability, Excess Workers' Compensation and Environmental Impairment is hereby renewed; and

**BE IT FURTHER RESOLVED**, that the original of this resolution be placed on file and made available for public inspection at the Office of the City Clerk of the City of Clifton; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized and directed to execute any and all required documents in connection with this appointment on behalf of the City of Clifton.

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R078-21 Resolution for Reappointment of Member to the Alcoholic Beverage Control Board

**RESOLUTION FOR RE-APPOINTMENT OF MEMBER OF THE ALCOHOLIC BEVERAGE CONTROL BOARD**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a re-appointment form from the secretary of the Alcoholic Beverage Control Board recommending re-appointment of Barbara Picciocchi; and

**WHEREAS**, said member’s term will expire on March 25, 2021; and

**WHEREAS**, said member is being re-appointed to the ABC Board for a term of three years commencing March 26, 2021 through March 25, 2024;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Barbara Picciocchi be and is hereby re-appointed to the Alcoholic Beverage Control Board for a three-year term, commencing on March 26, 2021 through March 25, 2024.

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R079-21 Resolution Authorizing Renewal of Limousine License - Clifton Taxi

**RESOLUTION AUTHORIZING RENEWAL OF LIMOUSINE LICENSE**

**WHEREAS**, the Mayor and Council of the City of Clifton, county of Passaic, State of New Jersey are in receipt of a Renewal of Limousine License Application from Said Y. Saleh, Clifton Taxi, Limo & Car Service, 76 E. Emerson Street, Clifton, NJ 07013; and

**WHEREAS**, all paperwork has been completed and all fees have been paid; and

**WHEREAS**, all inspections have been completed by the Police and Zoning Departments;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that approval of renewal of a limousine License to Said Y. Saleh, Clifton Taxi, Limo & Car Service, 76 E. Emerson Street, Clifton, NJ 07013 be and is hereby granted.

**Company Name**

Clifton Taxi, Limo & Car Service

**Owner:**

Said Y. Saleh

**Approved Operator:**

Said Y. Saleh

**Approved Vehicle:**

2016 GMC Yukon 1GKS2GKC5GR129154

**Approved Parking Location:**

76 Emerson Street, Clifton, NJ 07013

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R080-21 Resolution to Appoint Member to Beautification Committee

**RESOLUTION FOR APPOINTMENT TO THE CLIFTON  
BEAUTIFICATION COMMITTEE**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are aware that the Alternate #1 and Alternate #2 positions are available on the Beautification Committee; and

**WHEREAS**, the Mayor and Council are in receipt of an application from Vivian Semeraro to become a Member of said committee which was approved at the January 19, 2021 Council meeting; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Vivian Semeraro is hereby appointed as Alternate #1 of the Beautification Committee for a term of three years commencing this day through December 31, 2023; and

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R081-21 Resolution Amending R173-20 Entitled "Resolution Amending the Clifton Community Development Consolidated Plan/Citizens Participation Plan - Response to COVID-19 to Amend the Minimum 30 Day Minimum Comment Period for Substantial Amendments to No Less Than 5 Days for Public Comments (May 5, 2020 Council Meeting)" to Correct Date that Waiver Will be Available

**RESOLUTION AMENDING R173-20 ENTITLED "RESOLUTION AMENDING THE  
CLIFTON COMMUNITY DEVELOPMENT CONSOLIDATED PLAN/ CITIZENS  
PARTICIPATION PLAN – RESPONSE TO COVID-19 TO AMEND THE MINIMUM  
30 DAY MINIMUM COMMENT PERIOD FOR SUBSTANTIAL AMENDMENTS TO  
NO LESS THAN 5 DAYS FOR PUBLIC COMMENTS  
(May 5, 2020 Council meeting)" TO CORRECT DATE THAT WAIVER WILL BE  
AVAILABLE**

**WHEREAS**, the City of Clifton has been designated an Entitlement City under the current Community Development and Housing Act; and

**WHEREAS**, pursuant to the authority provided under the Coronavirus Aid, Relief and Economic Security (CARES) Act (Public Law 116-136), the Department of Housing and Urban Development (HUD) is waiving and establishing alternative requirements for numerous statutory and regulatory requirements for the Community Development Block Grant Program (CDBG);  
and

**WHEREAS**, the Citizen Participation Public Comment Period for Consolidated Plan Amendment has a required 30-day Public Comment Period;  
and

**WHEREAS**, A CPD grantee may amend an approved Consolidated Plan in accordance with 24 CFR 91.505; and

**WHEREAS**, given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105 (c)(2) and (k), 91.115 (c)(2) and (i) in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME, HTF, HOPWA or ESG funds; and

**WHEREAS**, the 30-day public comment period for a Substantial Amendment is being amended and will provide that no less than 5 days as provided for public comments as per HUD guidelines, and

**WHEREAS**, as per HUD guidelines; Citations: 24 CFR 91.105 (c)(2) and (k), 24 CFR 91.115 (c)(2) and (i) and 24 CFR 91.401 HUD recognizes the efforts to contain COVID-19 require limited public gatherings, such as those used to obtain citizen participation and that there is a need to respond quickly to the growing spread and effects of COVID-19; and

**WHEREAS**, HUD waives 24 CFR 91.105 (c)(2) and (k), 24 CFR 91.115 (c)(2) and (i) and 24 CFR 91.401 to allow grantees to determine reasonable notice and opportunity comment given their circumstances; and

**WHEREAS**, the City of Clifton Community Development Office has determined that reasonable notice will be made available through newspaper advertisements, postings at the Clifton Senior Center, the Municipal Complex (when accessible) and the City of Clifton's website at [www.Cliftonnj.org](http://www.Cliftonnj.org); and

**WHEREAS**, the City Council meetings will be televised live (audio only) for Verizon subscribers at Channel 40 or by Cablevision subscribers at Channel 77 and if available a call in number will be televised; and

**WHEREAS**, citizens wishing to address the amendments or substantial amendments to the Citizens Participation Plan may also email: [JHartmann@Cliftonnj.org](mailto:JHartmann@Cliftonnj.org); or [DVillano@Cliftonnj.org](mailto:DVillano@Cliftonnj.org) with any concerns or comments; and

**WHEREAS**, this waiver will be available through the end of the program year which is July 31, 2021; and

**WHEREAS**, the City of Clifton has advertised for a Public Hearing on April 29, 2020 in the Herald and News for this Amendment to the Citizen Participation Plan;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council are approving and authorizing the Mayor and/or City Manager as the Chief Executive Officer of the City of Clifton, to implement and execute any required documentation; and

**BE IT FURTHER RESOLVED**, the Mayor and Municipal Council of the City of Clifton approve this Amendment to the City of Clifton's Consolidated Plan/Citizens Participation Plan.

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R082-21 Resolution Urging Governor Murphy to Allow Municipalities to Extend the Grace Period for Payment of First Quarter Property Taxes

**RESOLUTION URGING GOVERNOR MURPHY TO ALLOW MUNICIPALITIES TO EXTEND THE GRACE PERIOD FOR PAYMENT OF FIRST QUARTER PROPERTY TAXES**

**WHEREAS**, on April 28, 2020 near the inception of the pandemic and due to the resulting economic effects, Governor Philip D. Murphy issued Executor Order No. 130 which provided that municipalities could adopt a Resolution instituting a grace period concluding no later than June 1, 2020 for the payment of second quarter taxes; and

**WHEREAS**, there continues to be significant economic impact to the citizens of the State of New Jersey due to the pandemic and who still await further COVID relief from the federal government; and

**WHEREAS**, the plight of the residents of the State of New Jersey has further been exacerbated by a major snowstorm creating severe restrictions in travel on and around the due date for the first quarter taxes of 2021;

February 2, 2021

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Clifton that Governor Philip D. Murphy be and hereby is urged to issue a new Executive Order giving the municipalities the option to extend the grace period for payment of first quarter taxes of 2021 to help alleviate some of the hardship created by the pandemic coinciding with a major winter storm.

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R083-21      Executive Session

**RESOLUTION AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Municipal Council deems it essential in the furtherance of the public interest, to discuss, in closed session, as expressly permitted by N.J.S.A. 10:4-12, the following subject(s), to wit:

- CON-1 Schultheis Lease Negotiations
- CON-2 Opiate Litigation Status Update
- CON-3 Potential Site for Firehouse
- CON-4 Court Order Regarding Ministerial Acts
- CON-5 Condemnation of Havre Bernard Way
- CON-6 Botany Health Office Lease Negotiations
- CON-7 Late - MSU adv. City of Clifton

**NOW, THEREFORE, BE IT RESOLVED** that the public shall be excused and excluded from that portion of the Council's meeting to be held on February 2, 2021 at which time, said subject(s) shall be discussed; and

**BE IT FURTHER RESOLVED**, that the discussion held at such closed session can be disclosed to the public on or about the time the matter is concluded.

**ADJOURNMENT**

Upon motion made by Councilman Eagler, seconded by Councilwoman Murphy and passed on roll call vote, the meeting was adjourned at 9:00 p.m.

(6-0-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino and Councilwoman Sadrakula voted aye. Mayor Anzaldi was absent.

Respectfully Submitted,

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James Anzaldi, Mayor

Nancy Ferrigno  
City Clerk