

**CLIFTON, NEW JERSEY  
REGULAR MEETING MINUTES FEBRUARY 21, 2023**

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

**8:00 P.M. CALL OF ROLL**

Mayor 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 2023 which was published as legal advertisements in the Herald News on December 12, 2022 and was additionally advertised in the Record on December 12, 2022. 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 Gibson	(BG) (Via Zoom)
Councilman Kolodziej	(JK)
Councilman Latona	(AL)
Councilwoman Murphy	(LM)
Councilwoman Pino	(RP)
Councilwoman Sadrakula	(MS)
Mayor Grabowski	(RG)

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

Mayor Grabowski called for a moment of silence to tribute the victims of the devastating earthquake in Syria and Turkey.

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

Nancy Ferrigno – City Clerk

**PUBLIC HEARING**

Public Hearing - Sperling Park Improvements (R120)

Mayor Grabowski opened the floor to the public.

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, seconded by Councilwoman Sadrakula and passed on roll call vote to close the Public Hearing.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

Public Hearing - Hamilton House Restoration (R121)

Mayor Grabowski opened the floor to the public.

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

February 21, 2023

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

Late - Nash Park Improvements Funded by Green Acres

Mayor Grabowski opened the floor to the public.

Michelle Guadet, 28 Bergen Ave., suggested improvements she would like to see this funding be used for such as bathrooms and a walk signal.

With no one else wishing to be heard, a Motion was made by Councilman Kolodziej, seconded by Councilwoman Murphy and passed on roll call vote to close the Public Hearing.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

### **APPROVAL OF MINUTES**

A Motion was made by Councilman Kolodziej, seconded by Councilman Latona and passed on roll call vote to approve the Regular, Workshop and Executive Session Minutes of February 7, 2023.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

### **COMMUNICATIONS FROM THE CITY MANAGER**

- C-1 Patrick Sean Fitzsimmons has retired with the Building Dept. as the Assistant Construction Official, effective 02/01/2023.
- C-2 Harry Martinez has retired with the Dept. of Public Works as Laborer 1, effective 02/01/2023.
- C-3 Morris Scardigno has retired with the Building Dept. as Electrical Sub Code Official, effective 02/01/2023.

### **COMMUNICATIONS MEETING MINUTES**

- C-4 Minutes of Traffic Safety Council of January 19, 2023

### **SECOND READING ORDINANCES**

#### **A. Adoption of Ordinance 7794-23**

#### **B. Public Hearing on Ordinance 7794-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7794-23

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, seconded by Councilman Gibson 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 Kolodziej, seconded by Councilman Gibson 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 439-13 Thereof, Entitled "Parking Prohibited at all Times on Certain Streets" (Deletes and Adds Portion of Underwood Place)**

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**C. Adoption of Ordinance 7795-23**

**D. Public Hearing on Ordinance 7795-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7795-23

With no one wishing to be heard, a Motion was made by Councilwoman Murphy, seconded by Councilman Kolodziej 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 Kolodziej and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 6 of the Code of the City of Clifton Entitled "Advisory Beautification Committee" to Delete the Requirement that one Member must be Selected from the Gardening Club**

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**E. Adoption of Ordinance 7796-23**

**F. Public Hearing on Ordinance 7796-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7796-23

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, 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 Kolodziej, seconded by Councilwoman Murphy and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article II Thereof, Entitled "Nonuniformed Officials and Employees", Section 99-2, Entitled "Minimum and Maximum Salaries Fixed (Creates Title of & Compensation for Account Clerk, Assistant Zoning Officer, Building Sub-Code Official and Recreation Program Specialist)**

(6-1-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, and Mayor Grabowski voted aye. Councilwoman Sadrakula voted nay.

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**FIRST READING ORDINANCES**

**A. Introduction of Ordinance 7797-23**

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilwoman Murphy, seconded by Councilman Kolodziej 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 2 Handicapped Spaces)**

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, March 7, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**B. Introduction of Ordinance 7798-23**

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 Kolodziej, 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 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 7 Restricted Handicapped Spaces)**

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, March 7, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**C. Introduction of Ordinance 7799-23**

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 Kolodziej, seconded by Councilman Latona 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)**

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, March 7, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**D. Introduction of Ordinance 7800-23**

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilwoman Sadrakula, seconded by Councilman Latona 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" (Amends Handicapped Parking Placard Number)**

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, March 7, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**E. Introduction of Ordinance 7801-23**

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 Councilwoman Murphy and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 461 of the Code of the City of Clifton, Entitled "Zoning," More Particularly Article IV Thereof, Entitled "Bulk, Height and Other Requirements", Section 461-13.1 B Thereof Entitled "Use Regulations" (Adds Additional Paragraph for Attic and Basement Prohibited Uses)**

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, March 7, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(6-1-0-0) Councilman Gibson, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilman Kolodziej voted nay.

**F. Introduction of Ordinance 7802-23**

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 Kolodziej, seconded by Councilwoman Murphy and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 461 of the Code of the City of Clifton, Entitled "Zoning", More Particularly Article VII, Entitled "Site Plan Approval" Section 461-42, Entitled "Additional Requirements" (Deletes Sodium Vapor Lighting Requirement)**

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, March 7, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

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**G. Introduction of Ordinance 7803-23**

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 Kolodziej, seconded by Councilman Latona and carried by roll call vote.

**An Ordinance to Amend Chapter 11 of the Code of the City of Clifton, Entitled "Advisory Committee on Civil Rights" More Particularly Section 11-2 Thereof Entitled "Membership, Terms of Office"**

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, March 7, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**H. Introduction of Ordinance 7804-23**

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 Kolodziej, seconded by Councilman Pino and carried by roll call vote.

**An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article IV Thereof, Entitled "Official and Employees Not Represented by a Bargaining Unit," Section 99-18 Entitled "Minimum and Maximum Salaries Fixed" (Adds Title and Compensation for Secretary, Advisory Committee on Civil Rights"**

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, March 1, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

**CITY MANAGER PRIVILEGE**

City Manager, Dominick Villano, congratulated First Assistant Attorney, David Bruins, on his retirement.

**FLOOR TO MEMBERS OF THE PUBLIC**

Mayor Grabowski read the Rules of Participation for the Public Session.

Henry Cholewczynski, 37 Phyllis Place, spoke about sodium vapor lighting, extremely bright LED lights on Brighton Road, zoning laws regarding attics and basements and Scapewel Egresses. He congratulated First Assistant Attorney, David Bruins, on his retirement.

Gary Perino, 491 Mt. Prospect Ave., discussed signs on public property, graffiti, security cameras, revving engines and sidewalks.

Nathan Bondar, 42 Lenox Ave., spoke about zoning restrictions for residential attics and basements. He also spoke about zoning restrictions for Houses of Worship.

Alessia Eramo, 35 Merrill Road, thanked Council for appointing her to the Zoning Board of Adjustment.

Michelle Guadet, 28 Bergen Ave., spoke about posting a Crossing Guard at 43 Clifton Ave. She encouraged all to become involved in Read Across America. Ms. Guadet spoke about speeding and the need for painting a crosswalk near Nash Park.

Chris D'Amato, 81 Merrill Rd., expressed his displeasure for the metal detector outside of Council Chambers. He asked for an update on hiring a Communications Manager and the Civil Rights Committee.

Uri Jaskiel, 88 South Parkway, spoke about his recent removal from the Clifton Zoning Board of Adjustment.

With no one else wishing to be heard, a Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to close the public session.

(7-0-0-0) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye.

### **COUNCIL PRIVILEGE**

#### **Councilwoman Murphy**

Councilwoman Murphy announced that the Historic Botany Committee and the Economic Committee met. She announced that passing of a Clifton homeless individual and thanked Shook Funeral Home for providing a services for the individual. Councilwoman Murphy stated that the Homeless Committee is working very hard to help the homeless.

Councilman Latona left the dais at 8:56 p.m.

#### **Councilwoman Pino**

Councilwoman Pino announced an upcoming presentation of "Meshuggah-Nuns" by the Clifton Theater League. She thanked an individual who sent her a Civil Rights video and hopes to have a meeting of the Civil Rights Committee set up shortly.

Councilwoman Sadrakula left the dais at 8:58 p.m.

Councilwoman Pino congratulated First Assistant Attorney, David Bruins, on his retirement. She also congratulated the new Members of the Zoning Board. Councilwoman Pino discussed a recent meeting with the Downtown Clifton Committee.

Councilman Latona returned to the dais at 8:59 p.m.

Councilwoman Sadrakula returned to the dais at 8:59 p.m.

Councilwoman Pino announced that Downtown Clifton will be hosting an Easter Bunny and Cupcake Decorating event. She spoke about Uri Jaskiel being removed from the Zoning Board of Adjustment and thanked everyone who sent condolences regarding the passing of her Grandmother.

#### **Councilwoman Sadrakula**

Councilwoman Sadrakula discussed raising fees, updates of Zoning laws, the Third River Flood Study and Blue Acres applications. She spoke about LED lights on Brighton Road that are too bright and signs on public property. Councilwoman Sadrakula spoke about scapewel egresses and residents using basements and attics as living spaces. She spoke about adding Crossing Guards and the need to paint crosswalks. She addressed public speaker, Uri Jaskiel and explained that a Facebook post regarding his termination from the Zoning Board was a response to a question asked by a resident. Councilwoman Sadrakula asked that an item be placed on the next agenda to discuss the use of cell phones during Council meetings. She wished First Assistant Attorney, David Bruins, good luck in his retirement.

February 21, 2023

### **Councilman Gibson**

Councilman Gibson congratulated First Assistant Attorney, David Bruins, on his retirement. He spoke about a recent recycling grant that was received by the City. Councilman Gibson remarked that a recent seminar he attended at the New Jersey League of Municipalities was outstanding. He announced that the Traffic Safety Committee met and they are discussing ways to improve certain intersections that are prone to accidents.

Councilman Gibson left the meeting at 9:14 p.m.

### **Councilman Kolodziej**

Councilman Kolodziej offered his condolences to Councilwoman Pino on the passing of her grandmother. He thanked the members of the public who spoke at tonight's meeting. Councilman Kolodziej discussed the Member of the Zoning Board who missed the mandatory exam and was terminated from the Board. He asked that Administration put a plan in place to assure that it does not happen again in the future. Councilman Kolodziej spoke about residents who are qualified to apply for Blue Acres programs. He announced that the Downtown Economic Committee met and discussed their budget, parking issues, Code Blue, and a traffic safety issue by the Main Avenue Post Office. Councilman Kolodziej announced several events being held by the Downtown Clifton Committee. He gave an update from a recent meeting of the Passaic Valley Water Commission.

City Manager, Dominick Villano, announced that the Executive Director of the Passaic Valley Water Commission will attend the Council Meeting of March 7, 2023.

### **Councilman Latona**

Councilman Latona remarked that the State Anchor Program will be ending and encouraged all eligible residents to file for a rebate. He spoke about the one-year anniversary of the war in Ukraine. Councilman Latona announced that there is a Budget Meeting scheduled for February 27, 2023. He spoke about a program he attended founded by football player, Tim Tebow. Councilman Latona spoke about the need for Crossing Guards in the City. He spoke about a seminar he attended through the League of Municipalities which he stated was very informative. Councilman Latona expressed his displeasure regarding how money is being spent in the City.

### **Mayor Grabowski**

Mayor Grabowski offered his condolences to Councilwoman Pino on the passing of her grandmother. He congratulated First Assistant Attorney, David Bruins, on his retirement. Mayor Grabowski spoke about the bright LED lights on Brighton Road. He remarked that he was deeply saddened by the devastating earthquakes in Turkey and Syria. He also spoke about the one-year anniversary of the Ukraine/Russia war and reminded everyone how lucky we really are in the United States.

Councilwoman Sadrakula asked for a list of new construction that did not install sidewalks and how they received a Certificate of Occupancy without the sidewalks.

### **RESOLUTIONS VOTED ON SEPERATELY**

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Murphy and failed on roll call vote to table Resolution R116-23

R116-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Labor Counsel Services for the Term March 1, 2023 Thru February 28, 2024

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN, LLP FOR LABOR COUNSEL SERVICES FOR THE TERM MARCH 1, 2023 THRU FEBRUARY 28, 2024**



**WHEREAS**, the City of Clifton requires the services of Labor Counsel to perform certain legal services for the City of Clifton; and

**WHEREAS**, the firm of DeCotiis, FitzPatrick, Cole & Giblin LLP of Paramus, NJ, has been performing said services for the City of Clifton in a satisfactory manner, and the Mayor and Municipal Council wish to award a contract therefore for a period of one year commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr. for partners and \$150/hr. for associates, not to exceed \$135,000 for the term of the contract; and

**WHEREAS**, any fee in excess of \$135,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

**WHEREAS**, the services to be performed are professional and/or extraordinary unspecifiable 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 therefor without public advertising for bids and bidding in accordance with *N.J.S.A.* 40A:11-5; and

**WHEREAS**, the award is of a non-fair and open contract in accordance with *N.J.S.A.* 19:44-A-20.5; and

**WHEREAS**, the estimated value of the contract is expected to be in excess of \$17,500.00, and the duration of the contract is until the services are completed; and

**WHEREAS**, the Business Entity Disclosure Certification has been received from counsel and is incorporated in the contract awarded hereby, along with the Determination of Value; and

**WHEREAS**, there are funds available for the payment of the aforesaid services and the Chief Financial Officer has endorsed a Certification of Funds hereon;

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. A contract for professional labor counsel services is awarded to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for the term commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr for partners and \$150/hr for associates, not to exceed \$135,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
4. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.
5. 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 renewal of a professional services contract without competitive bidding pursuant to *N.J.S.A.* 40A:11-5(1)(a). This contract and the authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, NJ  
Services: Labor Counsel Services  
Amount: \$175/hr partners - \$150/hr associates; not to exceed \$135,000  
Term: 3/1/23- 2/28/24

February 21, 2023

(2-4-0-1) Councilman Kolodziej and Councilwoman Murphy voted aye. Councilman Latona, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted nay. Councilman Gibson was absent.

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A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Pino and failed on roll call vote to deny awarding contract to De Cotiis, FitzPatrick, Cole & Giblin, LLP for Labor Counsel services for the term March 1, 2023 thru February 28, 2024.

R116-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Labor Counsel Services for the Term March 1, 2023 Thru February 28, 2024

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN, LLP FOR LABOR COUNSEL SERVICES FOR THE TERM MARCH 1, 2023 THRU FEBRUARY 28, 2024**

**WHEREAS**, the City of Clifton requires the services of Labor Counsel to perform certain legal services for the City of Clifton; and

**WHEREAS**, the firm of DeCotiis, FitzPatrick, Cole & Giblin LLP of Paramus, NJ, has been performing said services for the City of Clifton in a satisfactory manner, and the Mayor and Municipal Council wish to award a contract therefore for a period of one year commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr. for partners and \$150/hr. for associates, not to exceed \$135,000 for the term of the contract; and

**WHEREAS**, any fee in excess of \$135,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

**WHEREAS**, the services to be performed are professional and/or extraordinary unspecifiable 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 therefor without public advertising for bids and bidding in accordance with N.J.S.A 40A:11-5; and

**WHEREAS**, the award is of a non-fair and open contract in accordance with N.J.S.A 19:44-A-20.5; and

**WHEREAS**, the estimated value of the contract is expected to be in excess of \$17,500.00, and the duration of the contract is until the services are completed; and

**WHEREAS**, the Business Entity Disclosure Certification has been received from counsel and is incorporated in the contract awarded hereby, along with the Determination of Value; and

**WHEREAS**, there are funds available for the payment of the aforesaid services and the Chief Financial Officer has endorsed a Certification of Funds hereon;

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. A contract for professional labor counsel services is awarded to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for the term commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr for partners and \$150/hr for associates, not to exceed \$135,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.
4. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.
5. 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 renewal of a professional services contract without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a). This contract and the authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, NJ  
Services: Labor Counsel Services  
Amount: \$175/hr partners - \$150/hr associates; not to exceed \$135,000  
Term: 3/1/23- 2/28/24

(3-3-0-1) Councilman Latona, Councilwoman Pino and Councilwoman Sadrakula voted aye. Councilman Kolodziej, Councilwoman Murphy and Mayor Grabowski voted nay. Councilman Gibson was absent.

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A Motion was made by Councilman Kolodziej, seconded by Councilwoman Murphy and failed on roll call vote to table R116-23.

R116-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Labor Counsel Services for the Term March 1, 2023 Thru February 28, 2024

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN, LLP FOR LABOR COUNSEL SERVICES FOR THE TERM MARCH 1, 2023 THRU FEBRUARY 28, 2024**

**WHEREAS**, the City of Clifton requires the services of Labor Counsel to perform certain legal services for the City of Clifton; and

**WHEREAS**, the firm of DeCotiis, FitzPatrick, Cole & Giblin LLP of Paramus, NJ, has been performing said services for the City of Clifton in a satisfactory manner, and the Mayor and Municipal Council wish to award a contract therefore for a period of one year commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr. for partners and \$150/hr. for associates, not to exceed \$135,000 for the term of the contract; and

**WHEREAS**, any fee in excess of \$135,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

**WHEREAS**, the services to be performed are professional and/or extraordinary unspecifiable 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 therefor without public advertising for bids and bidding in accordance with N.J.S.A 40A:11-5; and

**WHEREAS**, the award is of a non-fair and open contract in accordance with N.J.S.A 19:44-A-20.5; and

**WHEREAS**, the estimated value of the contract is expected to be in excess of \$17,500.00, and the duration of the contract is until the services are completed; and

**WHEREAS**, the Business Entity Disclosure Certification has been received from counsel and is incorporated in the contract awarded hereby, along with the Determination of Value; and

**WHEREAS**, there are funds available for the payment of the aforesaid services and the Chief Financial Officer has endorsed a Certification of Funds hereon;

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. A contract for professional labor counsel services is awarded to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for the term commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr for partners and \$150/hr for associates, not to exceed \$135,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.
4. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.
5. 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 renewal of a professional services contract without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a). This contact and the authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, NJ  
Services: Labor Counsel Services  
Amount: \$175/hr partners - \$150/hr associates; not to exceed \$135,000  
Term: 3/1/23- 2/28/24

(3-3-0-1) Councilman Kolodziej, Councilwoman Murphy and Mayor Grabowski voted aye. Councilman Latona, Councilwoman Pino and Councilwoman Sadrakula voted nay. Councilman Gibson was absent.

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A Motion was made by Councilman Kolodziej, seconded by Councilwoman Murphy and passed on roll call vote to approve authorizing and ratifying payment to Najarian Associates for the Pearl Brook/Third River Original Flood Study for approved out of scope services.

R108-23 Resolution Authorizing and Ratifying Payment to Najarian Associates for the Pearl Brook/Third River Original Flood Study for Approved Out of Scope Services

**Resolution Authorizing and Ratifying Payment to Najarian Associates for the Pearl Brook/Third River Original Flood Study for Approved Out of Scope Services**

**RESOLUTION AUTHORIZING AND RATIFYING PAYMENT TO  
NAJARIAN ASSOCIATES FOR THE PEARL BROOK/THIRD RIVER  
ORIGINAL FLOOD STUDY FOR APPROVED OUT OF SCOPE SERVICES**

**WHEREAS**, pursuant to resolution R094-22, adopted by Council February 15, 2022, Najarian Associates was awarded a contract in the amount of \$45,800.00 to model, analyze and quantify flooding in the Pearl Brook/Third River study area and draw basic conclusions; and

**WHEREAS**, subsequent commencement of work, additional tasks were requested and became necessary to address concerns raised by constituents as well as members of the City Council, at several public session progress meetings; and

**WHEREAS**, Vajira Gunawardana, P.E., of Najarian Associates, presented a letter dated December 12, 2022, detailing the additional work that had to be performed, confirmed by the City, and requiring an amendment to the original contract in the amount of \$38,189.90; and

**WHEREAS**, barring the process by which the work was authorized, it is important to note that the original drainage study and the follow-up feasibility study were submitted and prequalified for ARPA funding eligibility, inclusive of the amendment request; and

**WHEREAS**, the City hereby requests the Governing Body ratify the total expended amount of \$78,989.90 to Najarian Associates, and this Governing Body wishes to approve and ratify the same and the expenditure of funds:

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, that the services performed by Najarian Associates, and a total not to exceed amount of \$78,989.90 is hereby ratified.

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

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A Motion was made by Councilwoman Pino to approve R116-23 with no second, the same failed.

R116-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Labor Counsel Services for the Term March 1, 2023 Thru February 28, 2024

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN, LLP FOR LABOR COUNSEL SERVICES FOR THE TERM MARCH 1, 2023 THRU FEBRUARY 28, 2024**

**WHEREAS**, the City of Clifton requires the services of Labor Counsel to perform certain legal services for the City of Clifton; and

**WHEREAS**, the firm of DeCotiis, FitzPatrick, Cole & Giblin LLP of Paramus, NJ, has been performing said services for the City of Clifton in a satisfactory manner, and the Mayor and Municipal Council wish to award a contract therefore for a period of one year commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr. for partners and \$150/hr. for associates, not to exceed \$135,000 for the term of the contract; and

**WHEREAS**, any fee in excess of \$135,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

**WHEREAS**, the services to be performed are professional and/or extraordinary unspecifiable 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 therefor without public advertising for bids and bidding in accordance with N.J.S.A 40A:11-5; and

**WHEREAS**, the award is of a non-fair and open contract in accordance with N.J.S.A 19:44-A-20.5; and

**WHEREAS**, the estimated value of the contract is expected to be in excess of \$17,500.00, and the duration of the contract is until the services are completed; and

**WHEREAS**, the Business Entity Disclosure Certification has been received from counsel and is incorporated in the contract awarded hereby, along with the Determination of Value; and

**WHEREAS**, there are funds available for the payment of the aforesaid services and the Chief Financial Officer has endorsed a Certification of Funds hereon;

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. A contract for professional labor counsel services is awarded to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for the term commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr for partners and \$150/hr for associates, not to exceed \$135,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.
4. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk’s Office of the City of Clifton.

5. 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 renewal of a professional services contract without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a). This contract and the authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, NJ  
Services: Labor Counsel Services  
Amount: \$175/hr partners - \$150/hr associates; not to exceed \$135,000  
Term: 3/1/23- 2/28/24

**RESOLUTIONS**

A Motion was made by Councilwoman Kolodziej, seconded by Councilwoman Murphy and passed on roll call vote to move the group.

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

R105-23 Resolution: Approve Claims List Resolution for the February 21, 2023 City Council Meeting

**RESOLUTION TO APPROVE CLAIMS TO BE PAID  
MEETING OF FEBRUARY 21, 2023**

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

Current Fund	\$25,283,078.78
Grant Fund	\$75,666.27
General Capital Fund	\$798,562.69
Sewer Utility -Operating	\$155,332.14
Sewer Utility-Capital	
Developers Escrow	\$8,507.00
Dog Trust	\$789.90
Police Extra Duty	\$93,929.50
Trust Other	\$156,751.11
Section 8 Public Housing	\$236,579.70
Community Development	\$27,182.77
COAH	
Self Insurance	\$993,105.00
Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	
Unemployment Trust Fund	\$33,721.66
Library	\$443,082.16
General Liability Trust	\$81,419.82
Workers Compensation Trust	\$35,290.05
Federal DOJ Forfeiture	
<b>TOTAL CLAIMS</b>	<b>\$28,422,998.55</b>

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R106-23 Resolution - 2023 Temporary Budget Increase for Municipal Budget

**2023 TEMPORARY BUDGET**

**WHEREAS**, N.J.S.A. 40A:4-19 authorizes temporary appropriations to provide for the period between the beginning of the budget year and the adoption of the budget, where contracts, commitments or payments are to be made prior to the adoption of the budget for any fiscal year; and,

**WHEREAS**, contracts, commitments or payments are to be made by the City of Clifton for the purpose and amounts requested in the manner and time therein provided; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Temporary Appropriations Amendments are hereby authorized to provide for contracts, commitments, and payments prior to the adoption of the 2023 Municipal Budget as follows:

<u>Department</u>	<u>Department Code</u>	<u>Amount</u>
FY2023 Pedestrian Safety	01-201-41-726-109	\$ 30,000.00
FY2023 Sustained Enforcement	01-201-41-726-109	\$ 80,000.00
Total Temporary Budget Increase:		<u>\$ 110,000.00</u>

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 R107-23 Resolution Authorizing the Issuance of Change Order No. 1 - 2021 Road Resurfacing Program (HUD\_CD) - Smith SONDY Asphalt Construction Co.

**RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 12021  
 ROAD RESURFACING PROGRAM (HUD-CD) SMITH SONDY ASPHALT  
 CONSTRUCTION CO.**

**WHEREAS**, on October 19, 2021, the City of Clifton adopted Resolution R-487-21 awarding a contract to SMITH SONDY ASPHALT CONSTRUCTION CO. of WALLINGTON, NEW JERSEY, for the performance of certain public work and the furnishing of material, labor and equipment for the **2021 ROAD RESURFACING PROGRAM (HUD-CD) in the amount of \$4,288,018.60; and**

**WHEREAS**, regulations, adopted by the Local Finance Board of the State of New Jersey, and dealing with “Contract Change Order” open-end contracts, etc., became effective on April 15, 1977; and

**WHEREAS**, the City Engineer has requested that a Change Order be made to the contract awarded to SMITH SONDY ASPHALT CONSTRUCTION CO. in the amount of \$506,290.41 an 11.81% Increase as authorized by Resolution said being necessary for the proper completion of the project job; and

**WHEREAS**, the City of Clifton desires to comply with said regulations, and to the end herewith files with the Governing Body a report of the Engineering Department stating the facts involved and indicating that the proposed contract Change Order is necessary and should be approved and allowed; and

**WHEREAS**, the Chief Financial Officer has certified the availability of sufficient funds for the amendatory change for which authorization is requested in the amount of \$506,290.41 an 11.81% INCREASE; and

**WHEREAS**, the total contract amount is now \$4,794,309.01.

**NOW, THEREFORE, BE IT RESOLVED**, by the Municipal Council of the City of Clifton that the said amendatory Change Order be and the same is hereby ratified and payment therefore is hereby approved.

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R109-23 Resolution Awarding Contract for Wild Geese Control Services 2023

**RESOLUTION AWARDING CONTRACT FOR  
WILD GEESE CONTROL SERVICES 2023**

**WHEREAS**, the City of Clifton has a need to maintain Geese Control Services at the following locations:

- Nash Park
- Oak Ridge Park
- Albion Park
- Latteri Park
- Zelenka Park
- Main Memorial Park
- Clifton City Hall
- Mt Prospect Park

**WHEREAS**, quotations were solicited for the purpose of providing environmentally safe Canada Geese control services with the use of border collies. The following two vendors submitted the quotes:

		Monthly Cost	Annual Cost
1.	Hudson Valley Wild Goose Chasers	\$2,200.00	\$26,400.00
2.	Birds Beware, Inc.	\$1,580.00	\$18,960.00

**WHEREAS**, this award is of a non-fair and open contract in accordance with N.J.S.A. 19:44-A-20.5; and

**WHEREAS**, the estimated value of the contract is expected to be in excess of \$17,500.00; and

**WHEREAS**, the Business Entity Disclosure Certification has been received from Birds Beware. and is incorporated in the contract awarded hereby; and

**WHEREAS**, upon review of the submitted quotes, it is recommended the contract be awarded to the lowest responsive and responsible vendor Birds Beware, Inc. in the amount of \$18,960; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Municipal Council that the contract (by way of a purchase order) for Geese Control Services be awarded to the lowest respondent, Birds Beware, Inc., P.O. 50 Townsend Drive, Middletown, NJ 07748 in an amount not to exceed \$18,960.00. Term of contract shall commence March 1, 2023 and end on February 28, 2024; and

**BE IT FURTHER RESOLVED**, that no services and/or goods shall commence prior to issuance of a Purchase Order by the Finance Department.

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R110-23 Resolution Awarding the Contract to Edmunds Govtech, Inc. for City of Clifton Accounting and Financial Software and Services

**RESOLUTION AWARDING THE CONTRACT TO EDMUNDS GOVTECH INC.  
FOR CITY OF CLIFTON ACCOUNTING AND FINANCIAL SOFTWARE AND  
SERVICES**

**WHEREAS**, the City of Clifton has a need of basic proprietary accounting and financial software and services; and

**WHEREAS**, the City of Clifton has a need to acquire such service as a Non-Fair and Open Contract pursuant to N.J.S.A 19:44A-20.5

**WHEREAS**, as a determination has been made as follows:

1. The known or estimated cost of the goods or service to be provided will exceed \$17,500.
2. Price quotes have been solicited and received from one interested service provider.



February 21, 2023

3. The anticipated term of this contract is for the calendar year 2023.
4. Pursuant to N.J.A.C. 5:30-5.4(a), the maximum dollar value of this contract shall be \$41,470.00 and the Chief Financial Officer has certified the availability of funds; and

**WHEREAS**, the subject matter is professional services and may be awarded without public advertising for bids and bidding therefor under *N.J.S.A.* 40A:11-5 *et seq.*; and

**WHEREAS**, this award is of a non-fair and open contract in accordance with *N.J.S.A.* 19:44A-20.5, and, therefore, the Business Entity Disclosure Certification has been received from the engineer and is incorporated into the contract awarded hereby, along with the Determination of Value; and

**WHEREAS**, the value of the contract is determined to not exceed \$41,470.00, and the duration of the contract is Year 2023;

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor and the City Clerk be and they are hereby authorized and directed to execute a contract for rendering such software services by Edmunds Govtech for fees of \$41,470.00 for year 2023

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R111-23 Resolution Authorizing Permission to Advertise a Request for Proposals Under Competitive Contracting for Community Health Assessment Services

**RESOLUTION AUTHORIZING PERMISSION TO ADVERTISE A REQUEST  
FOR PROPOSALS UNDER COMPETITIVE CONTRACTING FOR  
COMMUNITY HEALTH ASSESMENT SERVICES**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4.1 *et seq.*, the City of Clifton is seeking to procure a contract for Community Health Assessment Services; and,

**WHEREAS**, the above Community Health Assessments Services are necessary for City which will help the city to come up with Community Health Improvement Plan; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Municipal Council of the City of Clifton that the Purchasing Agent is authorized to advertise a Notice to Bidders and to receive proposals in accordance with 40A:11-4.1 *et seq.*, for Community Health Assessment Services; and,

**BE IT FURTHER RESOLVED** that the Notice to Proposers shall be published once in a legal newspaper of the City of Clifton in accordance with N.J.S.A. 40A:11-1 *et seq.*

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R112-23 Resolution Authorizing Advertisement of Notice of Intent to Purchase Concrete Bases for Poles and Electrical Drawings for James Anzaldi Park Via Keystone Purchasing Network National Cooperative Contract

**RESOLUTION AUTHORIZING ADVERTISEMENT OF NOTICE OF INTENT  
TO PURCHASE CONCRETE BASES FOR POLES AND ELECTRICAL  
DRAWINGS FOR JAMES ANZALDI PARK VIA KEYSTONE PURCHASING  
NETWORK NATIONAL COOPERATIVE CONTRACT**

**WHEREAS**, the City of Clifton is allowed to participate in inter-local purchasing systems per N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 which was enacted into law permitting agencies to utilize cooperative purchasing agreements with other states; and

**WHEREAS**, pursuant to resolution R034-16, adopted January 19, 2016, the City of Clifton is a member of Keystone Purchasing Network (KPN), a national cooperative, in accordance with N.J.S.A. 52:34-6.2, and LFN 2012-10; and

February 21, 2023

**WHEREAS**, the City of Clifton seeks permission to advertise the City's interest in participating with the Keystone Purchasing Network (KPN) national cooperative for Athletic Field/Court and

Parking Lot Lighting Systems, which was awarded to Musco Sports Lighting LLC, located at 100 1st Ave West P O Box 808, Oskaloosa, IA 52577; and

**WHEREAS**, information regarding the contract may be found Keystone Purchasing Network's website at

<https://www.thekpn.org/ct/KPN-201901-01/>; and

**WHEREAS**, the current contract term for Keystone Purchasing Network contract #KPN-201901-01, for Ambulance & Emergency Vehicles which expires on February 23, 2026; and

**WHEREAS**, barring comments to the contrary, it is the intent of the City of Clifton to award a contract to Musco Sports Lighting LLC, located at 100 1st Ave West P O Box 808, Oskaloosa, IA 52577, pursuant to the proposal submitted in response to Keystone Purchasing Network's Notice to Bidders Titled "Athletic Field/Court and Parking Lot Lighting Systems, with Related Equipment, Accessories and Supplies" and Contract Award # KPN-201901-01 for Athletic Field/Court and Parking Lot Lighting Systems; and

**NOW, THEREFORE BE IT RESOLVED**, that the City of Clifton authorizes the Purchasing Agent to

advertise the Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement with a comment period ending March 06, 2023.

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R113-23 Resolution Approving License Agreement Between the City of Clifton and the Clifton Board of Education

**RESOLUTION APPROVING LICENSE AGREEMENT BETWEEN  
THE CITY OF CLIFTON AND THE CLIFTON BOARD OF EDUCATION**

**BE IT RESOLVED**, that a License Agreement between the City of Clifton and Clifton Board of Education, the owner of Block 33.09, Lot 36, of the City of Clifton Tax Map, known as Woodrow Wilson Middle School, 1400 Van Houten Avenue, Clifton, New Jersey, is hereby approved and authorized to allow the school to encroach upon the City's easements with the construction of a turf field subject to receipt of a satisfactory television inspection of the sanitary sewer line; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized and

directed to execute said License Agreement on behalf of the City of Clifton.

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R114-23 Resolution Accepting Passaic County Open Space, Farmland and Historic Preservation Trust Fund Grant 2022 Regarding Stefan Tatarenko Memorial Park Improvements and Authorizing Entry Into and Execution of a Grant Agreement with the County of Passaic

**RESOLUTION ACCEPTING PASSAIC COUNTY OPEN SPACE, FARMLAND  
AND HISTORIC PRESERVATION TRUST FUND GRANT 2022 REGARDING  
STEFAN TATARENKO MEMORIAL PARK IMPROVEMENTS AND  
AUTHORIZING ENTRY INTO AND EXECUTION OF A GRANT  
AGREEMENT WITH THE COUNTY OF PASSAIC**

**BE IT RESOLVED**, that a 2022 Open Space, Farmland and Historic Preservation Trust Grant in the amount of \$200,000.00 for tennis and pickleball courts improvements at Stefan Tatarenko Memorial Park located at Block 40.03, Lot 1, 55 Broadale Road, Clifton, New Jersey, is accepted, and entry into and execution of a Grant Agreement with Passaic County Open Space, Farmland and Historic Preservation Trust Fund Grant 2022, which is made a part of this resolution by reference thereto, is authorized; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Clifton.

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R115-23 Resolution Authorizing Entry into and Execution of a Service Agreement with Bergen Risk Managers, Inc. for Administration of Liability Self-Insurance Program Claims for Period 3/1/23-2/28/24

**RESOLUTION AUTHORIZING ENTRY INTO AND EXECUTION OF A SERVICE AGREEMENT WITH BERGEN RISK MANAGERS, INC. FOR ADMINISTRATION OF LIABILITY SELF-INSURANCE PROGRAM CLAIMS FOR PERIOD 3/1/23 - 2/28/24**

**WHEREAS**, the City of Clifton requires services for the administration of liability self-insurance claims for the period March 1, 2023 thru February 28, 2024; and

**WHEREAS**, after soliciting proposals through the City’s broker of record, the Municipal Council wishes to award a renewal contract to Bergen Risk Managers, Inc. for the provision of said services, in accordance with its proposal dated February 1, 2023, which provides the best and most cost effective service for the City; and

**WHEREAS**, the subject matter is below the bid threshold and may be awarded without public advertising for bids and bidding; and

**WHEREAS**, this award is of a non-fair and open contract in accordance with *N.J.S.A 19:44-A-20.5*, and therefore, the Business Entity Disclosure Certification has been received from the contractor and is incorporated into the contract awarded hereby, along with the Determination of Value; and

**WHEREAS**, the estimated value of the contract is determined to be \$31,080.00, and the duration of the contract is for a period of one (1) year; and

**NOW, THEREFORE, BE IT RESOLVED**, that a contract for liability self-insurance claims service administration, for the period March 1, 2023 thru February 28, 2024, is hereby awarded to Bergen Risk Managers, Inc. in accordance with its proposal dated February 1, 2023, for a price of \$31,080.00; 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.

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R117-23 Resolution for Appointment to the Action Clifton Committee

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

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an application from Joseph Siano to become a Member of the Action Clifton Committee (Lakeview Section), an application from Megan Beltran to become a Member of the Action Clifton Committee (Delawanna Section) and an application from Margaret Curreri to become a member of the Action Clifton Committee (Hazel Section);

February 21, 2023

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Joseph Siano is hereby appointed as a Member of the Action Clifton Committee (Lakeview Section) commencing this date; and

**BE IT FURTHER RESOLVED** that Megan Beltran be and is hereby appointed as a Member of the Action Clifton Committee (Delawanna Section) commencing this date; and

**BE IT FURTHER RESOLVED** that Margaret Curreri be and is hereby appointed as a Member of the Action Clifton Committee (Hazel Section) commencing this date.

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R118-23 Resolution Repositioning Members of the Beautification Committee and Appointing New Member

**RESOLUTION REPOSITIONING MEMBERS OF THE  
BEAUTIFICATION COMMITTEE AND APPOINTING  
NEW MEMBER**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey is aware, a resolution was passed at the meeting of February 7, 2023 removing the Garden Club Member from the Beautification Committee leaving a Member vacancy; and

**WHEREAS**, Amie Kolodziej currently holds the position of Alternate #1 and Drea DeLuca currently holds the position of Alternate #2 of said committee; and

**WHEREAS**, an application has been received by Joseph Siano to become a member of the Beautification Committee;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Amie Kolodziej be and is hereby moved to the Member position of the Beautification Committee; and

**BE IT FURTHER RESOLVED**, that Drea DeLuca be and is hereby moved to the Alternate #1 position; and

**BE IT FURTHER RESOLVED**, that Joseph Siano be and is hereby appointed as Alternate #2 of the Beautification Committee, commencing this day, to fill the unexpired term of Drea Deluca which will expire on December 31, 2025.

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R119-23 Resolution Authorizing Games of Skill Operator License Renewal - Burger King

**RESOLUTION AUTHORIZING GAMES OF SKILL OPERATOR  
LICENSE RENEWAL**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Games of Skill Operator License Renewal from Burger King, 461 Piaget Avenue in the City of Clifton; and

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

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

February 21, 2023

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of Games of Skill Operator License to Burger King be and is hereby granted.

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R120-23 Resolution Approving Submission of an Application to the County of Passaic Open Space, Farmland, and Historic Preservation Trust Fund for Improvements to Sperling Park

**RESOLUTION APPROVING SUBMISSION OF AN APPLICATION TO THE COUNTY OF PASSAIC OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR IMPROVEMENTS TO SPERLING PARK**

**WHEREAS**, the Mayor and Council of the City of Clifton wish to create various improvements at Sperling Park with grant assistance from the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund; and

**WHEREAS**, the City of Clifton desires to further the public interest and quality of life by obtaining grant funding in the amount of \$250,000.00 from Passaic County for the aforesaid park improvement project located at Block 42.01, Lot 29, 295 Speer Avenue, Clifton, NJ 07013; and

**WHEREAS**, a public hearing was held on Tuesday, February 21<sup>st</sup>, 2023 in order to afford the public an opportunity to be heard on this matter;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Clifton, that Dominick Villano, City Manager, or his successor in office, is hereby authorized to:

- Make application for such a loan and or/grant;
- Provide additional application information and furnish such documents as may be required; and
- Act as the authorized correspondent.

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R121-23 Resolution Approving Submission of an Application to the Passaic County Open Space, Farmland and Historic Preservation Trust Fund for Phase I of the Hamilton House Restoration Project

**RESOLUTION APPROVING SUBMISSION OF AN APPLICATION TO THE PASSAIC COUNTY OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND FOR PHASE I OF THE HAMILTON HOUSE RESTORATION PROJECT**

**WHEREAS**, the County of Passaic has announced that it is accepting grant applications for its Open Space, Farmland, and Historic Preservation Trust Fund 2023 grant round that are due March 17<sup>th</sup>, 2023 by 4:00 PM; and

**WHEREAS**, the Mayor and Council of the City of Clifton wish to restore the Hamilton House with grant assistance from the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund; and

**WHEREAS**, the City of Clifton is an eligible applicant and the John and Anna Vreeland House, also known as the “Hamilton-Van Wagoner House” or “Hamilton House” was added to the New Jersey Register of Historic Places on February 22, 1982 and to the National Register of Historic Places on May 13, 1982; and

February 21, 2023

**WHEREAS**, Phase I of the Hamilton House Restoration project will include mechanical and electrical repairs as well as restorative and rehabilitative renovations to both the interior and exterior of the building; and

**WHEREAS**, the City of Clifton desires to further the public interest by obtaining grant funding in the amount of \$250,000.00 from Passaic County for the aforesaid project located at Block 51.06, Lot 71, 971 Valley Road, Clifton, NJ 07013; and

**WHEREAS**, a public hearing was held on Tuesday, February 21<sup>st</sup>, 2023 in order to afford the public an opportunity to be heard on this matter;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Clifton, that Dominick Villano, City Manager, or his successor in office, is hereby authorized to:

Make application for such a loan and or/grant;  
Provide additional application information and furnish such documents as may be required;  
and  
Act as the authorized correspondent.

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R122-23 Resolution Recognizing the Sovereignty of Ukraine and the Unbreakable Spirit of the People of Ukraine

**RECOGNIZING THE SOVEREIGNTY OF UKRAINE AND THE  
UNBREAKABLE SPIRIT OF THE  
PEOPLE OF UKRAINE**

**WHEREAS**, one year ago, on February 24, 2022, an unprovoked, genocidal military assault against Ukraine was launched in direct violation of all international law; and

**WHEREAS** the territorial integrity of Ukraine is sovereign and inviolable, and portions of Ukraine's territory are currently under foreign military occupation, we honor the efforts and sacrifices of the Armed Forces of Ukraine, in their heroic defense of the entire European continent and our United States allies against further aggressive actions; and

**WHEREAS**, Ukraine has always had a special bond with the United States, with Ukraine sending servicemen and women to serve alongside U.S. forces in theaters such as Afghanistan and Iraq throughout an over 25-year working relationship on NATO deployments; and

**WHEREAS**, since the invasion of Ukraine began in 2014, the United States and its allies have helped train Ukraine's Armed Forces, we honor the men and women of the United States Armed Forces for providing the educational materials and training to further the professional development and increase the overall readiness of Ukraine's Armed Forces; and

**WHEREAS**, the people of the United States have opened their homes to Ukrainians displaced by the war in their homeland, and have personally donated time and again to humanitarian relief for the victims of this invasion, we honor the American spirit of generosity as an essential part of what makes us an exceptional nation; and

**WHEREAS**, for centuries the people of Ukraine yearned and struggled to achieve an independent state all the while preserving their culture, language, and self-identity; and,

**WHEREAS**, Ukrainian Americans continue to make significant contributions to the cultural fabric of the United States while never forgetting about their rich history and heritage, more than 100 years since first immigrating to this great nation, with which they share the collective U.S.-Ukrainian values of freedom, democracy and the rule of law;

**NOW, THEREFORE, BE IT RESOLVED** that I, that the Mayor and Council of the City of Clifton on behalf of its citizens, do hereby proclaim solidarity with the people of Ukraine in their fight for freedom and commend them for their strength, courage and bravery. On this day, let us recommit ourselves to helping the Ukrainian nation reclaim full sovereignty over its international borders and remember its heroes who sacrificed their lives to ensure freedom and happiness of the future generations.

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R123-23 Resolution Authorizing the City of Clifton to Seek and Secure the Sustainable Jersey Grant Funded by PSE&G

**RESOLUTION AUTHORIZING THE CITY OF CLIFTON TO SEEK AND SECURE THE SUSTAINABLE JERSEY® GRANT FUNDED BY PSEG**

**WHEREAS**, a sustainable community seeks to optimize the 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 Clifton strives to save tax dollars, assure clean land, air and water, improve working and living environments by applying for a grant in the amount of \$10,000.00 to update the city's Environmental Resource Inventory (ERI) with technical assistance from the Land Conservancy of New Jersey; and

**WHEREAS**, the City of Clifton is participating in the Sustainable Jersey Program; and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by PSEG;

**THEREFORE**, the Mayor and Council of the City of Clifton has determined that the City of Clifton should apply for the aforementioned Grant and will match \$2,500.00 to demonstrate its commitment to this project.

**THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the City of Clifton, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by PSEG.

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R124-23 Resolution of the City of Clifton Accepting Grant from the NJ Association of County and City Health Officials (NJACCHO) and Authorizing Entry into and the Execution of a Grant Agreement

**RESOLUTION OF THE CITY OF CLIFTON ACCEPTING GRANT FROM THE NJ ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NJACCHO) AND AUTHORIZING ENTRY INTO AND THE EXECUTION OF A GRANT AGREEMENT**

**BE IT RESOLVED** that a grant in the amount of \$698,834 for the funding period October 1, 2022 - June 30, 2023 for Enhancing Local Public Health Infrastructure 2022-2023 from the NJ Association of County and City Health Officials (NJACCHO) is accepted and the entry into and execution of a grant agreement is authorized; and

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk and Health Officer are hereby authorized and directed to execute said Agreement and any necessary documentation on behalf of the City of Clifton.

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R125-23 Resolution for State of New Jersey Department of Environmental Protection - Green Acres Park Development Enabling Resolution

February 21, 2023

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION GREEN ACRES PARK DEVELOPMENT ENABLING  
RESOLUTION**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres

Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

**WHEREAS**, the City of Clifton desires to further the public interest by obtaining funding in the amount of \$2,249,500, in the form of a \$2,249,500 grant from the State to fund the following project: Nash Park Improvement Project, at a total project cost of \$2,249,500;

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

**NOW, THEREFORE**, the Mayor and Council of the City Clifton resolves that:

1. Dominick Villano or the successor to the office of City Manager is hereby authorized to:
  - (a) make application for such a grant,
  - (b) provide additional application information and furnish such documents as may be required, and
  - (c) act as the authorized correspondent of the above-named applicant;
2. The applicant agrees to provide its matching share to the Green Acres funding request, if a match is required;
3. In the event the State’s funds are less than the total project cost specified above, the applicant has, or will have, the balance of funding necessary to complete the project;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. This resolution shall take effect immediately.

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R126-23      Resolution of State of New Jersey Department of Environmental Protection  
- Urban Parks Initiative Enabling Resolution

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION URBAN PARKS INITIATIVE ENABLING RESOLUTION**

**WHEREAS**, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), is providing grants through the Urban Parks initiative; and

**WHEREAS**, the City of Clifton desires to further the public interest by obtaining grant funding in the amount of \$500,000 from the State to fund the following project: Nash Park Improvement Project, at a total project cost of \$2,249,500.00;

**WHEREAS**, the State shall determine if the application is complete and in conformance with the scope and intent of the Urban Parks initiative, and notify the applicant of the amount of the funding award; and

**WHEREAS**, the applicant is willing to use the State’s funds in accordance with applicable policies and laws, and is willing to enter into an agreement with the State for the above-named project;



**NOW, THEREFORE**, the Mayor and Council of the City Clifton resolves that:

Dominick Villano or the successor to the office of City Manager is hereby authorized to:

- (d) make application for such a grant,
- (e) provide additional application information and furnish such documents as may be required, and
- (f) act as the authorized correspondent of the above-named applicant;

In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;

The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and

This resolution shall take effect immediately.

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R127-23 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 North Jersey Friendship House - Janitorial Services Negotiations
- CON-2 Legal Opinion Concerning Sidewalk Liability Claims
- CON-3 Prospective Sites for Firehouse
- CON-4 Labor Counsel
- CON-5 Turkish Day Parade

**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 21, 2023 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.

**LICENSES**

**L-1 Hunan Wok**

**RESOLUTION FOR FINAL APPROVAL**

**BE IT RESOLVED**, that the application of Hunan Wok 168 Corporation  
T/a Hunan Wok  
for permission to conduct a: Restaurant - Continued Use

for a period ending January 31, 2024 on the premises known as:  
859c Clifton Ave., Clifton, NJ 07013

be and the same is hereby approved and licenses so issued in the compliance with the approval of  
the Board of Health, Fire Department, Police and Zoning Officer.

February 21, 2023

**L-2 Habanero**

**RESOLUTION FOR FINAL APPROVAL**

**BE IT RESOLVED**, That The Application Of Habanero Restaurant, LLC  
T/A Habanero  
for permission to conduct a: Restaurant - Continued Use  
for a period ending January 31, 2024 on the premises known as:  
729 Van Houten Ave., Clifton, Nj 07013  
be and the same is hereby approved and licenses so issued in the compliance with the  
approval of  
the Board of Health, Fire Department, Police and Zoning Officer.

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A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Murphy and passed on roll call vote to return to Executive Session.

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

Council returned to Open Session at 10:19 p.m.

Upon roll call, the following were noted present:

Councilman Gibson	(BG) Absent
Councilman Kolodziej	(JK)
Councilman Latona	(AL) Absent
Councilwoman Murphy	(LM)
Councilwoman Pino	(RP)
Councilwoman Sadrakula	(MS)
Mayor Grabowski	(RG)

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

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Murphy and failed due to the fact that the present members refused to vote on Resolution R116-23.

R116-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & GIBlin, LLP for Labor Counsel Services for the Term March 1, 2023 Thru February 28, 2024

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN, LLP FOR LABOR COUNSEL SERVICES FOR THE TERM MARCH 1, 2023 THRU FEBRUARY 28, 2024**

**WHEREAS**, the City of Clifton requires the services of Labor Counsel to perform certain legal services for the City of Clifton; and

**WHEREAS**, the firm of DeCotiis, FitzPatrick, Cole & GIBlin LLP of Paramus, NJ, has been performing said services for the City of Clifton in a satisfactory manner, and the Mayor and Municipal Council wish to award a contract therefore for a period of one year commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr. for partners and \$150/hr. for associates, not to exceed \$135,000 for the term of the contract; and

**WHEREAS**, any fee in excess of \$135,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

February 21, 2023

**WHEREAS**, the services to be performed are professional and/or extraordinary unspecifiable 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 therefor without public advertising for bids and bidding in accordance with N.J.S.A. 40A:11-5; and

**WHEREAS**, the award is of a non-fair and open contract in accordance with N.J.S.A. 19:44-A-20.5; and

**WHEREAS**, the estimated value of the contract is expected to be in excess of \$17,500.00, and the duration of the contract is until the services are completed; and

**WHEREAS**, the Business Entity Disclosure Certification has been received from counsel and is incorporated in the contract awarded hereby, along with the Determination of Value; and

**WHEREAS**, there are funds available for the payment of the aforesaid services and the Chief Financial Officer has endorsed a Certification of Funds hereon;

**NOW, THEREFORE, BE IT RESOLVED**, that:

1. A contract for professional labor counsel services is awarded to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for the term commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr for partners and \$150/hr for associates, not to exceed \$135,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
4. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.
5. 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 renewal of a professional services contract without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a). This contract and the authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, NJ  
Services: Labor Counsel Services  
Amount: \$175/hr partners - \$150/hr associates; not to exceed \$135,000  
Term: 3/1/23- 2/28/24

**ADJOURNMENT**

At the conclusion of the meeting, there was no quorum, the meeting ended at 10:25 p.m.

Respectfully Submitted,

Nancy Ferrigno  
City Clerk

\_\_\_\_\_  
Raymond Grabowski, Mayor