

**CLIFTON, NEW JERSEY  
REGULAR MEETING MINUTES MARCH 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.

**8:08 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)
Councilman Kolodziej	(JK) Absent
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, Andrew Oddo; City Clerk, Nancy Ferrigno and Deputy Clerk, Michele Butler.

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

Nancy Ferrigno – City Clerk

**PRESENTATION**

Women’s Month Award Presentation

**APPROVAL OF MINUTES**

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Murphy and passed on roll call vote to approve the Special Budget Meeting Minutes of February 27, 2023, Workshop Meeting of March 7, 2023, Executive Session Minutes of March 7, 2023, the Regular Meeting Minutes of March 7, 2023 and the Special Budget Meeting Minutes of March 13, 2023.

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

**COMMUNICATIONS FROM THE CITY MANAGER**

C-1 David Bruins has retired with the Legal Dept. as First Assistant Municipal Attorney, effective 03/01/2023.

**COMMUNICATIONS MEETING MINUTES**

C-2 Minutes of Board of Adjustment of March 1, 2023

C-3 Minutes of Passaic Valley Water Commission of January 25, 2023

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- C-4 Minutes of Hazardous Materials Control Board of January 18, 2023
- C-5 Minutes of Alcoholic Beverage Control Board of February 8, 2023
- C-6 Minutes of Traffic Safety Council of February 16, 2023
- C-7 Minutes of Environmental Commission of 1/11/23 and 2/8/23
- C-8 Minutes of Planning Board of January 23, 2023
- C-9 Minutes of Environmental Commission of February 8, 2023
- C-10 Minutes of Hazardous Materials Control Board of February 15, 2023

## **SECOND READING ORDINANCES**

### **A. Adoption of Ordinance 7801-23**

### **B. Public Hearing on Ordinance 7801-23**

A Motion was made by Councilwoman Murphy, seconded by Councilman Latona and passed on roll call vote to table Ordinance 7801-23.

**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)**

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

### **C. Adoption of Ordinance 7802-23**

### **D. Public Hearing on Ordinance 7802-23**

A Motion was made by Councilwoman Murphy, seconded by Councilwoman Sadrakula and passed on roll call vote to table Ordinance 7802-23

**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)**

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

### **E. Adoption of Ordinance 7805-23**

### **F. Public Hearing on Ordinance 7805-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7805-23

With no one wishing to be heard, a Motion was made by Councilman Gibson, 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 Gibson 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)**

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

**G. Adoption of Ordinance 7806-23**

**H. Public Hearing on Ordinance 7806-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7806-23

With no one wishing to be heard, a Motion was made by Councilwoman Murphy, seconded by Councilwoman Sadrakula 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 Councilwoman Sadrakula 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 2 Restricted Handicapped Spaces)**

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

**I. Adoption of Ordinance 7807-23**

**J. Public Hearing on Ordinance 7807-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7806-23

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilwoman Sadrakula 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 Councilwoman Sadrakula 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 Ordinance 7764-22 to Change Description of Parking Location)**

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

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### **K Adoption of Ordinance 7808-23**

#### **L. Public Hearing on Ordinance 7808-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7808-23

With no one wishing to be heard, a Motion was made by Councilwoman Murphy, 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 Councilwoman Murphy, 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 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Amends Handicapped Parking Placard Number)**

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

### **M Adoption of Ordinance 7809-23**

#### **N. Public Hearing on Ordinance 7809-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7809-23

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

#### **An Ordinance to Amend, Revise and Supplement Chapter 425 of the Code of the City of Clifton, Entitled "Official Towers", as Amended, Revised and Supplemented (Adds Application Fees and Adopts the Prevailing New Jersey State Police Rates)**

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

### **O Adoption of Ordinance 7810-23**

#### **P. Public Hearing on Ordinance 7810-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7810-23

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

**An Ordinance to Amend, Revise and Supplement Chapter 223 of the Code of the City of Clifton, Entitled "Fees", More Particularly Article IX Thereof Entitled "Miscellaneous Fees" (Establishes Fee to Offset Costs Incurred by the City of Clifton in the Administration of Towing Services)**

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

**FIRST READING ORDINANCES**

**A. Introduction of Ordinance 7811-23**

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 Councilwoman Sadrakula and carried by roll call vote.

**An Ordinance to Amend Chapter 375 of the Code of the City of Clifton, Entitled "Sewers", More Particularly Article I Thereof, Entitled "Use of Sewers", Section 375-3.4, Entitled "Sanitary Sewer User Charge" (Deletes a Portion of Paragraph A, Eliminating Exemption for Federal, State, County or Local Government)**

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, April 4, 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.

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

**CITY MANAGER PRIVILEGE**

City Manager had no report.

**FLOOR TO MEMBERS OF THE PUBLIC**

Gary Perino, 491 Mount Prospect Ave., spoke about installing markers at historical sites in Clifton.

Lily D'Amato, 81 Merrill Rd., congratulated Tova Felder on her Women's Month award. She spoke about a recent theft of funds from the City. She asked the Council Members what their mission statements were for the City. She spoke about the budget and establishing performance reviews for City employees. Ms. D'Amato offered to put together a workshop to show the City Manager and Council how to make the issues she discussed work.

Gerard Scorziello, 131 Pershing Rd., urged any resident who is interested, to join the Republican Club.

Kim Castellano, 59 Mahar Ave., congratulated all the women who received awards for Women's Month. She announced the Power of One is organizing a Food Drive and a Country Night fundraiser at the Grande Saloon.

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Chris D'Amato, 81 Merrill Rd., read a dialogue modeled by ChatGPT which indicated Mr. D'Amato's disappointment in the actions of the current City Council. He spoke about adding a communications position for the City and asked if the City is prepared to deal with the impacts of Artificial Intelligence.

Michelle Guadet, 28 Bergen Ave., thanked the Councilmembers who attended her school's musical. She announced events being held by St. Peter's Haven. She spoke about bathrooms at Nash Park, crosswalks, parking permits and lighted signs in crosswalks.

Steve Goldberg, 124 Charles St., announced a fundraiser comedy show hosted by the Disabled Veterans Chapter 2. He spoke about Israel and Golda Meir. Mr. Goldberg discussed the discovery of anti-semitic materials that were strewn about the City. He asked how the members of the Civil Rights Committee were vetted before they were assigned to the Committee.

Bart Ciervo, 306 Delawanna Ave., spoke about a broken fence in Dunney Park, unruly kids from a school on Delawanna Ave., unsafe driving of electric bikes, kids out in the park at 2:00 am, the construction of a new dog park and a property that is need of clean up.

Judy Bassford, 92 Mountain View Blvd., welcomed Councilman Gibson back to the dais. She congratulated the women who received awards for Women's Month and spoke about the great work of the women of P.R.A.I.S.E. (Clifton Parents Requiring Action and Information for Special Education).

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

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

## **COUNCIL PRIVILEGE**

### **Councilwoman Sadrakula**

Councilwoman Sadrakula congratulated the women who received recognition for Women's Month. She spoke about a recent fraudulent transfer of funds scheme that caused a loss to the City. She spoke about Council not being made aware of the theft until months later and discussed transparency between Administration and the Council. She spoke about tax increases, sidewalk ordinances, fence ordinances and the reexamination of the Master Plan. She announced an upcoming Budget Meeting and the beginning of vegetative waste collection. Councilwoman Sadrakula discussed adding a communications employee and lighted signs for crosswalks. She advised public speaker, Bart Ciervo, that City parks closed at dusk and it is dangerous for him to be walking in the parks at 2:00 am. Councilwoman Sadrakula expressed her disappointment in the way the members of the Civil Rights Committee are appointed. She conveyed her approval of performance evaluations of City employees.

### **Councilman Gibson**

Councilman Gibson congratulated the women who received awards for Women's Month. He announced that the Council is working hard looking for ways to cut costs rather than raise taxes. Councilman Gibson spoke about the danger of fires being caused by e-bike batteries. He spoke about the fence being repaired in Dunney Park. He discussed employee performance reviews and accountability. Councilman Gibson urged City Manager, Dominick Villano, to get the bathrooms completed at Nash Park.

### **Councilman Kolodziej**

Councilman Kolodziej was absent.

**Councilman Latona**

Councilman Latona spoke about the budget, lowering fund accounts, consultants, developers, architects and legal vendors that need more checks and balances when being hired by the City. He suggested hiring a comptroller to oversee contracts, trust funds and other financial issues. He discussed the Master Plan, quality of life, overdevelopment and tax revenue from the former Hoffman La Roche site. Councilman Latona addressed the issue of the fraudulent transfer of funds scheme the City recently experienced. He talked about accountability, trying to avoid large tax increases Requests for Proposals and Requests for Quotes. Councilman Latona wished everyone who celebrates, a Happy Ramadan.

**Councilwoman Murphy**

Councilwoman Murphy congratulated all the women who were recognized with Women’s Month awards. She announced to the public, that the Council never voted to increase the taxes by eight tax points, they are researching ways to keep any increases to a minimum. Councilwoman Murphy invited the public to attend the dedication of Anzaldi Park. She read recreation news.

**Councilwoman Pino**

Councilwoman Pino congratulated all the recipients of a Women’s Month award. She spoke about the Minutes of the Traffic Safety Committee and gave a synopsis of the first meeting of the Civil Rights Committee. Councilwoman Pino communicated that her mission statement for the City included many things, some which were not endorsed by her Council colleagues such as performance reviews, town hall meetings and sub-committee for committees. She announced that she met with all City Hall Department Heads to educate herself on their duties. Councilwoman Pino announced that she sent informational packets out to residents and announced Downtown Clifton news.

**Mayor Grabowski**

Mayor Grabowski congratulated all the recipients of the Women’s Month awards. He announced that the recent fraudulent wire transfer funds have been recouped. Mayor Grabowski stated that in an effort to be more transparent, the Council has decided to broadcast all budget meetings on the local cable station. He spoke about misinformation on social media regarding Council raising taxes by eight tax points and remarked that nothing regarding a tax increase has been voted on. Mayor Grabowski agreed with Mr. Perino that historical markers around the city is a good idea. He wished all that celebrate, a Happy Ramadan.

**RESOLUTIONS VOTED ON SEPERATELY**

A Motion was made by Councilman Gibson , seconded by Councilman Latona and passed on roll call to vote on the following resolutions separately:

R176-23 Resolution Amending Resolution R152-23 Appointing Members to the Civil Rights Committee

**RESOLUTION AMENDING RESOLUTION R152-23 APPOINTING MEMBERS TO THE CIVIL RIGHTS COMMITTEE**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an applications residents who are interested in becoming Members of the Civil Rights Committee;

**WHEREAS**, additional applications have been received by the City Clerk and, therefore, Resolution R152-23 needed to be amended to include those applicants;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that the following residents are hereby appointed to the sections of the City listed below commencing this date for a term of two years to December 31, 2024:

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Albion	Samantha Bassford	
Allwood	Michael Mitchell	Jeff Hoey – Alt.
Athenia	Lisa Carroll	Raquel Celi – Alt.
Botany/East Clifton Clifton Center/ Middle Village	Stephen Aggi-Monge	Sharif Nealy
Delawanna	David Hood	Tova Felder – Alt.
Dutch Hill	Aliza Bloom	David P. Joseph
Greglawn		Tricia Hibbert
Hazel		Maria Ramirez
Knollwood		Kim Castellano
Lakeview	Anthony Santiago	Cameron Hebron
Maple Valley	Alias Ragsdale	Dana Williams – Alt.
Montclair Heights	Dwight Hernandez	Neha Sha
Oakridge		Fahim Abedrabbo-Alt.
Richfield	Gina Scaduto-Zhitnick	Nathan Falvo
Rosemawr	Ben Schwartz	Latasha Casterlow-Lalla
		Tamra Ackerman

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

## **RESOLUTIONS**

A Motion was made by Councilman Gibson, seconded by Councilman Latona and passed on roll call vote to move the group.

R157-23 Resolution: Approve Claims List Resolution for the March 21, 2023, City Council Meeting

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

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

Current Fund	\$6,593,827.20
Grant Fund	\$ 386,260.18
General Capital Fund	\$ 65,382.85
Sewer Utility -Operating	\$ 79,773.95
Sewer Utility-Capital	\$ 10,710.00
Developers Escrow	\$ 10,855.25
Dog Trust	\$ 3,526.22
Police Extra Duty	\$ 154,560.00
Trust Other	\$ 147,933.53
Section 8 Public Housing	\$ 232,459.10
Community Development	\$ 322,983.00
COAH	
Self Insurance	\$1,101,737.21
Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	
Unemployment Trust Fund	
Library	\$ 176,807.69
General Liability Trust	\$ 3,170.22
Workers Compensation Trust	\$ 9,739.16
Federal DOJ Forfeiture	
<b>TOTAL CLAIMS</b>	<b>\$9,299,725.56</b>

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R158-23 Resolution - 2023 Special Emergency Resolution To Fund The 2023 New Jersey State Pension Payments

**SPECIAL EMERGENCY RESOLUTION**

**WHEREAS**, an emergent condition has arisen in that the City is expected to enter in contracts, commitments or payments prior to the 2023 Municipal Budget and no adequate provision has been made in the 2023 Temporary Municipal Budget for the aforesaid purpose, and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation foresaid purpose, and

**WHEREAS**; the total emergency temporary appropriation resolution adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution totals \$13,760,734.00, and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Clifton, in the County of Passaic, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency Temporary Appropriations be and the same are hereby made in the amount of \$13,760,734.00 as follows for the City’s annual Pension Payments:
  - a. Statutory Expenditures – P.E.R.S. \$ 2,613,037.00
  - b. Statutory Expenditures – P.F.R.S. \$11,147,697.00
2. Said Emergency Temporary Appropriations will be provided for in the 2023 Municipal Budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services by the City Clerk.

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R159-23 Resolution - 2023 Special Emergency Resolution To Fund Court Settlement

**SPECIAL EMERGENCY RESOLUTION**

**WHEREAS**, an emergent condition has arisen in that the City is expected to enter in contracts, commitments or payments prior to the 2023 Municipal Budget and no adequate provision has been made in the 2023 Temporary Municipal Budget for the aforesaid purpose, and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation foresaid purpose, and

**WHEREAS**; the total emergency temporary appropriation resolution adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution totals \$650,000.00, and,

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Clifton, in the County of Passaic, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency Temporary Appropriations be and the same are hereby made in the amount of \$650,000.00 as follows for the City’s annual Court Settlement:
  - a. Insurance – General Liability Insurance \$ 650,000.00

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2. Said Emergency Temporary Appropriations will be provided for in the 2023 Municipal Budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services by the City Clerk.

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R160-23 Resolution - Close and Cancel General Capital Fund Projects

**RESOLUTION CLOSING AND CANCELLING  
OUTSTANDING CAPITAL PROJECT ACCOUNT BALANCES**

**WHEREAS**, there exists outstanding capital projects with in the Capital Fund of the City of Clifton; and

**WHEREAS**, the accounts indicated below are no longer utilized as capital projects and are now considered complete; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that these Capital Fund Projects be hereby closed and the remaining balance be zeroed and canceled to their respective accounts and balances:

<u>Account Number and Name</u>	<u>Bond Ordinance</u>	<u>Cancel Amount</u>
04-215-55-949-500 – 2014 Bond Ordinance Projects	7161-14	\$ 40,822.58
04-215-55-957-400 – 2017 Bond Ordinance Projects	7405-17	\$ 92,091.50
04-215-55-959-300 – 2018 Bond Ordinance Projects	7471-18	\$ 20,248.58
04-215-55-959-500 – 2018 Bond Ordinance Projects	7471-18	\$ 99,631.99
04-215-55-960-000 – 2018 Capital Projects	7467-18	\$ 98,480.27
04-215-55-962-001 – 2019 Capital Projects	7530-19	\$ 7,325.52
04-215-55-971-301 – 2021 Bond Ordinance Projects	7666-21	\$ 8,997.00

Total Capital Improvements To Be Canceled:	<u>\$ 367,597.44</u>
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**BE IT FURTHER RESOLVED**, that the Finance Office is authorized to cancel said balances and adjust the City’s financial records for these cancellations.

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R161-23 Resolution - Close and Cancel Sewer Utility Capital Fund Projects

**SEWER UTILITY  
RESOLUTION CLOSING AND CANCELING  
OUTSTANDING CAPITAL ACCOUNT BALANCES**

**WHEREAS**, there exists outstanding capital projects with in the Sewer Utility Capital Fund of the City of Clifton; and

**WHEREAS**, the accounts indicated below will no longer be utilized as capital projects and are now considered complete or closed;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that these Sewer Utility Capital Fund Projects be hereby closed and the remaining balance be zeroed and canceled to their respective accounts and balances:

<u>Account Number and Name</u>	<u>Ordinance</u>	<u>Cancel Amount</u>
08-215-55-920-000 – 2011 Capital Projects	6977-11	\$ Close Out
08-215-55-936-002 – 2012 Capital Projects	7036-12	\$ 15,491.50
08-215-55-946-101 – 2016 Capital Projects	7312-16	\$ 202,028.45
08-215-55-947-000 – 2017 Capital Projects	7395-17	\$ 15,102.48
08-215-55-948-000 – 2017 Capital Projects	7396-17	\$ 24,846.22
08-215-55-950-001 – 2018 Capital Projects	7469-18	\$ 996.10
Total Sewer Utility Capital Improvement Projects To Be Canceled:		<u>\$ 258,464.75</u>

**BE IT FURTHER RESOLVED**, that the Finance Office is authorized to cancel said balances and correct the City’s financial records for these cancellations.

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R162-23 Resolution - 2023 Temporary Budget Increase for the Municipal Budget

**2023 TEMPORARY BUDGET INCREASE**

**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 Sewer Utility for the purpose and amounts requested in the manner and time therein provided; and,

**WHEREAS**, the adoption of the first Temporary Budget Resolution was on January 3, 2023 for the first three months of the year; and,

**WHEREAS**, 8.33% (1/12<sup>th</sup>) of the total appropriations in the 2022 Municipal Budget, exclusive of any appropriations made for debt service and capital improvement fund, is in the sum of \$10,368,344.88,

**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>Sewer Department</u>	<u>Department Code</u>	<u>Amount</u>
Total Temporary Budget Amendment Increase:		\$10,368,344.88

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R163-23 Resolution - 2023 Temporary Budget Increase For The Sewer Utility

**2023 TEMPORARY BUDGET INCREASE  
CLIFTON SEWER UTILITY**

**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 Sewer Utility for the purpose and amounts requested in the manner and time therein provided; and

March 21, 2023

**WHEREAS**, the adoption of the first Temporary Budget Resolution was on January 3, 2023 for the first three months of the year; and

**WHEREAS**, 8.33% (1/12<sup>th</sup>) of the total appropriations in the 2022 Sewer Utility Budget, exclusive of any appropriations made for debt service and capital improvement fund, is in the sum of \$780,104.50;

**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 Sewer Utility Budget as follows:

<u>Sewer Department</u>	<u>Department Code</u>	<u>Amount</u>
Sewer / Storm System – Salaries	07-201-26-291-101	\$ 50,000.00
Sewer / Storm System – Expenses	07-201-26-291-405	\$ 50,000.00
Sewer Utility Allocations	07-201-26-292-200	\$ 88,800.00
Sewer Fees – PVSC	07-201-31-455-290	\$ 581,304.50
Statutory Exp – Employer Taxes	07-201-36-472-300	\$ 10,000.00

Total Temporary Budget Amendment Increase: \$780,104.50

R164-23      Reclassification of Payments

**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	AMT.	FROM	TO
ACH900147 (partial)	09/23/2022	HR Managing Group, LLC	\$2,889.58	01-203-27-330-250	02-213-40-702-023
ACH900484	11/15/2022	HR Managing Group, LLC	\$5,779.16	01-203-27-330-250	02-213-40-702-023

R165-23      Resolution Authorizing Final Payment - Roof Replacement to Fire Station No. 1 - MAK Group, LLC

**RESOLUTION AUTHORIZING FINAL PAYMENT ROOF REPLACEMENT TO FIRE STATION NO. 1 MAK GROUP LLC**

**WHEREAS, MAK GROUP LLC** of Clifton, New Jersey, did complete **ROOF REPLACEMENT TO FIRE STATION NO. 1** project in and for the City of Clifton for the total amount of .....\$52,758.00 and previous payments on account of said total have been paid in the amount of.....\$43,830.60 leaving this FINAL PAYMENT of . . . . . \$ 8,927.40

**WHEREAS**, said work was authorized by contract duly awarded at a regular meeting of the Governing Body of the City of Clifton; and

**WHEREAS**, the Contractor has posted a Maintenance Bond, for a period of two years, in the amount of **\$5,275.80**; and

**WHEREAS**, the City Engineer has inspected the work done and has determined that said work has been properly done and completed, to the best of his knowledge, in accordance with the terms and provisions of the contract as amended, if amended, and hereby recommends that the said work be accepted;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Clifton does hereby formally accept the work as shown as completed in this resolution and contract.

**NOW BE IT FURTHER RESOLVED** that the Chief Financial Officer be and he is authorized and directed to include the said claim totaling **\$8,927.40** on the claim list.

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R166-23      Resolution Awarding Professional Engineering Services Contract to Neglia Engineering for Construction Management Services in Connection with the Additional Work for the PSE&G Gas Modernization Program

**RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES  
CONTRACT TO NEGLIA ENGINEERING FOR CONSTRUCTION MANAGEMENT  
SERVICES IN CONNECTION WITH THE ADDITIONAL WORK FOR THE PSE&G  
GAS MODERNIZATION PROGRAM**

**WHEREAS**, the City of Clifton requires professional engineering services for construction management services in connection with the additional work for the PSE&G Gas Modernization Program; and

**WHEREAS**, the City Engineer recommends that a contract for construction management services be awarded to Neglia Engineering Associates in accordance with its submitted proposal, dated February 27, 2023, to the extent of \$144,000.00; and

**WHEREAS**, after reviewing the proposal and upon the recommendation of the City Engineer, the Municipal Council wishes to award a contract to Neglia Engineering Associates for the provision of said services, to the extent of \$144,000.00; 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 be not to exceed \$144,000.00, and the duration of the contract is until completion;

**NOW, THEREFORE, BE IT RESOLVED**, that a professional engineering services contract for construction management services in connection with additional work for the PSE&G Gas System Modernization Program is hereby awarded to **NEGLIA ENGINEERING ASSOCIATES**, in accordance with its proposal dated February 27, 2023 to the extent of \$144,000.00, and should not exceed that amount until 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:

March 21, 2023

**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.

Awarded to: Neglia Engineering Associates, Lyndhurst, NJ  
Services: Construction Management Services  
Project: PSE&G Gas System Modernization Program - Additional Work  
Cost: Not to exceed \$144,000.00  
Term: Until completion

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R167-23      Resolution Authorizing the Issuance of Change Order No. 2 - James Anzaldi Park (Formerly Athenia Park) Fieldhouse - Thomas & Sons Builders, LLC

**RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 2  
JAMES ANZALDI PARK (FORMERLY ATHENIA PARK) FIELDHOUSE  
THOMAS & SONS BUILDERS LLC**

**WHEREAS**, on June 15, 2021, the City of Clifton adopted Resolution R-274-21 awarding a contract to **THOMAS & SONS BUILDERS LLC** of NEW MILFORD, NEW JERSEY, for the performance of certain public work and the furnishing of material, labor and equipment for the **JAMES ANZALDI PARK (FORMERLY ATHENIA PARK) FIELDHOUSE** in the amount of \$1,132,469.00; 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 **THOMAS & SONS BUILDERS LLC** in the amount of \$114,821.20 an 11.09% Cumulative 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 \$114,821.20 an 11.09% CUMULATIVE INCREASE; and

**WHEREAS**, the total contract amount is now **\$1,258,114.55**.

**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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R168-23      Resolution Awarding a Contract to Stryker Sales Corporation for Maintenance and As-Needed Repair of Stryker Equipment for the City of Clifton Fire Department

**RESOLUTION AWARDING A CONTRACT TO STRYKER SALES CORPORATION  
FOR MAINTENANCE AND AS-NEEDED REPAIR OF STRYKER EQUIPMENT  
FOR THE CITY OF CLIFTON FIRE DEPARTMENT**

**WHEREAS**, has previously purchased from Stryker Sales Corporation MTS Stryker Power Load Stretcher Systems, LUCAS CPR systems and Life Pak 1000 defibrillators, and other related and ancillary Stryker sold equipment; and

**WHEREAS**, the City of Clifton Fire Chief requested and received two written quotes for maintenance and as-needed repairs for the above mentioned equipment; and

**WHEREAS**, Stryker proposed a one-year contract covering all of the Stryker and related equipment owned by the City for a total not to exceed amount of \$32,491.00, and EMSAR proposed a one-year contract at \$12,190.00, which covered less than half the equipment, and did not provide the premium coverage as proposed by Stryker, therefore the proposal from EMSAR is not responsive to the City's needs; and

**WHEREAS**, the Qualified Purchasing Agent concurs with the Chief that this quote request reflects upon price and other factors, especially as LUCAS CPR and Life Pak defibrillator systems are considered proprietary to Stryker Systems, and for maintenance of the same it is in the best interest of the City to award to Stryker Sales Corporation; and

**NOW, THEREFORE, BE IT RESOLVED**, that a contract is hereby awarded for maintenance and as-needed repair of Stryker, LUCAS, and Life Pak, and related equipment, be awarded to Stryker Sales Corporation, 2825 Airview Blvd., Kalamazoo, MI 49002, for the total not to exceed amount of \$32,491.00 for a period of one-year from date of award; and

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

**BE IT FURTHER RESOLVED**, that this resolution and the invoice be kept on file and available for public inspection in the Office of the City Clerk; 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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R169-23      Resolution Authorizing and Awarding 2023 Contract Renewal for Preventative Maintenance and Emergency Repair for Fire Apparatus for the City of Clifton

**RESOLUTION AUTHORIZING AND AWARDING 2023 CONTRACT RENEWAL FOR PREVENTATIVE MAINTENANCE AND EMERGENCY REPAIR FOR FIRE APPARATUS FOR THE CITY OF CLIFTON**

**WHEREAS**, on June 1, 2021, via Resolution R257-21, the Mayor and Council of the City of Clifton authorized bids to be solicited for "Preventative Maintenance and Emergency Repair for Fire Apparatus" to Fire and Safety Services for the City of Clifton's fire apparatus fleet; and,

**WHEREAS**, a sole bid was received on June 30, 2021, from Fire and Safety Services; and,

**WHEREAS**, upon attorney review of the submitted documents, Fire and Safety Services, 200 Ryan Street, South Plainfield, NJ 07080, was deemed the lowest responsive and responsible bidder; and,

**WHEREAS**, the Fire Chief has stated that Fire and Safety Services has provided the services satisfactorily, and has requested that the City Council authorize the 2023 Contract renewal , for a total not to exceed amount of \$95000 for the term on August 1,2023 and end on July 31,2024; and

**NOW, THEREFORE, BE IT RESOLVED**, that the renewal of contract for the Preventative Maintenance and Emergency Repair for Fire Apparatus be and is hereby approved and authorized to Fire and Safety Services, 200 Ryan Street, South Plainfield, NJ 07080 in accordance with the bid received on June 30, 2021, for a total contract not to exceed amount of \$95,000.00. Term of

March 21, 2023

contract shall commence on August 1, 2023, and end on July 31, 2024. The City of Clifton hereby renew said contract for one-year extension in accordance with the bid received on June 30, 2021.

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R170-23 Resolution Authorizing Award of Contract to Musco Sports Lighting LLC off of a Keystone Purchasing Network National Cooperative Contract for Concrete Bases for Poles and Electrical Drawings

**RESOLUTION AUTHORIZING AWARD OF CONTRACT TO MUSCO SPORTS LIGHTING LLC , OFF OF A KEYSTONE PURCHASING NETWORK NATIONAL COOPERATIVE CONTRACT FOR CONCRETE BASES FOR POLES AND ELECTRICAL DRAWINGS**

**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 National Cooperative, in accordance with N.J.S.A. 52:34-6.2, and LFN 2012-10; and

**WHEREAS**, pursuant to Resolution R112-23 of February 21, 2023, an advertisement was placed in the Herald News on February 24, 2023, to announce the City's interest in utilizing the Keystone Purchasing Network national cooperative for concrete bases for poles and electrical drawings for James Anzaldi Park, which was awarded to Musco Sports Lighting LLC, located at 100 1<sup>st</sup> Ave West PO Box 808, Oskaloosa, IA 52577; and

**WHEREAS**, the current contract term for Keystone Purchasing Network contract #KPN-201901-01, for Athletic Field/Court and Parking Lot Lighting Systems which expires on February 28, 2024; and

**WHEREAS**, the Purchasing Agent is satisfied with the procurement process conducted by KPN, and the contract which was awarded to PL Custom Emergency Vehicles., located at 100 1<sup>st</sup> Ave West PO Box 808, Oskaloosa, IA 52577, pursuant to the proposal submitted in response to KPN's Notice to Bidders Titled "Athletic Field/Court and Parking Lot Lighting Systems" and Contract #KPN-201901-01, for Athletic Field/Court and Parking Lot Lighting; and

**WHEREAS**, the Purchasing Agent followed all applicable guidelines stipulated by the Department of Community Affairs, Division of Local Government Services as outlined in Local Finance Notice 2012-10, and finds all are in compliance with the guidance in LFN 2012-10, pursuant to the proposal submitted, and is in concurrence with the Fire Chief to recommend award of the same; and

**WHEREAS**, there were no alternative approaches and/or rejections made by any New Jersey contractors/vendors by the March 06,2023 comment deadline; 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 purchase and delegate the power to make the same to the following named official: Amisha J. Jariwala, Purchasing Agent; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, State of New Jersey as follows:

1. The award of the contract for concrete bases for poles and electrical drawings for James Anzaldi Park pursuant to KPN contract number #KPN-201901-01.
2. The proposal submitted by Musco Sports Lighting LLC for the procurement of concrete bases for poles and electrical drawings for James Anzaldi Park as described above, for a total not to exceed amount of \$40,850.00 is hereby awarded.
3. Regarding Fund Certification, funds are available under the following account:  
Recreation department Capital Account 04-215-55-957-708



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R171-23 Resolution Amending Resolution R480-22 Entitled "Resolution Approving Developer Agreement Between the City of Clifton and 1128 Springfield Associates, LLC"

**RESOLUTION AMENDING RESOLUTION R480-22 ENTITLED "RESOLUTION APPROVING DEVELOPER AGREEMENT BETWEEN THE CITY OF CLIFTON AND 1128 SPRINGFIELD ASSOCIATES, LLC"**

**WHEREAS**, the Mayor and Council of the City of Clifton authorized a Developer Agreement between the City of Clifton and 1128 Springfield Associates, LLC, the developer of Block 42.16, Lot 6, 635 Brighton Road, Clifton, New Jersey on October 18, 2022; and

**WHEREAS**, the Engineer submitted revised bond calculations associated with the development; and

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

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R172-23 Resolution Authorizing an Agreement Between the City of Clifton, City of Paterson and Jerry Niebrzydowski for Connection into Clifton's Sewerage System

**RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF CLIFTON, CITY OF PATERSON AND JERRY NIEBRZYDOWSKI FOR CONNECTION INTO CLIFTON'S SEWERAGE SYSTEM**

**WHEREAS**, Jerry Niebrzydowski is a resident of the City of Paterson and owner of real property located at 6 Valley Road, Paterson New Jersey 07503 also described as Block 5413, Lot 10, on the tax map of the City of Paterson; and

**WHEREAS**, Jerry Niebrzydowski has applied to the City of Clifton and the City of Paterson for permission to connect the sewage line from Block 5413, Lot 10, Paterson, New Jersey into the sanitary sewer system of the City of Clifton; and

**WHEREAS**, the City of Clifton has approved the request subject to the terms and conditions of the Agreement between the City of Clifton, City of Paterson and Jerry Niebrzydowski.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton that the Agreement between the City of Clifton, City of Paterson, and Jerry Niebrzydowski is hereby authorized and approved; 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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R173-23 Resolution Awarding Professional Legal Services Contract to Buglione, Hutton & DeYoe, LLC for Defense of Workers' Compensation Claims Against the City of Clifton - 5/1/23-4/30/24

**RESOLUTION AWARDING PROFESSIONAL LEGAL SERVICES CONTRACT TO BUGLIONE, HUTTON & DeYOE, LLC FOR DEFENSE OF WORKERS' COMPENSATION CLAIMS AGAINST THE CITY OF CLIFTON - 5/1/23 - 4/30/24**

**WHEREAS**, the City of Clifton is in need of the services of an attorney who possesses expertise in the field of defense of workers' compensation claims; and

March 21, 2023

**WHEREAS**, the firm of Buglione, Hutton & DeYoe, LLC of Wayne, NJ, has been providing these services to the City of Clifton in a satisfactory manner for the past several years; and

**WHEREAS**, the Municipal Council wishes to award a renewal of the said contract, on the same terms and conditions as previously agreed upon; 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**, 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 the duration of the contract is for one year, May 1, 2023 through April 30, 2024; 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 payment for the services;

**NOW, THEREFORE, BE IT RESOLVED**, that a professional legal services contract as aforesaid be and the same is hereby awarded to Buglione, Hutton & DeYoe, LLC, 401 Hamburg Turnpike, PO Box 2449, Wayne, NJ 07470-2449, for the period May 1, 2023 through April 30, 2024, at a cost as follows:

- Flat fee, half of which is payable upon receipt of the file, to cover one calendar year .....\$497.00
- Flat fee, payable for each calendar year thereafter that the file remains open.....\$100.00
- Hourly rate for all trial work involving the initiation of testimony for any Second Injury Fund matter.....\$ 90.00
- Hourly rate for scheduling of IME's.....\$ 85.00

**BE IT FURTHER RESOLVED**, that the required Certificate of Availability of Funds for the above contract was obtained from the Chief Financial Officer of the City of Clifton and is endorsed hereon; and

**BE IT FURTHER RESOLVED**, that the original of this resolution and the contract above referred to 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 a contract on behalf 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.

Awarded to: Buglione, Hutton & DeYoe, LLC, Wayne, NJ  
 Services: Professional Legal Services  
 Cost: \$497 flat fee, ½ of which is payable upon receipt of file, to cover 1 calendar year  
 \$100 flat fee, payable for each year thereafter the file remains open  
 \$90 hourly rate for all trial work involving the initiation of testimony for any  
 Second Injury Fund matter  
 \$85 hourly rate for scheduling of IME’s  
 Subject: Defense of workers’ compensation claims against the City of Clifton  
 Term: 5/1/23 to 4/30/24

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R174-23 Resolution Appointing Member to the Historical Commission

**CITY OF CLIFTON  
 RESOLUTION APPOINTING MEMBER TO THE  
 HISTORICAL COMMISSION**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey is aware of a vacancy on the Historical Commission; and

**WHEREAS**, an application to fill this position was received from Dana Williams;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Dana Williams be and is hereby appointed as a Member of the Historical Commission commencing this day for a four-year term which expires on December 31, 2026.

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R175-23 Resolution Authorizing Renewal of Ice Cream Peddlers License - Magic Cone

**RESOLUTION AUTHORIZING ICE CREAM PEDDLERS LICENSE  
 RENEWAL**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a renewal application for an Ice Cream Peddlers License from Douha Khawatmi owner of Magic Cone Ice Cream in the City of Clifton, New Jersey; and

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

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

**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 a renewal application for an Ice Cream Peddlers License from Douha Khawatmi owner of Magic Cone Ice Cream in the City of Clifton is hereby granted.

**Company name:**  
Magic Cone Ice Cream

**Owner:**  
Douha Khawatmi

**Approved Operator:**  
Douha Khawatmi

**Approved Vehicle:**  
2001 Dodge Ram 3500 2B6LB31291K516500

March 21, 2023

**Parking Location:**

305 Paxton Street, Paterson, NJ 07503

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R177-23 Resolution Authorizing Fireworks to be Displayed on July 2, 2023 (Rain Date of July 9, 2023)

**RESOLUTION AUTHORIZING FIREWORKS TO BE DISPLAYED ON JULY 2, 2023  
(RAIN DATE OF JULY 9, 2023)**

**WHEREAS**, N.J.S.A. 21:3-3 requires that a municipal governing body authorize the display of fireworks within its boundaries as a precondition to such display in accordance with the above statute; and

**WHEREAS**, it is the City of Clifton’s desire to conduct such a display on the night of July 2, 2023 (with a rain date of July 9, 2023) at Clifton Stadium at Main Memorial Park, Route 46 and Piaget Avenue, Clifton, New Jersey;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and City Council of the City of Clifton, in the County of Passaic hereby authorizes the display of such fireworks upon satisfaction of all statutory requirements with regard to same by the approved contractor.

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R178-23 Late - Resolution Authorizing Renewal of Ice Cream Peddlers License - Mike's Ice Cream

**RESOLUTION AUTHORIZING ICE CREAM PEDDLERS LICENSE  
RENEWAL**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a renewal application for an Ice Cream Peddlers License from Muhiedin Zidan owner of Mike’s Ice Cream in the City of Clifton, New Jersey; and

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

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

**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 a renewal application for an Ice Cream Peddlers License from Muhiedin Zidan owner of Mike’s Ice Cream in the City of Clifton is hereby granted.

**Company name:**

Mike’s Ice Cream

**Owner:**

Muhiedin Zidan

**Approved Operator:**

Muhiedin Zidan

**Approved Vehicle:**

2008 Ford Van Z41235686102622

**Parking Location:**

301 Crooks Avenue – Paterson, NJ 07503

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March 21, 2023

R179-23 Late - Resolution Authorizing Cyber Liability Insurance for the Period 4/6/23 to 4/6/24 - Crum & Forster

**RESOLUTION AUTHORIZING CYBER LIABILITY INSURANCE FOR THE PERIOD 4/6/23 TO 4/6/24**

**BE IT RESOLVED**, that pursuant to the recommendation of the City’s Broker of Record, Polaris Galaxy Insurance Company, and based upon the Standard Certification Declaration for an Extraordinary Unspecifiable Service of the City Manager which is attached hereto and incorporated herein by reference, the Mayor and Municipal Council of the City of Clifton hereby authorize the following provider of insurance coverage and management for the period beginning April 6, 2023 and ending April 6, 2024 for Crum & Forster, for the reason that this provider has offered the best and most cost effective services for the City of Clifton:

Crum & Forster Insurance Company  
305 Madison Avenue  
Morristown, NJ 07960

The subject matter falls within the exception provisions of *N.J.S.A. 40A:11-5 et seq.* and *N.J.A.C. 5:34-2.3(B) et seq.* and may be awarded without public advertising for bids and bidding therefor.

**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 matter on behalf 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**

The City of Clifton has authorized the provision of insurance coverage pursuant to the exception provisions of *N.J.S.A. 40:11-5(1)(a)(ii)* and (m) and *N.J.A.C. 5:34-2.3(B)*. The contract and authorizing resolution are available for public inspection in the Office of the City Clerk.

**Awarded to:** Crum & Forster Insurance Company, 305 Madison Avenue, Morristown, NJ 07960  
**Services:** Cyber liability insurance  
**Estimated Cost:** \$34,232.30  
**Term:** 4/6/23 - 4/6/24

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R180-23 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 Spring of Life Church Parking Request - Potential Litigation
- CON-2 Legal Opinion Concerning Sidewalk Liability Claims
- CON-3 IBEW - DPW Contract Negotiations 2022-2025

**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 March 21, 2023 at which time, said subject(s) shall be discussed; and

March 21, 2023

**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.

**RESOLUTION FOR FINAL APPROVAL**

**BE IT RESOLVED**, that the application of Kanoon Restaurant Corp. t/a Kanoon Restaurant, 349 Hazel St., Clifton, NJ 07011 for a Restaurant – continued use, for a period ending December 31, 2024, is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

**LICENSES**

**L-1 Bohemian Bistro**

**RESOLUTION FOR PRELIMINARY APPROVAL**

FOR: MNJ, LLC  
T/A: Bohemian Bistro  
ADDRESS: 1281 Main Ave., Clifton, NJ 07011  
TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use  
FORMERLY OR NEW: Gallery Bistro  
ZONE: B-C  
PERMITTED: Yes  
VARIANCE REQUIRED: No

**L-2 Al-Aqsa Supermarket**

**RESOLUTION FOR PRELIMINARY APPROVAL**

FOR: Al-Aqsa Supermarket, LLC  
T/A: Al-Aqsa Supermarket  
ADDRESS: 1378 Main Ave., Clifton, NJ 07011  
TYPE OF FOR ESTABLISHMENT INTENDED: Caterer/Grocery/Milk – Continued Use  
FORMERLY OR NEW: Al-Aqsa Supermarket  
ZONE:  
PERMITTED: Yes  
VARIANCE REQUIRED: No

**L-3 Hot Box, The**

**RESOLUTION FOR FINAL APPROVAL**

**BE IT RESOLVED**, that the application of The Hotbox, LLC t/a The Hotbox, 141 Valley Rd., Clifton, NJ 07013 for a Grocery - New, for a period ending January 31, 2024, is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

**L-4 Somos Tu Peru Cafe**

**RESOLUTION FOR PRELIMINARY APPROVAL**

FOR: Somos Tu Peru Café, LLC  
T/A: Somos Tu Peru Cafe  
ADDRESS: 117 Lakeview Ave., Clifton, NJ 07011  
TYPE OF FOR ESTABLISHMENT INTENDED: Caterer/Grocery/Milk – Continued Use  
FORMERLY OR NEW: Lakeview Deli  
ZONE: BC  
PERMITTED: Yes  
VARIANCE REQUIRED: No

**L-5 Homemade Pirogi**

**RESOLUTION FOR PRELIMINARY APPROVAL**

FOR: Homemade Pirogi, LLC  
T/A: Homemade Pirogi  
ADDRESS: 1295 Main Ave., Clifton, NJ 07011  
TYPE OF FOR ESTABLISHMENT INTENDED: Caterer – Continued Use  
FORMERLY OR NEW: Homemade Pirogi  
ZONE: BC  
PERMITTED: Yes  
VARIANCE REQUIRED: No

**L-6 Triplet Deli & Grocery**

**RESOLUTION FOR PRELIMINARY APPROVAL**

FOR: Triplet Deli, LLC  
T/A: Triplet Deli & Grocery  
ADDRESS: 145 Valley Rd., Clifton, NJ 07013  
TYPE OF FOR ESTABLISHMENT INTENDED: Caterer/Grocery/Milk – Continued Use  
FORMERLY OR NEW: Vilvaldi's  
ZONE:  
PERMITTED: Yes  
VARIANCE REQUIRED: No

**L-7 Carla Mia Pizzeria**

**RESOLUTION FOR PRELIMINARY APPROVAL**

FOR: Amrah Food USA, LLC  
T/A: Carla Mia Pizzeria  
ADDRESS: 397 Piaget Ave., Clifton, NJ 07011  
TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use  
FORMERLY OR NEW: Carla Mia Pizzeria  
ZONE: B-D  
PERMITTED: Yes  
VARIANCE REQUIRED: No

**L-8 Tiny Tots Play N' Learn Academy**

**RESOLUTION FOR PRELIMINARY APPROVAL**

FOR: Tiny Tots Play N' Learn Academy, LLC  
T/A: Tiny Tots Play N' Learn Academy  
ADDRESS: 317-319 Lakeview Ave., Clifton, NJ 07011  
TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – New  
FORMERLY OR NEW: Bank  
ZONE:  
PERMITTED: Yes  
VARIANCE REQUIRED: No

March 21, 2023

**ADJOURNMENT**

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona to adjourn the meeting at 10:01 p.m.

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

Respectfully Submitted,

Nancy Ferrigno  
City Clerk

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Raymond Grabowski, Mayor