

**CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES APRIL 4, 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)
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 and City Clerk, Nancy Ferrigno.

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

Pastor Eric Farrar – Hope Reformed Church

APPROVAL OF MINUTES

A Motion was made by Councilwoman Murphy, seconded by Councilman Kolodziej and passed on roll call vote to approve the Workshop Meeting, Executive Session Minutes and Regular Meeting Minutes of March 21, 2023 and the Special Budget Meeting Minutes of March 30, 2023.

(6-0-1-0) Councilman Gibson, Councilman Latona, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilman Kolodziej abstained on the Meetings of March 21, 2023.

COMMUNICATIONS FROM THE CITY MANAGER

None

COMMUNICATIONS MEETING MINUTES

- C-1 Minutes of Board of Adjustment of March 15, 2023
- C-2 Minutes of North Jersey District Water Supply Commission of February 22, 2023
- C-3 Minutes of Senior Advisory Committee of March 23, 2023
- C-4 Minutes of Board of Recreation of February 27, 2023

SECOND READING ORDINANCES

A. Adoption of Ordinance 7801-23

B. Public Hearing on Ordinance 7801-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7801-23

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

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

(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 7802-23

D. Public Hearing on Ordinance 7802-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7802-23

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, seconded by Councilman Latona 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 Latona 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)

(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 7811-23

F. Public Hearing on Ordinance 7811-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7811-23

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.

FIRST READING ORDINANCES

A. Introduction of Ordinance 7812-23

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 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Deletes 161 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, April 18, 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 7813-23

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 Various Chapters of the Code of the City of Clifton (Adds and Amends Fees)

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 18, 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 7814-23

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, Revise and Supplement Chapter 461 of the Code of the City of Clifton, Entitled "Zoning" More Particularly Article VIII Thereof, Entitled "Accessory Buildings; Fences, Walls and Screening", Section 461-47 Thereof Entitled "Fences" (Modifies Paragraph A for Maximum Fence Height Requirements)

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 18, 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 7815-23

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 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; Uniform Allowances" (Amends 2022, 2023, 2024 & 2025 Salaries for DPW Titles; Adds Title and Compensation for Social Service Assistant Position; and Corrects Errors in System Analyst Position Salaries 2022, 2023, 2024 & 2025)

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 18, 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 7816-23

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 Councilman Latona and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 203 of the Code of the City of Clifton Entitled "Dogs and Other Animals" at Article IX Entitled "Keeping and Trapping of Animals" at Various Locations (Revises Various Provisions to Remove Sections that are no Longer Applicable and Updates Licensing Procedure)

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 18, 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, advise Council of a conference call with the consultants working on Third River Project. Council had previously agreed to a two-month extension to complete the study. He stated that the study will be completed by July 1, 2023. He also advised Council that four families have signed up with FEMA to have their houses bought. He also advised that a new program is in effect wherein families can sign up to receive \$300,000 to raise their houses.

Mr. Villano discussed Councilwoman Sadrakula's request regarding sidewalks being put in on Mt. Prospect Street and Allwood Place for all new construction. Mr. Villano stated that he will have a break-down of all properties, along with a cover memo, at the next meeting. Councilwoman Sadrakula asked for a copy of the letters that were sent to the residents of these properties. Mr. Villano stated that the City Engineer will be sending letters shortly and that he would give her a copy of same when completed.

FLOOR TO MEMBERS OF THE PUBLIC

Gary Perino, 491 Mt. Prospect Ave., reported a problem he is having with Channel 77 on Optimum and he spoke about a walking tour in Branch Brook Park and how nice it would be to have the same thing on City Hall property. He spoke about enforcing City Ordinances regarding sidewalks.

Steve Goldberg, 124 Charles St., discussed the way the Members of the Civil Rights Commission are appointed. He spoke about the importance of vetting the Members. He announced the upcoming Israeli Flag Raising and read a passage about Amir Khoury who died assisting the people of Israel. He wished all a Happy Passover, Blessed Easter and Peaceful Ramadan.

Joseph Saino, 102 Trenton Ave., he spoke about the City's Ordinance regarding the placement of Realtor signs. He agreed that the Members of the Civil Rights Commission should be subject to a background check.

Anthony Miragliotta, 31 John Alden St., asked if the audit of improper pay and sick time to City Employees was ever complete. He asked how any improper payments would be recouped. He remarked on the budget, tax increases, waiving taxes for disabled veterans, open building permits, temporary Certificates of Occupancy and the recent theft of wired funds that was experienced by the City of Clifton.

Julie Krygsman, 49 Viola Ave., discussed several disturbing incidents that have taken place around her home where she was in need of police assistance such as suspicious persons, drug paraphernalia left on her property, people smoking in their cars, littering and many other occurrences. She spoke particularly of the last incident where a Clifton Police Officer responded and basically told her nothing could be done to help her. Ms. Krygsman claimed he was rude, uncaring and spoke badly about the Clifton Police and the town in general. She asked Council to help with the situation.

Wes Krygsman, 49 Viola Ave., remarked on understaffed and overworked Police Department in Clifton and the need to hire quality police officers. He spoke about the many incidents his wife, Julie Krygsman, discussed at tonight's meeting. Mr. Krygsman spoke about finding ways to make the streets safer and asked the police be more proactive in their approach to safety.

Bart Ciervo, 306 Delawanna Ave., spoke about a business that has windows covered by paper for quite a while and wanted to know what was being planned for the building. He stated that telephone poles do not belong to the City and no one should post signs on them. He warned council to look into requirements before allowing residents to raise houses in flood areas. He spoke about having police patrol in the area of Delawanna Avenue and poor police response.

Judy Bassford, 92 Mountain View Dr., announced a memorial service which will be held for the victims of 9/11. She expressed her regret to the Krygsman on their quality of life issue and spoke about a bad joke she recently heard at a meeting of diverse citizens.

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

Councilman Gibson

Councilman Gibson discussed placing mini-markets at the Clifton Animal Shelter and the Senior Citizen Barn. He spoke about funding the improvements in Nash Park with a Green Space Grant. City Manager, Dominick Villano, remarked that an application was submitted to Green Acres because their funding is for a higher amount. He asked City Manager, Dominick Villano, if any City Employees are still working from home. Mr. Villano stated that all employees are back in the office full time with the exception of certain circumstances. Councilman Gibson spoke about the need to follow the sidewalk Ordinance for all City properties. He wished all that celebrate a Happy Passover. Councilman Gibson expressed his disdain for the quality of life situation the Krygsman family is experiencing.

Councilman Kolodziej

Councilman Kolodziej spoke about State Laws in NJ that do not allow the municipality to recoup funds that are already spent. He stated that he is in favor of raising taxes to plant more trees but would rather see the City apply for grants. Councilman Kolodziej reference recouping funds from schools and the County. He proposed establishing an Open Space Tax. Councilman Kolodziej expressed his disappointment in the treatment the Krygman Family received regarding their quality of life issue and remarked that he was sure Administration will be investigating the incident quickly and in detail. He remarked on the shortage of police in the City. Councilman Kolodziej discussed special interest firms interviewing for RFP's who did not even meet the qualifications of the proposal. He spoke about the recent budget meetings and stated that many good ideas were brought up, but many of them had nothing to do with the budget. Councilman Kolodziej remarked that a rumor that was being spread regarding residents obtaining temporary Certificates of Occupancy to avoid paying taxes, was not true. He spoke about the many budget troubles the City is facing.

Councilman Latona

Councilman Latona discussed the upkeep of the Cable network, sidewalks, disabled veterans and tax reimbursements, checks and balances, the quality of life issue the Krygman family is experiencing, the City's sign ordinance. Good luck to Little League. He announced that loss of several helicopter pilots who died in a training session. Councilman Latona spoke about the Budget Meeting being televised for the public. He discussed his suggestions to balance the budget. Councilman Latona expressed that he is not in favor of raising taxes and spoke about governmental transparency. Happy Easter to all that celebrate.

Councilwoman Murphy

Councilwoman Murphy apologized to the Krygman family for the disappointing experience they had with a member of the Clifton Police Department. She announced Recreation news, a fundraiser at Bruno's Restaurant, Shred Day, an upcoming Action Clifton meeting, St. Peter's 5k Run and the availability of the CHIP Program to residents. Councilwoman Murphy announced that April is Autism Awareness Month. She wished all a Happy Easter, Passover and Ramadan.

Councilwoman Pino

Councilwoman Pino apologized to the Krygman family for the upsetting experience they had with a Clifton Police Officer during a quality of life complaint. She expressed that she was not comfortable with interviewing law firms for outside counsel by Zoom. She announced the Grand Opening of a new Salon. She congratulated the PCTI Theater on their production of Mary Poppins. She congratulated the City of Passaic on their 150th Anniversary. She spoke about the Council's effort to produce a balanced budget. She congratulated the Board of Education for the new Tennis Court. She spoke about a Town Hall meeting she held regarding the CHIP Program. She urged residents to check her Facebook page for more information.

Councilwoman Sadrakula

Councilwoman Sadrakula asked if a "No Loitering" sign can be placed on Jewett Street next to the Krygman family home. She then spoke about the Table of Organization in the Police Department. The Councilwoman spoke regarding the fraudulent \$600,000 payment, Allwood Place sidewalks. She suggested a fundraiser for planting cherry blossom trees on City Hall property. Councilwoman Sadrakula spoke regarding temporary Certificates of Occupancy. She asked if the markings on Allwood Road were for gas and water. She spoke regarding the restaurant building on Delawanna and asked for an emergency order on Delawanna. She asked the Legal Department how much was paid regarding the Palma lawsuit to date. She wished everyone a Happy Easter, Passover and Ramadan.

Mayor Grabowski

Mayor Grabowski discussed increases in garbage collection, recycling collection as well as Police Department salary increases. He indicated that we have had Budget meetings and hopefully we

will come to an agreement on the Budget. He discussed the situation at the Krygsman home. He wished everyone a Happy Easter, Passover and Ramadan.

RESOLUTIONS

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

R181-23 Resolution: Approve Claims List Resolution for the April 4, 2023, City Council Meeting

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF APRIL 4, 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	
TOTAL CLAIMS	\$9,299,725.56

R 182-23 Reclassification of Payments

**CITY OF CLIFTON
RESOLUTION
RECLASSIFICATION OF PAYMENTS**

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

CHECK#	DATE	PAYEE	AMOUNT	FROM	TO
ACH900283 (partial)	10/6/2021	CHENOSA SYSTEMS	\$1,209.51	01-203-25-240-325	02-213-40-705-002

R183-23 Resolution Canceling Grant Fund Account Balances

**CITY OF CLIFTON
RESOLUTION CANCELING
GRANT FUND ACCOUNT BALANCES**

WHEREAS, the following grant projects with in the Current Fund and the Grant Fund of the City of Clifton budget balances remain unexpended or have been reduced:

<u>Account Name</u>	<u>Cancel Amount</u>
Byrne Memorial Justice Assistance Grant	\$ 39,594.44
2021 – Body Armor Replacement Grant	\$.29
2022 – Sustained Enforcement Grant	\$ 5,960.00
2019 – Distracted Driving Enforcement Grant	\$ 1,100.00
2022 – Pedestrian Safety	\$ 1,781.00
Alcohol Education Rehab	\$ 7,349.05
2019- Recycling Tonnage Grant	\$.32
2020- TD Green Apace Tree ADF	\$ 125.00
NJ Parks & Recreation Assoc. Grant	\$ 6,391.00
2019 NFC Healthy City Grant	\$ 30,000.00

WHEREAS, it is necessary to formally cancel said balances so that the Grant program may be closed out and removed from the open balances, and

WHEREAS, it may be necessary to refund any excess funds received from the Grant Agency if the City of Clifton receives funding in excess of the requirement of the program.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that the above listed Grant Fund Project balances be canceled and any excess funds received returned to the appropriate Grant Agency.

R184-23 Resolution - Certification of Neglia Engineering Construction Management Contract

**CITY OF CLIFTON
 CERTIFICATION OF NEGLIA ENGINEERING
 CONSTRUCTION MANAGEMENT
 PSE&G GAS MODERNIZATION PROGRAM
 RESOLUTION**

WHEREAS, at the March 21, 2023, the City Council approved the Construction Management Services Contract with Neglia Engineering for the PSE&G Gas System Modernization Program on Resolution Number R166-23; and

WHEREAS, the total cost of this Contract is \$144,000.00 and required to be certified by the Chief Financial Officer as to the availability of fund prior to being approved; and

WHEREAS, the Finance Office received these Escrow Funds on March 27, 2023, so is now available in the following Trust Account for this Contract:

15-286-57-014-006 - \$144,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that the Certification of Funds be made part of this approval.

R185-23 Resolution - 2023 Temporary Budget Increase for the Municipal Budget

**CITY OF CLIFTON
 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>
Recycling Tonnage Grant	01-201-41-720-323	\$ 143,693.43
JAG Grants – FY 2021 & 2022	01-201-41-717-323	\$ 25,393.50
Total Temporary Budget Increase:		<u>\$ 169,086.93</u>

R186-23 Resolution Authorizing and Ratifying Emergency Repairs at the Martin Avenue Pump Station

RESOLUTION AUTHORIZING AND RATIFYING EMERGENCY REPAIRS AT THE MARTIN AVENUE PUMP STATION

WHEREAS, a report, dated December 6, 2021 was submitted to the City Manager by City Engineer Michael J. Lardner, which summarized the emergency repairs required at the Martin Avenue Pump Station; and

WHEREAS, the report notes that the City Engineer received an alarm that the variable flow drive for Pumps 1 and 3 had failed; and

WHEREAS, because of the emergent nature of the mechanical failure which would have impacted the health, safety and welfare of the public, it was necessary to engage the services of North Jersey Pump & Controls LLC of Oakland, New Jersey to cope with the emergency conditions, all without the necessity of formal bidding for services; and

WHEREAS, the emergency was by the replacement of the variable frequency drives on Pumps 1 and 3; and

WHEREAS, The City Engineer recommends an expenditure to cover the cost of the work at this location, and this Governing Body wishes to approve and ratify the emergency services and the expenditure of funds:

NOW THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the emergency repairs performed at the Martin Avenue Pump Station North Jersey Pump & Controls LLC is hereby approved and ratified, and an amount not to exceed \$22,520.00 is authorized to be allocated to this project.

R187-23 Resolution Authorizing the Issuance of Change Order No. 1 and Final Silleck Street Drainage Improvements

RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 1 AND FINAL SILLECK STREET DRAINAGE IMPROVEMENTS

WHEREAS, on February 15, 2022, the City of Clifton adopted Resolution R095-22 awarding a contract to **JOHN GARCIA CONSTRUCTION CO.** of CLIFTON, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for **SILLECK STREET DRAINAGE IMPROVEMENS** in the amount of \$320,787.31; 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 **JOHN GARCIA CONSTRUCTION CO.**, in the amount of \$9,441.32 a 2.94% Decrease 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 is not required to certify the availability of sufficient funds for the amendatory change for which authorization is requested in the amount of \$9,441.32 a 2.94% DECREASE;

WHEREAS, the total contract amount is now \$311,345.99.

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.

R188-23 Resolution Authorizing Final Payment - Silleck Street Drainage Improvements - John Garcia Construction Co.

**RESOLUTION AUTHORIZING FINAL PAYMENT
SILLECK STREET DRAINAGE IMPROVEMENTS
JOHN GARCIA CONSTRUCTION CO.**

WHEREAS, JOHN GARCIA CONSTRUCTION CO. of Clifton, New Jersey, did complete **SILLECK STREET DRAINAGE IMPROVEMENTS** project in and for the City of Clifton for the total amount of\$311,345.99

And previous payments on account of said total have been paid in the amount of...\$305,119.07

Leaving this FINAL PAYMENT of \$ 6,226.92

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 **\$31,134.60**; 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.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is authorized and directed to include the said claim totaling **\$6,226.92** on the claim list.

R189-23 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.

R190-23 Resolution Authorizing the Issuance of Change Order No. 1 and Final Exterior Restoration of Animal Barn No. 5

**RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 1 AND FINAL
EXTERIOR RESTORATION OF ANIMAL BARN NO. 5**

WHEREAS, on July 18, 2022, the City of Clifton adopted Resolution R354-22 awarding a contract to **DELL-TECH, INC.** of TRENTON, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for **EXTERIOR RESTORATION OF ANIMAL BARN NO. 5** in the amount of \$635,500.00; 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 **DELL-TECH, INC.**, in the amount of \$53,424.00 an 8.41% 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 \$53,424.00 an 8.41% INCREASE;

WHEREAS, the total contract amount is now \$688,924.00.

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.

R191-23 Resolution Authorizing Final Payment - Exterior Restoration of Animal Barn No. 5 - Dell-Tech, Inc.

**RESOLUTION AUTHORIZING FINAL PAYMENT
EXTERIOR RESTORATION OF ANIMAL BARN NO. 5
DELL-TECH, INC.**

WHEREAS, DELL-TECH, INC. of Trenton, New Jersey, did complete **EXTERIOR RESTORATION OF ANIMAL BARN NO. 5** project in and for the City of Clifton for the total amount of.....\$688,924.00

And previous payments on account of said total have been paid in the amount of.....\$603,366.40

Leaving this FINAL PAYMENT of\$ 85,557.60

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 **\$68,892.40**; 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 **\$85,557.60** on the claim list.

R192-23 Resolution Authorizing Permission to Bid for Providing of On-Call Emergency Sewer Jetting Services the City of Clifton

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR
PROVIDING OF ON-CALL EMERGENCY SEWER JETTING
SERVICES THE CITY OF CLIFTON**

WHEREAS, the City of Clifton shall incur no expense exceeding \$17,500, except where either authorized by law or waived by the Municipal Council up to the State of New Jersey bid threshold; and,

WHEREAS, the City of Clifton has need of placing under contract On-Call Emergency Sewer Jetting Services, demonstrated by the recent and historic number of sewer repair emergency declarations; and,

WHEREAS, per specifications, an award is to be based on the lowest hourly rate proposed by a responsive and responsible bidder, to include all work provided by the Contactor in whole, which shall include all hourly laborers, site preparation, and site work, structured to jetting services in accordance with applicable EPA (Environmental Protection Agency), New Jersey DEP, and New Jersey DOT guidelines; and,

WHEREAS, the specifications provide for a primary contractor and a secondary contractor to be awarded, for which the secondary contractor would be available for calls where the primary is unable to attend to, or when the primary is already engaged in repairs throughout the City; and,

WHEREAS, Boswell Engineering is working with Director of Public Works to finalize technical specifications acceptable for public bidding; 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 public bids for the goods and services described therein; and,

BE IT FURTHER RESOLVED that the Notice to Bidders 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.*

R193-23 Resolution Authorizing Purchase of Line Striping Services off of Morris County Cooperative Pricing Contract #36 - Traffic Striping on Roadways Through to December 31, 2023

**RESOLUTION AUTHORIZING PURCHASE OF LINE STRIPING SERVICES
OFF OF MORRIS COUNTY COOPERATIVE PRICING CONTRACT #36:
TRAFFIC STRIPING ON ROADWAYS, THROUGH TO DECEMBER 31, 2023**

WHEREAS, the Department of Public Works has had and continues to have a need for services from Denville Line Painting, Inc. for line striping services; and

WHEREAS, Denville Line Painting, Inc., located at 2 Green Pond Road, Rockaway, New Jersey 07866, was awarded contract number 36 by the Morris County Cooperative (MCCPC) for Traffic Striping on Roadways; and

WHEREAS, the City is a member of the Morris County Cooperative Pricing Council (MCCPC); 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, that the Mayor and Municipal Council to hereby approve and authorize purchasing of Line Striping Services provided by Denville Line Painting, Inc., located at 2 Green Pond Road, Rockaway, New Jersey 07866, based on the contract period and terms outlined in the Morris County Cooperative Pricing Contract number 36, in a not to exceed amount of \$96,325.00, through to December 31, 2023; and

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

R194-23 Resolution Authorizing the Purchase of Concrete Bin Blocks for the Repair of the Wall Behind the DPW Building

**CITY OF CLIFTON
RESOLUTION AUTHORIZING THE PURCHASE OF CONCRETE BIN BLOCKS FOR
THE REPAIR OF THE WALL BEHIND THE DPW BUILDING**

WHEREAS, the Department of Public Works has a need to repair a wall behind the DPW building; and

WHEREAS, quotations were solicited for the purchase of Concrete Bin Blocks. The following two vendors submitted the quotes:

April 4, 2023

	Total Cost
1. Salomone Redi-Mix LLC	\$19,500.00
2. Tanis Concrete, Inc.	\$24,000.00

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 Salomone Redi Mix LLC. 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 Salomone Redi Mix LLC, Inc. in the amount of \$19,500; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council that the contract (by way of a purchase order) for Salomone Redi Mix LLC be awarded to the lowest respondent, Salomone Redi-Mix, LLC ., 17 Demarest Drive, Wayne NJ 07470 in an amount not to exceed \$19,500.00. Term of contract shall commence April 05, 2023 and end on April 04, 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.

R195-23 Resolution Authorizing Purchase of Multiple Products from Atlantic Tactical of NJ off of the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a for Clifton Police Department

RESOLUTION AUTHORIZING PURCHASE OF MULTIPLE PRODUCTS FROM ATLANTIC TACTICAL OF NJ OFF OF THE NJ STATE CONTRACT PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a FOR CLIFTON POLICE DEPARTMENT

WHEREAS, the City of Clifton Police Department has a requested to purchase multiple products including ammunition and related items like firearm and range equipment; and

WHEREAS, Atlantic Tactical Inc., 763 Corporate Circle, New Cumberland, PA 17070, has been assigned NJ State Contract No. T0106/17-FLEET-00732 - Law Enforcement Firearms Equipment and Supplies; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Atlantic Tactical Inc., 763 Corporate Circle, New Cumberland, PA 17070, which has been assigned NJ State Contract No. T0106/17-FLEET-00732, at a cost not to exceed \$100,000.

R196-23 Resolution Proclaiming April as Child Abuse Prevention Month

**CITY OF CLIFTON
RESOLUTION PROCLAIMING APRIL AS
CHILD ABUSE PREVENTION MONTH**

WHEREAS, in Passaic County alone, there are over 300 children in foster care, many of whom live in Clifton; and

WHEREAS, studies have shown that children who are victims of abuse or neglect have delayed brain development, lower educational attainment and limited employment opportunities. They also have an increased risk of being the victims of violence in the future, perpetrating violence themselves or falling prey to substance abuse. In short, child abuse is a cycle of abuse; and

WHEREAS, we believe all children deserve to be nurtured, protected and free from physical, sexual and emotional abuse. We need Clifton residents to understand that everyone in New Jersey is a mandated reporter. Preventing child abuse and neglect is the responsibility of our community as a whole; and

WHEREAS, we call upon all residents, community agencies, faith groups, medical facilities, elected officials, schools and business owners to join forces to promote public awareness around child wellbeing;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clifton hereby proclaim the month of April as

CHILD ABUSE PREVENTION MONTH

and encourage all citizens to join the campaign and become concerned about child abuse.

R197-23 Resolution Authorizing Renewal of Ice Cream Peddlers License - Summer Ice Cream

**CITY OF CLIFTON
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 Ahmad Abdelrahman owner of Summer Ice Cream, 12 Grove Street in the City of Paterson, 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 Ahmad Abdelrahman owner of Summer Ice Cream, 12 Grove Street in the City of Paterson is hereby granted.

Company name:
Summer Ice Cream

Owner:
Ahmad Abdelrahman

Approved Operator:
Ahmad Abdelrahman

Approved Vehicle:

April 4, 2023
2003 GMC SUV 1GDHG35R221232888

Parking Location:
12 Grove St. – Paterson, NJ 07503

R198-23 Resolution for Appointment to the Civil Rights Committee

**RESOLUTION FOR APPOINTMENT 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;

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:

Botany/East Clifton	Stephen Aggi-Monge	Kim Castellano-Alt.
Greglawn	Cameron Hebron	

BE IT FURTHER RESOLVED, that Luisa Matos Garcia’s application will be held until a vacancy takes place in the Lakeview Section.

R199-23 Late - Resolution Authorizing the Submission of a Level II Capital Preservation Grant Application to the New Jersey Historic Trust Preserve NJ Fund for the Hamilton House Restoration Project

**RESOLUTION AUTHORIZING THE SUBMISSION OF A LEVEL II CAPITAL
PRESERVATION GRANT APPLICATION TO THE NEW JERSEY HISTORIC TRUST
PRESERVE NJ FUND FOR THE HAMILTON HOUSE RESTORATION PROJECT**

WHEREAS, the Mayor and City Council of the City of Clifton wish to restore the Hamilton House and apply for a Capital Preservation Level II Grant; and

WHEREAS, the City of Clifton desires to further the public interest by obtaining a grant in the amount of \$750,000.00 from the New Jersey Historic Trust Preserve NJ Fund and provide equal matching funds amounting to \$1,041,077.00 to facilitate the Hamilton House Restoration project which have an overall project cost of \$1,791,077.00;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, that Dominick Villano, City Manager, or his successor in office, 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.

R200-23 Late - Resolution Authorizing the Submission of a Level II Capital Preservation Grant Application to the New Jersey Historic Trust Preserve NJ Fund for the Morris Canal Stabilization Project

April 4, 2023

RESOLUTION AUTHORIZING THE SUBMISSION OF A LEVEL II CAPITAL PRESERVATION GRANT APPLICATION TO THE NEW JERSEY HISTORIC TRUST PRESERVE NJ FUND FOR THE MORRIS CANAL STABILIZATION PROJECT

WHEREAS, the Mayor and City Council of the City of Clifton wish to stabilize the Morris Canal and apply for a Capital Preservation Level II Grant; and

WHEREAS, the City of Clifton desires to further the public interest by obtaining a grant in the amount of \$444,995.00 from the New Jersey Historic Trust Preserve NJ Fund and provide equal matching funds amounting to \$444,995.00 to facilitate the Hamilton House Restoration project which have an overall project cost of \$899,990.00;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, that Dominick Villano, City Manager, or his successor in office, 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
- © Act as the authorized correspondent.

R 201-23 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 Workers' Compensation Claim - JL - PD
- CON-2 Legal Opinion Concerning Sidewalk Liability Claims
- CON-3 Clocking In and Out of City Employees & In-House Legal Contracts – Personnel
- CON-4 Fraudulent Check & ACH Payment Status Update – Potential Litigation
- CON-5 Update on Site for Firehouse
- CON-6 Kowal Street Parking
- CON-7 Ordinance Supporting Signs Covered by 39:4-139

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 April 4, 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

RESOLUTION FOR FINAL APPROVAL

L-1 San Antonio Mexican Restaurant 3, LLC

FOR: San Antonio Mexican Restaurant 3, LLC
T/A: San Antonio Mexican Restaurant
ADDRESS: 3-5 Village Square East
TYPE OF ESTABLISHMENT INTENDED - Restaurant – New
FORMERLY OR NEW: New
ZONE:
PERMITTED: Yes
VARIANCE REQUIRED: No

April 4, 2023

RESOLUTION FOR PRELIMINARY APPROVAL

L-2 Delicias Para Tu Boca Algo Mas

FOR: Fausto Diaz
T/A: Delicias Para Tu Boca Algo Mas
ADDRESS: City Wide Zone
TYPE OF FOOD ESTABLISHMENT INTENDED: Food Vending Vehicle/Milk
FORMERLY OR NEW: New
ZONE: N/Z
PERMITTED: YES
VARIANCE REQUIRED: NO

L-3 729 Van Houten Ave. Liquor, Inc.

FOR: 729 Van Houten Ave Liquor, Inc.
T/A: Dante Liquors
ADDRESS: 729 Van Houten Ave., Clifton, NJ 07013
TYPE OF FOOD ESTABLISHMENT INTENDED: Grocery-Continued Use
FORMERLY OR NEW: Dante Liquors
ZONE: B -C
PERMITTED: YES
VARIANCE REQUIRED: NO

L-4 A&I Grocery, LLC

FOR: A & I Grocery, LLC
T/A: Claribel Deli Grocery
ADDRESS: 2 Kulick St., Clifton, NJ 07011
TYPE OF FOOD ESTABLISHMENT INTENDED: Caterer/Grocery/Milk – Continued
FORMERLY OR NEW: Yrvin Deli
ZONE
PERMITTED: YES
VARIANCE REQUIRED: NO

ADJOURNMENT

A Motion was made by Councilwoman Murphy, seconded by Councilman Latona to adjourn the meeting at 11:25 p.m.

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

Respectfully Submitted,

Nancy Ferrigno
City Clerk

Raymond Grabowski, Mayor