

CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES MAY 2, 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.

8:10 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 Deputy City Clerk, Michele Butler.

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

Imam Chauldhary - Masjid Baitul Mahid

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 April 18, 2023 and the Special Meeting of April 25, 2023.

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

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Robert Eubanks has been promoted to Plumbing Sub Code Official with the Building Department, effective 04/03/2023 at \$70,000/annually.

COMMUNICATIONS MEETING MINUTES

- C-2 Minutes of Beautification Committee of April 3, 2023
- C-3 Minutes of the Planning Board Meeting of March 23, 2023
- C-4 Minutes of the Advisory Board of Recreation of March 27, 2023
- C-5 Minutes of the Hazardous Materials Control Board March 15, 2023

SECOND READING ORDINANCES

A. Adoption of Ordinance 7817-23

B. Public Hearing on Ordinance 7817-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7817-23

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

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

(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 7818-23

D. Public Hearing on Ordinance 7818-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7818-23

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 4 Restricted Handicapped Spaces)

(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 7819-23

F. Public Hearing on Ordinance 7819-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7819-23

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

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

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

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

G. Adoption of Ordinance 7820-23

H. Public Hearing on Ordinance 7820-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7820-23

With no one wishing to be heard, a Motion was made by Councilman Latona, 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 Latona 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" (Amends Handicapped Parking Placard Numbers)

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

I. Adoption of Ordinance 7821-23

J. Public Hearing on Ordinance 7821-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7821-23

Henry Cholewczynski, 37 Phyllis Place, remarked that the Ordinance should also allow residents who have garage sales to post signs.

With no one else wishing to be heard, a Motion was made by Councilman 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.

Ordinance to Amend, Revise and Supplement Chapter 461 of the Code of the City of Clifton, Entitled "Zoning", More Particularly Section 461-53(N) Thereof, Entitled "Temporary Signs" (Add Section 5 Temporary Real Estate Open House Signs)

(5-2-0-0) Councilman Gibson, Councilman Kolodziej, Councilwoman Murphy, Councilwoman Pino, and Mayor Grabowski voted aye. Councilman Latona and Councilwoman Sadrakula voted nay.

K. Adoption of Ordinance 7822-23

L. Public Hearing on Ordinance 7822-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7822-23

With no one wishing to be heard, a Motion was made by Councilman Latona, 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 Councilman Latona seconded by Councilman Kolodziej 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 Section 461-13 Thereof, Entitled "Schedule of Regulations as to Bulk, Height and Other Requirements; Modifications" (Adds Section N3 Open Decks Setback)

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

FIRST READING ORDINANCES

A. Introduction of Ordinance 7823-23

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

An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article VI Thereof, Entitled "Confidential Officials and Employees", Section 99-34, Entitled "Minimum and Maximum Salaries Fixed; (Creates Title of & Compensation for Comptroller)

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, May 16, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

B. Introduction of Ordinance 7824-23

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, moved by Councilwoman Murphy, seconded by Councilman Kolodziej and failed on roll call vote.

**An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a
CAP Bank (N.J.S.A. 40A:4-45.14)**

(3-2-2-0) Councilman Kolodziej, Councilwoman Murphy and Mayor Grabowski voted aye. Councilman Gibson and Councilwoman Sadrakula voted nay and Councilman Latona and Councilwoman Pino abstained.

CITY MANAGER PRIVILEGE

City Manager, Dominick Villano, announced that the City will be strictly enforcing grass cutting regulations.

FLOOR TO MEMBERS OF THE PUBLIC

Kim Renta, 131 Pershing Rd., recommended the newly formed digital newspaper called “The Clifton Times.”

John McKeon, NJ General Assemblyman, spoke about the change of voting districts which effects Clifton.

Lily D’Amato, 81 Merrill Rd., spoke about the recent Israeli flag raising ceremony, the Council’s views on achieving a successful community, city employee performance reviews, cannabis sales and taxes.

Ray Robertello, 64 Woodlawn Ave., extended an invitation to all to attend the Pride flag raising ceremony.

Amy Maffei, 136 Edgewood Rd., spoke about tax increases, open permits and Councilwoman Pino running for County Clerk.

Chris D’Amato, 81 Merrill Rd., discussed communications, the purpose of broadcasting budget meetings and city employee performance evaluations.

Avraham Eisenman, 706 Passaic Ave., spoke about the recent Israeli flag raising, the County’s Allwood Road improvement plan, tax increases and a petition to change the City’s form of government.

Steve Goldberg, 124 Charles St., thanked everyone who attended the Israeli flag raising ceremony. He spoke about the many freedoms the citizens of Israel enjoy.

Anthony Miragliotta, 31 John Alden St., remarked on tax exemption and rebates for disabled veterans. He discussed a bill which has been introduced but never passed to help municipalities recover money refunded to disabled vets from schools and the County.

Faith Webb, 23 Strangeway Terrace, spoke about Council members fulfilling their terms prior to running for another office. She spoke about an incident where she found a bottle of unmarked capsules on the street and the negative experience she had when she reported the incident to the police. Ms. Webb suggested that the Council allow telephone call access to speak at Council meetings. She also spoke about handicapped parking spots. Ms. Webb thanked the Clifton Police and Fire Departments for the autism awareness event they recently hosted.

Henry Cholewczynski, 37 Phyllis Place, spoke about the installation of sidewalks according to the City’s ordinance and a resident who replaced his curb with rocks.

Gary Perino, 491 Mt. Prospect Ave., remarked on fireworks, proposed changes to Allwood Road and sidewalks.

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

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

COUNCIL PRIVILEGE

Councilman Kolodziej

Councilman Kolodziej stated that the Downtown Clifton Committee met and spoke about murals, parking issues and traffic safety in the area of the Main Avenue Post Office. He announced that the Passaic County Water Commission met and discussed going out for bid for the Levine Reservoir closures, finalizing the generator at the Little Falls treatment plant, the progress of the lead water pipe replacement program, hydrant flushing classes and the restructuring of Passaic Valley Water Commission departments to improve efficiency. Councilman Kolodziej spoke of misinformation that has been fed to the public regarding the budget. He spoke about some of the mechanisms of the PILOT agreement at the former Hoffman La Roche site and explained that the PILOT is fiscally advantageous to the City. He spoke about Dedication by Rider as it applies to Trust Funds. Councilman Kolodziej spoke about revenues, budget amendments, adding police officers, retail cannabis, creating a Public Information Officer, tax increases, distressed fund balances and the need to pass the recently denied COLA Ordinance.

Councilman Latona

Councilman Latona remarked that “The Clifton Times” digital newspaper is a much needed source for community news. He spoke about performance reviews and cutting fat from the budget. Councilman Latona feels that there is money in current trust funds that can be utilized to lower taxes. He spoke about revenue that is not being counted in the budget. Councilman Latona spoke about utilizing the snow trust since we had a mild winter and there are leftover funds due to a past mild winter. He spoke about the use of RFPs and RFQs, tax revenue, interest, the cost of emergency sewer repairs. Councilman Latona wished all mothers a Happy Mothers’ Day.

Councilwoman Murphy

Councilwoman Murphy stated that many hours were spent working on the budget and the decision to raise taxes was not an easy one. She thanked the Police and Fire Departments for hosting the “Touch a Truck” event for autistic children. Councilwoman Murphy announced a fundraiser through the Red Hat Angels at Bruno’s Restaurant and a public baby shower at Main Memorial Park. She announced recreation news.

Councilwoman Pino

A Motion was made by Councilwoman Pino, seconded by Councilman Latona and passed on roll call vote to add a discussion item to the next Council agenda to talk about arranging for residents to apply for garage sales on-line.

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

She spoke about the results of the recent Traffic Safety Committee, and asked for an updated paving schedule. Councilwoman Pino spoke about her decision to Motion to approve a six point tax increase. She spoke about being attacked on Social Media for leaving a recent budget meeting early. Councilwoman Pino invited all residents to attend her Town Meetings at City Hall. She thanked everyone who hosted the Israeli flag raising ceremony and announced the upcoming Pride flag raising ceremony. Councilwoman Pino announced that she continues to mail out information packets for residents. She spoke about Arbor Day, School #4 Bingo fundraiser and the opening of a new restaurant, Bohemian Bistro. Councilwoman Pino wished all mothers a Happy Mothers’ Day.

Councilwoman Sadrakula

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to have a discussion put on the next meeting agenda to add a category for the City Manager to answer questions from members of the public.

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

She spoke about City employee performance reviews, balancing the budget and eliminating medical benefits for part time employees and Council members. Councilwoman Sadrakula asked for the report on the Third River flood and remarked on enforcing sidewalk laws the same for all City residents. She asked to have a Recycling Committee meeting organized. Councilwoman Sadrakula expressed her concern regarding unmarked pills a resident found on the street. She spoke about a bill that has been introduced but never passed, which would help municipalities get reimbursed for the County and school portion of money refunded to disabled veterans.

Councilman Gibson

Councilman Gibson wished all mothers a Happy Mothers’ Day. He thanked Chris D’Amato for his comments. He thanked Lily D’Amato for stepping up and singing at the Israeli flag raising ceremony. He spoke about the pills found by a resident and apologized for the resident not getting a call back from the police department. Councilman Gibson spoke about the installation of sidewalks. He spoke about accountability from Council to the public and about educating the public on the City’s recycling program.

Mayor Grabowski

Councilman Grabowski thanked Assemblyman John McKeon for attending tonight’s meeting. He spoke about the County’s proposed changes to Allwood Road, the budget and why we need to increase taxes.

RESOLUTIONS

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

(5-2-0-0) Councilman Gibson, Councilman Kolodziej, Councilwoman Murphy, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilman Latona and Councilwoman Pino voted nay.

R218-23 Resolution: Approve Claims List Resolution for the May 2, 2023 City Council Meeting

**RESOLUTION TO APPROVE
Claims to be paid the meeting of May 2, 2023**

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

Current Fund	\$14,187,789.38
Grant Fund	\$ 69,540.82
General Capital Fund	\$ 422,148.15
Sewer Utility -Operating	\$ 70,213.28
Sewer Utility-Capital	\$ 71,593.04
Developers Escrow	\$ 9,718.69
Dog Trust	\$ 768.73
Police Extra Duty	\$ 436.50
Trust Other	\$ 27,501.88
Section 8 Public Housing	
Community Development	\$ 30,677.13
COAH	
Self Insurance	\$ 1,391,300.64
Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	
Unemployment Trust Fund	\$ 18,249.90
Library	\$ 2,204.19
General Liability Trust	\$ 40,088.44

Workers Compensation Trust
Federal DOJ Forfeiture

\$ 55,828.63

TOTAL CLAIMS

\$16,398,059.40

R219-23 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
105742 (partial)	7/22/2015	BANK OF AMERICA	\$665.90	01-401-66-090-105	02-213-40-707-071
106165 (partial)	8/19/2015	BANK OF AMERICA	\$71.98	01-401-66-090-105	02-213-40-707-071
107335 (partial)	11/17/2015	BANK OF AMERICA	\$214.83	01-401-66-090-105	02-213-40-707-071
96038	7/17/2013	PIONEER PRODUCTS, INC.	\$304.84	01-401-66-090-105	02-213-40-707-002
96558 (partial)	8/21/2013	OLIVER, DEBBIE	\$57.99	01-401-66-090-105	02-213-40-707-002
99089	2/9/2014	THE FIBAR GROUP, LLC	\$4,204.00	01-401-66-090-105	02-213-40-707-002
ACH900358 (partial)	11/04/2021	AXON ENTERPRISE, INC.	\$407,600.00	04-215-55-966-101	02-213-40-705-090
21245	2/22/2023	NEW JERSEY ENVIRONMENTAL HEALTH ASSOCIATION	\$250.00	01-201-27-330-316	02-213-40-702-023
21330	3/9/2023	NEW JERSEY SOCIETY FOR PUBLIC HEALTH, Inc	\$260.00	01-203-27-330-316	02-213-40-702-023
21328	3/9/2023	NEW JERSEY ENVIRONMENTAL HEALTH ASSOCIATION	\$200.00	01-201-27-330-316	02-213-40-702-023
21441	3/22/2023	NEW JERSEY ENVIRONMENTAL HEALTH ASSOCIATION	\$1,475.00	01-201-27-330-325	02-213-40-702-023
21512	4/5/2023	Datum Filing Systems, Inc.	\$14,937.16	01-201-25-265-242	27-201-20-600-200
ACH901535	4/5/2023	W.W. GRAINGER	\$934.80	01-201-25-265-255	27-201-20-600-200

R220-23 Resolution - 2023 Special Emergency Budget Increase For Sewer Utility

**SEWER UTILITY
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 Sewer Utility 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 \$1,315,500.00, 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 \$1,312,500.00 as follows for the City's annual Pension Payments:
 - a. Passaic Valley Sewer Fees \$ 1,200,000.00
 - b. Sewer Utility Expenses \$ 50,000.00
 - c. Emergency Repairs \$ 50,000.00
 - d. Accounting and Auditing \$ 12,500.00
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.

R221-23 Resolution - 2023 Special Emergency 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% (1/12th) 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>
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See Second Page

Total Temporary Budget Amendment Increase:	\$ 10,368,344.88
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R222-23 Resolution Awarding Contract to Lara's General Contractor LLC for Fire Station No. 1 Driveway Apron Replacement

RESOLUTION AWARDING CONTRACT TO LARA'S GENERAL CONTRACTOR LLC FOR FIRE STATION NO. 1 DRIVEWAY APRON REPLACEMENT

WHEREAS, the City of Clifton has a need to replace the driveway apron and restore the surrounding grass areas that may be affected at Fire Station No. 1, 84 First Street, Clifton, NJ; and

WHEREAS, quotations were solicited from contractors to provide the labor and materials required to perform the above. The following two vendors submitted quotes as follows:

	Total Cost:
1. Lara's General Contractor LLC	\$38,500.00
2. Matina & Son, Inc	\$40,171.00

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 the duration shall be until completion; and

WHEREAS, the Business Entity Disclosure Certification has been received for Lara's General Contractor LLC and is incorporated in the contract awarded hereby along with the Determination of Value; and

WHEREAS, upon review of the submitted quotes, it is recommended the contract be awarded to the lowest responsive and responsible vendor Lara's General Contractor LLC in the total not to exceed amount of \$38,500.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council that the contract for replacement of the driveway apron and restoration of the surrounding grass areas that may be affected at Fire Station No. 1, 84 First Street, Clifton, NJ be awarded to the lowest respondent, Lara's General Contractor LLC, 195 Parker Avenue, Passaic, NJ 07055 in an amount not to exceed \$38,500.00; and

BE IT FURTHER RESOLVED, that no services and/or goods shall commence prior to execution of a contract in a form to be approved by the Law Department which the Mayor and Clerk are hereby authorized to sign, and the issuance of a Purchase Order by the Finance Department.

R223-23 Resolution Authorizing Permission to Bid for City-Wide Concrete Sidewalk Replacement

RESOLUTION AUTHORIZING PERMISSION TO BID FOR CITY-WIDE CONCRETE SIDEWALK REPLACEMENT

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 seeks construction services estimated to cost in excess of \$17,500 without waiver; and

WHEREAS, the scope of work includes the City-wide replacement of damaged and lifted concrete sidewalks abutting City properties; and,

WHEREAS, the City Engineer of the City of Clifton has prepared Bid Specifications, Notice to Bidders, Proposals and Specifications for said improvements in anticipation of the public bidding for same and finds same to be 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 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 no later than the next Municipal Council meeting, in accordance with N.J.S.A. 40A:11-1 et seq.

R224-23 Resolution Authorizing Purchase of 6KW LED Light Tower and Two Trailer Mounted Generators off the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

RESOLUTION AUTHORIZING PURCHASE OF 6KW LED LIGHT TOWER AND TWO TRAILER MOUNTED GENERATORS OFF THE NJ STATE CONTRACT PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Clifton Health Department has a need to purchase 6KW LED Light Tower and Two Trailer Mounted Generators, which is available off of New Jersey State Contract; and

WHEREAS, the Clifton Health Department has determined that above can be utilized during emergency or natural disaster, and has identified funding for purchase; and

WHEREAS, Warshauer Generator LLC., located at 800 Shrewsbury Avenue, Tinton Falls, NJ 07724, has been awarded the NJ State Contract No. 19-FLEET-00839, for Light Tower and 21-GNSV1-01587 for two Trailer Mounted Mobile Generators; and

WHEREAS, NJ State Contract 19-FLEET-00839 and 21-GNSV1-01587 has been awarded to Warshauer Generator LLC. for a term extended through to September 30, 2024; and

WHEREAS, pursuant to N.J.S.A. 40:11-12 and N.J.A.C. 5:L34-7.29, specifications, or terms of an award of contract by New Jersey State or any lead agency may not be altered or changed; 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 Warshauer Generator LLC., located at 800 Shrewsbury Avenue, Tinton Falls, NJ 07724, for a total not to exceed amount of \$69,361.00, off the New Jersey State Contract No19-FLEET-00839 and 21-GNSV1-01587, pursuant to the above New Jersey State contract.

R225-23 Resolution Awarding Contract for Purchase of Temperature Controlled Storage Unit for the City of Clifton Health Department

RESOLUTION AWARDING CONTRACT FOR PURCHASE OF TEMPERATURE CONTROLLED STORAGE UNIT FOR THE CITY OF CLIFTON HEALTH DEPARTMENT

WHEREAS, the City of Clifton Health Department through the Enhancing Local Public Health Grant wishes to purchase a Temperature Controlled Storage Unit for the storage of Personal Protective Equipment and other equipment which require a certain temperature for preserving them; and

WHEREAS, quotations were solicited for the purpose of providing lead testing. The following two vendors submitted the quotes:

	Name of Vendor	Model	Cost
1.	Interport Maintenance Co. Inc	40' HC Dry Van-Gray	\$24,000.00
2.	Portable Container Services	40' HC Reefer	\$44,000.00
3.	Jake Containers	40'Office Container	\$25,000.00 - \$30,000.00

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 Thermo Scientific Portable Analytical Instruments Inc. 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 Interport Maintenance Co. Inc located at 635 Delancy Street, Newark, NJ 07105. as this model 40' HC Dry Van-Gray is lowest of all quotations submitted and specifications are acceptable to the Health Officer of the City of Clifton; and

BE IT FURTHER RESOLVED, this award is most advantageous to the city's needs, price and other factors considered, in accordance with NJSA 40A:11-6.1;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

BE IT FURTHER RESOLVED, that the Mayor and Municipal Council is hereby authorized and directed to purchase said temperature-controlled storage unit to lowest respondent Interport Maintenance Co. located at 635 Delancy Street, Newark, NJ 07105 in an amount not to exceed \$24,000.00. Term of the Contract shall commence from May 10,2023 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.

R226-23 Resolution Authorizing Advertisement for Bid for Spanish Interpreting Services for the Clifton Municipal Court

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BID FOR SPANISH INTERPRETING SERVICES FOR THE CLIFTON MUNICIPAL COURT

WHEREAS, the Municipal Court have need of Spanish Interpreting Services; and

WHEREAS, the City of Clifton Municipal Court has requested the City Purchasing Agent advertise for and receive bids for the providing of the above-mentioned Spanish Interpreting Services as the current contract expires December 31, 2023; 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 herein; and

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

R227-23 Resolution Awarding Contract for Sewer Rate Study for the City of Clifton - 2023

RESOLUTION AWARDING CONTRACT FOR SEWER RATE STUDY FOR THE CITY OF CLIFTON (2023)

WHEREAS, the City of Clifton has a need to develop revised sewer rates that will adequately fund sewer utility operations and capital costs while minimizing rates to greatest degree possible; and

WHEREAS, quotations were solicited for the purpose of providing accounting support services in connection with developing revised sewer rates. The following two vendors submitted the quotes:

	Annual Cost
1. Wielkotz & Company LLC	\$12,500.00
2. Lerch Vinci & Bliss LLP	\$30,000.00

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 Wielkotz & Company. 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 Wielkotz & Company LLC in the amount of \$12,500.00; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council that the contract (by way of a purchase order) for Sewer Rate Study be awarded to the lowest respondent, Wielkotz & Company, located at 401 Wanaque Ave, Pompton Lakes NJ 07442 in an amount not to exceed \$12,500.00. Term of contract shall commence August 1, 2023 and end on 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.

R228-23 Resolution Authorizing Approval of Vending Machine License - JMK Food Service

RESOLUTION AUTHORIZING VENDING MACHINE LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Vending Machine License Renewal from JMK Food Service, LLC, Millburn, NJ; and

WHEREAS, all paperwork has been completed by the various applicants and all fees have been paid; and

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

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 renewal of a Vending Machine License to JMK Food Service, LLC be and is hereby granted.

R229-23 Resolution Appointing Member to the Clifton Arts Center

RESOLUTION FOR APPOINTMENT TO THE CLIFTON ARTS CENTER & SCULPTURE COMMITTEE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are aware of the resignation of Daron Vasquez from the Clifton Arts Center & Sculpture Committee; and

WHEREAS, the Mayor and Council are in receipt of an application from Suzanne Sia to become a Member of said 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 Suzanne Sia is hereby appointed as a Member of the Clifton Arts Center & Sculpture Committee commencing May 2, 2023.

R230-23 Resolution Appointing Member to the Civil Rights Committee (Athenia Section)

RESOLUTION APPOINTING MEMBER 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 a letter of resignation from Raquel Celi (Athenia Section) from the Civil Rights Committee; and

WHEREAS, Neha Shah had previously applied for the Athenia Section which had already been filled; and

WHEREAS, with the resignation of Raquel Celi, this creates a vacancy in the Alternate position in Athenia Section;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Neha Shah be and is hereby appointed as Alternate Member of the Civil Rights Committee (Athenia Section) commencing this date for a term of two years to December 31, 2024.

R231-23 Late - Resolution Cancelling Current Fund Grant Reserve

RESOLUTION CANCELLING CURRENT FUND GRANT RESERVE

WHEREAS, the City has appropriated funds received from the American Rescue Plan in previous budgets: and

WHEREAS, the City has not fully expended such funds and intends to utilize a portion of the unexpended balance to replace revenue losses as part of the 2023 budget; and

WHEREAS, it is necessary to formally cancel said unexpended appropriated reserve from the Current Fund Balance Sheet;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Clifton, that the following appropriated grant reserve balance be cancelled and reclassified as an unappropriated grant reserve balance and thereby be available for the 2023 City budget:

Unexpended	
Grant Description Appropriation	
American Rescue Plan	<u>\$2,979,675</u>

**CITY OF CLIFTON
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 Levy v. City of Clifton, et al
- CON-2 Update on New Firehouse (No documentation)
- CON-3 Legal Documents, Litigation Reports, Etc.
- CON-4 Firehouse Alarm

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 May 2, 2023 at which time, said subject(s) shall be discussed; and

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

LICENSES

- L-1 Triplet Deli & Grocery

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Triplet Deli & Grocery, LLC t/a Triplet Deli & Grocery, 149 Valley Road, Clifton, NJ 07013 for Caterer/Grocery/Milk is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

A Motion was made by Councilwoman Murphy, seconded by Councilman Gibson and passed on roll call vote to return to Executive Session at 10:25 p.m.

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

Council returned to Open Session.

ADJOURNMENT

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Murphy to adjourn the meeting at 10:53 p.m.

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

Respectfully Submitted,

Michele Butler
Deputy City Clerk

Raymond Grabowski, Mayor