

**CITY OF CLIFTON
CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES MAY 4, 2022**

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

8:00 P.M. CALL OF ROLL

Mayor Anzaldi 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 2022 which was published as legal advertisements in the Herald News on December 11, 2021 and was additionally advertised in the Record on December 11, 2021. Further notice of this meeting was given on Friday prior to the meeting to The Herald News and by posting of said notice on the bulletin board at City Hall and on the Clifton Website which notice stated that formal action may or may not be taken on matters to come before the Municipal Council.

Upon roll call, the following were noted present:

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

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

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

Rabbi Kronenberg

APPROVAL OF MINUTES

A Motion was made by Councilman Grabowski, seconded by Councilman Gibson and passed on roll call vote to approve the Regular, Workshop and Executive Session Minutes of April 19, 2022.

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

COMMUNICATIONS FROM THE CITY MANAGER

- C-1 Carolyn DeFranco School Traffic Guard Public Safety, hired effective 04/16/2022 at \$16. hourly and 12.50 hours weekly.
- C-2 Cemalettin Turk D.P.W., promoted to Senior Mechanic, effective 04/16/2022 at \$67,599.92 annually.

COMMUNICATIONS MEETING MINUTES

- C-3 Minutes of Committee for Individuals with Disabilities of March 21, 2022
- C-4 Minutes of Planning Board of March 24, 2022
- C-5 Minutes of Board of Adjustment of April 20, 2022

SECOND READING ORDINANCES

A. Adoption of Ordinance 7714-22

B. Public Hearing on Ordinance 7714-22

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7714-22

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

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

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

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

C. Adoption of Ordinance 7715-22

D. Public Hearing on Ordinance 7715-22

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7715-22

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

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

An Ordinance to Amend, Revise and Supplement Chapter 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 Fixed" (Creates Title of & Compensation for Assessing Aide)

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

E. Adoption of Ordinance 7716-22

F. Public Hearing on Ordinance 7716-22

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7716-22

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

Refunding Bond Ordinance of the City of Clifton, in the County of Passaic, State of New Jersey Providing for the Refunding of Certain Outstanding General Obligation Bonds of the City to Achieve Net Present Value Debt Service Savings, and Authorizing the Issuance of Not to Exceed \$7,500,000 Aggregate Principal Amount of General Obligation Refunding Bonds of the City to Affect Such Refunding and Appropriating the Proceeds Therefor

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

G. Adoption of Ordinance 7717-22

H. Public Hearing on Ordinance 7717-22

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7717-22

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

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

FIRST READING ORDINANCES

A. Introduction of Ordinance 7718-22

Ordinance 7718-22 was pulled

Capital Ordinance Appropriating \$370,000 From The General Capital Fund Balance For Public Improvements In and By The City of Clifton, In The County of Passaic, State of New Jersey

B. Introduction of Ordinance 7719-22

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 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-13 Thereof, Entitled "Parking Prohibited at all Times on Certain Streets" (Amends Piaget Avenue, South, at Lakeview Avenue)

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 17, 2022 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 Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Anzaldi voted aye.

C. Introduction of Ordinance 7720-22

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled

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"Handicapped Parking on Streets for Private Residences" (Deletes 4 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, May 17, 2022 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 Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Anzaldi voted aye.

D. Introduction of Ordinance 7721-22

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Eagler, seconded by Councilman Grabowski 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)

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 17, 2022 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 Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Anzaldi voted aye.

E. Introduction of Ordinance 7722-22

Ordinance 7722-22 was pulled

An Ordinance to Amend, Revise and Supplement Chapter 37 of the Code of the City of Clifton, Entitled "Fire Department", More Particularly Article II Thereof, Entitled "Salaries and Benefits" (Revises Attendance Bonus)

F. Introduction of Ordinance 7723-22

Ordinance 7723-22 was pulled

An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article IV Thereof, Entitled "Officials and Employees not Represented by a Bargaining Unit" (Revises Attendance Bonus)

G. Introduction of Ordinance 7724-22

Ordinance 7724-22 was pulled

An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article III Thereof, Entitled "Supervisory Officials and Employees" (Revises Attendance Bonus)

H. Introduction of Ordinance 7725-22

Ordinance 7725-22 was pulled

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" (Revises Attendance Bonus)

I. Introduction of Ordinance 7726-22

Ordinance 7726-22 was pulled

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" (Revises Attendance Bonus)

J. Introduction of Ordinance 7727-22

Ordinance 7727-22 was pulled

An Ordinance to Amend, Revise and Supplement Chapter 77 of the Code of the City of Clifton, Entitled "Police Department", More Particularly Article II Thereof, Entitled "Salaries and Benefits" (Amends Benefits and Other Provisions for Years 2020 Through 2023)

K. Introduction of Ordinance 7728-22

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilwoman Murphy, seconded by Councilman Grabowski 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" (Adds Editor's Note to Clarify When Construction Permits and/or Zoning Permits are Required for Accessory Buildings)

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 17, 2022 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 Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Anzaldi voted aye.

CITY MANAGER PRIVILEGE

Nothing to report

FLOOR TO MEMBERS OF THE PUBLIC

Ray Robertello, 66 Woodlawn Avenue, thanked the Council for approving the LGBT Flag Raisings. He announced the LGBT Flag Raising would take place on June 18, 2022 at 11am. Mr. Robertello spoke about Pride Month events.

With on one else wishing to be heard, a Motion was made by Councilman Grabowski, seconded by Councilwoman Murphy and passed on roll call vote to close the public session.

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

COUNCIL PRIVELEGE

Councilwoman Murphy

Councilwoman Murphy announced that Relay for Life would take place on May 14, 2022. She spoke about a recent City wide baby shower hosted by the Health Department. Councilwoman Murphy read recreation news.

Councilwoman Pino

Councilwoman asked for a synopsis of what occurred at the recent Police Committee meeting. She spoke about staffing at the Botany Village Satellite office. She announced The Alternate Route Program which was designed to give individuals interested in becoming police officers, the opportunity to attend a certified police training academy at their own expense, prior to being hired by a law enforcement agency. Councilwoman Pino endorsed a City Barber Shop. She wished everyone a Happy Mother's Day.

Councilwoman Sadrakula

Councilwoman Sadrakula requested information regarding the cost and hours of using Police Officers due

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to the lack of Crossing Guards for the current year compared to last year. She thanked Ray Robertello for speaking tonight and for his involvement in the LGBT flag raising and programs. Councilwoman Sadrakula remarked on complaints she received regarding recycling being dropped from recycling trucks and blowing away and littering the streets. She discussed grants offered by Blue Acres.

Councilwoman Pino left the dais at 8:31pm

Councilwoman Sadrakula talked about certified mail receipts that were sent out to make residents aware of improvements being done in a park on Van Houten Ave. that were reported to be lost. She asked for the affidavit of service that was sent with the Grant that was awarded for the work being done in the park.

Councilwoman Pino returned to the dais at 8:33pm

Councilman Eagler

Councilman Eagler announced that the plastic bag ban in NJ starts today. He announced that June 8th is Primary Election Day. Councilman Eagler wished all mothers a Happy Mother’s Day. He congratulated the Allwood Women’s Club on their 90th Anniversary.

Councilman Gibson

Councilman Gibson congratulated the Clifton Mustang Marching Band for winning a gold medal at a recent competition. He wished all mothers a Happy Mother’s Day. He expressed his pleasure regarding the announcement of additional bond funding that can be used for many needed projects. Councilman Gibson announced that the bathrooms at the Skate Park and Main Memorial Park were vandalized to the point that they have to completely replaced. He announced that Passaic County is adding bicycle lanes on Valley Road, Allwood Road and Van Houten Ave. Councilman Gibson remarked that the Morris Canal needs dredging and said that he received several complaints regarding unleashed dogs and dog waste left in the park. He wished everyone a Happy Cinco De Mayo.

Councilman Grabowski

Councilman Grabowski discussed placing Port-O-Johns in Oakridge Park. He congratulated the Clifton Mustang Marching Band on their receipt of a gold medal in a recent competition. Councilman Grabowski congratulated Luke Kulesa on his achievement of Eagler Scout. He wished all mothers a Happy Mother’s Day.

Mayor Anzaldi

Mayor Anzaldi sent well wishes to all who celebrate Eid. He wished all mothers a Happy Mother’s Day. Mayor Anzaldi announced Teacher and Nurse Appreciation Week. He spoke about the City’s urgent need for Crossing Guards. Mayor Anzaldi announced that Relay for Life will be held on May 14, 2022.

RESOLUTIONS VOTED ON SEPARATELY

A Motion was made by Councilman Grabowski, seconded by Councilwoman Murphy to vote on the following Resolution separately:

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

R204-22 Claims List – May 4, 2022

Resolution: Approve Claims List Resolution for the May 4, 2022 City Council Meeting

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF MAY 4, 2022**

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

Current Fund	\$27,636,441.55
Grant Fund	\$ 51,742.04
General Capital Fund	\$ 257,801.27
Sewer Utility -Operating	\$ 1,858,163.88
Sewer Utility-Capital	\$ 335,019.02
Developers Escrow	\$ 5,850.96

Dog Trust	\$ 1,392.31
Police Extra Duty	\$ 96,140.00
Trust Other	\$ 21,801.78
Section 8 Public Housing	\$ 1,556.84
Community Development	\$ 15,611.05
Payroll Agency	
COAH	
Self Insurance	\$ 1,029,623.58
Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	
Unemployment Trust Fund	
Library	\$ 146,690.83
General Liability Trust	\$ 24,849.90
Workers Compensation Trust	\$ 16,248.67
Federal DOJ Forfeiture	
TOTAL CLAIMS	\$31,498,933.68

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

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

RESOLUTIONS

R205-22 Resolution of the City of Clifton, In the County of Passaic, State of New Jersey, Authorizing Certain Actions Necessary in Connection with the Sale and Issuance of Not to Exceed \$7,500,000 Aggregate Principal Amount of General Obligation Refunding Bonds, Series 2022 and Authorizing the Appropriate Officials to do all Acts and Things Deemed Necessary and Advisable in Connection with the Sale, Issuance and Delivery of Said Bonds

RESOLUTION OF THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING CERTAIN ACTIONS NECESSARY IN CONNECTION WITH THE SALE AND ISSUANCE OF NOT TO EXCEED \$7,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2022 AND AUTHORIZING THE APPROPRIATE OFFICIALS TO DO ALL ACTS AND THINGS DEEMED NECESSARY AND ADVISABLE IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF SAID BONDS

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the “Local Bond Law”), the City of Clifton, in the County of Passaic, State of New Jersey (the “City”), had previously issued \$17,281,000 General Obligation Bonds, Series 2013 dated, October 17, 2013 (the “2013 Bonds”); and

WHEREAS, \$7,226,000 of such 2013 Bonds maturing on or after October 15, 2023 are subject to redemption, either in whole or in part, prior to their stated maturities (the “Refunded Bonds”); and

WHEREAS, the City Council of the City desires to refund all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds, Series 2022 in an aggregate principal amount not to exceed \$7,500,000 consisting of General Improvement Refunding Bonds, Series 2022 and Sewer Utility Refunding Bonds, Series 2022 (the “Refunding Bonds”); and

WHEREAS, the City, pursuant to a refunding bond ordinance introduced on first reading by the City on April 19, 2022, and finally adopted on May 4, 2022 (the “Refunding Bond Ordinance”), authorized the issuance of the Refunding Bonds for the purpose of refunding the Refunded Bonds; and

WHEREAS, the City now desires to adopt a resolution authorizing the issuance of the Refunding Bonds in an aggregate principal amount not to exceed \$7,500,000, the net proceeds of which shall be used to refund all or a portion of the Refunded Bonds in accordance with their terms and authorize certain actions in connection with the sale and issuance of the Refunding Bonds.

NOW THEREFORE, BE IT RESOLVED, by the City of Clifton, in the County of Passaic, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring), as follows:

May 4, 2022

SECTION 1. There is hereby delegated to the Chief Financial Officer, subject to the limitations contained herein and in consultation with Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey, Bond Counsel to the City (“Bond Counsel”), and Phoenix Advisors, LLC, Municipal Advisor to the City (the “Municipal Advisor”), the power with respect to the Refunding Bonds to determine and carry out the following:

a) the sale of the Refunding Bonds at private sale to a purchaser (the “Purchaser”) as selected by the Chief Financial Officer upon advice of the Municipal Advisor and Bond Counsel, provided that the purchase price paid by the Purchaser thereof shall not be less than ninety-five percent (95%) of the principal amount of the Refunding Bonds so sold;

b) the principal amount of the Refunding Bonds to be issued, provided that (i) such amount shall not exceed \$7,500,000, and (ii) such amount shall not exceed the amount necessary to pay the costs of issuance associated with the issuance of the Refunding Bonds and to fund the deposit to the escrow fund as set forth in the Escrow Deposit Agreement (as defined herein) in an amount that, when invested, will be sufficient to provide for the timely payments required for the Refunded Bonds;

c) the maturity dates and the principal amount of each maturity or sinking fund redemption amount of the Refunding Bonds, provided that no Refunding Bonds refunding the Refunded Bonds shall mature later than the maturity date of the Refunded Bonds.

d) the interest payment dates and the interest rates on the Refunding Bonds, provided that the true interest cost on the Refunding Bonds shall produce a present value debt service savings of at least three percent (3%) of the principal amount of the Refunded Bonds;

e) the denomination or denominations of and the manner of numbering and lettering the Refunding Bonds, provided that all Refunding Bonds of like maturity shall be identical in all respects, except as to denominations, amounts, numbers and letters;

f) provisions for the sale or exchange of the Refunding Bonds and for the delivery thereof;

g) the forms of the Refunding Bonds shall be substantially in the forms set forth in Exhibit A and Exhibit B attached hereto, with such additions, deletions and omissions as may be necessary for the City to market the Refunding Bonds;

h) the direction for the application and investment of the proceeds of the Refunding Bonds;

i) the terms of redemption of the Refunding Bonds; and

j) any other provisions deemed advisable by the Chief Financial Officer, in consultation with the Municipal Advisor and Bond Counsel, not in conflict with the provisions hereof.

The Chief Financial Officer shall execute a certificate evidencing the determinations or other actions taken pursuant to the authority granted hereunder, and any such certificate shall be conclusive evidence of the actions or determinations of the Chief Financial Officer as to the matters stated therein.

SECTION 2. The Mayor and Chief Financial Officer of the City are hereby authorized and directed to execute by manual or facsimile signatures the Refunding Bonds in the name of the City and the corporate seal (or facsimile thereof) shall be thereunto affixed, imprinted, or otherwise reproduced thereon. The City Clerk is hereby authorized and directed to attest to such signatures and to affix the corporate seal of the City to the Refunding Bonds.

SECTION 3. The Chief Financial Officer, in consultation with Bond Counsel and the Municipal Advisor, is hereby authorized and directed to approve the Escrow Deposit Agreement (the “Escrow Deposit Agreement”) with an escrow agent (the “Escrow Agent”) to be selected by the Chief Financial Officer, in consultation with Bond Counsel and the Municipal Advisor, with respect to the Refunded Bonds, to be dated the date of the closing on the Refunding Bonds. The Chief Financial Officer is hereby authorized and directed to execute and deliver the Escrow Deposit Agreement in the name of the City and the corporate seal (or facsimile thereof) shall be thereunto affixed, imprinted, engraved or otherwise reproduced thereon. The Clerk is hereby authorized and directed to attest to such signature and to affix the corporate seal of the City to the Escrow Deposit Agreement.

SECTION 4. The Chief Financial Officer is hereby authorized and directed to select a verification agent (the “Verification Agent”), if required, in consultation with Bond Counsel and the Municipal Advisor, with respect to the Refunded Bonds. The Verification Agent shall prepare the

verification report required to verify the sufficiency of the escrowed monies to refund the Refunded Bonds.

SECTION 5. To the extent required by law, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of a Continuing Disclosure Certificate (the "Certificate") which will set forth the obligation of the City to file budgetary, financial and operating data on an annual basis and notices of certain enumerated events in accordance with the provision of the Rule. The Chief Financial Officer is hereby authorized and directed to execute and deliver the Certificate evidencing the City's undertaking with respect to the Rule. Notwithstanding the foregoing, failure of the City to comply with the Certificate shall not be considered a default on the Refunding Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance, to cause the City to comply with its obligations hereunder and under the Certificate.

SECTION 6. The Mayor, City Clerk and Chief Financial Officer or any other appropriate officer or representative of the City, are hereby authorized and directed to execute and deliver any and all documents and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this resolution, the Certificate and the Escrow Deposit Agreement, and for the authorization, sale and issuance of the Refunding Bonds. The execution by such officials and officers of any such documents, with changes, insertions or omissions approved by the Chief Financial Officer, in consultation with Bond Counsel and the Municipal Advisor, as hereinabove provided, shall be conclusive and no further ratification or other action by the City or its governing body shall be required with respect thereto.

SECTION 7. In accordance with the provisions of N.J.A.C. 5:30-2.5, within ten (10) days of the date of the closing on the Refunding Bonds, the Chief Financial Officer shall file a report with the Local Finance Board within the Division of Local Government Services, New Jersey Department of Community Affairs setting forth (a) a comparison of the Refunding Bonds' debt service and the Refunded Bonds' debt service, which comparison shall set forth the present value savings achieved by the issuance of the Refunding Bonds; (b) a summary of the issuance of the Refunding Bonds; (c) an itemized accounting of all costs of issuance in connection with the issuance of the Refunding Bonds, and (d) a certification of the Chief Financial Officer that (i) all of the conditions of Section (b) of N.J.A.C. 5:30- 2.5 have been met, and (ii) this resolution authorizing the issuance of the Refunding Bonds, adopted pursuant to the Local Bond Law, was approved by a two-thirds vote of the full membership of the City Council of the City.

SECTION 8. The City hereby covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on the Refunding Bonds.

SECTION 9. All other resolutions adopted in connection with the Refunding Bonds and inconsistent herewith are hereby rescinded to the extent of such inconsistency.

SECTION 10. This resolution shall take effect immediately.

EXHIBIT A

**CITY OF CLIFTON
IN THE COUNTY OF PASSAIC
STATE OF NEW JERSEY
UNITED STATES OF AMERICA**

GENERAL IMPROVEMENT REFUNDING BOND, SERIES 2022

NUMBER: GI-

<u>DATE OF ORIGINAL ISSUE</u>	<u>MATURITY DATE</u>	<u>RATE OF INTEREST PER ANNUM</u>
_____, 2022	October 15, ____	%

REGISTERED OWNER: _____

**PRINCIPAL SUM: _____ Dollars
(\$ _____)**

The CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, a body politic and corporate of the State of New Jersey (the "City"), hereby acknowledges itself indebted and for value received promises to pay to _____, (the "Owner"), on the Maturity Date specified above, the Principal Sum specified above, and to pay interest on such sum from the Date of Original Issue of this Bond at the Rate of Interest Per Annum specified above semiannually on the fifteenth day

May 4, 2022

of April and October (each an “Interest Payment Date”), commencing October 15, 202_ in each year until maturity. Principal of and interest on this Bond will be paid directly to the Owner shown on the records of the Chief Financial Officer of the City via wire transfer of immediately available funds to the account and location as set forth in writing to the Chief Financial Officer of the City by such Owner.

The Bonds of this issue are not subject to redemption prior to their stated maturities.

This Bond is one of an authorized issue of Bonds issued pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented, a refunding bond ordinance finally adopted by the City Council of the City on May 4, 2022, published as required by law and entitled, “REFUNDING BOND ORDINANCE OF THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY TO ACHIEVE NET PRESENT VALUE DEBT SERVICE SAVINGS, AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$7,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR” and a resolution adopted by the City Council of the City on May 4, 2022 and entitled, “RESOLUTION OF THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING CERTAIN ACTIONS NECESSARY IN CONNECTION WITH THE SALE AND ISSUANCE OF NOT TO EXCEED \$7,500,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2022 AND AUTHORIZING THE APPROPRIATE OFFICIALS TO DO ALL ACTS AND THINGS DEEMED NECESSARY AND ADVISABLE IN CONNECTION WITH THE SALE, ISSUANCE AND DELIVERY OF SAID BONDS”.

The full faith and credit of the City are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond exist, have happened and have been performed and that the issue of Bonds of which this is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by such Constitution or statutes.

R206-22 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
ACH900416	12/08/2021	THE OFFICE CONCEPTS GROUP	\$3,640.00	02-213-40-702-018	02-213-40-724-107
ACH900957	04/06/2022	PRECISION COMPUTER OF FORT LEE, INC	\$1,398.00	02-213-40-724-601	01-201-20-140-242
135960	02/16/2022	BIOPROTECTORS LLC	\$6,390.00	02-213-40-724-105	02-213-40-702-018
2021196 (partial)	12/30/2021	CITY OF CLIFTON - PETTY CASH	\$35.29	02-213-40-724-101	01-203-27-330-212

R207-22 Resolution Releasing Guarantees for Site Improvements: Kinder Kastle, 871-879 Clifton Avenue, Block 35.10, Lot 5 & 7

**RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
KINDER KASTLE, 871-879 CLIFTON AVENUE
BLOCK 35.10, LOTS 5 & 7**

WHEREAS, Earth Urvi 2, LLC (the Developer) originally posted with the City of Clifton Performance Bond No. CT024184 in the amount of \$35,820.00 for public improvements and private buffer landscaping and a cash safety and stabilization guarantee in the amount of \$5,000.00 for the facility located at 871-879 Clifton Avenue, designated as Block 35.1, Lots 5 & 7; and

WHEREAS, the City of Clifton Engineering Department has inspected the site improvements and finds that the Developer has satisfactorily completed all the work in accordance with the approved plan, and is acceptable; and

WHEREAS, prior to the return of the Performance Guarantees, the Developer agrees to submit to the City of Clifton a Maintenance Bond in the amount of \$10,283.76; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements at 871-879 Clifton Avenue, Clifton, New Jersey, Block 35.10, Lots 5 & 7 are accepted, the City Engineer is hereby directed to return the Performance Bonds and all escrow funds to Earth Urvi 2, LLC upon receipt of the aforementioned Maintenance Bond.

R208-22 Resolution Awarding Contract for Gregory Avenue Sanitary Sewer Replacement

**RESOLUTION AWARDED CONTRACT FOR
GREGORY AVENUE SANITARY SEWER REPLACEMENT**

BE IT RESOLVED: that the contract for the **GREGORY AVENUE SANITARY SEWER REPLACEMENT** be and the same is hereby awarded to **JOHN GARCIA CONSTRUCTION of Clifton, New Jersey**, the low bidder meeting the specifications at a grand total bid price of **\$177,529.66**, in accordance with bids received on **April 21, 2022**, and recommended by communication dated **April 25, 2022** to the Mayor and Council; and

NOW, THEREFORE BE IT FURTHER RESOLVED: that the Mayor and City Clerk be and they are authorized and directed hereby to execute such contract, upon approval by the Law Department.

BE IT FURTHER RESOLVED: that the required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton. The appropriation to be charged for this expenditure is:

R209-22 Resolution Authorizing the Issuance of Change Order No. 1 - James Anzaldi Park (Formerly Athenia Park) Fieldhouse - Thomas & Sons Builders, LLC

**RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 1
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

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\$10,824.35 an 0.96% 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 \$10,824.35 an 0.96% INCREASE; and

WHEREAS, the total contract amount is now **\$1,143,293.35**.

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.

R210-22 Resolution Authorizing Execution of an Agreement for Electronic Discovery Database and Managed Document Review Services Together with Approximately 41 Other Public Entities Comprising the Public Entity Liaison Groups with Alvarez & Marsal Disputes and Investigation Services, LLC in Connection with the Matter Entitled Occidental Chemical Corporation v. 21st Century Fox America, Inc., et al., Venued in the United States District Court for the District of New Jersey Under Civil Action Number 18-11273

RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR ELECTRONIC DISCOVERY DATABASE AND MANAGED DOCUMENT REVIEW SERVICES TOGETHER WITH APPROXIMATELY 41 OTHER PUBLIC ENTITIES COMPRISING THE PUBLIC ENTITY LIAISON GROUPS WITH ALVAREZ & MARSAL DISPUTES AND INVESTIGATION SERVICES, LLC IN CONNECTION WITH THE MATTER ENTITLED OCCIDENTAL CHEMICAL CORPORATION V. 21ST CENTURY FOX AMERICA, INC., ET AL., VENUED IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY UNDER CIVIL ACTION NUMBER 18-11273

BE IT RESOLVED, that entry into and execution of an agreement between the City of Clifton and Alvarez & Marsal Disputes and Investigations, LLC for electronic discovery database and managed document review services in connection with the matter entitled Occidental Chemical Corporation v. 21st Century Fox America, Inc. et. al., venued in the United States District Court for the District of New Jersey under Civil Action Number 18-11273, which agreement is made a part of this resolution by reference, is hereby authorized; and

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

R211-22 Resolution Approving Temporary Suspension of No Parking Restriction on East End and Both Sides of Hepburn Road

RESOLUTION APPROVING TEMPORARY SUSPENSION OF NO PARKING RESTRICTION ON EAST END AND BOTH SIDES OF HEPBURN ROAD

WHEREAS, Upper Montclair Country Club is hosting the LPGA Cognizant Founder Cup tournament taking May 12-15, 2022 with tournament week activities starting on May 9, 2022; and

WHEREAS, an ordinance currently restricts parking on Hepburn Road; and

WHEREAS, the Upper Montclair Country Club has requested the City of Clifton to temporarily suspend the no parking restrictions on Hepburn Road to allow:

1. Equipment trailers to be parked on the East end of Hepburn Road dead end from April 20, 2022 through the duration of the tournament; and
2. Parking on both sides of Hepburn Road should it be needed for LPGA, UMCC employees or volunteers during the week of the tournament.

WHEREAS, the Fire Department has established conditions set forth below that will ensure this suspension of no parking will not interfere with ingress and egress for emergency vehicles; and

NOW, THEREFORE, BE IT RESOLVED, that the no parking restrictions on Hepburn Road be suspended as follows:

1. To allow equipment trailers to be parked on the East end of Hepburn Road dead end from April 20, 2022 through May 15, 2022; and
2. To allow parking on both sides of Hepburn Road, should it be needed for LPGA, UMCC employees or volunteers, during the week of the tournament from May 8, 2022 through May 15, 2022; and
3. Access to entrances and exits for both 100 and 140 Hepburn Road shall remain clear and free of obstructions.
4. Access to fire hydrants on Hepburn Road shall remain unobstructed for 10 feet on either side of each hydrant.

R212-22 Resolution Moving Alternate to Member of the Clifton Beautification Committee

**RESOLUTION MOVING ALTERNATE TO MEMBER OF THE CLIFTON
BEAUTIFICATION COMMITTEE**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey is aware of a member vacancy on the Beautification Committee; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Kim Castellano be moved from Alternate #1 to member of said committee commencing this day through December 31, 2024; and

R213-22 Resolution for Appointment to the Action Clifton Committee

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

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an application from Frank Kasper to become a Member of the Action Clifton Committee (Oakridge 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 Frank Kasper is hereby appointed as a Member of the Action Clifton Committee (Oakridge Section) commencing this date.

R214-22 Resolution Authorizing Renewal of Transient Merchant & Pawnbroker License - Clifton Jewelers

May 4, 2022

**RESOLUTION AUTHORIZING TRANSIENT MERCHANT AND
PAWNBROKER SHOP LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Transient Merchant and Pawnbroker Shop License Renewal from Clifton Jewelers, 852 Route 3, Clifton; and

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

WHEREAS, all inspections have been completed by the Police Department;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of Transient Merchants and Pawnbrokers License for Clifton Jewelers, be and is hereby granted

R215-22 Resolution Authorizing Renewal of Games of Skill Operators License - The Grande Saloon

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

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Games of Skill Operator License Renewals from The Grande Saloon, 940 Van Houten Avenue in the City of Clifton; and

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

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

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

R216-22 Resolution Rejecting all Bids for Foundation for ClearSpan Structure Relocation

**RESOLUTION REJECTING ALL BIDS FOR FOUNDATION FOR CLEARSPAN
STRUCTURE RELOCATION**

WHEREAS, in response to Invitations to Bid for foundation for Clearspan structure relocation, four (4) bids were received and opened on April 19, 2022; and

WHEREAS, the bids received were from Joseph M. Sanzari, Inc., Solgen, Inc., Berto Construction, Inc. and Thomas & Sons Builders, ranging from \$148,500.00 to \$187,500.00, the lowest bid having been submitted by Joseph M. Sanzari, Inc., of Hackensack, New Jersey in the amount of \$148,500.00; and

WHEREAS, the bids vastly exceed the Engineer's estimate; and

WHEREAS, the Governing Body has decided to abandon the project as proposed and wishes to substantially revise the specifications to reconfigure the project.

NOW, THEREFORE, BE IT RESOLVED, the bids received on April 19, 2022 be and hereby are rejected for the following reasons in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-13.2 as follows:

1. The bids vastly exceed the Engineer's estimate;

- 2. The Governing Body wishes to abandon the project as it is currently configured; and
- 3. The Governing Body wishes to substantially revise the specifications to reconfigure the project.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to return the bid bonds placed on deposit with said bid to the respective bidders.

R217-22 Late - Resolution of Congratulations to Patrick McGowan on Attainment of Eagle Scout Award

RESOLUTION OF CONGRATULATIONS TO PATRICK MCGOWAN ON ATTAINMENT OF EAGLE SCOUT AWARD

WHEREAS, on Friday, May 13, 2022, Patrick McGowan will have conferred upon him the “Eagle Scout” award at an Eagle Scout Court of Honor to be held at the St. Andrew The Apostle Church, 400 Mt. Prospect Avenue in Clifton; and

WHEREAS, the attainment of this high honor reflects great credit not only on Luke and his family, but also on his troop, Boy Scout Troop #23, Boy Scouts of America, and the entire community; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, do hereby formally note the bestowal of this distinguished award upon

PATRICK MCGOWAN

and do join with his family, many friends, and fellow scouts in extending heartfelt congratulations to him on behalf of all the citizens of Clifton; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to Eagle Scout **PATRICK MCGOWAN**.

R218-22 Late - Resolution of Congratulations to Luke Kulesa on Attainment of Eagle Scout Award

RESOLUTION OF CONGRATULATIONS TO LUKE KULESA ON ATTAINMENT OF EAGLE SCOUT AWARD

WHEREAS, on Friday, May 13, 2022, Luke Kulesa will have conferred upon him the “Eagle Scout” award at an Eagle Scout Court of Honor to be held at the St. Andrew The Apostle Church, 400 Mt. Prospect Avenue in Clifton; and

WHEREAS, the attainment of this high honor reflects great credit not only on Luke and his family, but also on his troop, Boy Scout Troop #23, Boy Scouts of America, and the entire community; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, do hereby formally note the bestowal of this distinguished award upon

LUKE KULESA

and do join with his family, many friends, and fellow scouts in extending heartfelt congratulations to him on behalf of all the citizens of Clifton; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to Eagle Scout **LUKE KULESA**.

R219-22 Late - Resolution to Award Contract to Allegiant Wireless, LLC for Public Safety Radio System Engineering and Consultant Services

**RESOLUTION TO AWARD CONTRACT TO
ALLEGIANT WIRELESS, LLC FOR PUBLIC SAFETY RADIO SYSTEM
ENGINEERING AND CONSULTANT SERVICES**

WHEREAS, pursuant to resolution R442-19, adopted September 17, 2019, the City contracted with Allegiant Wireless, LLC for the first phase of professional engineering consulting services for a comprehensive analysis and assessment of the Fire Department Communication Systems; and,

WHEREAS, pursuant to N.J.S.A. 40A:11-1 *et seq.*, and in accordance with N.J.S.A. 19:44-20.4 *et seq.*, quotes were solicited and the City Fire Chief obtained one written proposal from Allegiant Wireless, LLC, to provide consulting and engineering services for Phase II of the Fire Department Communication Systems upgrade, a second quote being unattainable for this project; and

WHEREAS, the services to be provided by Allegiant Wireless, LLC are necessary for implementing the recommendations from the aforementioned analysis and assessment, including upgrading the Fire Department's portable and mobile radio frequency from VHF to UHF, and replacing the primary communications system with a new IP based UHF network; and

WHEREAS, the services provided by the above vendor are excepted from public bidding, pursuant to N.J.S.A. 40A-11-5.1 *et seq.*; and,

WHEREAS the City is required to continue compliance with N.J.S.A.19:44-20.4 *et seq.*; and,

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

WHEREAS, the value of the contract is determined to be not to exceed \$43,500, and the duration of the contract is until completion;

WHEREAS it is in the best interest of the City to award this contract to Allegiant Wireless, LLC, located at 20 Normandy Drive, Jackson, New Jersey 08527, in order to allow for professional communications engineering and consulting services as the City upgrades and improves the Fire Department radio system infrastructure, an integral part of ongoing public safety; 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, in accordance with the provisions of N.J.S.A. 40A:11-1 *et seq.*, as follows:

- a. The City of Clifton hereby awards a contract to Allegiant Wireless, LLC. in a not to exceed amount of \$43,500, for the term of one year, or until project completion thereabouts; and
- b. The Mayor and Clerk be and hereby are authorized to execute a contract; and
- c. Certification of Funds shall be derived from account 04-215-55-971-302

R220-22 Late - Resolution Amending Resolution R189 to Award Contract for the Marketing of Recyclables to Revise the Certification of Funds

AMENDMENT TO RESOLUTION TO AWARD CONTRACT FOR THE MARKETING OF RECYCLABLES TO REVISE THE CERTIFICATION OF FUNDS

WHEREAS, pursuant to Resolution 189-22, adopted on April 19, 2022, the City approved the award of contract for the marketing of recyclables; and

WHEREAS, said resolution’s certification of funds indicated that the city does not incur costs with this contract; and

WHEREAS, while generally costs historically have not been incurred in connection with the marketing of recyclables, significant market fluctuations for recyclables in the future theoretically could result in net charges to the city during the term of the contract;

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 certification of funds for Resolution 189-22 be and hereby is amended to provide for the possibility of net charges being incurred by the city and is therefore revised and corrected to read as follows:

CERTIFICATION OF FUNDS:

Funds shall be certified at the time of purchase, if any, whereby a properly executed purchase order, processed as-needed, shall be the instrument of fund encumbrance for the applicable department and division usage, budgetary adoption and appropriations considered.

R221-22 Late - Resolution Authorizing the Issuance of Change Order No. 2 - 2020 Brighton Road and Phyllis Place Area Improvements (NJDOT) Frank Macchione Construction

RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 2 2020 BRIGHTON RD AND PHYLLIS PL AREA IMPROVEMENTS (NJDOT) FRANK MACCHIONE CONSTRUCTION

WHEREAS, on August 17, 2021, the City of Clifton adopted Resolution R-370-21 awarding a contract to FRANK MACCHIONE CONSTRUCTION of ROCHELLE PARK, NEW JERSEY, for the performance of certain public work and the furnishing of material, labor and equipment for the 2020 BRIGHTON RD AND PHYLLIS PL AREA IMPROVEMENTS (NJDOT) in the amount of \$1,212,249.93; 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 FRANK MACCHIONE CONSTRUCTION in the amount of \$2,500.00 a 7.76% 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

May 4, 2022

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 \$2,500.00 a 7.76% CUMULATIVE INCREASE; and

WHEREAS, the total contract amount is now \$1,306,267.98.

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.

R222-22 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 Independent Investigation of Hostile Work Environment Complaint Filed by City Employee Against Councilperson
- CON-2 Cleanup of Third River on Private Property - Legal Opinion
- CON-3 IBEW Retiree Health Benefits for Retired City Employees
- CON-4 New Firehouse Location
- CON-5 Brighton Road/Phyllis Place Change Order

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 4, 2022 at which time, said subject(s) shall be discussed.

LICENSES

L-1 Clifton Hookah & More

RESOLUTION FOR PRELIMINARY APPROVAL

FOR: Clifton Hookah & More 2, LLC
T/A: Clifton Hookah & More
ADDRESS: 673 Clifton Ave., Clifton, NJ 07011
TYPE OF FOR ESTABLISHMENT INTENDED: Grocery – Continued Use
FORMERLY OR NEW: Clifton Hookah & More
ZONE:
PERMITTED: Yes
VARIANCE REQUIRED: No

L-2 Smoke & Go

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Smoke & Go Convenience, LLC t/a Smoke & Go, 29 Montgomery St., Clifton, NJ 07011 for Grocery/Milk – New, for a period ending December 31, 2022, is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

L-3 Oz Halal Meat & Food Market

RESOLUTION FOR PRELIMINARY APPROVAL

FOR: Oz Halal Foodmart, LLC
T/A: Oz Halal Meat & Food Market

May 4, 2022

ADDRESS: 1404 Main Ave., Clifton, NJ 07011
TYPE OF FOR ESTABLISHMENT INTENDED: Caterer/Grocery/Milk – Continued Use
FORMERLY OR NEW: In & Out Food Market
ZONE:
PERMITTED: Yes
VARIANCE REQUIRED: No

ADJOURNMENT

Upon motion made by Councilman Grabowski seconded by Councilwoman Murphy and passed on roll call vote, the meeting was adjourned at 8:49 p.m.

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

Respectfully Submitted,

Nancy Ferrigno
City Clerk

James Anzaldi, Mayor