

**CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES JUNE 7, 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) Absent
Councilman Kolodziej	(JK)
Councilman Latona	(AL)
Councilwoman Murphy	(LM) Absent
Councilwoman Pino	(RP)
Councilwoman Sadrakula	(MS)
Mayor Grabowski	(RG)

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

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

Nancy Ferrigno – City Clerk

PUBLIC HEARING

Public Hearing City of Clifton FY 2023 Yr. 49 Annual Action Plan August 1, 2023 to July 31, 2024 B-23-MC-34-0103

The Mayor opened the floor to the public.

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

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

Public Hearing Community Development Amendment B-16-17-18-19-20-MC-34-0103

The Mayor opened the floor to the public.

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

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

APPROVAL OF MINUTES

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Sadrakula and passed on roll call vote to approve the Workshop Session, Executive Session and Regular Session Meeting Minutes of May 16, 2023.

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

COMMUNICATIONS MEETING MINUTES

- C-1 Minutes of Traffic Safety Council of April 21, 2023
- C-2 Minutes of Alcoholic Beverage Control Board of April 12, 2023
- C-3 Minutes of Hazardous Materials Control Board of April 19, 2023
- C-4 Minutes of Beautification Committee of April 28, 2023
- C-5 Minutes of CA-TV Committee of April 26, 2023
- C-6 Minutes of North Jersey District Water Supply Commission of April 28, 2023
- C-7 Minutes of Senior Citizens Advisory Committee of May 25, 2023
- C-8 Minutes of Disabilities Committee of May 15, 2023
- C-9 Minutes of Board of Adjustment of May 17, 2023
- C-10 Minutes of Board of Recreation of April 24, 2023
- C-11 Minutes of Passaic Valley Water Commission of April 26, 2023

SECOND READING ORDINANCES

A. Adoption of Ordinance 7824-23

B. Public Hearing on Ordinance 7824-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7824-23

With no one wishing to be heard, a Motion was made by Councilwoman Sadrakula, seconded by Council to close the public hearing.

There was no motion to vote on Ordinance 7824-23

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

C. Adoption of Ordinance 7825-23

D. Public Hearing on Ordinance 7825-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7825-23

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

The following entitled ordinance had been introduced and having passed on first reading, which first reading was by title and said entitled ordinance having been published according to the law and thereafter placed on the Agenda of the present meeting, said ordinance was brought up for public hearing at the opening of such hearing said ordinance was given a second reading which reading was by title and all persons interested having been given an opportunity to be heard concerning said ordinance and upon motion, adopted said hearing was closed and said ordinance

was thereafter finally passed without amendments, upon motion regularly made by Councilman Latona, seconded by Councilwoman Sadrakula and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 8 Restricted Handicapped Spaces)

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

E. Adoption of Ordinance 7826-23

F. Public Hearing on Ordinance 7826-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7826-23

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 2 Restricted Handicapped Spaces)

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

G. Adoption of Ordinance 7827-23

H. Public Hearing on Ordinance 7827-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7827-23

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

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

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

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

I. Adoption of Ordinance 7828-23

J. Public Hearing on Ordinance 7828-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7828-23

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton Entitled "Vehicles and Traffic", More Particularly Section 439-13 Thereof, Entitled "Parking Prohibited at all Times on Certain Streets" (Adds Portion of Clifton Avenue)

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

FIRST READING ORDINANCES

A. Introduction of Ordinance 7829-23

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 7 Restricted Handicapped Spaces)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, June 20, 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.

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

B. Introduction of Ordinance 7830-23

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 3 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, June 20, 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.

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

C. Introduction of Ordinance 7831-23

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

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

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, June 20, 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.

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

D. Introduction of Ordinance 7832-23

Upon a Motion made by Councilwoman Sadrakula, seconded by Councilman Latona Ordinance 7832-23 was tabled.

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton More Particularly Section 439-18 Entitled "Loading Zones" (Adds Location at Third Street)

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

FLOOR TO MEMBERS OF THE PUBLIC

Roseanne D'Angelo, 383 Mount Prospect Ave., spoke about water damage in her home due to the road pitching in the wrong direction.

Cameron Hebron, 61 George Russell Way, discussed a hate message which was graffitied on an overpass on Allwood Road.

Joseph Czarnecki, 56 William St., spoke about speeding and using stop signs as a deterrent, oversize trucks on streets with weight limits and school busses riding through residential areas.

Bart Ciervo, 306 Delawanna Ave., inquired about erecting a dog park, installing "curb your dog" signs and placing garbage pails in Dunney Park. He asked if any local hotels were housing illegal immigrants.

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Gary Perino, 491 Mount Prospect Ave., discussed curbs and sidewalks on Mount Prospect Ave. and letter that he sent to the City Manager regarding the establishment of a City museum.

Joseph Holzli, 75 Mountainside Terrace, spoke about flooding during Hurricane Ida at Firehouse #1, Pearl Brook and the Clifton Senior Horizons complex.

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to close the public session.

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

City Manager, Dominick Villano, addressed the flooding issue on Mt. Prospect Avenue. He spoke about a prior plan by Passaic County to address the flooding issue but was not approved by the prior Council. He stated a request was put in to have the County redesign the project and resubmit it for Council approval.

City Manager, Dominick Villano, discussed the derogatory graffiti on Allwood Road. He remarked that the DOT was informed that the City DPW would be removing the graffiti immediately. He said the issue was reported to the FBI and the State Police and the State Police have taken over the investigation to find the offender.

City Manager, Dominick Villano, responded to Mr. Czarnecki and reported that the City cannot use stop signs to control traffic. Mr. Villano remarked that he would have police set up radar and check on the weight limit of the trucks using the roadway.

City Manager, Dominick Villano, responded to Mr. Ciervo and reported that the Recreation Department is in the process of polling the neighborhood to see if the majority is in favor of installing a Dog Park in Dunney Park. He remarked that garbage pails were ordered for the park. Mr. Villano stated that he spoke to motel managers in the area and none are housing refugees.

City Manager, Dominick Villano, responded to Mr. Perino and stated that the space in the newly renovated barn on City Hall property is needed for office space and suggested a committee be formed to find a different property for a museum.

City Manager, Dominick Villano, asked Mr. Holzli to make an appointment to come to his office and he will discuss the Ida flooding with him.

CITY MANAGER PRIVILEGE/RESPONSE TO RESIDENTS

City Manager, Dominick Villano, announced that several residents of Hadley Avenue, that were flooded from Ida, have qualified for Blue Acres assistance.

COUNCIL PRIVILEGE

Councilwoman Murphy

Councilwoman Murphy was absent.

Councilwoman Pino

Councilwoman Pino asked Administration to send a letter to Paterson regarding the unclean condition of their side of Crooks Avenue. She expressed her displeasure regarding the memo that the Legal Department put on the agenda regarding murals advising that the person who could answer questions regarding their mural Ordinance was on vacation. She also expressed her displeasure that Administration was providing “red tape and excuses” regarding installing a dog park in Dunney Park. She remarked that she agreed with the idea of a museum and enforcing the sidewalk ordinance. Councilwoman Pino spoke about a recent group clean-up of Dundee Park. She announced that the Beautification Committee met and they are working on organizing more public clean-up events. Councilwoman Pino announced a fundraiser being held by School Four.

Councilwoman Sadrakula

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona, and passed on roll call vote to place a discussion item on the next Council agenda to set up a committee to establish a City museum.

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

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to place an item on the next Council agenda to discuss the City Council meetings taking precedence over any other board meeting when it comes to being televised.

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

Councilwoman Sadrakula asked that the County be put on notice regarding flooding on Mount Prospect Ave. She spoke about the recently discovered bigoted graffiti on Allwood Road, using speed tables, the flooding at Firehouse #1, city wide flooding and enforcing the sidewalk ordinance. Councilwoman Sadrakula discussed the importance of being consistent and transparent.

Councilman Kolodziej

Councilman Kolodziej discussed the need for consistency and stated that many problems arise from trying to keep taxes as low as possible. He expressed his discontentment about bigoted graffiti and social network posts. He suggested that the vote for the Cap Bank Ordinance be sent to the State. Councilman Kolodziej remarked that the idea of redevelopment projects getting preferential treatment is false. He stated that apartment buildings and commercial developments are a significant contributor to City taxes. He spoke about the budgeting process and the need to raise taxes to keep providing the needed services. Councilman Kolodziej spoke about many promises being made by Council members that become “lip service” if there is no funding available.

Councilman Latona

Councilman Latona announced various events taking place around the City. He congratulated recipients of awards from the Eagle Scouts and the Knights of Columbus. Councilman Latona discussed newly paved roads and utility digging, the process for hiring in the City and rabies shots provided by the Health Department.

A Motion was made by Councilman Latona, seconded by Councilwoman Pino and passed on roll call vote to add a discussion item on the next Council agenda to come up with a “not to exceed amount for professional services” that will compel the item to be brought before Council prior to acceptance if the quote is over the “not to exceed amount”.

He spoke about flooding on Mount Prospect Ave., general funds for parks and development and infrastructure accountability. He asked for an update of the Pearl Brook flood report. Councilman Latona wished everyone a Happy Father’s Day.

Councilman Gibson

Councilman Gibson was absent.

Mayor Grabowski

Mayor Grabowski spoke about Clifton being a highly diverse community and that bigotry in any form will not be tolerated. He explained how the removal of recent hate graffiti on Allwood Road

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was handled. Mayor Grabowski spoke about the importance of line striping at stop signs. He explained the process of how items get put on the agenda. Mayor Grabowski urged all residents to try to stay indoors to avoid the heavy smoke the Northeast is experiencing due to Canadian wildfires.

Council returned to Workshop Session.

RESOLUTIONS VOTED ON SEPERATELY

R267-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Labor Counsel Services for the Term March 1, 2023 Thru February 28, 2024

A Motion was made by Councilman Kolodziej to table Resolution R267-23. With no second to the Motion, the same failed.

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Pino and passed on roll call vote to deny awarding contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for labor counsel services from the term March 1, 2023 thru February 28, 2024.

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

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

WHEREAS, in response to request for proposals, five proposals were received including a proposal from, DeCotiis, FitzPatrick, Cole & Giblin LLP dated March 14, 2023; and

WHEREAS, after reviewing the proposal and upon the recommendation of the Mayor and Council, the Municipal Council wishes to award a contract to DeCotiis, FitzPatrick, Cole & Giblin LLP for a period of one year commencing March 1, 2023 and ending February 28 2024, at a fee of \$175/hr for partners and \$150/hr for associates, not to exceed \$90,000 for the term of the contract for the provision of said services; and

WHEREAS, such services constitute “Professional Services” with the ambit of N.J.S.A. 40A:11-5 and also based upon price and other factors considered, the Council wishes to award the contract to DeCotiis, FitzPatrick, Cole & Giblin LLP whose proposal is most advantageous to the City; and

WHEREAS, any fee in excess of \$90,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

WHEREAS, the services to be performed are professional and/or extraordinary unspecifiable services, within the meaning of those terms as used in the Local Public Contracts Law, *N.J.S.A.* 40A:11-1 *et seq.*, and, accordingly, a contract may be awarded therefor without public advertising for bids and bidding in accordance with *N.J.S.A.* 40A:11-5; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that a contract for professional labor counsel services is awarded to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for the term commencing March 1, 2023 and ending February 28, 2024, at a fee of \$175/hr. for partners and \$150/hr. for associates, not to exceed \$90,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

- I. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
- II. The Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.
- III. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk’s Office of the City of Clifton.
- IV. The following short notice be printed once in a legal newspaper of the City of Clifton:

CITY OF CLIFTON NOTICE OF CONTRACT AWARD

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

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, NJ
 Services: Labor Counsel Services
 Amount: \$175/hr. partners - \$150/hr. associates; not to exceed \$90,000
 Term: 3/1/23- 2/28/24

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

R268-23 Resolution Awarding Contract to O’Toole, Scrivo, LLC for Labor Counsel Services for the Term June 8, 2023 Thru June 7, 2024

A Motion was made by Councilman Kolodziej to award contract to O’Toole, Scrivo, LLC for Labor Counsel Services for the term June 8, 2023 thru June 7, 2024. With no second, the same failed.

RESOLUTION AWARDING CONTRACT TO O’TOOLE SCRIVO, LLC FOR LABOR COUNSEL SERVICES FOR THE TERM JUNE 8, 2023 THRU JUNE 7, 2024

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

WHEREAS, in response to request for proposals five proposals were received including a proposal from, O’Toole Scrivo, LLC dated March 14, 2023; and

WHEREAS, after reviewing the proposal and upon the recommendation of the Mayor and Council, the Municipal Council wishes to award a contract to O’Toole Scrivo, LLC for a period of one year commencing June 8, 2023 and ending June 7, 2024, at a fee of \$175/hr. for partners and \$175/hr. for associates, not to exceed \$45,000 for the term of the contract for the provision of said services; and

WHEREAS, such services constitute “Professional Services” with the ambit of N.J.S.A. 40A:11-5 and also based upon price and other factors considered, the Council wishes to award the contract to O’Toole Scrivo, LLC, whose proposal is most advantageous to the City; and

WHEREAS, any fee in excess of \$45,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

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WHEREAS, the services to be performed are professional and/or extraordinary unspecifiable services, within the meaning of those terms as used in the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, and, accordingly, a contract may be awarded therefor without public advertising for bids and bidding in accordance with *N.J.S.A 40A:11-5*; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that:

- I. A contract for professional labor counsel services is awarded to O'Toole Scrivo LLC, for the term commencing June 8, 2023 and ending June 7, 2024, at a fee of \$175/hr. for partners and \$175/hr. for associates, not to exceed \$45,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
- II. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
- III. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
- IV. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.
- V. The following short notice be printed once in a legal newspaper of the City of Clifton:

R269-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Legal Services in Connection with Redevelopment of Black Prince Distillery for the Term July 2, 2023 to July 1, 2024

A Motion was made by Councilman Kolodziej to award contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for legal services in connection with redevelopment of Black Prince Distillery for the term July 2, 2023 thru July 1, 2024. With no second, the same failed.

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN LLP FOR LEGAL SERVICES IN CONNECTION WITH REDEVELOPMENT OF BLACK PRINCE DISTILLERY FOR THE TERM JULY 2, 2023 TO JULY 1, 2024

WHEREAS, on June 22, 2023, the Municipal Council adopted a resolution awarding a professional legal services contract to the law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP, for the provision of legal services in connection with the redevelopment of Black Prince Distillery for the period July 2, 2023 through July 1, 2024; and

WHEREAS, the firm has provided satisfactory services to the City of Clifton and the Municipal Council wishes to renew their contract for the period July 2, 2023 through July 1, 2024, for the fee of \$225.00 per hour, the total fee not to exceed \$30,000 for the term of the contract; and

WHEREAS, any fee in excess of \$30,000 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

WHEREAS, the services to be performed are professional and/or extraordinary unspecifiable services, within the meaning of those terms as used in the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, and, accordingly, a contract may be awarded therefor without public advertising for bids and bidding in accordance with *N.J.S.A 40A:11-5*; and

WHEREAS, 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 and the duration of the contract is from July 2, 2023 thru July 1, 2024; and

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

WHEREAS, there are funds available for the payment of the aforesaid services;

NOW, THEREFORE, BE IT RESOLVED, that:

- I. A contract for professional redevelopment legal counsel services, in the form as approved by the Clifton Law Department, is awarded to DeCotiis, FitzPatrick, Cole & Giblin, of Paramus, NJ, for the period July 2, 2023 through July 1, 2024, at a fee of \$225.00 per hour, not to exceed \$30,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
- II. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
- III. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
- IV. The original of this resolution and the contract in question shall be placed on file and made available for public inspection in the City Clerk’s Office of the City of Clifton.
- V. The following short notice be printed once in a legal newspaper of the City of Clifton:

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Pino and passed on roll call to vote on the following Resolution separately:

R289-23 Resolution Accepting and Authorizing the Execution of Lead Grant Assistance Program Agreement

LEAD GRANT ASSISTANCE PROGRAM

WHEREAS, effective July 22, 2022, the Legislature enacted P.L. 2021, c. 182, “An Act concerning certain lead-based paint hazard, and residential rental property, and establishing lead-based paint hazard programs, supplementing P.L. 2003, c. 311 (C. 52:27D-437.1 et al.) amending various parts of the statutory law, and making an appropriation;” and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(1), a municipality that maintains a permanent local agency for the purpose of conducting inspections and enforcing laws, ordinances, and regulations concerning buildings and structures, is required to inspect for lead-based paint hazards in certain specified single-family, two-family, and multiple rental dwellings, at the time periods set forth in the statute; and

WHEREAS, pursuant to N.J.S.A. 52:27D-437.16(b)(2) a municipality that does not maintain such a permanent local agency must hire a lead evaluation contractor, certified to provide lead paint inspection services by DCA, or enter a shared services agreement as permitted by law, for

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the purpose of conducting the inspections for lead-based paint hazards; and

WHEREAS, Pursuant to Section 9 of P.L. 2021, c. 182, the State of New Jersey has allocated the sum of \$3,900,000 to effectuate the purposes of P.L. 2021, c. 182 (C. 52:27D-437.16). Further, pursuant to the FY 2023 Appropriations Act (P.L. 2022, Chapter 49), DCA received a grant-in-aid amount of \$3,900,000 for P.L. 2021, c. 182, for a total of \$7,800,000 in appropriations to effectuate the purpose of the Act.

WHEREAS, DCA has allocated \$7,000,000 of this appropriation to the development of the Lead Grant Assistance Program (“LGAP”) for the issuance of grant funds to municipalities for the purpose of assisting in municipal compliance with P.L. 2021, c. 182.

WHEREAS, the Division of Local Government Services (DLGS), within DCA, administers the LGAP; and

WHEREAS, the LGAP exists to provide funding to help off-set the costs to municipalities to provide the required inspections at stipulated times of certain single-family, two-family, and multiple rental dwelling units for lead-based paint hazards, pursuant to P.L. 2021, c. 182; and

WHEREAS, an authorized municipal officer must execute the attached grant agreement in order to receive LGAP funding.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of, the City of Clifton does hereby authorize Raymond Grabowski, Mayor, to sign the attached grant agreement, and thus binds the City of Clifton to the grant agreement’s terms in order to receive the \$166,500.00 grant from the DLGS.

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

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Pino and passed on roll call to vote on the following Resolution separately:

R291-23 Resolution Awarding Consultant Services Contract to Crystal Rodriguez for Assisting the City of Clifton Health Department with Grant Tasks Under the New Jersey Department of Health for the Strengthening Local Public Health Capacity Grant for the Term December 1, 2023 Through June 30, 2024

RESOLUTION AWARDING CONSULTANT SERVICES CONTRACT TO CRYSTAL RODRIGUEZ FOR ASSISTING THE CITY OF CLIFTON HEALTH DEPARTMENT WITH GRANT TASKS UNDER THE NEW JERSEY DEPARTMENT OF HEALTH FOR THE STRENGTHENING LOCAL PUBLIC HEALTH CAPACITY GRANT FOR THE TERM JULY 1, 2023 THROUGH JUNE 30, 2024

WHEREAS, the City of Clifton Health Department through the New Jersey Department of Health for the strengthening local public health capacity grant requires the services of a consultant to assist with the tasks pursuant to said grant; and

WHEREAS, Crystal Rodriguez has been providing satisfactory consultant services for the Health Department assisting with grant tasks and the grant requires renewal of the contract; and

WHEREAS, a quote was provided by Crystal Rodriguez to continue providing said services at a rate \$40.11/hr , not to exceed \$43,801.00; price and other factors considered, was deemed to be most; and

WHEREAS, the subject matter is below the bid threshold and may be awarded without public advertising for bids and bidding therefore under N.J.S.A. 40A:11-5 et seq.; and

WHEREAS, the value of the contract is determined to not exceed \$43,801.00 and the term of the contract is not to exceed one year; and

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

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

NOW, THEREFORE, BE IT RESOLVED that a Consultant Services contract is hereby awarded to Crystal Rodriguez, Linden, NJ for the term commencing July 1, 2023 and ending June 30, 2024 at a fee of \$40.11/hr, not to exceed \$43,801.00 in accordance with her proposal dated May 31, 2023; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute a contract on behalf of the City of Clifton, and that the original of this resolution and the contract above referred to be placed on file and made available for the inspection at the Office of the City Clerk of the City of Clifton.

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

RESOLUTIONS

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

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

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

**RESOLUTION
TO APPROVE
Claims to be paid the meeting of June 7, 2023
Meeting of June 7, 2023**

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

Current Fund	\$18,301,661.85
Grant Fund	\$692,941.39
General Capital Fund	\$589,679.94
Sewer Utility -Operating	\$69,603.36
Sewer Utility-Capital	\$7,991.00
Developers Escrow	\$15,417.97
Dog Trust	\$6,316.25
Police Extra Duty	\$124,572.50
Trust Other	\$426,289.90
Section 8 Public Housing	\$53,067.40
Community Development	\$70,181.97
COAH	
Self Insurance	\$1,965,798.11
Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	

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Unemployment Trust Fund	
Library	\$228,817.68
General Liability Trust	\$172,504.56
Workers Compensation Trust	\$67,861.96
Federal DOJ Forfeiture	
TOTAL CLAIMS	\$22,792,705.84

R247-23 Resolution - Third Quarter 2023 Estimated Tax Resolution

**RESOLUTION
ESTIMATED THIRD QUARTER 2023**

WHEREAS, the School Budget, and the County Budget have all submitted timely as required by the State of New Jersey; and,

WHEREAS, the Mayor and Council desires to provide a mechanism whereby the City’s cash flow will not be adversely affected should the delay in the adoption of any budget, or the certification of any required information required for the issuance of tax bills extend beyond a reasonable time;

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

1. The Estimated August 2023, Third Quarter Tax Bill be issued with an estimated tax rate of \$5.83 per \$100.00 of assessed valuation.
2. Pursuant to R.S. 54:4-67, interest free rate period (10-day grace period) or the 25th calendar day after the date the tax bill was mailed or otherwise delivered maybe charged back to August 1st. After which, interest at the rate of 8% per annum on amounts up to \$1,500 of delinquency and 18% per annum on amounts over \$1,500 of delinquency shall be charged from August 1, 2023.
3. That the reconciled November 2023 Quarterly Taxes are due and payable as originally scheduled on November 1, 2023, with a ten-day grace period, interest to be calculated as of November 1 if not paid prior to the expiration of said grace period.

BE IT FURTHER RESOLVED, that the City Clerk forward one certified copy of this resolution to the Tax Collector for the purpose of preparing, printing, and mailing the Estimated Third Quarter Tax Bill.

R248-23 Resolution - 2023 Temporary Budget Increase for Municipal Budget

2023 TEMPORARY BUDGET

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

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

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

<u>Department</u>	<u>Department Code</u>	<u>Amount</u>
See Attached	See Attached	\$21,405,500.00

Total Temporary Budget Increase: \$21,405,500.00

R249-23 Resolution - 2023 Temporary Budget Increase for Sewer Utility

**2023 TEMPORARY BUDGET INCREASE
CLIFTON SEWER UTILITY**

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

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

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

<u>Sewer Department</u>	<u>Department Code</u>	<u>Amount</u>
Sewer / Storm System – Salaries	07-201-26-291-101	\$ 50,000.00
Sewer / Storm System – Expenses	07-201-26-291-405	\$ 25,000.00
Sewer Utility Emergency Repairs	07-201-26-291-601	\$ 30,000.00
Statutory Exp – Employer Taxes	07-201-36-472-300	\$ 10,000.00

Total Temporary Budget Amendment Increase: \$ 115,000.00

R250-23 Resolution Authorizing the Issuance of Change Order No. 1 and Final - Rutherford Boulevard Sanitary Sewer Improvements

**RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 1 AND FINAL
RUTHERFORD BOULEVARD SANITARY SEWER IMPROVEMENTS**

WHEREAS, on October 18, 2022, the City of Clifton adopted Resolution R474-22 awarding a contract to **JOHN GARCIA CONSTRUCTION CO.** of CLIFTON, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for **RUTHERFORD BOULEVARD SANITARY SEWER IMPROVEMENS** in the amount of \$189,487.11; and

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

WHEREAS, the City Engineer has requested that a Change Order be made to the contract awarded to **JOHN GARCIA CONSTRUCTION CO.**, in the amount of \$30,545.97 a 16.12% Decrease as authorized by Resolution said being necessary for the proper completion of the project job; and

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

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WHEREAS, the Chief Financial Officer is not required to certify the availability of sufficient funds for the amendatory change for which authorization is requested in the amount of \$30,545.97 a 16.12% DECREASE;

WHEREAS, the total contract amount is now \$158,941.14.

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.

R251-23 Resolution Authorizing Final Payment - Rutherford Boulevard Sanitary Sewer Improvements - John Garcia Construction Co.

**RESOLUTION AUTHORIZING FINAL PAYMENT
RUTHERFORD BOULEVARD SANITARY SEWER IMPROVEMENTS
JOHN GARCIA CONSTRUCTION CO.**

WHEREAS, JOHN GARCIA CONSTRUCTION CO. of Clifton, New Jersey, did complete **RUTHERFORD BOULEVARD SANITARY SEWER IMPROVEMENTS** project in and for the City of Clifton for the total amount of \$158,941.14

And previous payments on account of said total have been paid in the amount of. \$150,685.17

Leaving this FINAL PAYMENT
of..... \$ 8,255.97

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

WHEREAS, the Contractor has posted a Maintenance Bond, for a period of two years, in the amount of **\$15,894.12**; and

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

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

NOW BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is authorized and directed to include the said claim totaling **\$8,255.97** on the claim list.

R252-23 Resolution Releasing Guarantees for Site Improvements - Summit Medical Group, 1255 Broad Street - Block 64.06, Lot 1

**RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
SUMMIT MEDICAL GROUP, 1255 BROAD STREET
BLOCK 64.06, LOT 1**

WHEREAS, Summit Medical Group (the Developer) originally posted with the City of Clifton Irrevocable Standby Letter of Credit No. TS-07012828 in the amount of \$17,197.20 for public improvements and privately-owned buffer landscaping for the facility located at 1255 Broad Street, designated as Block 64.06, Lot 1; 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 \$64,687.86; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements at 1255 Broad Street, Clifton, New Jersey, Block 64.06, Lot 1 are accepted, the City Engineer is hereby directed to return the Performance Bonds and all escrow funds to Summit Medical Group upon receipt of the aforementioned Maintenance Bond.

R253-23 Resolution Authorizing the Issuance of Change Order No. 1 - Repairs to Fire Station No. 1 - T&A Carpentry and Home Restorations, Inc.

**RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 1
REPAIRS TO FIRE STATION NO. 1
T&A CARPENTRY AND HOME RESTORATIONS INC.**

WHEREAS, on September 6, 2022, the City of Clifton adopted Resolution R-397-22 awarding a contract to T&A CARPENTRY AND HOME RESTORATIONS INC. of CLIFTON, NEW JERSEY, for the performance of certain public work and the furnishing of material, labor and equipment for the REPAIRS TO FIRE STATION NO. 1 in the amount of \$365,000.00; 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 T&A CARPENTRY AND HOME RESTORATIONS INC. in the amount of \$18,967.20 an 5.20% 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 \$18,967.20 an 5.20% INCREASE; and

WHEREAS, the total contract amount is now \$383,967.20.

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.

R254-23 Resolution Authorizing the Issuance of Change Order No. 1 and Final Colfax Avenue Sewer Maintenance Road Access Improvements

**RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 1 AND FINAL
COLFAX AVENUE SEWER MAINTENANCE ROAD ACCESS IMPROVEMENTS**

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WHEREAS, on April 19, 2022, the City of Clifton adopted Resolution R183-22 awarding a contract to **JOHN GARCIA CONSTRUCTION CO.** of CLIFTON, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for **COLFAX AVENUE SEWER MAINTENANCE ROAD ACCESS IMPROVEMENTS** in the amount of \$212,265.00; 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 **JOHN GARCIA CONSTRUCTION CO.**, in the amount of \$11,121.15 a 5.24% 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 \$11,121.15 a 5.24% INCREASE;

WHEREAS, the total contract amount is now \$223,386.15.

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.

R255-23 Resolution Authorizing Final Payment - Colfax Avenue Sewer Maintenance Road Access Improvements - John Garcia Construction Co.

**RESOLUTION AUTHORIZING FINAL PAYMENT
COLFAX AVENUE SEWER MAINTENANCE ROAD ACCESS IMPROVEMENTS
JOHN GARCIA CONSTRUCTION CO.**

WHEREAS, JOHN GARCIA CONSTRUCTION CO. of Clifton, New Jersey, did complete **COLFAX AVENUE SEWER MAINTENANCE ROAD ACCESS IMPROVEMENTS** project in and for the City of Clifton for the total amount of \$223,386.15

And previous payments on account of said total have been paid in the amount of. \$202,723.94

Leaving this FINAL PAYMENT
of..... \$ 20,662.21

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

WHEREAS, the Contractor has posted a Maintenance Bond, for a period of two years, in the amount of **\$22,338.61**; and

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

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

NOW BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is authorized and directed to include the said claim totaling **\$20,662.21** on the claim list.

R256-23 Resolution Awarding Contract for City-Wide Concrete Sidewalk Replacement

**RESOLUTION AWARDING CONTRACT FOR
CITY-WIDE CONCRETE SIDEWALK REPLACEMENT**

BE IT RESOLVED: that the contract for the **CITY-WIDE CONCRETE SIDEWALK REPLACEMENT** be and the same is hereby awarded to **AA BERMS LLC of Belleville, New Jersey**, the low bidder meeting the specifications at a grand total bid price of **\$294,600.00**, in accordance with bids received on **May 23, 2023**, and recommended by communication dated **May 30, 2023** 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.

R257-23 Resolution Awarding Contract to Jen Electric, Inc. off of Morris County Cooperative Pricing Contract #37 - Traffic Signal Preventative Maintenance - July 1, 2023, Thru June 30, 2025

**RESOLUTION AWARDING CONTRACT TO
JEN ELECTRIC, INC. OFF OF MORRIS COUNTY COOPERATIVE PRICING
CONTRACT #37: TRAFFIC SIGNAL PREVENTATIVE MAINTENANCE
JULY 1, 2023, THRU JUNE 30, 2025**

WHEREAS, the Police Department requests services from Jen Electric, Inc. for traffic signal maintenance and repairs on the City’s fifty-one (51) traffic signals, as needed; and

WHEREAS, Jen Electric, Inc. has been awarded Morris County Cooperative Contract #37 - Traffic Signal Maintenance & Repairs for a term of July 1, 2023 through June 30, 2025; and

WHEREAS, the Preventative Maintenance Rate is \$250.00 per unit (\$250.00 x 51 traffic signals = \$12,750.00 per year); and

WHEREAS, the Police Department requests additional funds to be set aside for the traffic signal materials in the amount of \$15,000.00 per year; and

WHEREAS, the City is a member of the Morris County Cooperative Pricing Council (MCCPC); and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council to hereby approve and authorize the aforementioned award of contract to Jen Electric, Inc., 631 Morris Avenue, Springfield, New Jersey 07081, based on the contract period and terms outlined in the Morris County Cooperative Pricing Contract in an amount not to exceed \$12,750.00 and an additional \$15,000.00 for traffic signal materials per year; total amount of said contract shall not exceed \$55,500.00 without the adoption of a supplemental Resolution; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute said service contract upon approval by the Law Department; and

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

R258-23 Resolution Awarding Contract to Jen Electric, Inc. off of Morris County Cooperative Pricing Contract #37 - Emergency Traffic Signal Repairs, Signal Modifications and Upgrades as Needed - July 1, 2023 Thru June 30, 2025

**RESOLUTION AWARDING CONTRACT TO
JEN ELECTRIC, INC. OFF OF MORRIS COUNTY COOPERATIVE PRICING
CONTRACT #37: FOR EMERGENCY TRAFFIC SIGNAL REPAIRS,
SIGNAL MODIFICATIONS, AND UPGRADES AS-NEEDED
JULY 1, 2023, THRU JUNE 30, 2025**

WHEREAS, the Clifton Police Department requests services from Jen Electric, Inc. for traffic signal repairs, upgrades, and modifications on the City’s fifty-one (51) traffic signals, as needed; and

WHEREAS, Jen Electric, Inc. has been awarded Morris County Cooperative Contract #37, Traffic Signal Maintenance & Repairs for a term of July 1, 2023, through to June 30, 2025; and

WHEREAS, the above contract provides for as-needed repairs resulting from accidents, and additionally provides for as-needed upgrades and signal modification services; and

WHEREAS, the Clifton Police Department requests emergency repair funds to be set aside for emergency traffic signal repairs in the amount of \$35,000.00 for each year of the term; and

WHEREAS, the Clifton Police Department requests additional funds to be set aside for as-needed traffic signal upgrades and modifications in the amount of \$15,000.00 each year of the term; and

WHEREAS, the City is a member of the Morris County Cooperative Pricing Council (MCCPC); and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council to hereby approve and authorize the aforementioned award of contract to Jen Electric, Inc., 631 Morris Avenue, Springfield, New Jersey 07081, based on the contract period and terms outlined in the Morris County Cooperative Pricing Contract in an as-needed amount not to exceed \$35,000.00 and an additional as-needed amount of \$15,000.00 for traffic signal modifications and traffic light upgrades each year of contract term; total amount of said contract shall not exceed

\$100,000.00, subject to approval and adoption of subsequent budgets, without the adoption of a supplemental Resolution; and,

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute said service contract upon approval by the Law Department; and,

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

R259-23 Resolution to Purchase Industrial Supplies and Equipment from W.W. Grainger for the City of Clifton off of NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION TO PURCHASE INDUSTRIAL SUPPLIES AND EQUIPMENT
FROM W.W. GRAINGER FOR THE CITY OF CLIFTON
OFF OF NJ STATE CONTRACT PURCHASING PROGRAM
PURSUANT TO N.J.S.A:40A:11-12a**

WHEREAS, the City of Clifton, Department of Public Works has need to purchase the Industrial Supplies and Equipment; and

WHEREAS, W.W. Grainger was awarded New Jersey State Contract number 19-FLEET-00566 for Industrial Supplies and Equipment, expiring June 30, 2024; and

WHEREAS, the Department of Public Works recommends authorization to procure goods on an as-needed basis from W.W. Grainger, Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016-3582, pursuant to New Jersey State Contract number 19-FLEET-00566; and

WHEREAS, the City of Clifton, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; 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 Purchasing Agent to procure goods as-needed from W.W. Grainger, Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016-3582 via New Jersey State Contract number 19-FLEET-00566, in an amount not to exceed \$100,000.00, for the period of July 1, 2023 through to June 30, 2024; and

BE IT FURTHER RESOLVED, a properly executed purchase order, processed as needed, shall be the instrument of fund encumbrance for each department and division usage, budgetary appropriations considered.

R260-23 Resolution Authorizing and Ratifying Payment for Emergency Sewer Jetting Services

**RESOLUTION AUTHORIZING PAYMENT FOR
EMERGENCY SEWER JETTING SERVICES**

WHEREAS, the City of Clifton requires sewer jetting services to address sewer blockages in order to maintain the efficient operation of the sewer system and protect the health, safety and welfare of the public; and

WHEREAS, the City of Clifton Department of Public Works used to perform sewer jetting services with City employees but can no longer do so due to the lack of available employees; and

WHEREAS, the City is in the process of preparing and advertising a public bid for sewer jetting services; and

WHEREAS, pending the bidding process, the City has utilized the services of an outside vendor, AAA Advanced Plumbing & Drain Cleaning, located at 10 Memorial Drive Woodland Park NJ 07424, for emergency sewer jetting services; and

WHEREAS, because of the number of sewer blockages that have occurred recently the City has incurred sewer jetting expenses exceeding the bid threshold; and

June 7, 2023

WHEREAS, the City of Clifton DPW Director has determined that sewer blockages present emergent situations in accordance with N.J.S.A. 40A:11-6 that must be addressed in order to maintain the efficient operation of the sewer system and protect the health, safety and welfare of the public; and

WHEREAS, the DPW Director has certified that \$100,000.00 is necessary to fund the anticipated amount of emergency sewer jetting services until a contract can be awarded; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that an amount not to exceed \$100,000.00 be authorized for the payment of emergency sewer jetting services.

R261-23 Resolution Authorizing Permission to Advertise a Request for Proposals Under Competitive Contracting for Professional Planning Services for CDBG

RESOLUTION AUTHORIZING PERMISSION TO ADVERTISE A REQUEST FOR PROPOSAL UNDER COMPETITIVE CONTRACTING FOR PROFESSIONAL PLANNING SERVICES FOR CDBG

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

WHEREAS the above Professional Planning Services are necessary for Planning and Technical Services for CDBG and preparation of community development reports and other activities for federal funding;

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

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

R262-23 Resolution Authorizing Permission to Advertise a Request for Proposal Under Competitive Contracting for Community Development Specialist for CDBG

RESOLUTION AUTHORIZING PERMISSION TO ADVERTISE A REQUEST FOR PROPOSAL UNDER COMPETITIVE CONTRACTING FOR COMMUNITY DEVELOPMENT SPECIALIST FOR CDBG

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

WHEREAS the above Community Development Specialist Services are necessary for Project Planning, preparation of grant and funding applications and develop comprehensive project workplans and timelines for CDBG;

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

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

R263-23 Resolution Amending Resolution R244-23 Entitled "Awarding Contract to Management Computer Services, Inc. for Clifton Public Housing Agency Voucher Program"

RESOLUTION AMENDING RESOLUTION R244-23 ENTITLED "AWARDING CONTRACT TO MANAGEMENT COMPUTER SERVICES, INC. FOR CLIFTON PUBLIC HOUSING AGENCY VOUCHER PROGRAM"

WHEREAS, the Council previously adopted Resolution R244-23 to authorize the Clifton Public Housing Agency for Management and Accounting Software from Management Computer Services, Inc. for PHA- web system; and

WHEREAS, the total not to exceed award amount of \$22,500 needs to be amended and increased to meet the additional training for PHA-WEB users; and

WHEREAS, additional training shall be for (3) three additional days during the contract term and said invoices have been submitted that are now outstanding in a total amount of \$32,000.00; and

WHEREAS, the City requests that the above resolution number R244-23 be amended to allow for an increase of \$9,500.00, bringing the total not to exceed amount of the contract to \$32,000.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clifton that the aforesaid Resolution be and hereby is amended to increase the award amount by \$9,500.00, to a total contract award amount of \$32000.00.

R264-23 Resolution Amending Resolution R042-22 Entitled "Resolution Approving Developer Agreement Between the City of Clifton and Tsungas Petroleum, Inc. and Johan Kafil"

RESOLUTION AMENDING RESOLUTION R042-22 ENTITLED "RESOLUTION APPROVING DEVELOPER AGREEMENT BETWEEN THE CITY OF CLIFTON AND TSUNGAS PETROLEUM, INC. AND JOHAN KAFIL"

WHEREAS, the Mayor and Council of the City of Clifton authorized a Developer Agreement between the City of Clifton and Tsungas Petroleum, Inc. and Johan Kafil, the developer of Block 7.15, Lot 11 (formerly Lots 10 and 11), 453 (formerly 453-463) Lexington Avenue, Clifton, New Jersey on January 18, 2022; and

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

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

R265-23 Resolution Authorizing Addition to Rule 2 of the Rules of Order Concerning the Order of Business

RESOLUTION AUTHORIZING ADDITION TO RULE 2 OF THE RULES OF ORDER CONCERNING THE ORDER OF BUSINESS

BE IT RESOLVED, by the Municipal Council of the City of Clifton that Rule 2 concerning "Order of Business" is hereby amended by the addition of the following language:

June 7, 2023

1. Call of Roll
2. Invocation (12/17/91)
3. Pledge to the Flag (12/17/91)
4. Approval of Minutes
5. Petitions and communications
6. Ordinances
7. Hearing to Public (see Rule 18)
8. City Manager Privilege – Response to Public
9. Privilege of Floor to Councilmembers (see Rule 20. 1/5/93)
10. Resolutions
11. Licenses
12. Motion to Adjourn

R266-23 Resolution Authorizing Entry into American International Group (AIG) Crime Risk Management Policy for Period 7/1/23-7/1/24

RESOLUTION AUTHORIZING ENTRY INTO AMERICAN INTERNATIONAL GROUP (AIG) CRIME RISK MANAGEMENT POLICY FOR PERIOD 7/1/2023 - 7/1/2024

WHEREAS, the City of Clifton requires renewal of its crime liability insurance for the period July 1, 2023 to July 1, 2024; and

WHEREAS, the City’s broker of record after soliciting proposals has recommended and the Municipal Council wishes to award a renewal contract to American International Group (AIG) for the provision of said insurance, in accordance with its proposal submitted May 25, 2023 which provides the best and most cost-effective service for the City; and

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

NOW, THEREFORE, BE IT RESOLVED, that a contract for a Crime Risk Management Policy with American International Group (AIG) for the period July 1, 2023 to July 1, 2024, is hereby awarded in accordance with its proposal submitted May 25, 2023 for a price of \$8,548.00; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute a contract on behalf of the City of Clifton, and that the original of this resolution and the contract above referred to be placed on file and made available for inspection at the Office of the City Clerk of the City of Clifton.

R270-23 Resolution Authorizing Renewal of Ice Cream Peddlers License - R&H Catering

RESOLUTION AUTHORIZING ICE CREAM PEDDLERS LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a renewal application for an Ice Cream Peddlers License from Norberto Berrios owner of R & H Catering, 55 Long Hill Drive, Clifton, New Jersey; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for a renewal application for an Ice Cream Peddlers License from Norberto Berrios, owner of R & H Catering, 55 Long Hill Drive, Clifton, New Jersey, is hereby granted.

Company name:
R&H Catering

Owner:
Norberto Berrios
Helene Berrios

Approved Operator:
Norberto Berrios
Helene Berrios

Approved Vehicle:
1995 Chevy Van 1GBGP322853311012

Parking Location:
156-168 Oliver Street, Paterson, NJ

R271-23 Resolution Authorizing Peddler's License - Donny's Dogs

**RESOLUTION AUTHORIZING PEDDLER’S LICENSE
DONNY’S DOGS**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey are in receipt of an application for a Peddler’s License from Peter Caggiano, owner of Donny’s Dogs, 60 Heckel Street, Belleville, to sell artificial flowers for cemeteries; and

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

WHEREAS, all inspections have been completed by the Zoning, Fire 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 Peddler’s License from Peter Caggiano be and is hereby granted.

R272-23 Resolution Authorizing Entertainment License for F&Z Foods, Inc. t/a El Dorado Restaurant

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR F & Z FOODS, INC. T/A
EL DORADO RESTAURANT**

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of F & Z Foods, Inc. t/a El Dorado Restaurant, of 255 Parker Avenue, Clifton, New Jersey (PD-1 Zone), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Five (5) nights per week: Monday, Tuesday, Thursday, Friday and Saturday
Hours: 2:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year’s Eve

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 9:00 p.m. to 1:00 a.m.

4. TYPE OF ENTERTAINMENT (one of the following at permitted times):

June 7, 2023

Monday, Tuesday and Thursday - DJ Music or Karaoke
Friday & Saturday - Up to Four- Piece Band

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2023 through June 30, 2024

6. SECURITY/PARKING REQUIREMENTS:

Not applicable

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

9. REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R273-23 Resolution Authorizing Entertainment License for Octavio Perez/Palenque Bar and Grill at 283 Parker Ave.

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR OCTAVIO PEREZ T/A PALENQUE BAR AND GRILL AT 283 PARKER AVE

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Octavio Perez/Palenque Bar and Grill of 283 Parker Avenue, Clifton, New Jersey (PD-1 Zone), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) days per week:
Friday and Saturday - 8:00 p.m. to 12:00 a.m.
DJ, Karaoke, or Up to Two (2)-Piece Acoustic Band
Sunday: 1 p.m. to 8 p.m. - DJ, Karaoke, or Up to Two (2)-Piece Acoustic Band

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year's Eve
Hours: 8:00 p.m. to 1:00 a.m.

3. TYPE OF ENTERTAINMENT:

DJ, Karaoke, or up to Two-Piece Acoustic Band

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2023 through June 30, 2024

5. SECURITY/PARKING REQUIREMENTS:

N/A

6. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

7. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

8. REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a “teen night” for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R274-23 Resolution Authorizing Entertainment License for Doherty Food Service of Clifton, Inc. t/a The Shannon Rose Irish Pub at 98 Kingsland Road

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR DOHERTY FOOD SERVICE OF CLIFTON, INC. T/A THE SHANNON ROSE IRISH PUB AT 98 KINGSLAND ROAD

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Doherty Food Service of Clifton, Inc. t/a The Shannon Rose Irish Pub, 98 Kingsland Road, Clifton, New Jersey (PMU Zone) is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Inside:

Sunday - Hours 2:00 p.m. to 8:00 p.m.

Friday - 4:00 p.m. to 7:00 p.m. Acoustic Music - Solo or Duo Only

Saturday - 1:00 p.m. to 4:00 p.m. Acoustic Music - Solo, Duo or Trio Only

Four (4) nights per week: Wednesday, Thursday, Friday and Saturday - DJ and/or 3 to 5 piece band

Hours: 10:00 p.m. to 1:00 a.m.

Outdoor Patio:

Tuesday thru Friday - 4:00 pm to 9:00 pm

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year’s Eve and March 17th

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 9:00 p.m. to 1:00 a.m.

4. TYPE OF ENTERTAINMENT (one of the following at permitted times):

Inside: Local Bands, Irish Bands up to 5 pieces, and DJ music

Outdoor Patio: Acoustic Guitar Only - No Amplification

June 7, 2023

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

Inside: July 1, 2023 through June 30, 2024

Outdoor Patio: July 1, 2023 through November 30, 2023

6. SECURITY/PARKING REQUIREMENTS:

- A. In-house and private security company.
- B. On nights that entertainment is provided, licensee is to arrange to have present one (1) off-duty law enforcement officer.
- C. On March 17th when entertainment is provided, licensee is to arrange to have present two (2) off-duty law enforcement officers.
- D. The officers mentioned in B. and C. above may be Clifton Police Officers, Clifton Special Police Officers or Passaic County Sheriff's Officers. Such officer(s) must be hired through the Clifton Police Department to patrol, provide security and maintain order of outside area of premises.

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

9. REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R275-23 Resolution Authorizing Entertainment License for Jorge Mejia t/a El Mexicano Restaurant at 1293 Main Ave.

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR JORGE MEJIA T/A EL MEXICANO RESTAURANT AT 1293 MAIN AVE

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Jorge Mejia t/a El Mexicano Restaurant, of 1293 Main Avenue, Clifton, New Jersey (B-C Zone), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year’s Eve
Hours: 8:00 p.m. to 1:00 a.m.

3. TYPE OF ENTERTAINMENT (one of the following at permitted times):

Karaoke and Mariachi Band

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2023 through June 30, 2024

5. SECURITY/PARKING REQUIREMENTS:

Not applicable.

6. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

7. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

8. REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No entertainment permitted at any time on outside deck.
- D. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a “teen night” for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R276-23 Resolution Authorizing Entertainment License for Bravo Food Service of Clifton, LLC t/a Chevy's Tex Mex

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR BRAVO FOOD SERVICE OF CLIFTON, LLC t/a CHEVY’S TEX MEX

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Bravo Food Service of Clifton, LLC t/a Chevy’s Tex Mex, of 375 Route 3 East, Clifton, New Jersey (Zone PMU), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Two (2) nights per week: Friday and Saturday
Hours: 9:00 p.m. to 1:00 am.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year’s Eve and Cinco DeMayo (subject to the issuance of special permits).

June 7, 2023

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 6:00 p.m. to 12:30 a.m.

4. TYPE OF ENTERTAINMENT (one of the following at permitted times):

Four (4) Piece Band or DJ music.

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2023 through June 30, 2024

6. SECURITY/PARKING REQUIREMENTS:

Not applicable.

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R277-23 Resolution Authorizing Entertainment License for Huseyin Bayram t/a Toros Turkish & Mediterranean Cuisine, 489 Hazel Street

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR HUSEYIN BAYRAM T/A TOROS TURKISH & MEDITERRANEAN CUISINE, 489 HAZEL STREET

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Huseyin Bayram t/a Toros Turkish & Mediterranean Cuisine, of 489 Hazel Street, Clifton, New Jersey (Zone B-B), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Two (2) nights per week: Friday and Saturday
Hours: 8:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 8:00 p.m. 1:00 a.m.

4. TYPE OF ENTERTAINMENT (one of the following at permitted times):

DJ music or Classic Guitar with Singer

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2023 through June 30, 2024

6. SECURITY/PARKING REQUIREMENTS:

Not Applicable.

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

9. REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R278-23 Resolution Authorizing Entertainment License for Yesterday's, LLC t/a Yesterday's Bar and Grille

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR YESTERDAY'S, LLC T/A YESTERDAY'S BAR AND GRILLE

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Yesterday's LLC t/a Yesterday's Bar and Grille, of 70 Main Avenue, Clifton, New Jersey (Zone B-C), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Two (2) nights per week: Wednesday & Saturday
Hours: 9:00 p.m. to 12:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve. One additional night per week on advanced seven (7) days' written notice to the City Clerk. Such optional nights may not exceed more than five (5) nights per year.

June 7, 2023

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 9:00 p.m. to 12:00 a.m.

4. TYPE OF ENTERTAINMENT (one of the following at permitted times):

Karaoke or DJ Music - Wednesday and Saturday
Optional Nights - DJ Music

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2023 through June 30, 2024

6. SECURITY/PARKING REQUIREMENTS:

Not Applicable.

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

9. REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R279-23 Resolution Authorizing Entertainment License for La Fortaleza Cocina & Folklore, LLC t/a La Fortaleza

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR LA FORTALEZA
COCINA & FOLKLORE, LLC T/A LA FORTALEZA**

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of The Fortaleza Cocina & Folklore, LLC t/a La Fortaleza of 590 Lexington Avenue, Clifton, New Jersey (BC Zone), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week: Monday, Thursday and Friday
Hours: 8:00 p.m. to 11:00 p.m.

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year's Eve
Hours: 8:00 p.m. to 1:00 a.m.

3. **TYPE OF ENTERTAINMENT** (one of the following at permitted times):

Singer - Monday and Friday
3 Piece Mariachi Band - Thursday

4. **TERM OF AUTHORIZATION FOR ENTERTAINMENT:**

July 1, 2023 through June 30, 2024

5. **SECURITY/PARKING REQUIREMENTS:**

In-house security and private security company.

6. **NOISE LEVELS:**

In accordance with the Code of the City of Clifton.

7. **OUTSIDE DEBRIS CLEANUP:**

In accordance with the Code of the City of Clifton.

8. **REQUIREMENTS/RESTRICTIONS:**

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R280-23 Resolution for Submission of Strategic Plan for Clifton Municipal Alliance Grant

RESOLUTION FOR SUBMISSION OF STRATEGIC PLAN FOR CLIFTON MUNICIPAL ALLIANCE GRANT

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the City of Clifton Council of the City of Clifton, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and, therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Clifton City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Clifton City Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Passaic;

June 7, 2023

NOW, THEREFORE, BE IT RESOLVED that the City of Clifton, County of Passaic, State of New Jersey hereby recognizes the following:

The Clifton City Council does hereby authorize submission of a strategic plan for the Clifton Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$17,311.87
Cash Match	\$ 4,327.97
In-Kind	\$12,983.90

The Clifton City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

R281-23 Resolution Authorizing Submission of Application for DMHAS Grant Funding for Municipal Alliance for Grant Term Two

DMHAS YOUTH LEADERSHIP GRANT

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program; and

WHEREAS, the City Council of the City of Clifton, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages and, therefore, has an established Municipal Alliance Committee; and

WHEREAS, the Clifton City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Clifton City Council has applied for DMHAS Youth Leadership funding through the Governor’s Council on Alcoholism and Drug Abuse through the County of Passaic;

NOW, THEREFORE, BE IT RESOLVED that the Clifton City Council, County of Passaic, State of New Jersey hereby recognizes the following:

1. The Clifton City Council does hereby authorize submission of an application for DMHAS Grant funding for the Clifton Municipal Alliance for Grant Term Two (09/01/2023 – 09/30/2025) in the amount of:

DMHAS Grant Funding	\$8,544.16
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2. The Clifton City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

R282-23 Resolution for Appointment of Special Police Officer

RESOLUTION FOR APPOINTMENT OF SPECIAL POLICE

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that Jose Diaz be and is hereby appointed as a Class II Special Police Officer commencing this day through December 31, 2023.

R283-23 Resolution Authorizing the Cancellation and Refund of a Portion of the 2023 First Quarter Taxes and the 2023 Second Quarter Taxes for Block 81.13, Lot 5 - 83 Cathedral Avenue, Owned by a Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND A PORTION OF THE 2023 FIRST QUARTER TAXES AND THE 2023 SECOND QUARTER TAXES FOR BLOCK 81.13 LOT 5, 83 CATHEDRAL AVENUE, OWNED BY A DISABLED VETERAN

WHEREAS, the Tax Assessor has confirmed that Jose R. Miranda, Jr. is the owner of property know as Block 81.13, Lot 5, 83 Cathedral Avenue and has been declared 100% disabled by the US Department of Veteran Affairs as of January 30, 2023; and

WHEREAS, Jose R. Miranda, Jr. took up residence Block 81.13, L 5, 83 Cathedral Avenue on or about January 30, 2023 and:

WHEREAS, Jose R. Miranda, Jr. has made application to the Tax Assessor of the City of Clifton for a property tax exemption in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Jose R. Miranda, Jr. is entitled to the cancellation and partial refund of the 2023 first quarter property taxes in the amount of \$957.96 and cancellation and refund of the 2023 second quarter property taxes in the amount of \$2,873.87 on the subject property for a total refund in the amount of \$3,831.83; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to grant the application and hereby approves the tax exemption on the subject property as of January 30, 2023, and hereby authorizes the cancellation and partial refund of the 2023 first quarter property taxes in the amount of \$957.96 and cancellation and refund of the 2023 second quarter property taxes on the subject property in the amount of \$2,873.87 for a total refund of \$3,831.83;

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 Tax Collector and/or City Treasurer are here authorized and directed:

1. To refund the pro-rated portion of the 2023 first quarter tax payments in the amount of \$957.96 and refund the 2023 second quarter tax payments in the amount of \$2,873.87 for a total refund in the amount of \$ 3,831.83; and
2. To cancel the remaining 2023 3rd and 4th quarter property taxes; and
3. To keep said subject property tax exempt for the totally disabled veteran for as long as he shall qualify for the exemption and for so long as the exemption is authorized by law based upon the facts and circumstances of this matter.

R284-23 Resolution Authorizing the Cancellation and Refund of a Portion of the 2023 Second Quarter Taxes on Property Known as Block 1.33, Lot 10 - 67 E. 7th Street, Owned by a Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF A PORTION OF THE 2023 SECOND QUARTER TAXES ON PROPERTY KNOWN AS BLOCK 1.33 LOT 10, 67 E 7TH ST, OWNED BY A DISABLED VETERAN

June 7, 2023

WHEREAS, the Tax Assessor has confirmed that Alberto Perez is the owner of property know as Block 1.33, Lot 10, 67 E 7th Street, and has been declared 100% disabled by the US Department of Veteran Affairs as of May 1, 2023 and;

WHEREAS, Alberto Perez has made application to the Tax Assessor of the City of Clifton for a property tax exemption in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Alberto Perez is entitled to the cancellation and partial refund of the 2023 second quarter property taxes on the subject property; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to grant the application and hereby approves the tax exemption on the subject property as of May 1, 2023, and hereby authorizes the cancellation and partial refund of the 2023 second quarter property taxes on the subject property in the amount of \$1,330.63;

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 Tax Collector and/or City Treasurer are here authorized and directed:

To cancel and refund the pro-rated portion of the 2023 second quarter property taxes in the amount of \$1,330.63 and cancel the remaining 2023 third and fourth quarter property taxes and:

To keep said subject property tax exempt for the totally disabled veteran for as long as he shall qualify for the exemption and for so long as the exemption is authorized by law based upon the facts and circumstances of this matter.

R285-23 Resolution Authorizing the Cancellation and Refund of the Portion of the 2020 Property Taxes, the Entire 2021 Property Taxes, the Entire 2022 Property Taxes, the 2023 First Quarter and 2023 Second Quarter Property Taxes on Property Known as Block 36.05, Lot 29 - 48 Sargeant Avenue, Owned by a Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF THE PORTION OF THE 2020 PROPERTY TAXES, THE ENTIRE 2021 PROPERTY TAXES, THE ENTIRE 2022 PROPERTY TAXES, THE 2023 FIRST QUARTER AND 2023 SECOND QUARTER PROPERTY TAXES ON PROPERTY KNOWN AS BLOCK 36.05 LOT 29, 48 SARGEANT AVENUE, OWNED BY A DISABLED VETERAN

WHEREAS, the Tax Assessor has confirmed that James M. Strysko is the owner of the property located at 36.05, Lot 29, 48 Sargeant Avenue and has been declared 100% disabled by the US Department of Veteran Affairs as of February 10, 2020; and

WHEREAS, James M. Strysko has made application to the Tax Assessor of the City of Clifton for a property tax exemption in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, James M. Strysko is entitled to the cancellation and partial refund of the 2020 property taxes, the entire 2021 property taxes, the entire 2022 property taxes and the 2023 first quarter property taxes and the 2023 second quarter property taxes on the subject property; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to grant the application and hereby approves the tax exemption on the subject property as of February 10, 2020, and hereby authorizes the cancellation and partial refund of the 2020 property taxes in the amount of \$6,331.14, the entire 2021 property taxes in the amount of \$ \$7,320.08, the entire 2022 property taxes in the amount of \$7,634.27 and the 2023 first and second quarter property taxes in the amount of \$3,817.24 for a total refund of \$25,102.63 on the subject property 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 the Tax Collector and/or City Treasurer are here authorized and directed:

1. To refund the pro-rated portion of the 2020 tax payments in the amount of \$6,331.14 on the subject property; and
2. To refund the entire 2021 property taxes in the amount of \$7,320.08 on the subject property; and
3. To refund the entire 2022 property taxes in the amount of \$7,634.27 on the subject property; and
4. To refund the 2023 first and second quarter property taxes in the amount of \$3,817.14 on the subject property; and
5. To keep said subject property tax exempt for the totally disabled veteran for as long as he shall qualify for the exemption and for so long as the exemption is authorized by law based upon the facts and circumstances of this matter.

R287-23 Resolution Approving Amendments to Community Development Block Grant Program Budget Amendment No. B-16-17-18-19-20 MC 34-0103 Transfer of Funds from Multiple Years to a "2023 Road Resurfacing" Project for Multiple Streets in the City of Clifton

RESOLUTION APPROVING AMENDMENTS TO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET AMENDMENT NO. B-16-17-18-19-20 MC-34-0103 TRANSFER OF FUNDS FROM MULTIPLE YEARS TO A "ROAD RESURFACING" PROJECT FOR MULTIPLE STREETS IN THE CITY OF CLIFTON

WHEREAS, the City of Clifton is an entitlement community under the Federal Community Development Block Grant Program; and

WHEREAS, as the city council previously adopted resolutions approving the Community Development Block Grant Program for various prior years; and

WHEREAS, the City of Clifton now finds a need to transfer funds from multiple years to a "road resurfacing" project for multiple streets in the City of Clifton;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton that the said amendments as reflected on the attached schedule be and hereby are approved.

Certification/Transfer of Funds from:

17-201-20-110-001	Yr. CHIP Single Family Rehab.	\$ 5,068.75
17-201-20-111-026	Yr. 44 Drop curbs	\$ 84,402.50
17-201-20-112-001	Yr. 45 Single Family Rehab.	\$ 98.56
17-201-20-112-007	Yr. 45 General Administration	\$ 8,722.03
17-201-20-112-017	Yr. 45 Day Care	\$ 7,726.80
17-201-20-112-019	Yr. 45 Elm – Fornelius to Sargeant	\$ 42,401.30
17-201-20-112-026	Yr. 45 Drop Curbs	\$ 77,139.92
17-201-20-113-002	Yr. 46 Code Enforcement	\$ 77,698.24
17-201-20-113-003	Yr. 46 Outreach	\$ 516.47
17-201-20-113-007	Yr. 46 General Administration	\$ 17,785.41
17-201-20-113-017	Yr. 46 Day Care	\$ 36,051.20

17-201-20-113-021	Yr. 46 Weidemann – Walman to End	\$ 50,065.56
17-201-20-113-022	Yr. 46 Walman – Hazel to End	\$ 57,465.01
17-201-20-113-023	Yr. 46 Fitzgerald – Walman to Hazelview	\$ 61,714.00
17-201-20-114-501	Yr. 47 Randolph Sanitary Sewer	\$ 161,249.75

R288-23 Resolution Authorizing Execution of Shared Services Agreement Between the County of Passaic and City of Clifton to Provide Senior Transportation Services

RESOLUTION AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND CITY OF CLIFTON TO PROVIDE SENIOR TRANSPORTATION SERVICES

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Shared Services Agreement between the County of Passaic Paratransit Program and the City of Clifton to provide senior transportation services to the elderly and residents with disabilities;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey hereby approve the execution of a Shared Services Agreement between the County of Passaic and the City of Clifton.

R290-23 Resolution Approving Changes in Income Requirements for the Clifton Community Development Block Grant Program Beginning June 15, 2023

RESOLUTION APPROVING CHANGES IN INCOME REQUIREMENTS FOR THE CLIFTON COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BEGINNING JUNE 15, 2023

WHEREAS, the City of Clifton has been designated an Entitlement City under the current Community Development and Housing Act; and

WHEREAS, the City of Clifton was awarded a contract by the United States Department of Housing and Urban Development Block Grant Funds; and

WHEREAS, the Department of Housing and Urban Development has provided the 2023 “uncapped” income limits effective June 15, 2023;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the Clifton Community Development Office approves the changes in income requirements based upon the Uncapped Income Limits as provided by the Department of Housing and Urban Development for gross income and size of family according to the following chart:

<u>Size of Family</u>	<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>
Maximum Income	\$72,600	\$83,000	\$93,350	\$103,700

<u>Size of Family</u>	<u>Five</u>	<u>Six</u>	<u>Seven</u>	<u>Eight</u>
Maximum Income	\$112,000	\$120,300	\$128,600	\$136,900

BE IT FURTHER RESOLVED, that the same income requirements be used within Designated Neighborhood Strategy Areas and outside Designated Neighborhood Strategy Areas; and

BE IT FURTHER RESOLVED, that a public announcement of these changes be made so that the residents of the City of Clifton are informed of the revised income limits for CDBG eligible activities and programs.

R292-23 Resolution Awarding the Contract to THA Consulting, Inc. for Parking Structures Feasibility Study

**RESOLUTION AWARDING THE CONTRACT TO THA CONSULTING ,INC.
FOR PARKING STRUCTURES FEASIBILITY STUDY**

WHEREAS, the City of Clifton has a need for the Professional Service for feasibility study for developing two parking garage structures in Botany SID area and other in Clifton Downtown SID area; and

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

WHEREAS, as a determination has been made as follows:

1. The known or estimated cost of the goods or service to be provided will exceed \$17,500.
2. Price quotes have been solicited and received from one interested service provider.
3. The anticipated term of this contract is for the calendar year 2023.
4. Pursuant to N.J.A.C. 5:30-5.4(a), the maximum dollar value of this contract shall be \$17,800.00 and the Chief Financial Officer has certified the availability of funds; and

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

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

WHEREAS, the value of the contract is determined to not exceed \$17,800.00, and the duration of the contract is Year 2023; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the City Clerk be and they are hereby authorized and directed to execute a contract for rendering such Professional services by THA Consulting, Inc. located at 144 Livingston Avenue, New Brunswick, NJ 08901, Inc. for fees of \$17,800.00 for year 2023.

R293-23 Resolution Authorizing Tax Collector to Lien Properties and Bill Property Owners and Collect for Reimbursement of Expenditures Made by City of Clifton for Emergency Order Clean-Ups

**RESOLUTION AUTHORIZING TAX COLLECTOR TO LIEN PROPERTIES AND
BILL PROPERTY OWNERS AND COLLECT FOR REIMBURSEMENT OF
EXPENDITURES MADE BY CITY OF CLIFTON FOR EMERGENCY ORDER CLEAN-
UPS**

WHEREAS, numerous code violations and an emergent health situation existed at the following premises for a long period of time, and despite countless letters, warnings, notices and citations issued to the property owners, the violations and health conditions continued unabated; and

WHEREAS, the City of Clifton took emergency clean-up action on the properties and expended funds from its revolving lien account, **inclusive of \$100 Administrative Fee**, as follows:

<u>Address</u>	<u>Service Fee</u>	<u>Administrative Fee</u>	<u>Total Lien</u>
648 Van Houten Ave. Blk 37.01, Lot 20	\$ 200.00	\$ 100.00	\$ 300.00
1255 Van Houten Ave. Blk 39.06, Lot 5	\$ 250.00	\$ 100.00	\$ 350.00

64 Bender Dr. Blk 27.07, Lot 33	\$ 275.00	\$ 100.00	\$ 375.00
20 Potter Rd. Blk 45.07, Lot 5	\$ 300.00	\$ 100.00	\$ 400.00
8 Ivy Ct. Blk 22.07, Lot 11	\$ 400.00	\$ 100.00	\$ 500.00
88 Scoles Ave. Blk 49.10, Lot 31	\$ 175.00	\$ 100.00	\$ 275.00
85 Scoles Ave. Blk 49.11, Lot 63	\$ 350.00	\$ 100.00	\$ 450.00
180 Rowland Ave. Blk 49.07, Lot 26	\$ 200.00	\$ 100.00	\$ 300.00
24 North Ct. Blk 45.02, Lot 62	\$ 325.00	\$ 100.00	\$ 425.00
180 Rowland Ave. Blk 49.07, Lot 26	\$ 2000.00	\$ 100.00	\$ 2100.00
24 Burgh Ave. Blk 11.11, Lot 27	\$ 50.00	\$ 100.00	\$ 150.00
1 Barrington Ave. Blk 11.18, Lot 13	\$ 50.00	\$ 100.00	\$ 150.00
85 Crooks Ave. Blk 1.04, Lot 28	\$ 100.00	\$ 100.00	\$ 200.00
44 Trella Ave. Blk 33.07, Lot 11	\$ 250.00	\$ 100.00	\$ 350.00
182 Maplewood Ave. Blk 22.11, Lot 21	\$ 250.00	\$ 100.00	\$ 350.00
55 Franklin Ave. Blk 10.16, Lot 4	\$ 50.00	\$ 100.00	\$ 150.00
57 E. 5 th St. Blk 5.23, Lot 17	\$ 75.00	\$ 100.00	\$ 175.00

WHEREAS, it is necessary to place a lien on each property in order to seek reimbursement from each property owner for the funds expended by the City of Clifton; and

WHEREAS, it may be necessary for the City of Clifton to expend funds in the future for the aforesaid properties;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to lien the properties as set forth above, and to take whatever action is necessary to accomplish reimbursement from the property owners for the current expenditures and any expenditures incurred in the future.

R294-23 Executive Session

**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 Workers' Compensation Claim - MB - DPW
- CON-2 Update of Liability Claims Filed Against City of Clifton - Litigation Privilege
- CON-3 Resume for Chief Municipal City Prosecutor - Personnel Matter
- CON-4 Potential Parking Structures Feasibility Study - Potential Lease or Acquisition of Property
- CON-5 Crime Risk Insurance Policy Update
- CON-6 Purchase of Real Estate for Firehouse

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 June 7, 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 Well Connected Smoke Shop

RESOLUTION FOR PRELIMINARY APPROVAL

FOR: Steve Velez
T/A: Well Connected Smoke Shop
ADDRESS: 245 Lakeview Ave., Clifton, NJ 07011
TYPE OF FOR ESTABLISHMENT INTENDED: Grocery - New
FORMERLY OR NEW: New
ZONE: BC
PERMITTED: Yes
VARIANCE REQUIRED: No

L-2 Non Stop Chicken

RESOLUTION FOR PRELIMINARY APPROVAL

FOR: NJ Fusion Fried & Grilled Foods, LLC
T/A: Non Stop Chicken
ADDRESS: 64.5 Market St., Clifton, NJ 07012
TYPE OF FOR ESTABLISHMENT INTENDED: Caterer – Continued Use
FORMERLY OR NEW: All the Smoke Barbeque
ZONE:
PERMITTED: Yes
VARIANCE REQUIRED: No

L-3 Little Prince

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Little Prince LLC t/a Little Prince, 1033 Clifton Ave., Clifton, NJ 07013, for Caterer – Continued Use is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

L-4 Rudy's Cafe

BE IT RESOLVED, that the application of Monica Jimenez, t/a Rudy's Café, 93 Randolph Ave., Clifton, NJ 07011 for Caterer/Grocery/Milk – Continued Use, is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

Council returned to Executive Session.

Council Returned to Public Session.

Upon roll call, the following were noted present:

Councilman Gibson	(BG) Absent
Councilman Kolodziej	(JK)
Councilman Latona	(AL)
Councilwoman Murphy	(LM) Absent
Councilwoman Pino	(RP) Absent

Councilwoman Sadrakula (MS)
Mayor Grabowski (RG)

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

ADJOURNMENT

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Kolodziej to adjourn the meeting at 10:40 p.m.

(4-0-0-3) Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilman Gibson, Councilwoman Murphy and Councilwoman Pino were absent.

Respectfully Submitted,

Nancy Ferrigno
City Clerk

Raymond Grabowski, Mayor