

**CLIFTON, NEW JERSEY  
REGULAR MEETING MINUTES JULY 5, 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.

**8:05 P.M. CALL OF ROLL**

Mayor Grabowski called the meeting to order and presided, and announced that the location of exits should be noted for use in case of fire or other emergencies and also that smoking regulations apply to the building and cell phones should be deactivated and turned off and read the following Statement of Compliance into the record:

Adequate notice of this meeting has been provided by the Annual Notice of regularly scheduled meetings of the Municipal Council for the year 2023 which was published as legal advertisements in the Herald News on December 12, 2022 and was additionally advertised in the Record on December 12, 2022. Further notice of this meeting was given on Friday prior to the meeting to The Herald News and by posting of said notice on the bulletin board at City Hall and on the Clifton Website which notice stated that formal action may or may not be taken on matters to come before the Municipal Council.

Upon roll call, the following were noted present:

Councilman Gibson	(BG)
Councilman Kolodziej	(JK)
Councilman Latona	(AL)
Councilwoman Murphy	(LM) 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 and City Clerk, Nancy Ferrigno.

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

Pastor Eric Farrar – Hope Reformed Church

**APPROVAL OF MINUTES**

A Motion was made by Councilman Gibson, seconded by Councilman Kolodziej and passed on roll call vote to approve the Workshop Session, Executive Session and Regular Session Meeting Minutes of June 20, 2023.

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

**COMMUNICATIONS FROM CITY MANAGER**

- C-1 Diane Leja Tax Assessor - starting as Keyboarding Clerk I effective 06/16/2023 at \$31,000.00 annually.
- C-2 Kaitlyn Kaufman Housing Dept. - starting as Keyboarding Clerk I effective 06/16/2023 at \$32,500.00 annually.
- C-3 Amanda Christina has resigned with the Building Dept. as Keyboarding Clerk I, effective 06/01/2023.
- C-4 Daniel Brown has resigned with the Clifton Municipal Court as Municipal Prosecutor, effective 06/16/2023.
- C-5 Franco Graziado has retired with the Clifton Police Dept. as Police Officer, effective 06/01/2023.
- C-6 Michael Lisa Jr. has resigned with the Dept. of Public Works. as Truck Driver Heavy effective 06/01/2023.
- C-7 Keith Gormley has retired with the Clifton Police Dept. as Police Officer, effective 06/01/2023.

## **COMMUNICATIONS MEETING MINUTES**

C-8 Minutes of Clifton Arts Center of May 22, 2023

### **SECOND READING ORDINANCES**

#### **A. Adoption of Ordinance 7832-23**

#### **B. Public Hearing on Ordinance 7832-23**

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7832-23.

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

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

**An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation, More Particularly Article II Thereof, Entitled "Nonuniformed Officials and Employees", Section 99-2, Entitled "Minimum and Maximum Fixed" (Creates Title of & Compensation for Lead Poisoning Inspector)**

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

### **FIRST READING ORDINANCES**

#### **A. Introduction of Ordinance 7833-23**

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 Kolodziej, seconded by Councilman Gibson and carried by roll call vote.

**An Ordinance to Vacate Portions of West First Street and West Second Street in the City of Clifton**

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, July 18, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

#### **B. Introduction of Ordinance 7834-23**

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 Gibson, seconded by Councilman Kolodziej and carried by roll call vote.

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

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, July 18, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

### **FLOOR TO MEMBERS OF THE PUBLIC**

The following residents spoke regarding antisemitism and the Definition of the International Holocaust Remembrance Alliance (IHRA):

Aliza Bloom – 6 Conover Court  
Rachel Solomon – 443 Terhune Avenue  
Steve Goldberg – 124 Charles Street  
Elizabeth Schwartz – 135 Madison Avenue, Englewood  
Alice Siegel – Clifton  
Amy Feinstein – Clifton  
Aaron Solomon – 443 Terhune Avenue – Passaic  
Wassim Kanaan - Clifton

Anthony Disalvo – 15 Breezy Hill Court spoke regarding car thefts and burglaries in his area.

Gary Perino – 491 Mt. Prospect Avenue spoke regarding illegal fireworks being shot off on the 4<sup>th</sup> of July and the growing number of helicopters flying over his area.

Robert Luczun – 20 Breen Court spoke regarding a yearly block party held on his street.

Christopher Damato – 81 Merrill Road spoke with regard to antisemitism as well as quality of life issues throughout the City.

Lily Damato – 81 Merrill Road spoke with regard to the Council passing the 2023 Municipal Budget.

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

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

### **CITY MANAGER PRIVILEGE/RESPONSE TO RESIDENTS**

City Manager, Dominick Villano, stated that based on the comments made by the public, he had nothing to address.

### **COUNCIL PRIVILEGE**

#### **Councilwoman Sadrakula**

Councilwoman Sadrakula spoke with regard to the Definition of the International Holocaust Remembrance Alliance (IHRA).

A Motion was made by Councilwoman Sadrakula to go out of regular order and vote on Resolution R334-23 at this time. With no second, the Motion failed.

Councilwoman Sadrakula gave credit to Rachel Solomon for speaking at the public session this evening. She spoke about hatred that she had endured in her neighborhood. She asked Mr. Villano if HAZMAT can restrict the sale of fireworks at Costco, Shoprite, etc. City Attorney, Matthew Priore, answered the Councilwoman by stating that he will research this question, but, in his opinion, this may be preempted by State statute. She spoke regarding the block party on Breen Court stating that parameters have been put in place by the Police Department and hopefully, they will be adhered to. She spoke regarding the liquor store and the plumbing supply

store on Bloomfield Avenue having banners in front of their stores and asked that administration have them taken down. Mr. Villano stated that the businesses can have them for up to one year. Councilwoman Sadrakula stated that she will be meeting with her Council colleagues, who are on the Museum Committee, and will be accepting applications for the committee. She asked the City Manager to follow up with the Board of Education regarding their call-in system at their board meetings. She asked Mr. Villano for the schedule to paint crosswalks. Mr. Villano stated that we have entered into a State contract and will provide the schedule to the Councilwoman. She asked Mr. Villano about road resurfacing for this year. Mr. Villano stated that because the Capital Budget has not been passed, there will be no road resurfacing this year.

Councilwoman Sadrakula left the dais at 9:15 and returned at 9:18.

### **Councilman Gibson**

Councilman Gibson spoke regarding car thefts and burglaries. He urged everyone to keep their cars and homes locked. He asked everyone to be vigilant. He stated that he agreed to table the IHRA resolution because he understands that the Senate will be voting on this issue and he would like more information.

### **Councilman Kolodziej**

Councilman Kolodziej stated that he was fully prepared to vote on the IHRA resolution this evening. However, after discussing this issue in the Workshop Session, he felt that he, also, would need more information and also to hear opposing opinions. He spoke with regard to fireworks and the fact that our laws are very stringent. He stated that we just do not have enough police officers on the street. He firmly believes that the Table of Organization in the Police Department needs to be increased. He spoke with regard to passing, or not passing, the Budget and how it will affect the quality of life throughout the City.

### **Councilman Latona**

Councilman Latona agrees with Councilman Kolodziej that an opportunity must be given to the opposing side of the IHRA resolution. He asked the City Manager to look into where most of the car thefts and burglaries are taking place throughout the City. He asked the City Attorney to look into what fireworks are, in fact, legal. Councilman Latona spoke about the block party on Breen Court and asked the City Manager to speak to the Police Department to make sure all stipulations are adhered to at the time of the party. He congratulated the graduates from Clifton High School Class of 2023. He thanked the graduates going into the military. He thanked everyone involved with the Junior Police Academy graduation. He congratulated police officers that are retiring. He asked the City Manager for the cost of the fireworks and picnic and also a donor list. He stated that the City needs to take a more proactive approach to quality of life issues. Councilman Latona stated that he will be posting a link on his Facebook page to check if you have lead pipes in your home. He asked Councilwoman Pino for information regarding the CHIP Program. He spoke about the 2023 Municipal Budget.

### **Councilwoman Murphy**

Councilwoman Murphy was absent

### **Councilwoman Pino**

Councilwoman Pino stated that she agrees with her Council colleagues that we need to give everyone an opportunity to voice their concerns, before voting on the resolution. She stated that the Theater League of Clifton is putting on the play "The Prom" and asked for sponsorship donations. She spoke about the Free Food Giveaway on July 22<sup>nd</sup>.

### **Mayor Grabowski**

Mayor Grabowski stated that he stands with the community with regard to any antisemitism or hatred against any group regardless of ethnicity or religion. He stated that he, also, would like to have more information regarding the IHRA resolution and would, also, like to hear from the opposing side. He spoke with regard to enforcement in the City and how we are short-handed in the Police Department. He spoke about the upcoming Budget meeting on July 11<sup>th</sup>. He asked the four Councilmembers to come up with solutions to pass the Budget.

**RESOLUTIONS VOTED ON SEPARATELY**

R324-23 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, seconded by Councilwoman Pino, and passed on roll call vote to award Contract to O’Toole Scrivo, LLC for Labor Counsel Services for the term June 8, 2023 thru June 7, 2024.

**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 \$135,000 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 \$135,000 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:

- 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 \$135,000 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 contact 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.

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

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R334-23 Resolution Recognizing the Growing Problem of Antisemitism in America and Calling for the adoption of the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism as an Important Educational Tool to Address It

A Motion was made by Councilwoman Pino, seconded by Councilman Kolodziej, and passed on roll call vote, to table Resolution R334-23.

**RESOLUTION RECOGNIZING THE GROWING PROBLEM OF ANTISEMITISM IN AMERICA AND CALLING FOR THE ADOPTION OF THE INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE (IHRA) WORKING DEFINITION OF ANTISEMITISM AS AN IMPORTANT EDUCATION TOOL TO ADDRESS IT**

**WHEREAS**, antisemitism, including harassment on the basis of actual or perceived Jewish origin, ancestry, ethnicity, identify, affiliation or faith, remains a persistent, pervasive and disturbing problem in American society; and

**WHEREAS**, Jews continue to be a targeted minority in the United States and are consistently the most likely of all religious groups to be victimized by incidents of hate and such incidents are increasing at an alarming rate; and

**WHEREAS**, we acknowledge that following the attacks on the Tree of Life Synagogue in Pittsburgh, the Chabad of Poway in San Diego, a Kosher supermarket in Jersey City and a Chanukah gathering in Monsey, our synagogues felt compelled to re-evaluate their own security measures to keep their congregations safe; and

**WHEREAS**, the recent AJC (American Jewish Committee) *State of Antisemitism in America Report* found that more than one in three American Jews (37%) say they have been victims of antisemitism over the past five years; and

**WHEREAS**, a recent act of antisemitic and racist graffiti on Woodmont Drive has disturbed our community and must be taken as an opportunity to teach about this issue and seek paths for healing and eliminating such hate; and

**WHEREAS**, Borough officials and institutions have a responsibility to protect citizens from acts of hate and bigotry, including antisemitism, and must be given the tools to do so; and

**WHEREAS**, valid monitoring, informed analysis and investigation, and effective policy-making all benefit from accurate and uniform definitions; and

**WHEREAS**, the International Holocaust Remembrance Alliance (IHRA), by consensus vote of its member states adopted a Working Definition of Antisemitism in May 2016, which has become the internationally recognized, authoritative definition of antisemitism for use by governments and international organizations. That definition reads in full:

Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

To guide IHRA in its work, the following examples may serve as illustrations:

Manifestations might include the targeting of the state of Israel, conceived as a Jewish collectivity. However, criticism of Israel similar to that leveled against any other country cannot be regarded as antisemitic. Antisemitism frequently charges Jews with conspiring to harm humanity, and it is often used to blame Jews for “why things go wrong.” It is expressed in speech, writing, visual forms and action, and employs sinister stereotypes and negative character traits.

Contemporary examples of antisemitism in public life, the media, schools, the workplace, and in the religious sphere could, taking into account the overall context, include, but are not limited to:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world Jewish conspiracy or of Jews controlling the media, economy, government or other societal institutions.
- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g. gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavor.
- Applying double standards by requiring of it a behavior not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.

Antisemitic acts are criminal when they are so defined by law (for example, denial of the Holocaust or distribution of antisemitic materials in some countries).

Criminal acts are antisemitic when the targets of attacks, whether they are people or property – such as buildings, schools, places of worship and cemeteries – are selected because they are, or are perceived to be, Jewish or linked to Jews.

Antisemitic discrimination is the denial to Jews of opportunities or services available to others and is illegal in many countries.

**WHEREAS**, the IHRA Working Definition has proven to be an essential tool used to help determine contemporary manifestations of antisemitism; and

**WHEREAS**, in the United States, the IHRA Working Definition is utilized by various government agencies, including the U.S. Department of State and the U.S. Department of Education, and can be utilized by law enforcement agencies in monitoring, training and education.

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Clifton that:

Section I: The City Council of the City of Clifton adopts the non-legally binding International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism in full;

Section II: The City Council of the City of Clifton will ensure that the IHRA Working Definition of Antisemitism is available as an educational resource for the Department of Police and other City agencies responsible for addressing antisemitism and other forms of discrimination.

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

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R323-23 Resolution Amending the By-Laws of the Clifton Cable Advisory Television Committee (Revising Page 3, Section 8 Entitled Officers)

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Pino, and passed on roll call vote to Amend the by-laws of the Clifton Cable Advisory Television Committee

**RESOLUTION AMENDING THE BY-LAWS OF THE CLIFTON CABLE ADVISORY TELEVISION COMMITTEE  
(REVISING PAGE 3, SECTION 8 ENTITLED OFFICERS)**

**WHEREAS**, the By-laws of Clifton Cable Advisory Television Committee were previously approved by the Mayor and Municipal Council; and

**WHEREAS**, the Committee wishes to make a revision by changing thereto the month:

**City of Clifton  
Cable Advisory Television Committee Bylaws**

...

**Section 8. Officers**

The Clifton CATV Committee shall elect from among their members officers which shall consist of a Chair and a Vice-Chair. The Chair and Vice-Chair shall be elected at the last meeting of each year for a term of one year, starting in the month of January.

...

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Municipal Council of the City of Clifton hereby approve and accept the revised Bylaws of the Clifton Cable Advisory Television Committee and all other provisions of the above-entitled bylaws are not further amended and remain unchanged and in full force and effect.

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

**RESOLUTIONS**

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

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

R319-23 Resolution: Approve Claims List Resolution for the July 5, 2023, City Council Meeting

**RESOLUTION  
TO APPROVE  
Claims to be paid the meeting of JULY 5, 2023  
Meeting of July 5, 2023**

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



<b>Grant Fund</b>	\$	296,863.50
<b>General Capital Fund</b>	\$	684,975.11
<b>Sewer Utility -Operating</b>	\$	50,653.86
<b>Sewer Utility-Capital</b>	\$	3,658.30
<b>Developers Escrow</b>	\$	3,808.00
<b>Dog Trust</b>	\$	675.00
<b>Police Extra Duty</b>	\$	1,684.00
<b>Trust Other</b>	\$	132,541.99
<b>Section 8 Public Housing</b>	\$	86.07
<b>Community Development</b>	\$	35,758.44
<b>COAH</b>		
<b>Self Insurance</b>	\$	1,269,422.05
<b>Fire Dedicated Penalties</b>		
<b>Revolving Loan Fund</b>	\$	8,010.00
<b>Tax Title Lien Redemption</b>		
<b>Unemployment Trust Fund</b>		
<b>Library</b>	\$	297,331.97
<b>General Liability Trust</b>	\$	26,475.06
<b>Workers Compensation Trust</b>	\$	18,007.93
<b>Federal DOJ Forfeiture</b>		
<b>TOTAL CLAIMS</b>	<b>\$</b>	<b>17,864,144.75</b>

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R320-23 Resolution - Special Emergency Budget Increase For the 2023 Municipal Budget

**CITY OF CLIFTON  
SPECIAL EMERGENCY  
RESOLUTION**

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

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

**WHEREAS**; the total emergency temporary appropriation resolution adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution totals \$26,346,421.53, and,

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

1. Emergency Temporary Appropriations be and the same are hereby made in the amount of \$11,935,687.53 as follows for the City’s annual Pension Payments:
  - a. See Attachment
2. Said Emergency Temporary Appropriations will be provided for in the 2023 Municipal Budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services by the City Clerk.

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R321-23 Resolution - 2023 Special Emergency Budget Increase For Sewer Utility

**CITY OF CLIFTON  
SEWER UTILITY  
SPECIAL EMERGENCY  
RESOLUTION**

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

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

**WHEREAS**; the total emergency temporary appropriation resolution adopted in the year 2023 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution totals \$5,061,500.00, and,

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

1. Emergency Temporary Appropriations be and the same are hereby made in the amount of \$3,749,000.00 as follows:

a. Passaic Valley Sewer Fees	\$ 3,600,000.00
b. Sewer System – S&W	\$ 100,000.00
c. Sewer System – Contractual	\$ 49,000.00
  
2. Said Emergency Temporary Appropriations will be provided for in the 2023 Sewer Utility Budget.
  
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services by the City Clerk.

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R322-23 Resolution Authorizing Purchase of Ten (10) 2023 Dodge Durango Pursuit AWD SUV's (WDEE75) off the New Jersey State Contract 23-Fleet-34933 Pursuant to N.J.S.A. 40A:11-12a et seq.

**RESOLUTION AUTHORIZING PURCHASE OF TEN (10) 2023 DODGE DURANGO PURSUIT AWD SUV'S (WDEE75) OFF THE NEW JERSEY STATE CONTRACT 23-FLEET-34933 PURSUANT TO N.J.S.A. 40A:11-12a ET SEQ.**

**WHEREAS**, the City of Clifton Police Department has requested to purchase ten (10) Dodge Durango Pursuit AWD SUV's to replace front-line patrol vehicles; and

**WHEREAS**, Nielsen Ford of Morristown, 170 Ridgedale Avenue, Morristown NJ 07960 has been awarded New Jersey State Contract No. 23-Fleet-34933 - T2776 Police Pursuit and Special Service Vehicles: Gasoline, Hybrid and Plug-In Hybrid Engines; and

**WHEREAS**, the above New Jersey State Contract 23-FLEET-34933 was extended for a bid term of June 18, 2023 through June 17, 2024; 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;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Municipal Council do hereby

approve and authorize the aforementioned purchase above from Nielsen of Morristown, 170 Ridgedale Avenue, Morristown NJ 07960, off the New Jersey State Contract #23-Fleet-349333, for a price of \$39,484.35 for each unit, and a total not to exceed amount of \$ \$394,843.50; and

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

**CERTIFICATION OF FUNDS:** Funds will be available, as needed, in account: 01-201-31-458-251 "Purchase of Vehicles".

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R325-23 Resolution Appointing Alternate Landlord Member to the Rent Leveling Board

**RESOLUTION APPOINTING ALTERNATE LANDLORD MEMBER  
TO THE RENT LEVELING BOARD**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey are in receipt of an application from Alexander Shaw to become the Alternate Landlord Member of the Rent Leveling Board;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Clifton that Alexander Shaw be and is hereby appointed as Alternate Landlord Member of the Rent Leveling Board for a term of three years commencing this day through June 30, 2026.

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R326-23 Resolution Authorizing Entertainment License for Pini, Inc. t/a Rutt's Hut

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR PINI, INC.  
T/A RUTT'S HUT**

**BE IT RESOLVED**, by the Municipal Council of the City of Clifton, that the application of Pini, Inc. t/a Rutt's Hut, of 413-417 River Road, Clifton, New Jersey (Zone M-2), 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: Tuesday and Wednesday  
Hours: 7:00 p.m. to 10:00 p.m.

**2. OPTIONAL ENTERTAINMENT NIGHTS:**

New Year's Eve

**3. OPTIONAL ENTERTAINMENT HOURS:**

Hours: 7:00 p.m. to 12:00 a.m.

**4. TYPE OF ENTERTAINMENT:**

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.

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R327-23 Resolution Authorizing Entertainment License for Sportzone Bar & Grill, Inc. t/a Sportzone Bar & Grill

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR SPORTZONE BAR & GRILL, INC. T/A SPORTZONE BAR & GRILL**

**BE IT RESOLVED**, by the Municipal Council of the City of Clifton, that the application of Sportzone Bar & Grill, Inc. t/a Sportzone Bar & Grill, of 593 Van Houten 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:**

Three (3) nights per week: Thursday, Friday and Saturday  
Hours: 9:00 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):**

Thursday - Karaoke  
Friday & Saturday - 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.

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R328-23 Resolution Authorizing New & Used Car Lot License - New - Good Fellas

**CITY OF CLIFTON  
RESOLUTION AUTHORIZING NEW AND USED CAR LOT LICENSE  
NEW**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a New and Used Car Lot License Application from Good Fellas Auto Sales LLC, 35 Crooks Avenue, in the City of Clifton; 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 Zoning, Fire, Health 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 a new New and Used Car Lot License to Good Fellas Auto Sales LLC of Clifton be and is hereby granted.

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R329-23 Resolution Authorizing Renewal of Towers Licenses

**RESOLUTION AUTHORIZING RENEWAL OF TOWERS LICENSES**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Towers License Renewals from the businesses listed below; and

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

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that approval for the renewal of Towers Licenses for the businesses listed below, be and is hereby approved:

Anthony's Towing	793 Van Houten Avenue
Essex County Recovery Bureau	65 Clifton Boulevard
Telep Towing	574 Van Houten Avenue
Nicolette Auto Body Works, Inc.	618 Lexington Avenue

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R330-23 Resolution Authorizing Execution of Agreement with the City of Paterson, Department of Health and Human Services, Division of Health, for Provision of Tuberculosis Control Health Services for Period January 1, 2023 Thru December 31, 2023

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH THE CITY OF PATERSON DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF HEALTH, FOR PROVISION OF TUBERCULOSIS CONTROL HEALTH SERVICES FOR PERIOD JANUARY 1, 2023 THRU DECEMBER 31, 2023**

**BE IT RESOLVED**, that the Mayor and City Clerk be and they are hereby authorized and directed to execute an agreement with the City of Paterson, Department of Health & Human Services, Division of Health, for the provision of Tuberculosis Control Health Services to assist the Clifton Health Department, for the period January 1, 2023 thru December 31, 2023, at a cost of \$12,000.00 for the twelve-month period.

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R331-23 Resolution Authorizing the Submittal of a Grant Application and Execution of a Grant Agreement with the New Jersey Department of Transportation for the Third Street Pedestrian Safety Improvement Project

**RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE THIRD STREET PEDESTRIAN SAFETY IMPROVEMENTS PROJECT**

**BE IT RESOLVED** that Council of the City of Clifton formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that Mayor, Council, and Clerk are hereby authorized to submit an electronic grant application identified as "MA-2024-Third Street Pedestrian Safety Impro-00123" to the New Jersey Department of Transportation on behalf of the City of Clifton.

**BE IT FURTHER RESOLVED** that Mayor, Council, and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Clifton and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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R332-23 Resolution Authorizing the Cancellation and Refund of a Portion of the 0222 4th Quarter Taxes, the 2023 1st Quarter Taxes and 2nd Quarter Taxes and the Cancellation of the 2023 3rd Quarter and 4th Quarter Taxes on Property Known as Block 32.02, Lot 56, 10 Atkins Court, Owned by a Disabled Veteran

**RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF A PORTION OF THE 2022 4<sup>th</sup> QUARTER TAXES, THE 2023 1<sup>ST</sup> QUARTER TAXES AND 2<sup>ND</sup> QUARTER TAXES AND THE CANCELLATION OF THE 2023 3<sup>RD</sup> QUARTER AND 4<sup>TH</sup> QUARTER TAXES ON PROPERTY KNOWN AS BLOCK 32.02 LOT 56, 10 ATKINS COURT, OWNED BY A DISABLED VETERAN**

**WHEREAS**, the Tax Assessor has confirmed that Joe Arca is the owner of property known as Block 32.02, Lot 56, 10 Atkins Court and has been declared 100% disabled by the US Department of Veteran Affairs as of December 5, 2022 and;

**WHEREAS**, Joe Arca 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, Joe Arca is entitled to the cancellation and partial refund of the 2022 fourth quarter property taxes and the 2023 first and 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 December 5, 2022, and hereby authorizes the cancellation and partial refund of the 2022 fourth quarter taxes in the amount of \$1,047.63 and 2023 first and second quarter property taxes on the subject property in the amount of \$6,775.54 for a total refund of \$7,823.17 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 cancel and refund the pro-rated portion of the 2022 fourth quarter taxes in the amount of \$1,047.63 and 2023 first and second quarter taxes in the amount of \$6,775.54 for a total refund of \$7,823.17 and cancel the remaining 2023 third and fourth quarter property taxes; and
2. 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.

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R333-23 Resolution Authorizing Submission of an Enhancing Local Public Health Infrastructure 2023-2024 Grant Application by the City of Clifton Health Department to the NJ Association of County and City Health Officials (NJACCHO)

**RESOLUTION AUTHORIZING SUBMISSION OF AN ENHANCING LOCAL PUBLIC HEALTH INFRASTRUCTURE 2023-2024 GRANT APPLICATION BY THE CITY OF CLIFTON HEALTH DEPARTMENT TO THE NJ ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NJACCHO)**

**WHEREAS**, the City of Clifton wishes to apply through the Health Department, for the Enhancing Local Public Health Infrastructure 2023-2024 Grant from the NJ Association of County and City Health Officials (NJACCHO) for a grant for approximately \$700,000 - \$800,000, the exact amount of grant funding will be released after June 30, 2023; and

**WHEREAS**, the funding timeline for this grant is July 1, 2023 - June 30, 2024; and

**WHEREAS**, the Mayor and Municipal Council have reviewed the application and wish to approve said request;

**NOW THEREFORE, BE IT RESOLVED** that the Municipal Council of the City of Clifton hereby authorizes the application for such a grant; and

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk and Health Officer are hereby authorized and directed to execute said application and any associated documentation on behalf of the City of Clifton.

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R335-23 Late - Resolution Amending Resolution R281-23 Entitled Submission of Strategic plan for Clifton Municipal Alliance Grant

**CITY OF CLIFTON  
RESOLUTION AMENDING RESOLUTION R281-23 ENTITLED 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;

**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 2024 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.

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R336-23 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 Resume for Chief Municipal City Prosecutor - Personnel Matter
- CON-2 Rice Notice
- CON-3 Vacating Paper Streets - Potential Litigation (O7833-23)
- CON-4 Grullon v. Borough of Glen Ridge, et al - Civil Action No. 2:20-cv-20498-CCC-AME
- CON-5 Newark Branch, National Association for Advancement of Colored People (NAACP), et als v. City of Clifton - USDC Docket #89-3238 AM
- CON-6 Estate of Lovato v. City of Clifton, et al - Litigation - Docket No. PAS-L-3006-20
- CON-7 Water Safety Training for First Responders
- CON-8 IBEW/DPW Contract

**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 July 5, 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.  
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Council returned to Executive Session at 9:50 p.m.

Council Returned to Public Session at 10:35 p.m.

Upon roll call, the following were noted present:

Councilman Gibson	(BG)
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 and Nancy Ferrigno.

### **ADJOURNMENT**

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona to adjourn the meeting at 10:36 p.m.

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

Respectfully Submitted,

Nancy Ferrigno  
City Clerk

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Raymond Grabowski, Mayor