

**CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES MAY 21, 2024**

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.

8:00 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 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 2024 which was published as legal advertisements in the Herald News on December 10, 2023, and was additionally advertised in the Record on December 10, 2023. 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)
Councilman D’Amato	(CD)
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

Pastor Daisy Kirchofer – Crossroads Free Methodist Church

Mayor Grabowski called for a moment of silence in honor of former Councilman Peter Eagler.

PUBLIC HEARING

Public Hearing – Community Development Amendment B-17-MC-34-0103 \$70,594.83 5-21-2024

The Mayor opened the floor to the public

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

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

PRESENTATION

APPROVAL OF MINUTES

A Motion was made by Councilman Kolodziej seconded by Councilman D’Amato and passed on roll call vote to approve the Workshop Session, Executive Session and Regular Session Meeting Minutes of May 7, 2024, and the Special Budget Meeting of May 14, 2024.

May 21, 2024

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

COMMUNICATIONS FROM THE CITY MANAGER

- C-1 Anabel Magan, Public Safety, resigned from the position of School Traffic Guard, effective May 6, 2024.
- C-2 Brendalie Augustine, Police Civilian, Keyboarding Clerk 1, hired effective May 16, 2024, at \$32,500.00 annually.
- C-3 Jyoti Sharma, Finance, Comptroller, Hired effective May 16, 2024, at \$102,000.00 annually.

COMMUNICATIONS MEETING MINUTES

- C-4 Minutes of Alcoholic Beverage Control Board of April 10, 2024
- C-5 Minutes of Passaic Valley Water Commission of March 27, 2024
- C-6 Minutes of Beautification Committee of May 6, 2024
- C-7 Minutes of Board of Recreation of February 26, 2024

SECOND READING ORDINANCES

A. Adoption of Ordinance 7909-24

B. Public Hearing on Ordinance 7909-24

Mayor Grabowski opened the floor to the public regarding Ordinance 7909-24.

Terry Putignano, 37 Van Breeman Drive, stated that she was the person who submitted the petition and being contacted by other neighbors who the change would cause a hardship, she would like to withdraw the petition and leave the parking as is.

David Wyka, 101 Van Breemen Dr., asked the Council to vote no on Ordinance 7909-24.

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, seconded by Councilman Latona to close the public hearing and table Ordinance 7909-24 and have the Police Traffic Division do a parking survey.

An Ordinance to Amend, Revise and Supplement Chapter 349 of the Code of the City of Clifton, Entitled "Parking on Residential Streets", More Particularly Section 349-2 Thereof, Entitled "Restricted Streets" (Amends Hours of Restricted Parking on Van Breeman Drive)

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

C. Adoption of Ordinance 7910-24

D. Public Hearing on Ordinance 7910-24

Mayor Grabowski opened the floor to the public regarding Ordinance 7910-24.

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilman Kolodziej to close the public hearing and adopt on 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 439-12 Thereof, Entitled "Parking Prohibited for Street Cleaning" (Provides for Street Cleaning on Caroline Avenue, Rosalie Avenue and Mina Avenue)

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

E. Adoption of Ordinance 7911-24

F. Public Hearing on Ordinance 7911-24

Mayor Grabowski opened the floor to the public regarding Ordinance 7911-24.

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

An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article VI Thereof, Entitled "Confidential Officials and Employees" (Revises Sick Leave and Terminal Leave)

(6-0-1-0) Councilman Gibson, Councilman Kolodziej, Councilman D’Amato, Councilwoman Pino, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilman Latona abstained.

G. Adoption of Ordinance 7913-24

H. Public Hearing on Ordinance 7913-24

Mayor Grabowski opened the floor to the public regarding Ordinance 7913-24.

Donna Popowich, 57 Dalewood Rd., Michelle Gaudet and Gabriel Garcia 52 Tristan Rd., commented that four events for each non-profit is too many and will affect the quality of life of the residents living near the parks. Ms. Popowich asked that the Ordinance be amended to lower the amount of allowed events per year.

With no one else wishing to be heard, a Motion was made by Councilwoman Pino, seconded by Councilman D’Amato to close the public hearing and adopt on roll call vote.

An Ordinance to Amend Chapter 159 of the code of the City of Clifton, Entitled "Bazaars, Carnivals, Circuses, Street Fairs and Festivals"

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

FIRST READING ORDINANCES

A. Introduction of Ordinance 7912-24

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

An Ordinance to Amend, Revise and Supplement Chapter 43 of the Code of the City of Clifton Entitled "Advisory Committee for Individuals with Disabilities" at Section 43-2 "Membership, Terms of Office" (Adds Two Alternate Members to the Committee)

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

May 21, 2024

B. Introduction of Ordinance 7914-24

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman D’Amato, seconded by Councilman Kolodziej and passed on roll call vote.

An Ordinance to Create a New Chapter 372 of the Code of the City of Clifton, Entitled "Salt Storage, Privately Owned" (Regulates Privately Owned Salt Storage Facilities)

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 5, 2024, at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

FLOOR TO THE MEMBERS OF THE PUBLIC

Michelle Gaudet, 28 Bergen Ave., spoke about the expansion of a Charter School and the need for a Crossing Guard. She announced that the school closes on June 14th.

Gary Perino, 491 Mt. Prospect Ave., commented on traffic issues at Mount Prospect Ave. and Colfax Ave. and Mount Prospect Ave. and Van Houten Ave. He remarked on large trucks blocking traffic and vision on Colfax Ave. near the High School. He asked when the Allwood Road project meeting will be scheduled.

Donna Popowich, 57 Dalewood Rd., spoke about the Mini Food Pantries that are being placed around the City and asked for sponsors for the pantries. She spoke about a traffic ticket she received.

Ray Robertello, 64 Woodlawn Ave., announced the upcoming Gay Pride Flag Raising.

Kyra Samara, 18 Skyview Terrace, commented on the Palestinian and Israeli conflict and the recent Israeli flag raising ceremony.

Steve Goldberg, 124 Charles St., spoke about the meaning of flag raising. He expressed his condolences to the family of former Councilman, Peter Eagler, on his passing.

Asiyah Diaz, Clifton, remarked on the Palestinian and Israeli conflict and the recent Israeli flag raising ceremony.

Gabriel Garcia, Albion Section spoke about the Palestinian and Israeli conflict and the recent Israeli flag raising ceremony.

Margaret Kardasz, President Botany SID, announced that for sponsors and donations are needed for the Botany Village free concerts. She announced a beefsteak fundraiser being held in August 2024 at the Italian American Association.

With no one else wishing to be heard, a Motion was made by Councilman Latona, seconded by Councilman D’Amato, and passed on roll call vote to close the Public Session.

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

CITY MANAGER PRIVILEGE/RESPONSE TO RESIDENTS

Michelle Gaudet – City Manager, Dominick Villano, stated he would follow up on providing a Crossing Guard for the Charter School.

Gary Perino – City Manager, Dominick Villano, stated he already had the Traffic Division speak to the owners of the businesses on Colfax Ave. regarding the trucks backing in and out of their lots and blocking traffic on Colfax Ave. Mr. Villano announced that the public meeting for the proposed Allwood Road changes is being held on June 26, 2024.

Donna Popowich – City Manager, Dominick Villano, looked up the ticket she received. The summons was for an illegally parked vehicle.

Ray Robertello – City Manager, Dominick Villano, remarked that if anything is needed for the flag raising to let him know.

Kyra Samara, Asiyah Diaz and Gabriel Garcia – City Manager, Dominick Villano, remarked that all countries and cultures are invited to raise their flag on City Hall property.

COUNCIL PRIVILEGE

Councilman Kolodziej

Councilman Kolodziej gave a report of the recent meeting of the Arts Committee. He spoke about standardizing the matrix for artists for future shows, He announced that the 25th Anniversary of the Arts Center is approaching, and several programs are being planned to celebrate. Councilman Kolodziej spoke about several things happening at Passaic Valley Water Commission such as hydrant flushing, accepting credit cards for payment, reservoir fences and open-air reservoirs are being required to be contained.

Councilman Latona

Councilman Latona announced news and events taking place around the City. He spoke about the recent decision to conduct a forensic audit for City finances. Councilman Latona commented on the bad behavior shown by Councilmembers at the recent Budget meeting. He talked about the role of the newly hired Comptroller, limits on spending for professional services, uplifted City sidewalks and obtaining a copy of the City's hiring list. Councilman Latona commented on the Israeli and Palestine flag raisings.

Councilman D'Amato

Councilman D'Amato expressed his condolences to the family of Peter Eagler on his passing. He spoke about the freedom for all to celebrate flag raisings. Councilman D'Amato discussed the Allwood Road public meeting and asked for an update on the progress of the aid for the Third River flooding issue. Councilman D'Amato asked to have the issue of City trees causing uprooted sidewalks to be put on the next agenda for discussion. He commented on the recent decision to conduct a forensic audit of City finances.

Councilwoman Pino

Councilwoman Pino expressed her condolences to the family of former Councilman Peter Eagler on his passing.

Councilwoman Pino made a Motion, seconded by Councilman Latona and passed on roll call vote to change the parking limit on City lots from 2 hours to 4 hours.

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

Councilman Latona left the dais at 9:33 p.m.

Councilwoman Pino asked that a discussion item be placed on the next agenda regarding approving Phase 4 of the On 3 project.

May 21, 2024

Councilwoman Sadrakula

Councilwoman Sadrakula commented on the properties where the grass is not mowed. She spoke about the need to enforce the City's Ordinance for maintaining properties. Councilwoman Sadrakula also discussed the need to review and, where needed, update and strengthen the current Ordinances.

Councilman Latona returned to the dais at 9:35 p.m.

Councilman D'Amato left the dais at 9:36 p.m.

Councilwoman Sadrakula announced that the public meeting for the Allwood Road restructure is being held on June 26, 2024. She spoke about the recent bill to modernize the Open Public Records Act.

Councilman D'Amato returned to the dais at 9:40 p.m.

Councilwoman Sadrakula expressed her concern with using park land for a new firehouse. She announced that a Zoom platform for the public will begin at the next Council meeting.

Councilwoman Sadrakula made a Motion, seconded by Councilman Latona to add an item on the next Council meeting to discuss updating the Zoning Ordinance for Houses of Worship

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

Councilman Kolodziej remarked that the members of the Zoning Ordinance Review Committee are Councilman Gibson, Councilman Latona, Councilwoman Pino, and the alternate is Councilwoman Sadrakula.

Councilman Gibson

Councilman Gibson spoke about rescinding the petition to discontinue permit parking on Van Breeman Drive. Councilman Gibson explained why he voted yes to the Carnival Ordinance. He wished all a Happy Mother's Day. Councilman Eagler expressed his condolences to the family of former Councilman Peter Eagler on his passing. He agreed with the suggestion from City Manager, Dominick Villano, to change the parking limit in City lots to four hours. He addressed public speaker, Michelle Gaudet, and asked her to follow up with him to assure she gets the crossing guard at the Charter School that she requested. Councilman Gibson urged all residents to attend the public meeting regarding the proposed changes to Allwood Road. He announced Botany Village and Recreation Department news.

Mayor Grabowski

Mayor Grabowski offered his condolences to the family of former Councilman Peter Eagler. He spoke about Mr. Eagler's wealth of knowledge and commitment to the community. Mayor Grabowski invited all residents to attend the Memorial Day Parade. He thanked all the volunteers who made the Memorial Day Parade a reality.

City Manager, Dominick Villano, addressed Councilman D'Amato and replied that he is in touch with the DEP and Army Corp of Engineers but did not hear back from them regarding the Third River flooding.

City Manager, Dominick Villano, explained the Ordinance that refers to brush, weeds, uncut grass and debris.

City Attorney, Matthew Priore, read the suggested zoning changes that resulted from the last meeting of the Planning and Zoning Board which will be submitted for attorney review.

A Motion was made by Councilwoman Sadrakula, seconded by Councilman D'Amato and passed on roll call vote to call a meeting for the Zoning Ordinance Review Committee.

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

RESOLUTIONS VOTED ON SEPERATELY

R244-24 Resolution Authorizing Purchase of One (1) 2024 GMC Yukon 4WD SLT off the Educational Services Commission Cooperative Contract Pursuant to N.J.S.A. 40A:11-1 et seq.

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Pino and failed on roll call vote to approve the purchase of one 2024 GMC Yukon 4WD SLT off the Educational Services Commission Cooperative contract

RESOLUTION AUTHORIZING PURCHASE OF ONE (1) 2024 GMC YUKON 4WD SLT OFF THE EDUCATIONAL SERVICES COMMISSION COOPERATIVE CONTRACT PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.

WHEREAS, the City of Clifton Police Department has a requested a replacement vehicle for the current Police Chief's Vehicle through forfeiture funds; and

WHEREAS, Frank's Truck Center Inc, 325 Orient Way, Lyndhurst NJ 07071 has been awarded Educational Services Commission Contract No. ESCNJ 23/24-11 - Cars, Crossovers, Class 1-3 Trucks, Chassis SUV's and Vans; and,

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ), from which the above contract was awarded for a bid term of December 15, 2023, through December 14,2025; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960, off the ESCNJ Contract No. 23/24-11, at a cost not to exceed \$72,290.96;

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

(3-3-1-0) Councilman Kolodziej, Councilwoman Pino and Mayor Grabowski voted aye. Councilman Latona, Councilman D'Amato and Councilwoman Sadrakula voted nay. Councilman Gibson abstained.

R251-24 Resolution Awarding Contract to De Cotiis, Fitz Patrick, Cole & Giblin, LLP, for Special Counsel Services in Connection with Affordable Housing Litigation 6-1-24 to 7-31-24

A Motion was made by Councilman Kolodziej to approve awarding contract to De Cotiis, Fitz Patrick, Cole & Giblin, LLP, for Special Counsel Services in Connection with Affordable Housing Litigation 6-1-24 to 7-31-24. With no second to the Motion, no action was taken.

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN LLP, FOR SPECIAL COUNSEL SERVICES IN CONNECTION WITH AFFORDABLE HOUSING LITIGATION THROUGH MAY 31, 2024

May 21, 2024

WHEREAS, the City of Clifton requires the services of special counsel to perform certain legal services for the City of Clifton in connection with Affordable Housing; and

WHEREAS, DeCotiis, FitzPatrick, Cole & Giblin LLP of Paramus, NJ, has previously handled the declaratory judgment action as required by the decision of the New Jersey Supreme Court and also previously handled the action to approve the City's spending plan as well as other services in connection with Affordable Housing; and

WHEREAS, their services are again required through May 31, 2024; and

WHEREAS, the services shall be rendered at the same rate of \$175.00 per hour and not to exceed \$10,000.00 for the contract term without 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 (in combination with other matters) is expected to be in excess of \$17,500.00, and the duration of the contract is from January 1, 2024, to May 31, 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:

A contract for professional special counsel services in connection with Affordable Housing, in the form as approved by the Clifton Law Department, is awarded to DeCotiis, FitzPatrick, Cole & Giblin LLP, through May 31, 2024 and the rate to be paid for said services is \$175.00 per hour, not to exceed \$10,000.00 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 contract on behalf of the City of Clifton.
- III. 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.

R252-24 Resolution Awarding Contract to De Cotiis, Fitzpatrick, Cole & Giblin, LLP, for General Counsel Services 6-1-24 to 7-31-24

A Motion was made by Councilman Kolodziej to award contract to De Cotiis, Fitzpatrick, Cole & Giblin, LLP, for General Counsel Services 6-1-24 to 7-31-24. With no second to the Motion, no action was taken.

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZPATRICK, COLE &
GIBLIN, LLP, FOR GENERAL ENVIRONMENTAL COUNSEL SERVICES
JUNE 1, 2024 - JULY 31, 2024**

WHEREAS, the City of Clifton requires the services of environmental counsel to perform certain legal services for the City of Clifton in connection with various matters to assist the City's Licensed Site Remediation Professional (LSRP); and

WHEREAS, De Cotiis, Fitzpatrick, Cole & Giblin, LLP of Paramus, NJ, have been providing legal services for the City of Clifton in a satisfactory manner.

WHEREAS, the De Cotiis firm is agreeable to providing said general environmental counsel services for the term at the rate of \$175.00 per hour, not to exceed \$5,000.00 for the term of the contract, without a supplemental 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 (in combination with other matters) is expected to be in excess of \$17,500.00 for the term; 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:

A contract for professional general environmental counsel services, in the form as approved by the Clifton Law Department, is awarded to De Cotiis, Fitzpatrick, Cole & Giblin, LLP, effective June 1, 2024 through July 31, 2024, the rate to be paid for said services is \$175.00 per hour, not to exceed \$5,000.00 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.

The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.

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.

The following short notice be printed once in a legal newspaper of the City of Clifton:

R253-24 Resolution Authorizing Contracts/Renewals of Contracts for Special Tax Appeal Counsel Services 6-1-24 to 7-31-24

A Motion was made by Councilman Kolodziej to authorize contract renewal for Special Tax Appeal Counsel Services 6-1-24 to 7-31-24. With no second to the Motion, no action was taken.

**RESOLUTION AUTHORIZING CONTRACTS/RENEWALS OF CONTRACTS FOR
SPECIAL TAX APPEAL COUNSEL SERVICES
JUNE 1, 2024 - JULY 31, 2024**

May 21, 2024

WHEREAS, the Council previously awarded contracts to have attorneys available to assist on an as-needed basis with the complex tax appeal litigation in the Tax Court of New Jersey; and

WHEREAS, contracts/renewals of contracts are required from June 1, 2024 - July 31, 2024, at the fees as set forth below:

<u>Firm</u>	<u>Fees</u>
DeCotiis, FitzPatrick Cole & Giblin, LLP	\$150 per hour
Douglas M. Standriff	\$150 per hour
Bittiger, Elias & Triolo, PC	\$150 per hour
William Betesh, Esq. Boggia, Boggia, Betesh & Voytus, LLC	\$150 per hour

WHEREAS, it would be in the best interest of the City to have the aforesaid attorneys available to assist the City as needed according to their differing areas of expertise and the complexity of various pending appeals;

NOW, THEREFORE, BE IT RESOLVED, that a list of the aforesaid professionals be maintained to assist the City with tax appeals according to their respective areas of expertise, on an as-needed basis; and

BE IT FURTHER RESOLVED, that aforesaid fees for services for each of the aforesaid professionals shall not exceed \$5,000 without the approval of the Municipal Attorney and the fees for all of the aforesaid professionals shall not exceed \$20,000 in the aggregate, without the adoption of a supplemental resolution by the Municipal Council; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed to execute any contracts on behalf of the City of Clifton; and

BE IT FURTHER RESOLVED, that the original of this resolution and any resulting contacts shall be placed on file and made available for public inspection in the City Clerk’s Office of the City of Clifton.

R254-24 Resolution Awarding Contract to DeCotiis, Fitzpatrick, Cole & Giblin, LLP, for Legal Services in Connection with Redevelopment Hoffman LaRoche Property 6-1-24 to 7-31-24

A Motion was made by Councilman Kolodziej to award contract to DeCotiis, Fitzpatrick, Cole & Giblin, LLP, for Legal Services in Connection with Redevelopment Hoffman LaRoche Property 6-1-24 to 7-31-24. With no second to the Motion, the same failed.

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZPATRICK, COLE & GIBLIN, LLP, FOR LEGAL SERVICES IN CONNECTION WITH REDEVELOPMENT OF FORMER HOFFMAN-LA ROCHE PROPERTY FOR THE TERM JUNE 1, 2024 - JULY 31, 2024

WHEREAS, the Council previously awarded contracts to the law firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP for the provision of legal services in connection with the redevelopment of the Hoffman-La Roche site, and

WHEREAS, the firm of DeCotiis, FitzPatrick, Cole & Giblin, LLP has provided satisfactory services to the City of Clifton and the Municipal Council wishes to extend their contract for the period June 1, 2024, through July 31, 2024, for the fee of \$215.00 per hour, the total fee not to exceed \$20,000.00 for the term of the contract; and

WHEREAS, any fee in excess of \$20,000.00 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 in the aggregate is expected to be in excess of \$17,500.00, and the duration of the contract is from June 1, 2024, through July 31, 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:

1. 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 June 1, 2024 - July 31, 2024 at a fee of \$215.00 per hour, not to exceed \$20,000.00 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.
4. 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.
5. The following short notice be printed once in a legal newspaper of the City of Clifton:

R255-24 Resolution Appointing Legal Counsel to Handle Employment Litigation Claims Against the City of Clifton 6-1-24 to 7-31-24

A Motion was made by Councilman Kolodziej to appoint Appointing Legal Counsel to Handle Employment Litigation Claims Against the City of Clifton 6-1-24 to 7-31-24. With no second to the Motion, the same failed.

**RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE EMPLOYMENT
LITIGATION CLAIMS AGAINST THE CITY OF CLIFTON
JUNE 1, 2024 - JULY 31, 2024**

WHEREAS, the City of Clifton requires the services of outside legal counsel to represent the City of Clifton in employment litigation claims filed against the City; and

WHEREAS, Dominick Carmagnola, Esq. of the firm Carmagnola & Ritardi, LLC of Morristown, NJ, has been providing legal services for the City of Clifton in the past in a

May 21, 2024

satisfactory manner, and the City would like to continue the firm’s appointment as employment litigation counsel for the from June 1, 2024, through July 31, 2024, when such services are required, at the rate of \$175.00 per hour for partners, and \$135.00 per hour for associates; 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 \$17,500.00 for the calendar year 2024 and may be continued through the conclusion of each lawsuit being handled; 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:

An agreement for professional legal services for outside counsel to represent the City of Clifton in employment litigations claims filed against the City is awarded to Carmagnola & Ritardi, LLC, effective June 1, 2024, through July 31, 2024, the rate to be paid for said services is \$175.00 per hour for partners and \$135.00 per hour for associates.

The aforesaid fee for services shall not exceed \$10,000.00 without the adoption of a supplemental resolution by the Municipal Council.

The Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.

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.

R256-24 Resolution Authorizing Renewal of Contracts for Prosecution of Disciplinary Matters Against Employees of the City of Clifton 6-1-24 to 7-31-24

A Motion was made by Councilman Kolodziej to authorize renewal of Contracts for Prosecution of Disciplinary Matters Against Employees of the City of Clifton 6-1-24 to 7-31-24. With no second to the Motion, the same failed.

**RESOLUTION AUTHORIZING RENEWAL OF CONTRACTS FOR PROSECUTION
OF DISCIPLINARY MATTERS AGAINST EMPLOYEES OF THE CITY OF
CLIFTON
JUNE 1, 2024 - JULY 31, 2024**

WHEREAS, the Council wishes to authorize contracts to the attorneys listed below to have them available to assist on an as-needed basis with the prosecution of disciplinary matters against employees of the City of Clifton for the term of June 1, 2024, through July 31, 2024; and

WHEREAS, the contracts shall be at the fees as set forth below:

<u>Firm</u>	<u>Fees</u>
Michael Montanari, Esq.	\$150 per hour

Montanari Law Group, LLC

Charles Festa, Esq. Law Offices of Charles C. Festa, III	\$150 per hour
---	----------------

Richard A. Gantner, Esq. Cleary, Giacobbe	\$150 per hour
--	----------------

WHEREAS, it would be in the best interest of the City to continue to have the aforesaid attorneys available to prosecute the disciplinary charges;

NOW, THEREFORE, BE IT RESOLVED, that the renewal of professional services contracts as stated above is authorized; and

BE IT FURTHER RESOLVED, that the retention and renewal of the aforesaid professionals shall not exceed \$5,000.00 per annum without the approval of the Municipal Attorney, and shall not exceed \$10,000 per annum without the adoption of a supplemental resolution by the Municipal Council and the aforesaid fees shall be subject to the provisions of Section 31-1 of the Code of the City of Clifton; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed to execute any contracts on behalf of the City of Clifton; and

BE IT FURTHER RESOLVED, that the original of this resolution and any resulting contacts shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.

R258-24 Resolution Calling for the Modernization of the Open Public Records Act (OPRA) and the Swift Passage of S-2930/A-4045

A Motion was made by Councilman Kolodziej, seconded by Councilman D'Amato and failed on roll call vote to support the Modernization of the Open Public Records Act.

RESOLUTION CALLING FOR THE MODERNAZATION OF THE OPEN PUBLIC RECORDS ACT (OPRA) AND THE SWIFT PASSAGE OF S-2930/A-4045

WHEREAS, in the 2002 "lame duck" session the Open Public Records Act (OPRA) was approved to make government records, "readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest" while protecting "a citizen's right to a reasonable expectation of privacy"; and

WHEREAS, as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and

WHEREAS, in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

WHEREAS, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

WHEREAS, OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney's fees, which impacts the taxpayers and municipalities who must pay these fees; and

May 21, 2024

WHEREAS, municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

WHEREAS, due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates for-profit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

WHEREAS, when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don't want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

WHEREAS, reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

WHEREAS, Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens' personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

NOW, THEREFORE, BE IT RESOLVED, the governing body of the City of Clifton in the County of Passaic, respectfully request the adoption of much-needed reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and

BE IT FURTHER RESOLVED, as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Sen. John F. McKeon, Assemblywoman, Rosy Bagolie, Assemblywoman, Alixon Collazos-Gill, Governor Murphy, and the New Jersey League of Municipalities.

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

R271-24 Late - Resolution Appointing Legal Counsel to Handle Independent Investigation Services in Connection with Complaints Brought Under the City's Policy Prohibiting Sexual Harassment and Discrimination Involving Employees of the City of Clifton - June 1, 2024 - July 31, 2024

A Motion was made by Councilman Kolodziej to appoint Legal Counsel to Handle Independent Investigation Services in Connection with Complaints Brought Under the City's Policy Prohibiting Sexual Harassment and Discrimination Involving Employees of the City of Clifton - June 1, 2024 - July 31, 2024

RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE INDEPENDENT INVESTIGATION SERVICES IN CONNECTION WITH COMPLAINTS BROUGHT UNDER THE CITY’S POLICY PROHIBITING SEXUAL HARASSMENT AND DISCRIMINATION INVOLVING EMPLOYEES OF THE CITY OF CLIFTON - JUNE 1, 2024 - JULY 31, 2024

WHEREAS, the City of Clifton requires the services of outside legal counsel to represent the City of Clifton in complaints brought under the City’s policy prohibiting sexual harassment and discrimination involving employees of the City of Clifton; and

WHEREAS, Gina Mendola Longarzo, Esq. and Richard Gantner, Esq. have providing legal services for the City of Clifton in the past in a satisfactory manner, and the Municipal Attorney recommends the continuation of her appointment as independent investigation counsel for the term of June 1, 2024 through July 31, 2024 when such services are required, at the rate of \$125.00 per hour, not to exceed \$10,000.00 for the term of the contract; 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 may be in excess of \$17,500.00, for the term and may be continued through the conclusion of each claim being handled; 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:

An agreement for professional legal services for outside counsel to conduct independent investigations for complaints brought under the City’s policy prohibiting sexual harassment and discrimination involving employees of the City of Clifton, effective June 1, 2024 through July 31, 2024, the rate to be paid for said services is \$125.00 per hour, not to exceed \$10,000.00 for the term of the contract be and hereby is authorized.

RESOLUTIONS

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Gibson, and passed on roll call to vote on the following resolution separately.

R239-24 Resolution: Approve Claims List Resolution for the May 21, 2024, City Council Meeting

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

Current Fund	\$	31,494,610.68
Grant Fund	\$	79,933.99
General Capital Fund	\$	518,464.69
Sewer Utility -Operating	\$	2,010,712.21
Sewer Utility-Capital	\$	-
Developers Escrow	\$	1,954.00
Dog Trust	\$	134.86
Revolving Loan Fund		
Police Extra Duty	\$	-

May 21, 2024

Trust Other	\$	156,613.67
Section 8 Public Housing	\$	267,053.10
Reserve for Housing	\$	-
Community Development	\$	46,076.25
Payroll Agency	\$	-
Tax Title Lien Redemption	\$	-
Affordable Housing	\$	-
	\$	-
Self-Insurance	\$	1,461,149.93
Fire Dedicated Penalties	\$	3,860.00
Revolving Loan Fund	\$	-
Tax Title Lien Redemption	\$	-
Unemployment Trust Fund	\$	-
Library	\$	-
General Liability Trust	\$	26,555.50
Workers Compensation Trust	\$	13,279.25
Trust Escrow	\$	-
Reserve for Housing	\$	-
Federal DOJ Forfeiture	\$	-
TOTAL CLAIMS	\$	36,080,398.13

R240-24 Resolution Authorizing Permission to Bid for Sanitary Sewer Improvements -
Passaic Ave and Allwood Road (ARPA)

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR
SANITARY SEWER IMPROVEMENTS – PASSAIC AVENUE AND ALLWOOD
ROAD (ARPA)**

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

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

WHEREAS, the scope of work includes the replacement and rehabilitation of 9,000 linear feet of sanitary sewer main; and

WHEREAS, the City Engineer of the City of Clifton has prepared Bid Specifications, Notice to Bidders, Proposals and Specifications for said improvements in anticipation of the public bidding for same and finds same to be acceptable for public bidding; and,

NOW THEREFORE BE IT RESOLVED by the Mayor and Municipal Council of the City of Clifton that the Purchasing Agent is authorized to advertise a Notice to Bidders and to receive public bids for the services described therein; and,

BE IT FURTHER RESOLVED that the Notice to Bidders shall be published once in a legal newspaper of the City of Clifton no later than the next Municipal Council meeting, in accordance with N.J.S.A. 40A:11-1 et seq.

R241-24 Resolution Awarding Contract for Swift 911 Mass Notification System Services
off the Bergen County Cooperative Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION AWARDING CONTRACT FOR SWIFT 911 MASS NOTIFICATION
SYSTEM SERVICES OFF THE BERGEN COUNTY COOPERATIVE PURCHASING
PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the City of Clifton Department of Management Information System requires certain services for web site communication of online Swift 911 Mass Notification System Services; and

WHEREAS, the City of Clifton recognizes the critical importance of effective mass notification systems for emergency communication purposes and the annual subscription is required for the same; and

WHEREAS, this procurement request is made in accordance with N.J.S.A:40A:11-12a, via Bergen County Cooperative BC-BID-22-24, which expires June 04, 2024; and

WHEREAS, MIS Department recommends the award of contract to SHI International located at 290 Davidson Ave Somerset NJ 08873 for a term of April 1,2024 to March 31,2025; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from SHI International located at 290 Davidson Ave Somerset NJ 08873, in an amount not to exceed \$19,797.63, off the Bergen County Cooperative 22-24.

R242-24 Resolution Authorizing Purchase of Office Supplies from W.B. Mason off the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION AUTHORIZING PURCHASE OF OFFICE SUPPLIES FROM
W.B. MASON OFF THE NJ STATE CONTRACT PURCHASING PROGRAM
PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the City of Clifton has a need to purchase office supplies for its departments and divisions; and,

WHEREAS, W.B. Mason Co Inc., 535 Secaucus Road, Secaucus, NJ 07094, was awarded New Jersey State Contract No. A-00003 to provide discounted pricing off their office supplies catalog, which the City is permitted to use cooperatively; and,

WHEREAS, the contract has been extended until February 6, 2025; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchases above from W.B. Mason Co Inc., 535 Secaucus Road, Secaucus, NJ 07094, off the New Jersey State Contract No. A-00003, at a cost not to exceed \$100,000 from May 7, 2024, through February 6, 2025.

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.

May 21, 2024
R243-24 Resolution Authorizing Purchase of Sweeper Parts from W.E. Timmerman off the Educational Services Commission Cooperative Contract Pursuant to N.J.S.A. 40A:11-1 et seq.

RESOLUTION AUTHORIZING PURCHASE OF SWEEPER PARTS FROM W.E. TIMMERMAN OFF THE EDUCATIONAL SERVICES COMMISSION COOPERATIVE CONTRACT PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.

WHEREAS, the City of Clifton Department Of Public Works has a requested procurement of sweeper parts for Sweeper 105 and Sweeper 108; and

WHEREAS, W.E Timmerman Co. Inc. located at 3554 Route 22 West Whitehouse NJ 08888 has been awarded Educational Services Commission Contract No. ESCNJ 23/24-04 – Trucks-Class 4-8; and,

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ), from which the above contract was awarded for a bid term of July 1, 2023, through June 30, 2025, with 2% discount on the prices; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from W.E. Timmerman Co. Inc, 3554 Route 22 West Whitehouse NJ 08888, off the ESCNJ Contract No. 23/24-04, at a cost not to exceed \$12,206.06; and

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

R245-24 Resolution Authorizing Advertisement for RFPs for Appointment of Forensic Auditor for Budget Analyses of Year 2024 and of Financials of Years 2022 and 2023

RESOLUTION AUTHORIZING ADVERTISEMENT FOR RFPs FOR APPOINTMENT OF FORENSIC AUDITOR FOR BUDGET ANALYSES OF YEAR 2024 AND FINANCIALS OF YEARS 2022 AND 2023 FOR CITY OF CLIFTON

WHEREAS, the City of Clifton recognizes the importance of conducting comprehensive budget analyses for the fiscal year 2024, as well as forensic examinations of the financial records for the years 2022 and 2023; and

WHEREAS, the City of Clifton acknowledges the necessity of appointing a qualified forensic auditor to ensure accuracy, transparency, and integrity in the budgetary and financial processes;

Whereas, issuing Requests for Proposals (RFPs) is necessary to ensure fair competition and obtain proposals from qualified forensic auditors; and

WHEREAS, the RFP shall clearly outline the scope of work, qualifications required, evaluation criteria and other relevant details necessary for prospective bidders to submit comprehensive proposals ; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton that the Purchasing Agent is authorized to advertise a Notice to Bidders and to receive public RFPs response for the services described herein via Fair and Open process; and

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

R246-24 Resolution Approving Developer Agreement Between the City of Clifton and Mesvita of Clifton, LLC

**RESOLUTION APPROVING DEVELOPER AGREEMENT BETWEEN
THE CITY OF CLIFTON AND MESVITA OF CLIFTON, LLC**

BE IT RESOLVED, that a Developer Agreement between the City of Clifton and Mesvita of Clifton, LLC, the developer of Block 59.10, Lots 1 and 30, 294 Main Avenue, Clifton, New Jersey, is hereby authorized and approved; and

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

R247-24 Resolution Authorizing Execution of Cancellation of Mortgage

**RESOLUTION AUTHORIZING EXECUTION OF CANCELLATION OF
MORTGAGE BETWEEN CITY OF CLIFTON AND RALPH AND ELVINA GRECO
(CLIFTON HOME IMPROVEMENT PROGRAM)**

WHEREAS, on April 17, 2018, in conjunction with a CHIP grant to Ralph and Elvina Greco, a mortgage in the amount of \$4,275.00 was given by the City of Clifton for property situated at 25 Windsor Road, Clifton, New Jersey (Block 67.09, Lot 42); and

WHEREAS, the Program Director of the Clifton Home Improvement Program has advised that the aforesaid mortgage has expired;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Municipal Council of the City of Clifton, that the Mayor and City Clerk be, and they are hereby authorized to execute Cancellation of Mortgage in a form satisfactory to the Law Department.

R248-24 Resolution of the City of Clifton Health Department Accepting a 2024-2025 Childhood Lead Exposure Prevention Sub-Awardee Grant from the Passaic County Department of Health and Authorizing Entry into and the Execution of a Grant Agreement

**RESOLUTION OF THE CITY OF CLIFTON HEALTH DEPARTMENT ACCEPTING
A 2024-2025 CHILDHOOD LEAD EXPOSURE PREVENTION SUB-AWARDEE
GRANT FROM THE PASSAIC COUNTY DEPARTMENT OF HEALTH AND
AUTHORIZING ENTRY INTO AND THE EXECUTION OF A GRANT AGREEMENT**

BE IT RESOLVED that a grant in the amount of \$259,942 for the funding period July 1, 2024, to June 30, 2025, for the Childhood Lead Exposure Prevention Sub-Awardee Grant from the Passaic County Department of Health is accepted and the entry into and execution of a grant agreement is authorized; and

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

**PRESOLUTION AWARDING CONTRACT TO
CORDATA HEALTH INNOVATIONS FOR SOFTWARE FOR TRACKING
OPIOID RELATED INCIDENTS (HEALTH DEPARTMENT)**

WHEREAS, the City of Clifton Health Department recognizes the critical importance of effectively tracking opioid overdoses and providing timely referrals for treatment to individuals suffering from Opioid Use Disorder (OUD) and Substance Use Disorder (SUD); and

WHEREAS, the implementation of appropriate software solutions can significantly enhance the city's ability to track opioid-related incidents, identify individuals at risk, and facilitate their access to necessary treatment services and quotes were solicited from three firms ; and

Name of the Company	Total Price for three years
Cordata Healthcare Innovations	\$35000.00
Operation 2 Save Lives	\$53,225.24
Domo, Inc	\$50,000.00

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Clifton hereby authorizes the purchase of cloud-based software designed for tracking opioid overdoses and referring individuals to treatment, from Cordata Healthcare Innovations located at 8150 Corporate Park Drive ,Cincinnati OH 45242 for a term of three years for not to exceed 35000.00;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, the known or estimated cost of the goods or service to be provided will exceed \$17,500.

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

BE IT FURTHER RESOLVED, that the contract with Cordata Healthcare Innovations shall not exceed the total amount of \$35,000 for the period of three years from date of award, inclusive of all expenses related to onsite implementation consulting, configuration, and training;

BE IT FURTHER RESOLVED, that the software provided by Cordata Healthcare Innovations shall include the following features and services:

-
1. Comprehensive tracking of opioid overdoses and related incidents.

2. Identification of individuals at risk for OUD and SUD based on data analysis.

3. Referral management system to connect individuals to appropriate treatment services.

4. Onsite implementation consulting to ensure seamless integration with existing systems and workflows.

5. Configuration services to tailor the software to the specific needs of the City of Clifton.

6. Training for relevant staff members on how to effectively use the software for tracking and referral purposes.
-

**RESOLUTION AWARDING CONTRACT TO
CLIFTON CAT AND DOG HOSPITAL FOR VETERINARY SERVICES
(HEALTH DEPARTMENT)**

WHEREAS, the City of Clifton requires veterinary services for various purposes including City Veterinarian responsibilities, administration of vaccines at Rabies Clinics, removal of animal heads for rabies analysis, euthanasia of injured or sick animals for humane reasons, provision of emergency services during regular hours, and treatment of shelter for infection control; and

WHEREAS the Health Department has diligently performed due diligence by approaching multiple facilities but only Clifton Dog and Cat Hospital has agreed to provide the necessary services; and

WHEREAS, the estimated value of the contract is expected to be in excess of \$5000.00; and

BE IT FURTHER RESOLVED, that the contract amount shall not exceed \$14,000 for the specified period; and

BE IT FURTHER RESOLVED, that the services provided by Clifton Dog and Cat Hospital shall include, but not be limited to:

- Acting as the City Veterinarian, which involves conducting regular animal shelter inspections and signing any related documents.
- Administering vaccines at Rabies Clinics.
- Removing animal heads for rabies analysis.
- Conducting euthanasia of injured or sick animals for humane reasons.
- Providing emergency services during Clifton Dog and Cat Hospital's regular hours.
- Treating the shelter for infection control purposes.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council to hereby approve and authorize the aforementioned award of contract to Clifton Cat and Dog Hospital located at 1315 Main Ave, Clifton, NJ 07011, in an amount not to exceed \$14000.00 for providing veterinary services for the City of Clifton for the year 2024; 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.

R57-24 Resolution Appointing Legal Counsel to Handle Special Conflict Services in Connection with Employment Matters

**RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE SPECIAL
CONFLICT SERVICES IN CONNECTION WITH EMPLOYMENT MATTERS**

WHEREAS, the City of Clifton requires the services of outside legal counsel to represent the City of Clifton with employment matters; and

WHEREAS, Arthur R. Thibault, Esq. works for Apruzzese, McDermott, Mastro & Murphy, P.C. and the City seeks his appointment as special conflict counsel when such services are required, at the rate of \$220.00 per hour, not to exceed \$5,000.00 for the term of the contract; 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 therefore 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

May 21, 2024

WHEREAS, the estimated value of the contract may be in excess of \$17,500.00, and the duration of the contract may be continued through the conclusion of each claim being handled; 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

NOW, THEREFORE, BE IT RESOLVED, that:

1. A contract for special conflict counsel services, in the form as approved by the Clifton Law Department, is awarded to Arthur R. Thibault, Esq. of Apruzzese, McDermott, Mastro & Murphy, P.C., of Warren, NJ, for the period May 21, 2024 through May 20, 2025, at a fee of \$220.00 per hour, not to exceed \$5,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
4. 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.
5. The following short notice be printed once in a legal newspaper of the City of Clifton:

R259-24 Resolution Moving Chemical Industrial Alternate to Chemical Industrial Member of the Hazardous Materials Control Board (HAZMAT)

RESOLUTION MOVING CHEMICAL INDUSTRIAL ALTERNATE TO CHEMICAL INDUSTRIAL MEMBER OF THE HAZARDOUS MATERIALS CONTROL BOARD (HAZMAT)

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey is in receipt of a letter of resignation from Chandra Patel, Chemical Industrial Member of the Hazardous Materials Control Board (HAZMAT); and

WHEREAS, currently, Bradley Chupick holds the position of Alternate Chemical Industrial Member;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Bradley Chupick be moved from the Alternate position to Chemical Industrial Member of the Hazardous Materials Control Board to fill the unexpired term of Chandra Patel commencing this day through August 31, 2024

R260-24 Resolution Authorizing Entertainment License for Athenia Veterans Post, Inc.

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR ATHENIA VETERANS POST, INC.

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of the Athenia Veterans Post, Inc., of 147 Huron Avenue, Clifton, New Jersey (RB1 Zone), is approved, and entertainment is authorized for the period from July 1, 2024, through June 30, 2025, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Two (2) nights per week: Tuesday and Thursday
Tuesday: 8:00 p.m. to 10:00 p.m.
Thursday: 8:00 p.m. to 12:00 a.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):

Karaoke and Open Mic Night (Local Bands not to Exceed Four Instruments and One Singer at Any One Time)

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2024, through June 30, 2025

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 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.

R261-24 Resolution Authorizing Entertainment License for Spuntino of Clifton, LLC t/a The Spuntino Wine Bar & Italian Tapas at 70 Kingsland Road

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR SPUNTINO OF
CLIFTON, LLC T/A THE SPUNTINO WINE BAR & ITALIAN TAPAS AT 70
KINGSLAND ROAD**

May 21, 2024

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Spuntino of Clifton, LLC t/a Spuntino Wine Bar & Italian Tapas, 70 Kingsland Road, Clifton, New Jersey (PMU Zone) is approved, and entertainment is authorized for the period from July 1, 2024, through June 30, 2025, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Thursday, Friday and Saturday - Hours 4:00 p.m. to 9:00 p.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 4:00 p.m. to 9:00 p.m.

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

One Piece Acoustic Musician or DJ Music Incidental to the Dining Experience to be Played Through a Laptop Computer

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2024, through June 30, 2025

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.

R262-24 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, 2024, through June 30, 2025, 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

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

Inside: July 1, 2024, through June 30, 2025

Outdoor Patio: July 1, 2024, through November 30, 2024

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.

R263-24 Resolution Authorizing Entertainment License for Ghost Hawk Brewing Company, LLC t/a Ghost Hawk Brewing Company

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR GHOST HAWK BREWING COMPANY, LLC T/A GHOST HAWK BREWING COMPANY

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Ghost Hawk Brewing Company, LLC t/a Ghost Hawk Brewing Company of 321 River Road, #6, Clifton, New Jersey (BC Zone), is approved, and entertainment is authorized for the period from July 1, 2024 through June 30, 2025, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week: Sunday, Friday and Saturday
Sunday Hours: 12:00 p.m. to 6:00 p.m.
Friday Hours: 4:00 p.m. to 10:00 p.m.
Saturday Hours: 12:00 p.m. to 10:00 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):

DJ, 5-Piece Band, Karaoke or Stand-up Comedian

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2024, through June 30, 2025

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.

R264-24 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, 2024 through June 30, 2025, 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):

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

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2024, through June 30, 2025

6. SECURITY/PARKING REQUIREMENTS:

May 21, 2024

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.

R265-24 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, 2024, through June 30, 2025, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Two (2) nights per week: Friday and Saturday (Karaoke)
Hours: 8:00 p.m. to 1:00 a.m.
Thursday: 4:00 p.m. to 8:00 p.m. (Mariachi Band)
Sunday: 4:00 p.m. to 8:00 p.m. (Mariachi Band)

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year’s Eve
Cinco de Mayo
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, 2024, through June 30, 2025

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.
- A. No entertainment permitted at any time on outside deck.

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.

R266-24 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, 2024 through June 30, 2025, 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).

3. OPTIONAL ENTERTAINMENT HOURS:

May 21, 2024

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, 2024, through June 30, 2025

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.
- B. 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.

R267-24 Resolution Authorizing Entertainment License for Agave 421, LLC t/a Agave Cantina Tapas Mexicanas, 421 Piaget Ave.

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR AGAVE 421, LLC t/a
AGAVE CANTINA TAPAS MEXICANAS, 421 PIAGET AVENUE**

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Agave 421, LLC t/a Agave Cantina Tapas Mexicanas, of 421 Piaget Avenue, Clifton, New Jersey (B-D Zone), is approved, and entertainment is authorized for the period from July 1, 2024 through June 30, 2025 on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week: Friday, Saturday and Sunday
Friday and Saturday: 5:00 p.m. to 1:00 a.m.
Sunday: 12:00 p.m. to 4:00 p.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 5:00 p.m. to 1:00 a.m.

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

DJ Music or 1 or 2 Piece Non-Amplified Band

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2024, through June 30, 2025

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.

R268-24 Resolution Approving Changes in Income Requirements for the Clifton Community Development Block Grant Program Beginning June 1, 2024

**RESOLUTION APPROVING CHANGES IN INCOME REQUIREMENTS FOR THE
CLIFTON COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
BEGINNING JUNE 1, 2024**

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

May 21, 2024
WHEREAS, the Department of Housing and Urban Development has provided the 2024 “uncapped” income limits effective June 1, 2024;

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	\$72,550	\$82,900	\$93,250	\$103,600
<u>Size of Family</u>	<u>Five</u>	<u>Six</u>	<u>Seven</u>	<u>Eight</u>
Maximum Income	\$111,900	\$120,200	\$128,500	\$136,800

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.

R269-24 Resolution Approving Amendments to Community Development Block Grant Program Budget Amendment No. B-17-MC-34-0103 Transfer of Funds from Yr. 43 Police Detail Road Projects 21-01 and CDBG Yr. 43 Uncommitted Funds to Police Detail - Road Project 23-114,2023 Road Projects and Yr. 43 Single Family Rehab and Yr. 43 Indirect Costs

**RESOLUTION APPROVING AMENDMENTS TO COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM BUDGET
AMENDMENT NO. B-17- MC-34-0103 TRANSFER OF
FUNDS FROM YR. 43 POLICE DETAIL ROAD PROJECTS 21-01 and CDBG YR. 43
UNCOMMITTED FUNDS TO POLICE DETAIL - ROAD PROJECT 23-114, 2023 Road
Projects and Yr. 43 SINGLE FAMILY REHAB AND YR. 43 INDIRECT COSTS**

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 between Yr. 43 CDBG funds; and

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:

17-201-20-110-021	Yr. 43 Police Detail – Road Project 21-01	\$7122.90
17-201-20-110-030	Yr. 43 Road Resurfacing	5068.75
17-201-20-110-026	Yr. 43 Drop Curb Project	8955.26
17-201-20-110-007	Yr. 43 Administration	<u>4132.51</u>
		\$25,279.42
To:		
17-201-20-110-NEW	Yr. 43 Police Detail – Road Project 23-114	\$25,279.42
From;		
CDBG Yr. 43 Uncommitted Funds		\$45,315.41

To:		
17-201-20-110-NEW	Police Detail – Road project 23-114	4,692.28
17-201-20-110-001	Yr. 43 Single Family Rehab	23,623.13
17-201-20-110-018	Yr. 43 Indirect Costs	<u>17,000.00</u>
		\$45,315.41
		 \$70,594.83

R270-24 Resolution Awarding Contract to Revaluation Advisory Services LLC for the Preparation of Request of Proposal for the Tax Revaluation Project

RESOLUTION AWARDING CONTRACT TO REVALUATION ADVISORY SERVICES LLC FOR THE PREPARATION OF REQUEST OF PROPOSAL FOR THE TAX REVALUATION PROJECT FOR CITY OF CLIFTON (TAX ASSESSOR)

WHEREAS, the City of Clifton Tax Assessor Department recognizes the importance of conducting a tax revaluation project to ensure fair and accurate property assessments; and

WHEREAS, it is necessary to prepare a comprehensive Request for Proposals (RFP) to solicit proposal from qualified firms for the implementation of the tax revaluation project; and

WHEREAS, the estimated value of the contract is expected to be in excess of \$5000.00; and

WHEREAS, Revaluation Advisory Services LLC has submitted a proposal to prepare RFP for the City’s Tax Revaluation Project for not to exceed amount of \$5,500.00; and

WHEREAS, Tax Assessor Department recommends the award of contract to Revaluation Advisory Services LLC located at 105 Stephanie Drive, North Caldwell NJ 07006 for a term of one year from date of award; and,

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Revaluation Advisory Services LLC located at 105 Stephanie Drive, North Caldwell NJ 07006, in an amount not to exceed \$5,500.00.

R272-24 Resolution Approving and Accepting the By-Laws of the Advisory Committee on Civil Rights

RESOLUTION APPROVING AND ACCEPTING THE BY-LAWS OF THE ADVISORY COMMITTEE ON CIVIL RIGHTS

BE IT RESOLVED, that the Mayor and Municipal Council of the City of Clifton hereby approve and accept the attached Bylaws of the Advisory Committee on Civil Rights.

R273-24 Executive Session

RESOLUTION AUTHORIZING EXECUTIVE SESSION

May 21, 2024

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 Clifton Supervisors Association Contract Negotiations
- CON-2 Developer Agreement - 522 Valley Estates LLC
- CON-3 Official Towers - Potential Litigation
- CON-4 PBA - Contract Negotiations
- CON-5 Defense of Workers' Compensation Claims - Contract Negotiations
- CON-6 Lawrence Court Permit Parking Request - Legal Opinion
- CON-7 MOUs Regarding Terminal Leave Payments

- CON-8 Litigation Update: Pending Grievance Arbitrations - Personnel Exception -
- CON-9 Starmond Avenue Easement - Legal Opinion
- CON-10 Update of Liability Claims Filed Against City of Clifton - Litigation Privilege
- CON-11 Purchasing Procedures - Legal Opinion
- CON-12 Appointments Made by the City Manager - Legal Opinion
- CON-13 Developer Agreement - Mesvita of Clifton, LLC - Block 59.10, Lots 1 & 30
- CON-14 Workers' Compensation Claim - GP – PD
- CON-15 New 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 May 21, 2024, 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 My Golden Dollar

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF FRANCISCO GAYOSO RODRIGUEZ
T/A MY GOLDEN DOLLAR
for permission to conduct a: GROCERY-NEW
for a period ending January 31, 2025, on the premises known as:
1070 MAIN AVE CLIFTON, NJ 07011
be and the same 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-2 Kinder Castle at Clifton

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF KINDER KASTLE AT CLIFTON LLC
T/A KINDER KASTLE AT CLIFTON
for permission to conduct a: RESTAURANT
for a period ending January 31, 2025, on the premises known as:
879 CLIFTON AVE CLIFTON, NJ 07013
be and the same is hereby approved and licenses so issued in the compliance with the approval
of
the Board of Health, Fire Department, Police and Zoning Officer.

L-3 Burlington #1544

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF
BURLINGTON COAT FACTORY WAREHOUSE
CORP
T/A BURLINGTON #1544
for permission to conduct a: GROCERY-CONTINUED USE
for a period ending January 31, 2025, on the premises known as:
404 STATE RTE 3 W CLIFTON, NJ 07014
be and the same 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 Richfield Wine & Liquors

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF GARDEN STATE HYB, LLC
T/A RICHFIELD WINE & LIQUORS
for permission to conduct a: GROCERY-CONTINUED USE
for a period ending January 31, 2025, on the premises known as:
1362 CLIFTON AVE CLIFTON, NJ 07012
be and the same 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-5 Ayida Let's Eat

RESOLUTION FOR PRELIMINARY APPROVAL

FOR AYIDA LET'S EAT LLC
T/A AYIDA LET'S EAT
ADDRESS 752 CLIFTON AVE CLIFTON, NJ 07013
TYPE OF FOOD ESTABLISHMENT INTENDED CATERER-CONTINUED USE
FORMERLY OR NEW ALL SURF NO TURF
ZONE B-C
PERMITTED YES
VARIANCE REQUIRED NO
FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION.
FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.
APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION.
FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

ADJOURNMENT

A Motion was made by Councilman D'Amato, seconded by Councilman Latona to adjourn
the meeting at 12:00 a.m.

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

Respectfully Submitted,

Nancy Ferrigno, City Clerk

Raymond Grabowski, Mayor