

**City of Clifton
City Council
Regular Meeting Agenda
June 18, 2024
6:30 PM**



WORK SESSION

I. PRESENTATION / HEARING / CONFERENCE APPEARANCE(S)

II. ACTION ITEMS

- A- 1 Authorization to Approve Cancelling ARPA Grant Balance (R334)
- A- 2 Introduction of 2024 Municipal Budget (R335)

- A- 3 20 Somerset Place, LLC - City Engineer Recommends Release of Performance Bonds and Escrow Pending Receipt of Maintenance Bond (R302)
- A- 4 Plog Brook Culvert Rehabilitation (ARPA) - City Engineer Requests Permission to Advertise for Bids (R303)
- A- 5 Sanitary Sewer Improvements - Passaic Avenue and Allwood Road (ARPA) - City Engineer Recommends Award of Contract to John Garcia Construction (R304)

- A- 6 Authorization to Approve Award of Contract to Foveonics Imaging Technologies Inc. for Cloud Based File Management Services via Educational Services Commission of New Jersey (R305)
- A- 7 Authorization to Approve Award of Contract for Multiple Traffic Signs and Related Items from National Highway Products from Somerset County Cooperative Purchasing Program (R306)
- A- 8 Authorization to Approve Award of Contract to First Student Inc. for Summer Camp Trip Transportation Services for the Recreation Department of the City of Clifton (R307)
- A- 9 Authorization to Approve Permission to Advertise Request for Proposal via Competitive Contracting for Electronic Recycling Waste Services for the City of Clifton (R308)

- A- 10 Authorization to Approve Stormwater Control Ordinance Amendment (O7921)
- A- 11 Authorization to Approve Underground Storage Tank Insurance Policy Renewal - Rivington Partners (R311)
- A- 12 Authorization to Approve Amending Tree Ordinance
- A- 13 Authorization to Approve Continuation of Outside Legal Counsel Through Transition Period (R312-R319)

- A- 14 Authorization to Approve RFP for Third Party Administration Services for Liability Claims - Bergen Risk Managers (R320)
- A- 15 Authorization to Approve Application to Become a Member of Action Clifton Committee (Hazel) (R321)
- A- 16 Authorization to Approve Use of City Hall for International Overdose Awareness Day on August 29, 2024
- A- 17 Authorization to Approve 911 Memorial Service on September 11, 2024 at 5:30 pm
- A- 18 Authorization to Approve New Limousine License - TRK Transportation (R325)
- A- 19 Authorization to Approve Entertainment Licenses (R326 - R329)
- A- 20 Authorization to Approve Submittal and Execution of Grant Application and Agreement with NJDOT for Third Street Pedestrian Safety Improvements Phase II Project (R330)
- A- 21 Authorization to Approve Awarding Contract to Dr. Theodore Constandelis for Professional Services for Dental Services - 2024 (331)
- A- 22 Authorization to Approve Conducting an Open Space and Recreation Plan (R332)
- A- 23 Authorization to Approve Tax Exempt Veteran

III. DISCUSSION ITEMS/NEW BUSINESS

- D- 1 Memorial for Kowal, Gaccione, Murphy & Eagler
- D- 2 Setting Meeting Date for ON3 (No documentation)

IV. COUNCIL MAIL

- CM- 1 Approval of Application for Green Acres Grant
- CM- 2 Memo - Firehouse at Main and Piaget Avenues
- CM- 3 Thank You - The Grabowski Family
- CM- 4 Memo on Introduction of Budget from DLGS
- CM- 5 U.S. Dept. of Housing & Urban Development Block Grant

V. CONFIDENTIAL ITEMS / CLOSED SESSION

- CON1 PBA Contract Negotiations
- CON2 Developer Agreement - Haci Baba Bakery, LLC - 1639 Main Ave. (R309)
- CON3 Developer Agreement - Peter Mastriano c/o Madeline Investments, LLC, 125 Madeline Ave. (R310)
- CON4 Crime Risk Insurance Policy Update
- CON5 Green 2 O, LLC Grocery License Application
- CON6 Sidewalk Liability Claims - Legal Opinion
- CON7 Analysis of Legal Fee Expenditures in 2023
- CON8 Samuel Arnowitz, et al v. City of Clifton, et al
- CON9 Passaic-Clifton Community Kollel Congregation v. City of Clifton, et al
- CON10 Update on Legal Opinion Related to RLUIPA and House of Worship Parking

REGULAR MEETING

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

Rabbi Kronenberg

II. PUBLIC HEARING

III. PRESENTATION

IV. APPROVAL OF MINUTES

Minutes of Executive Session of June 5, 2024

Minutes of Regular Meeting of June 5, 2024

Minutes of Workshop Meeting of June 5, 2024

Executive Session

V. COMMUNICATIONS FROM THE CITY MANAGER

- C- 1 Moira Murray, Public Safety, resigned position of Public Safety Telecommunicator Trainee, effective June 3, 2024.
- C- 2 Madeline Perruzzi, Legal Department, Retired position of Principal Legal Stenographer, Effective June 1, 2024.
- C- 3 Maurico Portillo, Human Services, Retired position of Omnibus Operator, Effective June 1, 2024.
- C- 4 Omar Shaheed, Senior Citizens Center, Hired as Omnibus Operator, Effective June 3, 2024, at \$32,145.43 annually.

VI. COMMUNICATIONS - MEETING MINUTES

- C- 5 Minutes of Board of Recreation of April 27, 2024
- C- 6 Minutes of Disabilities Committee of May 20, 2024
- C- 7 Minutes of Historical Commission of May 2, 2024

VII. ORDINANCE - SECOND READING

- O- 7915-24 An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article IV Thereof, Entitled "Confidential Officials and Employees" Section 99-34 Thereof Entitled "Minimum and Maximum Salaries Fixed" (Creates Title of Communications Manager)
- O- 7916-24 An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Deletes 1 Handicapped Space)
- O- 7917-24 An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section

- 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 16 Restricted Handicapped Spaces)
- O- 7918-24 An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 5 Handicapped Spaces)
 - O- 7919-24 An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Amends Handicapped Parking Placard Number)
 - O- 7920-24 An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-14 Thereof, Entitled "Parking Prohibited During Certain Hours/Days on Certain Streets (Eliminates Hourly Parking Restrictions on McCosh Road Because it is Already Covered by Permit Parking)

VIII. ORDINANCE - FIRST READING

- O- 7912-24 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)
- O- 7921-24 An Ordinance to Replace Chapter 394 of the Code of the City of Clifton, Entitled "Stormwater Control" in its Entirety

IX. FLOOR TO MEMBERS OF THE PUBLIC

X. CITY MANAGER PRIVILEGE/Respond to Public Questions

XI. COMMITTEE REPORTS

XII. COUNCIL PRIVILEGE

XIII. RESOLUTIONS

- R 301-24 Resolution: Approve Claims List Resolution for the June 18, 2024, City Council Meeting
- R 302-24 Resolution Releasing Guarantees for Site Improvements: 20 Somerset Place LLC, 20 Somerset Place - Block 49.11, Lot 68
- R 303-24 Resolution Authorizing Permission to Bid for Plog Brook Culvert Rehabilitation (ARPA)
- R 304-24 Resolution Awarding Contract for Sanitary Sewer Improvements - Passaic Avenue and Allwood Road (ARPA)
- R 305-24 Resolution Awarding Contract to Foveonics Imaging Technologies, Inc. for Cloud-Based File Management Services Through the Educational Services Commission of New Jersey
- R 306-24 Resolution to Purchase Traffic Control Signs and Related Products from National Highway Products for the City of Clifton off of Somerset County Cooperative Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

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|---|--------|--|
| R | 307-24 | Resolution to Award Contract to First Student for the Summer Program Transportation Services for City of Clifton |
| R | 308-24 | Resolution Authorizing Permission to Advertise Request for Proposals Via Competitive Contracting Pursuant to N.J.S.A. 40A:11-4.1 et seq. for Electronic Recycling Waste Services |
| R | 309-24 | Resolution Approving Developer Agreement Between the City of Clifton and Haci Baba Bakery, LLC |
| R | 310-24 | Resolution Approving Developer Agreement Between the City of Clifton and Peter Mastriano c/o Madeline Investments, LLC |
| R | 311-24 | Resolution Authorizing Renewal of Underground Storage Tank Insurance Policy - Rivington Partners - 8/7/24-8/6/25 |
| R | 312-24 | 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 |
| R | 313-24 | Resolution Appointing Special Counsel to Represent the City of Clifton in Pending Litigation - Montanari Law Group |
| R | 314-24 | Resolution Appointing Special Counsel to Represent the City of Clifton in Pending Litigation - Carmagnola & Ritardi |
| R | 315-24 | Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for General Environmental Counsel Services - April 1, 2024 - June 30, 2024 |
| R | 316-24 | Resolution Authorizing Contracts/Renewals of Contracts for Special Tax Appeal Counsel Services - April 1, 2024 - June 30, 2024 |
| R | 317-24 | Resolution Appointing Legal Counsel to Handle Employment Litigation Claims Against the City of Clifton - April 1, 2024 - June 30, 2024 |
| R | 318-24 | Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Legal Services in Connection with Redevelopment of Former Hoffman La Roche Property for the Term March 16, 2024 - June 30, 2024 |
| R | 319-24 | Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin LLP for Special Counsel Services in Connection with Affordable Housing Litigation - June 1, 2024 - June 30, 2024 |
| R | 320-24 | Resolution Authorizing Entry into and Execution of a Service Renewal Agreement with Acrisure LLC d/b/a Bergen Risk Managers, Inc. for Administration of Liability Self-Insurance Program Claims |
| R | 321-24 | Resolution for Appointment to the Action Clifton Committee |
| R | 322-24 | Resolution of Congratulations Upon Retirement - Principal Legal Stenographer - Madeline L. Perruzzi |
| R | 323-24 | Resolution of Congratulations Upon Retirement - Omnibus Operator Maurico Portillo |
| R | 324-24 | Resolution Proclaiming August 29, 2024 as Overdose Awareness Day |
| R | 325-24 | Resolution Authorizing New Limousine License - TRK Transportation |
| R | 326-24 | Resolution Authorizing Entertainment License for Octavio Perez t/a Palenque Bar & Grill at 283 Parker Avenue |
| R | 327-24 | Resolution Authorizing Entertainment License for Sportzone Bar & Grill, Inc. |

- t/a Sportzone Bar & Grill
- R 328-24 Resolution Authorizing Entertainment License for Jhonny Ospina/Colosa, LLC
t/a Noches de Colombia at 1 Village Square East
- R 329-24 Resolution Authorizing Entertainment License for Yesterday's, LLC t/a
Yesterday's Bar and Grille
- R 330-24 Resolution Authorizing the Submittal of a Grant Application and Execution of a
Grant Agreement with the New Jersey Department of Transportation for the
Third Street Pedestrian Safety Improvements Phase II Project
- R 331-24 Resolution Awarding Professional Services Contract for Dental Services to Dr.
Theodore Constandelis for Assisting the City of Clifton Health Clinic Services
for the Term January 1, 2024 Through December 31, 2024
- R 332-24 Resolution Authorizing the Cancellation and Refund of a Portion of the 2024
1st Quarter Taxes, and the 2024 2nd Quarter Taxes, on Property Known as
Block 39.02, ot 13, 46 Fair Hill Road, Owned by a Disabled Veteran
- R 334-24 Resolution Cancelling Current Fund Grant Reserve
- R 335-24 Resolution - Introduction of 2024 Municipal Budget

XIV. LICENSES

- L- 1 Blaze Smoke Shop
- L- 2 Food Brigade
- L- 3 Mira Vie at Clifton
- L- 4 Green 2 O
- L- 5 Paris Baguette Clifton
- L- 6 Thinoy
- L- 7 My Pewex NJ
- L- 8 Courtside Pub

ITEM NUMBER: A- 1

ITEM NAME: Authorization to Approve Cancelling ARPA Grant Balance (R334)
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: A- 2

ITEM NAME: Introduction of 2024 Municipal Budget (R335)
RECOMMENDATION:

SUMMARY:

<u>ATTACHMENTS:</u>		
Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: A- 3

ITEM NAME: 20 Somerset Place, LLC - City Engineer Recommends Release of Performance Bonds and Escrow Pending Receipt of Maintenance Bond (R302)

RECOMMENDATION: Approve

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Cover Memo	6/12/2024	Cover Memo

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**INTEROFFICE MEMORANDUM
OFFICE OF THE CITY ENGINEER**

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TO: Dominick Villano, City Manager

FROM: Michael J. Lardner, PE, CME

CC: Andrew Oddo, Legal
Joseph Kunz, CFO
Edith Mayton, Treasurer

DATE: June 12, 2024

SUBJECT: 20 Somerset Place, LLC – 20 Somerset Place;
Block 49.11, Lot 68

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Pursuant to a recent request by the Developer and subsequent correspondence from Neglia Engineering Associates, it appears that all work associated with the subject project has been completed.

Presently, the City is holding a cash performance bond in the amount of \$7,368.00 dedicated for public improvements and privately owned buffer landscaping. In accordance with the Developer's Agreement, the Developer is required to post a two (2) year Maintenance Bond in the amount of 15% of the total estimated cost of public improvements, privately owned buffer landscaping and stormwater management improvements which equates to \$2,585.70.

Accordingly, we have prepared a resolution recommending that this project be closed-out, and upon submission of a Maintenance Bond all remaining escrow funds and/or bonds be released to the Developer.

ITEM NUMBER: A- 4

ITEM NAME: Plog Brook Culvert Rehabilitation (ARPA) - City Engineer Requests
Permission to Advertise for Bids (R303)

RECOMMENDATION: Approve

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
 Cover Memo		6/12/2024	Cover Memo

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**MEMORANDUM
OFFICE OF THE CITY ENGINEER**

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TO: Dominick Villano, City Manager

FROM: Michael J. Lardner, P.E., C.M.E.

CC: Joseph Kunz, CFO
Amisha Jariwala, Purchasing Agent
Matthew Priore, Esq., Legal

DATE: June 12, 2024

SUBJECT: Plog Brook Culvert Rehabilitation (ARPA)
Permission to Advertise for Bids

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The plans and specifications for the construction of Plog Brook Culvert Rehabilitation project are complete, and we are hereby requesting authorization to advertise for bids.

Please note that this project will be funded through the American Rescue Plan Act of 2021 (ARPA). Qualifying projects are to be encumbered by the end of fiscal year 2024 and completed by the end of fiscal year 2026. This project has a completion time of 180 days.

PROJECT SUMMARY

The Plog Brook Culvert Rehabilitation project includes the cleaning and lining of existing corrugated metal round and arch type pipes of various sizes. Also included in the Contract are point repairs of the pipes.

We have prepared a resolution requesting permission to advertise for bids. Kindly add this to the agenda of the next meeting of the City Council for authorization.

ITEM NUMBER: A- 5

ITEM NAME: Sanitary Sewer Improvements - Passaic Avenue and Allwood Road (ARPA) - City Engineer Recommends Award of Contract to John Garcia Construction (R304)

RECOMMENDATION: Approve

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
☐	Cover Memo	6/13/2024	Cover Memo
☐	Bid Tabulation	6/13/2024	Backup Material

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**MEMORANDUM
OFFICE OF THE CITY ENGINEER**

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TO: Dominick Villano, City Manager

FROM: Michael J. Lardner, P.E., C.M.E.

CC: Joseph Kunz, CFO
Amisha Jariwala, Purchasing Agent
Andrew Oddo, Esq., Legal

DATE: June 13, 2024

SUBJECT: Sanitary Sewer Improvements – Passaic Ave and Allwood Rd (ARPA) -
Recommendation of Award

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On Tuesday, June 11, 2024, we received and opened five (5) bids for the Sanitary Sewer Improvements – Passaic Ave and Allwood Rd (ARPA) project.

The qualifying low bidder is John Garcia Construction of Clifton, New Jersey in the amount of \$998,810.00, per the attached bid tabulation sheet. John Garcia Construction has worked in the City and successfully completed projects of similar size and scope. Therefore, I have prepared a resolution authorizing the award of the contract to John Garcia Construction in the total amount of their bid. Kindly add this to the agenda of the next meeting of the City Council for authorization.

PROJECT SUMMARY

The Sanitary Sewer Improvements – Passaic Avenue and Allwood Road project includes the excavation and replacement of 2,390 linear feet existing sanitary sewer main and 6,610 linear feet of in-place lining rehabilitation through the referenced intersection and the neighboring streets.

Please note that this project will be funded through the American Rescue Plan Act of 2021 (ARPA). Qualifying projects are to be encumbered by the end of fiscal year 2024 and completed by the end of fiscal year 2026. This project has a completion time of 125 days.

ITEM NUMBER: A- 6

ITEM NAME: Authorization to Approve Award of Contract to Foveonics Imaging Technologies Inc. for Cloud Based File Management Services via Educational Services Commission of New Jersey (R305)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
☐	Memo From Purchasing Agent	6/12/2024	Cover Memo
☐	ESCNJ Award	6/12/2024	Cover Memo



City of Clifton
DEPARTMENT OF FINANCE
900 CLIFTON AVENUE
CLIFTON, NJ 07013
FAX: (973) 470-9456

Chief Financial Officer
Treasurer
Purchasing Agent
Payroll
Finance Office

To: Dominick Villano, City Manager

From: Amisha Jariwala, Purchasing Agent

Date: June 12, 2024

Re: Resolution Awarding Contract to Foveonics Imaging Technologies, Inc. for continuance of the Cloud-Based Document Management Project off the Educational Services Commission of New Jersey to be funded via the American Rescue Plan Act

Through Educational Services Commission of New Jersey (ESCNJ) cooperative contract, Foveonics Imaging Technologies, Inc. has successfully provided the City of Clifton with necessary services for migrating physical images to a high-resolution cloud-based digital format, during the City's Phase I and Phase II document management project, in accordance with NJ State DORES guidelines.

American Rescue Plan Act (APRA) funds were approved for use on Phase II of this project, which was begun in 2021, authorized via R394-21 on September 8, 2022 for a not to exceed amount of \$600,000.00, from which there is a remaining available balance of \$432,500.00. The correlated ESCNJ cooperative contract for resolution R394-21 expires June 30, 2022.

The ESCNJ has awarded a new contract (#ESCNJ 22/23-11) to Foveonics Imaging Technologies, Inc., located at 999 Willow Grove Street, Suite 3A, Hackettstown, NJ 07840, for a period from July 1, 2022 through to June 30, 2024 is now extended till June 30, 2025, and is still covered by ARPA funding, requiring a new resolution.

With the above new contract, the City will be able to continue Phase III of the migration of paper documents to high resolution digital documents, with Foveonics providing the manpower and technology for picking up files, scanning and indexing them, and returning them to the City when applicable. Other files, if approved by NJ State DORES, would be migrated to digital from physical without need to keep further. The remaining not to exceed amount of \$399,355.01 will apply to the continuance of Phase III, via APRA funds, payable upon invoice for benchmark accomplishments through a properly executed purchase order.

A resolution appears on the agenda.

Respectfully Submitted,

Amisha Jariwala, QPA
Qualified Purchasing Agent



Document Management for Records Retention & Disposal

RFP #ESC NJ 22/23-11

RFP OPENING: March 17, 2022 @ 11:00 AM

26 RFP Packages Requested - 4 RFP Packages Received

That the Document Management for Records Retention & Disposal RFP #ESC NJ 22/23-11 be awarded to:

Alpine Consulting Inc. dba AccuScan

950 Mt. Holly Road, Edgewater Park, NJ 08010; and

Foveonics Imaging Technologies dba Foveonics Document Solutions

99 Grayrock Road, Unit 103, Clinton, NJ 08809

RFP Term: 7/1/2022 - 6/30/2024; Extended to 06/30/2025

Foveonics Imaging Technologies dba Foveonics Document Solutions

AWARD

ALL COUNTIES OF NEW JERSEY SERVED

PRICING FOR SMALL FORMAT (UP TO 11 X 7)

TASK	PRICING Year 2 (7/1/23 - 6/30/24)	EXTENDED PRICING (7/1/24 - 6/30/25)
Records Review (Rate per hour)	\$40.00	\$40.00
Complete Disposal Schedule – Including all required	\$25.00	\$25.00
Member Certification (Per Application)	\$45.00	\$45.00
Pickup and Delivery (Per Box)	\$1.00	\$1.00
Boxing & Labeling of Files (Rate per hour)	\$19.00	\$19.00
Preparation of Files (Rate per hour)	\$19.00	\$19.00
Purging of Files-According to NJDORES Guidelines (Rate per hour)	\$19.00	\$19.00
Indexing of Files (Per File)	\$0.06	\$0.06
Imaging of Files (Per Image)	\$0.047	\$0.047
Offsite WEB Based storage (Per Month/Per GB)	\$10.00	\$10.00
Searchable PDF using 2 OCR engines (Per Image)	\$0.005	\$0.005

PRICING FOR LARGE FORMAT (LARGER THAN 11 X 7)

TASK	PRICING (7/1/23 - 6/30/24)	Ext. PRICING (7/1/24 - 6/30/25)
Sorting of Blueprints (Rate per hour)	\$19.00	\$19.00
Pickup and Delivery (Per Box)	\$1.00	\$1.00
Preparation of Files (Rate per hour)	\$19.00	\$19.00
Imaging of Files (Per Image)	\$0.55	\$0.55
Indexing of Files (Per File) 5 Index Minimum	\$0.05	\$0.05
Disposal of Duplicate Files (Per Lb.)	\$0.10	\$0.10
Digital Enhancement (Per Image)	\$0.001	\$0.001
Offsite WEB Based storage (Per Month/Per GB)	\$10.00	\$10.00



PRICING FOR DOCUMENT MANAGEMENT

TASK	PRICING (7/1/23 - 6/30/24)	Ext. PRICING (7/1/24 - 6/30/25)
Web Based (Rate per month)	\$35.00	\$35.00
Professional Services for Solution Customization & Integration	\$135.00	\$135.00
Quality Assurance (Rate per hour)	\$19.00	\$19.00
Setup & Training Fee (Per Install)	\$350.00	\$350.00
Premise Based (Per License)	\$1,500.00	\$1,500.00
Personal Identifiable Identification (Rate per 100 character units)	\$0.0005	\$0.0005

PRICING FOR ADDITIONAL SERVICES

TASK	PRICING (7/1/23 - 6/30/24)	Ext. PRICING (7/1/24 - 6/30/25)
Microfilm Scanning 16mm (Per Image)	\$0.033	\$0.033
Microfilm Scanning 35mm (Per Image)	\$0.0462	\$0.0462
Microfiche Scanning (Per Image)	\$0.055	\$0.055
Manual Redaction (Per Inspected Image)	\$0.011	\$0.011
Data Entry (Per Character)	\$0.0022	\$0.0022
Color Scanning (Per Image)	\$0.052	\$0.052
Bound Book Scanning (Per Image)	\$0.165	\$0.165
Re-Assembly of Documents (Rate per hour)	\$19.00	\$19.00

COST FOR PERFORMANCE BOND: \$0.00/\$1,000.00

ITEM NUMBER: A- 7

ITEM NAME: Authorization to Approve Award of Contract for Multiple Traffic Signs and Related Items from National Highway Products from Somerset County Cooperative Purchasing Program (R306)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo From Purchasing Agent	6/14/2024	Cover Memo
	Memo from DPW Director	6/13/2024	Cover Memo
	Memo from Police Department	6/13/2024	Cover Memo



City of Clifton
Finance Department

INTEROFFICE MEMORANDUM

To: Dominick Villano, City Manager

From: Amisha J. Jariwala, QPA

Date: June 14, 2024

Re: Resolution to Purchase Traffic Signs and Equipment from National Highway Products for The City of Clifton off of Somerset County Cooperative Purchasing Program Pursuant to N.J.S.A:40A:11-12a

Please accept the within as my request for authorization to continue to purchase Traffic Signs and Related Products for the City of Clifton from National Highway Prodcuts off the Somerset County Cooperative, number CC-0099-22, for the period of May 1, 2024 through to December 31, 2025, in a not to exceed amount of \$23,210.00 with a properly executed purchase order, processed as-needed, shall be the instrument of fund encumbrance for each department (DPW and Police) usage.

A memo from the DPW Director and Police Department is attached.

A Resolution appears on the Agenda.

Respectfully Submitted,
Amisha J. Jariwala, QPA
Qualified Purchasing Agent



City of Clifton Department of Public Works

INTEROFFICE MEMORANDUM

To: Dominick Villano, City Manager

CC: Amisha Jariwala, Purchasing Agent

CC: Joseph Kunz, Chief Financial Officer

From: Jason Vanwinkle, Director of Public Works

Date: June 4, 2024

Re: Authorization to purchase from National Highway Products using the Somerset Cooperative

Please accept this memo as my request for Council approval to Utilize National Highway Products to Purchase Electronic Traffic Signs and related supplies.

These supplies can be purchased utilizing the Somerset Cooperative Contract # Number CC-0099-22 Group # 9 Item # 3.

National Highway Products is Located 301 Riverside Drive, Millville, New Jersey 08332

We are requesting a not to exceed amount of \$13,210.00 as this is what is left in Capitol Account 04-215-55-592-004 DPW Electric Signs.

Accordingly, I Kindly ask that Purchasing Agent Amisha Jariwala will prepare the applicable Resolution.

AWARD OF CONTRACT FOR
TRAFFIC CONTROL SIGNS, SUPPORTS, HARDWARE & SAFETY DEVICES
OPEN END COOPERATIVE PRICING SYSTEM BID #2-SOCCP
CONTRACT #CC-0099-22
SECOND YEAR OF A TWO YEAR CONTRACT

WHEREAS, the Chief Financial Officer of Somerset County has certified in writing the availability of funds for the purposes set forth in this Resolution, such certification on file with the Clerk of the Board, and such funds are provided for in the duly adopted budget of the County of Somerset, line items (03-297-56-100-451-580) \$20,000.00, (01-201-26-011-451-800) \$15,000.00 and (01-201-26-011-451-300) \$15,000.00 not to exceed \$50,000.00; and

WHEREAS, three (3) sealed bids were received, opened and read in public on August 25, 2022 at 2:30 P.M. prevailing time for Traffic Control Signs, Supports, Hardware & Safety Devices, Open Ended Cooperative Pricing System Bid #2-SOCCP, Contract #CC-0099-22; and

WHEREAS, the bids were reviewed by the Director of Roads and Bridges and it has been determined that the bids submitted by the following met the necessary requirements during year one and are willing to extend pricing to the Cooperative Members:

National Highway Products, Inc. 301 Riverside Drive Millville, NJ 08332 856-692-7572								
GROUP 1- SIGNING AND ROLLED GOODS					YEAR ONE		YEAR TWO	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Avery Engineer Grade T - 1500							
	30" x 50 yds.	0-10	Roll	1	\$357.35	\$357.35	\$385.93	\$385.93
	36" x 50 yds.	0-10	Roll	1	\$428.82	\$428.82	\$463.12	\$463.12
	48" x 50 yds.	0-10	Roll	1	\$571.76	\$571.76	\$617.50	\$617.50
2	3M Scotchlite High intensity grade prismatic Series 3930 (P.S.)							
	30" x 50 yds.	0-10	Roll	1	\$470.06	\$470.06	\$507.66	\$507.66
	36" x 50 yds.	0-10	Roll	1	\$564.07	\$564.07	\$609.19	\$609.19
	48" x 50 yds.	0-10	Roll	1	\$752.10	\$752.10	\$812.26	\$812.26
3	3M Scotchlite Yellow High intensity grade prismatic Series 3931 (P.S.)							
	30" x 50 yds.	0-10	Roll	4	\$470.06	\$1,880.24	\$507.66	\$2,030.64
	36" x 50 yds.	0-10	Roll	4	\$564.07	\$2,256.28	\$609.19	\$2,436.76
	48" x 50 yds.	0-10	Roll	4	\$752.10	\$3,008.40	\$812.26	\$3,249.04
4	3M Scotchlite florescent Diamond grade Series 3924 (S.)							
	30" x 50 yds.	0-10	Roll	2	\$940.63	\$1,881.26	\$987.66	\$1,975.32
	36" x 50 yds.	0-10	Roll	2	\$1,128.75	\$2,257.50	\$1,185.19	\$2,370.38
	48" x 50 yds.	0-10	Roll	2	\$1,505.00	\$3,010.00	\$1,572.72	\$3,145.44
5	3M Scotchcal electrocut Film (black) For HS15 & Slotted Hole Pattern							
	30" x 50 yds.	0-30	Roll	1	\$507.94	\$507.94	\$530.79	\$530.79
	15" x 50 yds.	0-30	Roll	1	\$253.96	\$253.96	\$266.65	\$266.65
6	3M Scotchcal electrocut Film (black) Series 7725-12							
	24" x 50 yds.	0-30	Roll	1	\$390.60	\$390.60	\$408.30	\$408.30
	30" x 50 yds.	0-30	Roll	1	\$488.40	\$488.40	\$510.37	\$510.37
	36" x 50 yds.	0-30	Roll	1	\$586.08	\$586.08	\$612.45	\$612.45
	48" x 50 yds.	0-30	Roll	1	\$781.44	\$781.44	\$816.60	\$816.60
7	3M Scotchcal electrocut Overlay film Series 1170 (all colors)							
	30" x 50 yds.	0-80	Roll	1	\$349.14	\$349.14	\$364.84	\$364.84
	36" x 50 yds.	0-80	Roll	1	\$418.96	\$418.96	\$437.81	\$437.81
	48" x 50 yds.	0-80	Roll	1	\$558.62	\$558.62	\$583.75	\$583.75
8	3M Scotchlite DG ³ Sheeting Series 4090 (white)							
	30" x 50 yds.	0-10	Each	1	\$937.50	\$937.50	\$979.68	\$979.68
	36" x 50 yds.	0-10	Each	1	\$1,125.00	\$1,125.00	\$1,175.62	\$1,175.62
	48" x 50 yds.	0-10	Each	1	\$1,500.00	\$1,500.00	\$1,567.50	\$1,567.50

9	3M Scotchlite DG ³ Series 4091 (yellow)							
	12" x 50 yds.	0-10	Each	1	\$375.00	\$375.00	\$391.87	\$391.87
	24" x 50 yds.	0-10	Each	1	\$750.00	\$750.00	\$783.75	\$783.75
	30" x 50 yds.	0-10	Each	1	\$937.50	\$937.50	\$979.68	\$979.68
	36" x 50 yds.	0-10	Each	1	\$1,125.00	\$1,125.00	\$1,175.62	\$1,175.62
10	3M Scotchlite DG ³ Series 4083 Yellow Green / P/G DG ³							
	30" x 50 yds.	0-10	Each	1	\$979.16	\$979.16	\$1,023.22	\$1,023.22
	36" x 50 yds.	0-10	Each	1	\$1,174.99	\$1,174.99	\$1,227.87	\$1,227.87
	48" x 50 yds.	0-10	Each	1	\$1,566.67	\$1,566.67	\$1,637.16	\$1,637.16
11	3M Scotchlite Protective Overlay Film Series 1160							
	30" x 50 yds.	0-10	Each	1	\$661.79	\$661.79	\$691.57	\$691.57
	36" x 50 yds.	0-10	Each	1	\$794.15	\$794.15	\$829.88	\$829.88
12	3M Application Tape #SCPM-3							
	12" x 100 yds.	0-50	Each	1	\$51.60	\$51.60	\$53.66	\$53.66
	18" x 100 yds.	0-50	Each	1	\$77.41	\$77.41	\$80.51	\$80.51
13	ATSM C2-Clear transparent film							
	12" x 100 yds.	0-50	Each	1	\$51.60	\$51.60	\$53.66	\$53.66
	18" x 100 yds.	0-50	Each	1	\$77.41	\$77.41	\$80.51	\$80.51
GROUP 1 TOTAL						\$33,957.76		\$35,866.56

GROUP 2- PRESCREENED SIGN FACES					YEAR ONE		YEAR ONE	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Regulatory series Red Background 3M Scotchlite DG ³ Sheeting Series 4090							
	R1 - 1 Stop 30"	0-500	Each	1	\$18.49	\$18.49	\$19.43	\$19.43
	R1 - 1 Stop 36"	0-500	Each	1	\$26.62	\$26.62	\$27.97	\$27.97
	R1 - 1 Stop 48"	0-500	Each	1	\$47.33	\$47.33	\$49.74	\$49.74
	R1 - 2 Yield 36"	0-25	Each	1	\$13.92	\$13.92	\$14.54	\$14.54
	R1 - 2 Yield 48"	0-25	Each	1	\$25.06	\$25.06	\$26.18	\$26.18
	R5-1DoNotEnter 30"	0-100	Each	1	\$18.49	\$18.49	\$19.43	\$19.43
	R5-1DoNotEnter 36"	0-100	Each	1	\$26.62	\$26.62	\$27.97	\$27.97
2	Regulatory, Warning and School Series 3M Scotchlite DG ³ Sheeting Series 4091							
	12" x 18"	0-1,000	Each	1	\$4.44	\$4.44	\$4.64	\$4.64
	18" x 18"	0-1,000	Each	1	\$6.65	\$6.65	\$6.99	\$6.99
	24" x 24"	0-500	Each	1	\$11.83	\$11.83	\$12.43	\$12.43
	24" x 30"	0-500	Each	1	\$14.79	\$14.79	\$15.54	\$15.54
	24" x 36"	0-500	Each	1	\$17.75	\$17.75	\$18.65	\$18.65
	24" x 48"	0-500	Each	1	\$23.66	\$23.66	\$24.87	\$24.87
	30" x 30"	0-1,000	Each	1	\$18.49	\$18.49	\$19.43	\$19.43
	36" x 36"	0-500	Each	1	\$26.62	\$26.62	\$27.97	\$27.97
	48" x 48"	0-500	Each	1	\$47.33	\$47.33	\$49.71	\$49.71
3	Regulatory, Warning and School Series Two color DG ³ Sheeting 3M Series 4091							
	12" x 18"	0-500	Each	1	\$4.44	\$4.44	\$4.64	\$4.64
	24" x 24"	0-500	Each	1	\$11.83	\$11.83	\$12.43	\$12.43
	36" x 36"	0-500	Each	1	\$26.62	\$26.62	\$27.97	\$27.97
	48" x 48"	0-500	Each	1	\$47.33	\$47.33	\$49.71	\$49.71
4	Regulatory, Warning and School Series DG ³ 3M Scotchlite Series 4091 One screen color							
	24" x 30"	0-500	Each	1	\$14.79	\$14.79	\$15.54	\$15.54
	36" x 36"	0-500	Each	1	\$26.62	\$26.62	\$27.97	\$27.97
	48" x 24"	0-500	Each	1	\$23.66	\$23.66	\$24.87	\$24.87
	48" x 48"	0-500	Each	1	\$47.33	\$47.33	\$49.71	\$49.71
5	Regulatory Series Red background DG ³ 3M Scotchlite Series 4090							
	36" x 36"	0-500	Each	1	\$26.62	\$26.62	\$27.97	\$27.97
	48" x 48"	0-500	Each	1	\$47.33	\$47.33	\$49.71	\$49.71
	30" x 30"	0-500	Each	1	\$18.49	\$18.49	\$19.43	\$19.43
6	3M Sign Dating Stickers Unique Dating Stickers Series 5290	0-10,000	Each	1	\$0.48	\$0.48	\$0.50	\$0.50
7	3M Scotchlite Reflective Construction Work Zone Orange V.I.P. Sheeting Prescreened Faces							
	30" x 24"	0-200	Each	1	\$14.42	\$14.42	\$15.07	\$15.07
	48" x 18"	0-200	Each	1	\$17.31	\$17.31	\$18.08	\$18.08
	36" x 36"	0-500	Each	1	\$25.96	\$25.96	\$27.12	\$27.12
	48" x 48"	0-500	Each	1	\$46.14	\$46.14	\$48.22	\$48.22

8	Yellow Green Series 4083 DG ³							
	30" X 30"	0-200	Each	1	\$18.92	\$18.92	\$19.77	\$19.77
	36" X 36"	0-200	Each	1	\$27.24	\$27.24	\$28.47	\$28.47
	48" X 48"	0-200	Each	1	\$48.43	\$48.43	\$50.61	\$50.61
	30" X 18 W16-7	0-200	Each	1	\$11.35	\$11.35	\$11.86	\$11.86
	36" X 20 W16-9P	0-200	Each	1	\$13.62	\$13.62	\$14.23	\$14.23
GROUP 2 TOTAL						\$867.02		\$909.37

GROUP 3- COMPLETE SIGNS MOUNTED ON ALUMINUM					YEAR ONE		YEAR ONE	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	3M Scotchlite DG ³ Sheeting Series 4090 (Red background) R1 - 1 Stop							
	30" x 30" x .080	0-1,000	Each	1	\$43.97	\$43.97	\$45.95	\$45.95
	36" x 36" x .080	0-1,000	Each	1	\$62.27	\$62.27	\$64.76	\$64.76
	48" x 48" x 0.100	0-100	Each	1	\$115.49	\$115.49	\$120.11	\$120.11
2	3M Scotchlite DG ³ Sheeting Series 4090 (Red background) R2 - Yield							
	36"x36"x36"x.080	0-50	Each	1	\$31.64	\$31.64	\$33.07	\$33.07
	48"x48"x48"x0.100	0-50	Each	1	\$68.84	\$68.84	\$71.59	\$71.59
3	3M Scotchlite DG ³ Sheeting Series 4091 Regulatory, Warning and School Signs (One color screening)							
	12" x 18" x .080	0-1,000	Each	1	\$11.36	\$11.36	\$11.87	\$11.87
	18" x 18" x .080	0-1,000	Each	1	\$15.82	\$15.82	\$16.53	\$16.53
	18" x 24" x .080	0-1,000	Each	1	\$21.11	\$21.11	\$22.05	\$22.05
	24" x 24" x .080	0-1,000	Each	1	\$28.14	\$28.14	\$29.40	\$29.40
	24" x 30" x .080	0-1,000	Each	1	\$35.17	\$35.17	\$36.75	\$36.75
	24" x 48" x .080	0-1,000	Each	1	\$56.28	\$56.28	\$58.81	\$58.81
	30" x 30" x .080	0-1,000	Each	1	\$43.97	\$43.97	\$45.95	\$45.95
	36" x 36" x .080	0-1,000	Each	1	\$62.27	\$62.27	\$64.76	\$64.76
	36" x 48" x .080	0-1,000	Each	1	\$83.02	\$83.02	\$86.75	\$86.75
	48" x 48" x .100	0-1,000	Each	1	\$130.96	\$130.96	\$136.85	\$136.85
4	3M Scotchlite High Intensity Grade Prismatic Series 3930 Regulatory, Warning and school Sign (one color screening)							
	12" x 18" x .080	0-1,000	Each	1	\$9.67	\$9.67	\$10.11	\$10.11
	18" x 24" x .080	0-1,000	Each	1	\$17.98	\$17.98	\$18.79	\$18.79
	18" x 18" x .080	0-1,000	Each	1	\$13.48	\$13.48	\$14.09	\$14.09
	24" x 24" x .080	0-1,000	Each	1	\$23.97	\$23.97	\$25.05	\$25.05
	24" x 30" x .080	0-1,000	Each	1	\$29.96	\$29.96	\$31.32	\$31.32
	24" x 48" x .080	0-1,000	Each	1	\$47.94	\$47.94	\$50.11	\$50.11
	30" x 30" x .080	0-1,000	Each	1	\$37.46	\$37.46	\$39.14	\$39.14
	36" x 36" x .080	0-1,000	Each	1	\$53.93	\$53.93	\$56.36	\$56.36
	48" x 36" x .100	0-1,000	Each	1	\$82.82	\$82.82	\$86.59	\$86.59
	48" x 48" x .100	0-1,000	Each	1	\$110.43	\$110.43	\$115.39	\$115.39
5	3M Scotchlite DG ³ Sheeting Series 4091 (Two color Screening)							
	12" x 18" x .080	0-500	Each	1	\$11.70	\$11.70	\$12.22	\$12.22
	24" x 24" x .080	0-500	Each	1	\$28.98	\$28.98	\$30.28	\$30.28
	24" x 30" x .080	0-500	Each	1	\$36.22	\$36.22	\$37.84	\$37.84
	30" x 30" x .080	0-500	Each	1	\$45.28	\$45.28	\$47.31	\$47.31
	36" x 36" x .080	0-500	Each	1	\$64.12	\$64.12	\$67.00	\$67.00
	48" x 48" x .100	0-500	Each	1	\$134.88	\$134.88	\$140.99	\$140.99
6	3M Scotchlite DG ³ 4091 (Three color screening)							
	12" x 18" x .080	0-300	Each	1	\$12.05	\$12.05	\$12.59	\$12.59
	36" x 36" x .080	0-300	Each	1	\$66.04	\$66.04	\$69.00	\$69.00
	48" x 48" x .100	0-300	Each	1	\$138.92	\$138.92	\$145.17	\$145.17
7	3M Scotchlite DG ³ . Sheeting Series 4091 (One color screening) County Route Marker (No Numbers)							
	18" x 18" x .080	0-1,000	Each	1	\$17.34	\$17.34	\$18.11	\$18.11
	24" x 24" x .080	0-1,000	Each	1	\$27.66	\$27.66	\$28.91	\$28.91
8	Custom signs with background By Square Foot							
	1 Color	0-1,000	Each	1	\$10.21	\$10.21	\$10.67	\$10.67
	2 Color	0-1,000	Each	1	\$10.72	\$10.72	\$11.20	\$11.20
	3 Color	0-1,000	Each	1	\$11.26	\$11.26	\$11.76	\$11.76
	4 Color	0-1,000	Each	1	\$11.82	\$11.82	\$12.35	\$12.35
9	Custom signs with background By Square Foot High Intensity Prismatic							
	1 Color	0-1,000	Each	1	\$9.76	\$9.76	\$10.19	\$10.19
	2 Color	0-1,000	Each	1	\$10.23	\$10.23	\$10.69	\$10.69
	3 Color	0-1,000	Each	1	\$10.75	\$10.75	\$11.23	\$11.23

	4 Color	0-1,000	Each	1	\$11.29	\$11.29	\$11.79	\$11.79
GROUP 3 TOTAL						\$1,907.18		\$1,991.45

GROUP 4 - SIGN BLANKS					YEAR ONE		YEAR ONE	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	.040 gal. Rectangle							
	48" x 18" x .040 Rectangle	0-250	Each	1	\$13.34	\$13.34	\$14.40	\$14.40
	48" x 30" x .040 Rectangle	0-250	Each	1	\$22.22	\$22.22	\$24.00	\$24.00
	60" x 30" x .040 Rectangle	0-250	Each	1	\$27.78	\$27.78	\$30.00	\$30.00
2	.080 gal. Diamond/Square/Rectangle							
	12" x 18" x .080 gal. Rectangle	0-500	Each	1	\$6.97	\$6.97	\$7.52	\$7.52
	18" x 18" x .080 gal. Diamond/Square	0-500	Each	1	\$10.20	\$10.20	\$11.08	\$11.08
	18" x 24" x .080 gal. Rectangle	0-500	Each	1	\$13.60	\$13.60	\$14.68	\$14.68
	24" x 24" x .080 gal. Diamond/Square	0-500	Each	1	\$18.12	\$18.12	\$19.56	\$19.56
	24" x 30" x .080 gal. Rectangle	0-500	Each	1	\$22.67	\$22.67	\$24.48	\$24.48
	24" x 48" x .080 gal. Rectangle	0-500	Each	1	\$36.27	\$36.27	\$38.81	\$38.81
	30" x 18" x .080 gal. Rectangle	0-500	Each	1	\$17.00	\$17.00	\$18.19	\$18.19
	30" x 30" x .080 gal. Diamond/Square	0-500	Each	1	\$28.34	\$28.34	\$30.32	\$30.32
	36" x 12" x .080 gal. Diamond/Square	0-500	Each	1	\$13.60	\$13.60	\$14.68	\$14.68
	36" x 20" x .080 gal. Rectangle	0-500	Each	1	\$22.67	\$22.67	\$24.48	\$24.48
	36" x 30" x .080 gal. Rectangle	0-500	Each	1	\$34.00	\$34.00	\$36.72	\$36.72
	36" x 36" x .080 gal. Diamond/Square	0-500	Each	1	\$40.79	\$40.79	\$44.06	\$44.06
	96" x 48" x .080 gal. Rectangle	0-500	Each	1	\$145.10	\$145.10	\$156.67	\$156.67
3	0.100 gal. Diamond/Square/Rectangle							
	48" x 48" x 0.100 gal Rectangle	0-500	Each	1	\$88.78	\$88.78	\$94.98	\$94.98
	60" x 30" x 0.100 gal Rectangle (no holes)	0-500	Each	1	\$69.36	\$69.36	\$74.21	\$74.21
4	Extruded Aluminum Blanks							
	20ft x 9"	0-500	Each	1	\$127.65	\$127.65	\$175.88	\$175.88
	20ft x 6"	0-500	Each	1	\$77.72	\$77.72	\$88.00	\$88.00
5	Stop Octagon Blanks							
	30" x 30"	0-500	Each	1	\$25.72	\$25.72	\$27.78	\$27.78
	36" x 36"	0-500	Each	1	\$37.04	\$37.04	\$39.98	\$39.98
	48" x 48"	0-500	Each	1	\$65.84	\$65.84	\$71.11	\$71.11
Group 4 Total						\$964.78		\$1,081.59

GROUP 5: ESCOSTRATE 100% RECYCLED MATERIAL SIGN BLANKS					YEAR ONE		YEAR TWO	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	.125 GAUGE Diamond/Square/Rectangle ESCOSTRATE							
	12" x 18" Rectangle	0-500	Each	1	\$7.72	\$7.72	\$8.11	\$8.11
	18" x 18" Diamond/Square	0-500	Each	1	\$11.59	\$11.59	\$12.16	\$12.16
	18" x 24" Rectangle	0-500	Each	1	\$15.45	\$15.45	\$16.22	\$16.22

	18" x 24" Rectangle	0-500	Each	1	\$15.45	\$15.45	\$16.22	\$16.22
	24" x 24" Diamond/Square	0-500	Each	1	\$20.61	\$20.61	\$21.64	\$21.64
	24" x 30" Rectangle	0-500	Each	1	\$25.76	\$25.76	\$27.05	\$27.05
	24" x 48" Rectangle	0-500	Each	1	\$41.22	\$41.22	\$43.28	\$43.28
	30" x 18" Rectangle	0-500	Each	1	\$19.32	\$19.32	\$20.29	\$20.29
	30" x 30" Diamond/Square	0-500	Each	1	\$32.20	\$32.20	\$33.81	\$33.81
	36" x 12" Rectangle	0-500	Each	1	\$15.45	\$15.45	\$16.69	\$16.69
	36" x 20" Rectangle	0-500	Each	1	\$25.76	\$25.76	\$27.05	\$27.05
	36" x 30" Diamond/Square	0-500	Each	1	\$38.64	\$38.64	\$40.57	\$40.57
	36" x 36" Diamond/Square	0-500	Each	1	\$46.37	\$46.37	\$48.19	\$48.19
	96" x 48" Rectangle	0-500	Each	1	\$164.86	\$164.86	\$173.10	\$173.10
2	Stop Octagon Blanks ECOSTRATE							
	30" x 30"	0-500	Each	1	\$32.20	\$32.20	\$33.81	\$33.81
	36" x 36"	0-500	Each	1	\$46.37	\$46.37	\$48.70	\$48.70
	48" x 48"	0-500	Each	1	\$82.43	\$82.43	\$86.55	\$86.55
GROUP 5 TOTAL						\$625.95		\$657.22

GROUP 6 - SIGN BLANK REFURBISHING					YEAR ONE		YEAR ONE	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Sign Blank Refurbishing	0-3,000	Sq. Ft	2000	\$3.89	\$7,780.00	\$4.08	\$8,160.00
GROUP 6 TOTAL						\$7,780.00		\$8,160.00

GROUP 7- SAFETY DEVICES AND EQUIPMENT					YEAR ONE		YEAR TWO	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Stop/Slow Paddle Silk screened over high intensity sheeting with wood handle 2" dia. (Round) 60" long 24" x 24" x 60"	0-150	Each	1	\$69.53	\$69.53	\$75.09	\$75.09
2	N.J. Type 3 Barricade with Diamond Grade sheeting #300-4-HI 4' panels 20 lb.	0-500	Each	1	\$148.67	\$148.67	\$156.10	\$156.10
3	Lifeguard channelizer barrels with rubber ballast collar with four (4) 6" high intensity alternating orange and white horizontal stripes	0-1,000	Each	1	\$55.70	\$55.70	\$58.00	\$58.00
4	Energite III Inertial Barrier System							
	Model 2	0-50	Each	1	\$395.00	\$395.00	\$425.00	\$425.00
	Model 4	0-50	Each	1	\$395.00	\$395.00	\$425.00	\$425.00
	Model 7	0-50	Each	1	\$395.00	\$395.00	\$425.00	\$425.00
	Model 14	0-50	Each	1	\$395.00	\$395.00	\$425.00	\$425.00
	Model 21	0-50	Each	1	\$395.00	\$395.00	\$425.00	\$425.00
5	Traffic Cones Lakeside 28" 10 lb. base #2825-10 with 6" and 4" white reflective collars high intensity sheeting	0-2,000	Each	1	\$22.20	\$22.20	\$23.98	\$23.98

6	Class #2 Safety Vest (color safety green)	0-2000	Each	1	\$14.90	\$14.90	\$16.00	\$16.00
	Class #3 Safety Vest (color safety green)	0-2000	Each	1	\$18.74	\$18.74	\$20.23	\$20.23
7	Red Safety Flags 24" x 24" with 36" wood handle	0-500	Each	1	\$5.25	\$5.25	\$5.67	\$5.67
8	ADA Compliant A Frame Type II Barricades with I Beamor with Extruded Boards	0-200	Each	1	\$105.80	\$105.80	\$111.10	\$111.10
9	Roll up signs							
	Signs 36"	0-200	Each	1	\$66.30	\$66.30	\$69.60	\$69.60
	Signs 48"	0-200	Each	1	\$98.40	\$98.40	\$103.30	\$103.30
10	Windmaster sign stands							
	#4860	0-100	Each	1	\$214.20	\$214.20	\$224.90	\$224.90
	#4818	0-100	Each	1	\$171.10	\$171.10	\$179.65	\$179.65
	#SST501SS	0-100	Each	1	\$121.70	\$121.70	\$127.80	\$127.80
	#SST4818K	0-100	Each	1	\$171.00	\$171.00	\$179.65	\$179.65
11	MiniCade barricade #155-12 with high intensity sheeting both sides 13" x 36"	0-200	Each	1	\$65.28	\$65.28	\$70.50	\$70.50
12	All Purpose safety fence	0-100	Each	1	\$18.00	\$18.00	\$19.45	\$19.45
13	Reflective Fencing with 3 reflective bands R3 1" wide. 4' x 50' Roll	0-100	Each	1	\$349.40	\$349.40	\$366.70	\$366.70
14	Solar assist high intensity type B light	0-500	Each	1	\$115.00	\$115.00	\$124.20	\$124.20
GROUP 7 TOTAL						\$3,806.17		\$4,056.92

GROUP 8- SIGNING HARDWARE AND EQUIPMENT					YEAR ONE		YEAR TWO	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Stainless steel banding band-it brand #C-206 3/4x100'x0.30 ga.	0-50	Each	1	\$50.41	\$50.41	\$55.45	\$55.45
2	Banding buckles Band-it brand #C-256 3/4" 100/box	0-50	Each	1	\$36.21	\$36.21	\$38.00	\$38.00
3	Banding tools band-it brand Standard strapping tool #C001	0-25	Each	1	\$75.60	\$75.60	\$81.60	\$81.60
4	Sign Mounting aluminum interlocking bracket for round post 2 - 3/8" with (hardware)							
	5/16 x 5/8 bolt & nut	0-1,000	Each	1	\$0.38	\$0.38	\$0.41	\$0.41
	5/16x1-3/4 bolt & nut Model #2-238	0-1,000	Each	1	\$4.91	\$4.91	\$5.16	\$5.16
5	Style-GS-12 Bolt thru Brackets for flat or extruded signs	0-1,000	Each	1	\$11.90	\$11.90	\$12.49	\$12.49
6	Introducing the GS-12 Bolt Thru Bracket for Round, Square, or U-channel post	0-1,000	Each	1	\$11.90	\$11.90	\$12.49	\$12.49
	GS-12 F/X Cap 2 1/2 O.D. Round Posts	0-1,000	Each	1	\$11.90	\$11.90	\$12.49	\$12.49
	GS-12 SQ. F/X Cap 2"x2" Square Post	0-1,000	Each	1	\$11.90	\$11.90	\$12.49	\$12.49
	GS-12 Bolt thru cross	0-1,000	Each	1	\$11.90	\$11.90	\$12.49	\$12.49
7	Metro wing bracket Model #800 24" x 8-3/4"	0-150	Each	1	\$19.92	\$19.92	\$20.94	\$20.94

8	5/16" aluminum carriage bolt various lengths							
	5/16"x2"	0-2,000	Each	1	\$0.65	\$0.65	\$0.71	\$0.71
	5/16"x2.5"	0-2,000	Each	1	\$0.79	\$0.79	\$0.86	\$0.86
	5/16"x3"	0-2,000	Each	1	\$0.87	\$0.87	\$0.95	\$0.95
	5/16"x3.5"	0-2,000	Each	1	\$1.07	\$1.07	\$1.17	\$1.17
9	Square tube sign support fasteners - heavy hex jam nut Telespar Part TL062	0-20,000	Each	1	\$0.11	\$0.11	\$0.12	\$0.12
10	Square tube sign support fasteners 3/8" diameter large head drive rivets Telespar Part TL3806	0-20,000	Each	1	\$0.69	\$0.69	\$0.72	\$0.72
11	Square tube sign support accessories and fittings - drive cap 2" X 2" Telespar Part TL220	0-5	Each	1	\$185.00	\$185.00	\$203.50	\$203.50
12	Square tube sign support accessories and fittings - Pneumatic drive cap 1-1/4" x 6" hex shank for 2" x 2" square posts	0-20	Each	1	\$146.80	\$146.80	\$161.45	\$161.45
13	Fittings 1 1/8" x 6" hex Shank	0-20	Each	1	\$146.80	\$146.80	\$161.45	\$161.45
14	Fittings 1" x 6" hex Shank	0-20	Each	1	\$140.40	\$140.40	\$154.45	\$154.45
15	Chevron bracket CAB-2 18" x 24" and 24" x 30"	0-1,000	Each	1	\$56.70	\$56.70	\$59.50	\$59.50
16	Square tube sign support fasteners - corner bolt 2-1/4"sq.x2-1/4"sq. Telespar Part TL070	0-20,000	Each	1	0.74	\$0.74	0.78	\$0.78
GROUP 8 TOTAL						\$927.55		\$1,009.67

GROUP 9- SIGN SUPPORTS					YEAR ONE		YEAR TWO	
ITEM	DESCRIPTION	QUANTITY RANGE	UNIT	EST QTY	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	Square tube sign support anchor post 2-1/4"x2-1/4"x3' Penetrator	0-6,000	Each	1	\$21.86	\$21.86	\$22.95	\$22.95
2	Additional linear foot cost for powder coating for 2"x 2" post	0-100	Each	1	\$5.90	\$5.90	\$6.10	\$6.10
3	Square Tube Sign Support Post 14 Gauge							
	2" x 2" x 7'	0-1,000	Each	1	\$33.67	\$33.67	\$35.36	\$35.36
	2" x 2" x 8'	0-1,000	Each	1	\$38.48	\$38.48	\$40.40	\$40.40
	2" x 2" x 9'	0-1,500	Each	1	\$43.29	\$43.29	\$45.44	\$45.44
	2" x 2" x 10'	0-3,000	Each	1	\$48.10	\$48.10	\$50.51	\$50.51
	2" x 2" x 11'	0-3,000	Each	1	\$52.91	\$52.91	\$55.56	\$55.56
	2" x 2" x 12'	0-500	Each	1	\$57.72	\$57.72	\$60.61	\$60.61
4	Rib Bak U-Channel Galvanized Sign Supports							
	SP-80 2LB - 7'	0-1,000	Each	1	\$17.12	\$17.12	\$17.98	\$17.98
	SP-80 2LB - 8'	0-1,000	Each	1	\$19.57	\$19.57	\$20.54	\$20.54
	SP-80 2LB - 9'	0-1,000	Each	1	\$22.02	\$22.02	\$23.11	\$23.11
	SP-80 2LB - 10'	0-1,000	Each	1	\$24.46	\$24.46	\$25.68	\$25.68
	SP-80 2LB - 11'	0-1,000	Each	1	\$26.91	\$26.91	\$28.25	\$28.25
	SP-80 2LB - 12'	0-1,000	Each	1	\$29.36	\$29.36	\$30.82	\$30.82
	SP-80 3LB - 4'	0-3,000	Each	1	\$14.67	\$14.67	\$15.40	\$15.40
GROUP 9 TOTAL						\$456.04		\$478.71

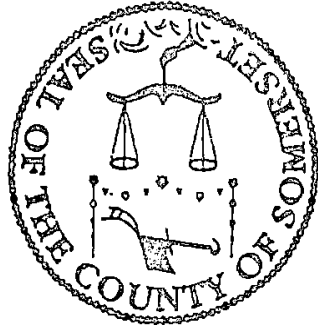
GROUP 10 OPEN END - CATALOGUE, PRICE LIST PURCHASES	YEAR ONE	YEAR TWO
OPEN END - CATALOGUE, PRICE LIST PURCHASES		
Discount Offered:	6.5%	6.5%
Description of catalogs(s) enclosed, manufacturer, date, price list offered:	Garden State Highway Product, Inc. Catalog	Garden State Highway Product, Inc. Catalog

Gold Type Business 351 Paterson Avenue East Rutherford, NJ 07073 201-935-5090		
GROUP 10 OPEN END - CATALOGUE, PRICE LIST PURCHASES	YEAR ONE	YEAR TWO
OPEN END - CATALOGUE, PRICE LIST PURCHASES		
Discount Offered:	10%	10%
Description of catalogs(s) enclosed, manufacturer, date, price list offered:	Vigilant Road Safety Cameras	Vigilant Road Safety Cameras

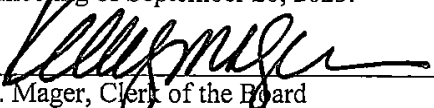
Traffic and Parking Control Co. Inc. 5100 W. Brown Deer Road Brown Deer, WI 53223		
GROUP 10 OPEN END - CATALOGUE, PRICE LIST PURCHASES	YEAR ONE	YEAR TWO
OPEN END - CATALOGUE, PRICE LIST PURCHASES		
Discount Offered:	15%	15%
Description of catalogs(s) enclosed, manufacturer, date, price list offered:	Tapconet.com	Tapconet.com

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Somerset that the bids as submitted by the above named vendors be and are hereby accepted for the second year of a two year contract; and

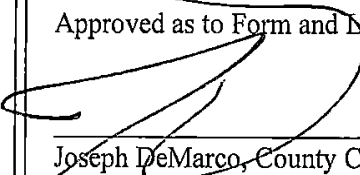
BE IT FURTHER RESOLVED by the Board of Commissioners of the County of Somerset that the Director and Clerk of the Board are hereby authorized to execute the proper contracts and the Purchasing Agent is hereby authorized to issue Purchase orders as deemed necessary per bid proposals and specifications approved as to form by County Counsel.



I, Kelly L. Mager, Clerk of the Board of County Commissioners of the County of Somerset in the State of New Jersey, do hereby certify that the foregoing is a true copy of a Resolution adopted by said Board of County Commissioners at its regular meeting of September 26, 2023.


Kelly L. Mager, Clerk of the Board

Approved as to Form and Legality


Joseph DeMarco, County Counsel

ITEM NUMBER: A- 8

ITEM NAME: Authorization to Approve Award of Contract to First Student Inc .for
Summer Camp Trip Transporation Services for the Recreation
Department of the City of Clifton (R307)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
☐	Memo from Recreation Supervisor	6/14/2024	Cover Memo
☐	Memo From Purchasing Agent	6/14/2024	Cover Memo

Recreation Department

Interoffice Memorandum

TO: Amisha Jariwala, Purchasing Agent

FROM: Debbie J. Oliver, Recreation Supervisor

DATE: May 30, 2024 (Updated 6/5/2024)

RE: Summer Program Trip Transportation/ Bus Service

We solicited three (3) companies for price quotes for summer camp trip transportation for the 2024 summer program trip program. The only transportation company that submitted a proposal was First Student, Inc.

The other companies we contacted were:

Trans Ed – 2 Industrial Plaza, Paterson, NJ 07503

**Student Transportation of America – 3349 Highway 138 Building A, Suite C
Wall Township, NJ 07719**

They both replied that they were not available this summer.

The total cost of the transportation service for the summer would be \$22,903.01 (this may be reduced based on the number of campers attending the field trips). The funds to cover the transportation of the scheduled trips is factored into the fees paid by the attending participants and will be taken from the Recreation Summer Trust account # 15-296-56-005-006 and will not impact the operating budget

If you have any questions or concerns, please contact me at doliver@cliftonnj.org or at extension 5956.



City of Clifton
Finance Department

INTEROFFICE MEMORANDUM

To: Dominick Villano, City Manager
From: Amisha J. Jariwala, QPA
Date: June 14, 2024
Re: Award Contract to First Student Inc for the Summer Program Transportation Services

I am writing to formally recommend awarding the contract for Summer Program Trip Transportation/Bus Services to First Student Inc.

The Recreation Department requires reliable transportation services for our Summer Program trips. As part of the procurement process, Recreation Supervisor approached three companies:

1. **First Student Inc.**
2. **Trans Ed**
3. **Student Transportation of America**

Unfortunately, both Trans Ed and Student Transportation of America have informed us that they are unavailable to provide services for this summer season. This leaves First Student Inc. as the only available and qualified vendor to meet our transportation needs.

First Student Inc. located at 600 Vine Street Cincinnati OH 45202 has a proven track record of providing safe and reliable transportation services, hence, to award a contract for not to exceed amount of \$22,903.01 with a properly executed purchase order for year 2024. They are well-equipped to handle the requirements of our Summer Program, ensuring timely and secure transportation for our participants.

A memo from the Recreation Supervisor is attached.

A Resolution appears on the agenda.

Respectfully Submitted,
Amisha J. Jariwala, QPA
Qualified Purchasing Agent

ITEM NUMBER: A- 9

ITEM NAME: Authorization to Approve Permission to Advertise Request for Proposal via Competitive Contracting for Electronic Recycling Waste Services for the City of Clifton (R308)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo From Purchasing Agent	6/14/2024	Cover Memo



City of Clifton *Finance Department*

INTEROFFICE MEMORANDUM

To: Dominick Villano, City Manager

From: Amisha J. Jariwala, QPA

Date: June 14, 2024

Re: Authorization to Advertise Request for Proposals (RFP) for Electronic Recycling Waste Services for The City of Clifton via Competitive Contract Pursuant to N.J.S.A:40A:11- 4.1 et seq.

I am writing to request authorization to advertise a Request for Proposals (RFP) for Electronic Recycling Waste Services via competitive contracting pursuant to N.J.S.A. 40A:11-4.1 et seq.

The City of Clifton is committed to promoting environmentally responsible waste management practices. Proper disposal and recycling of electronic waste (e-waste) is a critical component of our environmental sustainability efforts. To ensure the effective and efficient recycling of electronic waste, we need to engage a qualified service provider through a competitive contracting process.

I am seeking your authorization to proceed with the following steps:

1. **Advertise the RFP:** Publish a notice inviting proposals from qualified vendors in accordance with the legal requirements and the City's procurement policies.
2. **Develop Evaluation Criteria:** Establish criteria for evaluating the proposals, including cost, vendor experience, technical approach, and service capabilities.
3. **Review and Select Vendor:** Form an evaluation committee to review the proposals and select the most qualified vendor to provide electronic recycling waste services.

Your approval will allow us to initiate this essential process and ensure that the City of Clifton continues to uphold its environmental responsibilities.

Please let me know if you require any additional information or have any questions regarding this request.

A Resolution appears on the Agenda.

Respectfully Submitted,
Amisha J. Jariwala, QPA
Qualified Purchasing Agent

ITEM NUMBER: A- 10

ITEM NAME: Authorization to Approve Stormwater Control Ordinance Amendment (O7921)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo	6/10/2024	Cover Memo



City of Clifton

LAW DEPARTMENT
900 CLIFTON AVENUE
CLIFTON, NEW JERSEY 07013

(973) 470-5817
FAX: (973) 470-5254

June 10, 2024

Mayor Raymond Grabowski & Members of
the Clifton Municipal Council
City Hall - 900 Clifton Avenue
Clifton, New Jersey 07013

Re: Stormwater Control Ordinance Amendment

Dear Mayor Grabowski and Members of the Municipal Council:

The New Jersey Department of Environmental Protection has promulgated a revised model stormwater ordinance that the City must adopt in order to maintain its Tier A Municipal Stormwater Permit. The changes are minor and mostly update links to websites and reorganize the requirements. A revised ordinance appears on the agenda for introduction.

Thank you for your consideration in this matter.

Very truly yours,

/s/ Andrew P. Oddo

ANDREW P. ODDO
First Assistant Municipal Attorney

APO/kmk
Enc.

ITEM NUMBER: A- 11

ITEM NAME: Authorization to Approve Underground Storage Tank Insurance Policy
Renewal - Rivington Partners (R311)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Memo	6/12/2024	Cover Memo



City of Clifton

LAW DEPARTMENT
900 CLIFTON AVENUE
CLIFTON, NEW JERSEY 07013

(973) 470-5817
FAX: (973) 470-5254

June 12, 2024

Mayor Raymond Grabowski & Members of
the Clifton Municipal Council
City Hall - 900 Clifton Avenue
Clifton, New Jersey 07013

Re: **Underground Storage Tank Insurance Policy Renewal**

Dear Mayor Grabowski and Members of the Municipal Council:

The City of Clifton's Underground Storage Tank Insurance Policy expires August 6, 2024. The City's Insurance Broker, Polaris Galaxy Group, solicited quotes for renewal and recommends that the City renew its policy with the current carrier, Rivington Partners, as set forth in the attached letter from Justin Gallo dated June 12, 2024. A resolution authorizing the renewal of this policy appears on the agenda.

Thank you for your consideration in this matter.

Very truly yours,

/s/ Andrew P. Oddo

ANDREW P. ODDO
First Assistant Municipal Attorney

APO/kmk
Enc.



June 12th, 2024

City of Clifton
Mayor Ray Grabowski & Members of
the Clifton Municipal Council
900 Clifton Avenue,
Clifton, NJ 07013

RE: 2024-2025 Underground Storage Tank Renewal on 8/7/2024

Dear Mayor Grabowski and Members of the Municipal Council:

We received quotes from Rivington, Ironshore, and Axon. We received a declination from Great American.

The underground and above ground storage tank market remains a tough environment. Many carriers are either fully excluding Underground Storage Tank coverage, placing very large deductibles, or decreasing coverage limits for older UST's.

We were able to secure renewal terms from the current carrier Rivington at no increase in premium. The renewal premium would be as expiring at \$10,350. The deductible will increase from \$25,000 to \$50,000, but all terms will remain the same. The next best option we received was from Ironshore, although they would place a \$500,000 deductible on any claims stemming from an Underground Tank. Also, their claims expense limit is only \$250,000 compared to the \$1,000,000 with Rivington. The premium would be \$12,891.48 compared to the renewal at \$10,350.

Our offices highly recommend binding the \$1,000,000 / \$50,000 policy with Rivington for \$10,350.00 effective 8/7/2024. To bind, we would need:

- 1.) Your confirmation to do so.
- 2.) Signed TRIA form (attached in email)
- 3.) Signed App (attached in email)
- 4.) Most Recent UST Tank Tightness Test Results (ATG system Continuous Statistical Leak Detection (CSLD) tapes acceptable)

Please review the attached and let me know if you have any questions.

Thank you,

Justin Gallo

Justin Gallo

City of Clifton - UST Renewal
8/7/2024-8/7/2025

	Rivington Expiring Quote 2023		Rivington Expiring Quote 2024	Ironshore	Great American	Axon
	\$1MIL Limits		\$1MIL Limits	\$1MIL Limits	DENIED	
Covered Location Pollution Liability Per Pollution Condition	\$1,000,000		\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Covered Location Pollution Liability Aggregate	\$1,000,000		\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
DEDUCTIBLE	\$25,000		\$50,000 All Tanks	\$25,000	\$50,000	\$25,000
				\$500k on UST Events		
Claims Expense	\$1,000,000		\$1,000,000	\$250,000		
Renewal Premium	\$10,350.00		\$10,350.00	\$12,891.48	\$20,000-\$25,000	\$31,000 + Tax & Fees
Includes Surcharges/Assessments/Taxes						
					Cannot consider both tanks.	
					900 Clifton is too old for standards.	
					Would have to put two policies in place	

ITEM NUMBER: A- 12

ITEM NAME: Authorization to Approve Amending Tree Ordinance

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo	6/12/2024	Cover Memo



City of Clifton

LAW DEPARTMENT
900 CLIFTON AVENUE
CLIFTON, NEW JERSEY 07013

(973) 470-5817
FAX: (973) 470-5254

June 12, 2024

Mayor Raymond Grabowski & Members of
the Clifton Municipal Council
City Hall - 900 Clifton Avenue
Clifton, New Jersey 07013

Re: **Amended Tree Ordinance**

Dear Mayor Grabowski and Members of the Municipal Council:

The NJ DEP is requiring the City to update its tree ordinance. The DEP has a model ordinance (attached) that differs from the City's current ordinance in ways that would make it difficult for the City to comply with. I conferred with the City Engineer, DPW Director and the DEP in an effort to come up with an alternative model which would satisfy the DEP but not dramatically change the way the City currently operates. We have arrived at a solution which I feel achieves this goal.

Currently, Article V of our Tree Ordinance (the full ordinance is attached, Article V starts on page 7) applies to all new subdivisions, site plans and new construction. However, the article does not apply to additions or alterations to existing one and two family residences on lots with areas of 9,375 sq. ft. or less (this sentence is underlined on page 8). If we delete this exemption the DEP will approve our ordinance. In speaking with the City Engineer and DPW Director, deleting the exemption will not change or interrupt the way in which the City currently operates. This would also avoid having to implement the more complicated procedures suggested by the DEP (highlighted on page 5 of the DEP model). Therefore, I recommend that the City amend its current tree ordinance to remove the one and two family home exemption from Article V. An amended ordinance appears on the agenda for introduction.

Thank you for your consideration in this matter.

Very truly yours,

/s/ Andrew P. Oddo

ANDREW P. ODDO
First Assistant Municipal Attorney

APO/kmk
Enc.

City of Clifton, NJ
Friday, June 7, 2024

Chapter 433. Trees and Shrubbery

[HISTORY: Adopted by the Municipal Council of the City of Clifton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Brush, weeds, uncut grass and debris — See Ch. 175.

Article I. Tent Caterpillars

[Adopted 12-20-1960 by Ord. No. 3319 as Article II of Chapter 18 of the Revised Ordinances of the City of Clifton, New Jersey, 1960]

§ 433-1. Existence unlawful.

It shall be unlawful for the owner or occupant of any lands within the limits of the City to permit tent caterpillars or tent caterpillar nests to exist in the trees, undergrowth or shrubbery of such premises.

§ 433-2. Enforcement; notice of violation.

- A. It shall be the duty of the City Engineer to enforce the provisions of this article.
- B. If a violation of § 433-1 is deemed to exist, the City Engineer shall give or cause to be given written notice to the owner and occupant of said premises to remove and destroy the tent caterpillars or tent caterpillar nests within three days after service of the notice. Such notice may be served in person or by registered or certified mail, and, if by registered or certified mail, service shall be deemed completed three days after being mailed to the last known address of the owner and occupant. If said owner does not reside in the City and when service is by mailing, then, on the same day as mailed, a copy of said notice shall be posted at the premises where the alleged violation is deemed to exist.

§ 433-3. Failure to comply.

If the owner or occupant shall fail to remove the tent caterpillars or tent caterpillar nests within the time required by the notice referred to in § 433-2, then the same shall be removed and destroyed by or under the direction of the City Engineer. The City Engineer shall certify the costs and expenses of such removal and destruction, as nearly as can be ascertained, to the City Council. The Council shall examine the certificate and, if found correct, shall cause the cost as shown thereon to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands. Such lien shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

§ 433-4. Collection of penalty and costs.

The imposition and collection of the penalty imposed by this article shall not bar the right of the City to collect the cost of removal of such tent caterpillars or nests of tent caterpillars in the manner authorized in § 433-43, but the remedy shall be cumulative.

§ 433-5. Violations and penalties.

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$25 for each offense.

Article II. Plant Life Near Roadways

[Adopted 12-20-1960 by Ord. No. 3319 as Article 1 of Chapter 28 of the Revised Ordinances of the City of Clifton, New Jersey, 1960]

§ 433-6. Definitions.

[Amended 11-21-1967 by Ord. No. 3803]

As used in this article, the following terms shall have the meanings indicated:

PLANT LIFE

Includes any plant, hedge, brush or other plant life on lands within the City.

RAILROAD GRADE CROSSING

The meaning respectively ascribed to it in Chapter 12 of Title 48 of the Revised Statutes of New Jersey.

[Added 6-15-1982 by Ord. No. 4718-82]

STREET or HIGHWAY

The meanings respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey.

§ 433-7. Legislative declaration.

[Amended 11-21-1967 by Ord. No. 3803; 6-15-1982 by Ord. No. 4718-82]

The Council hereby finds and declares that plant life growing within 10 feet of any street or highway or within 50 feet of the intersection of two or more streets, highways or a railroad grade crossing may cause traffic and safety hazards and may be detrimental to the public welfare unless the same are trimmed as provided in this article.

§ 433-8. Trimming required after notice.

[Amended 11-21-1967 by Ord. No. 3803; 6-15-1982 by Ord. No. 4718-82]

Any plant life growing within 10 feet of any street or highway or growing within 50 feet of the intersection of any two or more streets or highways or of a railroad grade crossing on lands within the City shall be trimmed or cut to a height of not more than two feet within 10 days after notice from the City Engineer, as hereafter provided in this article.

§ 433-9. Engineer to have authority to compel trimming.

The City Engineer shall have the power and authority to compel the trimming and cutting of any plant life growing within the limits stated in § 433-8 to a height of not more than 2 1/2 feet whenever, in his

judgment, he shall deem it necessary for the elimination of a traffic or safety hazard or he determines such growth of more than 2 1/2 feet in height is detrimental to the public safety.

§ 433-10. Notice to owners and tenants.

The City Engineer shall give or cause to be given 10 days' written notice to the owners of any lands upon which said plant life is growing and to the tenants in possession, if any, of such lands to cut, before the expiration of such ten-day period, the plant life growing within the limits stated in § 433-8 to a height of not more than 2 1/2 feet. Such notice may be given by registered or certified mail, addressed to the last known address of said owners and tenants.

§ 433-11. Failure to comply.

If, by the end of the ten-day period referred to in § 433-10, the owner or tenant shall have neglected or refused to cut the plant life in accordance with the notice, it shall be lawful, at the expiration of such period, for City employees, under the direction of the City Engineer, to cut the same. The City Engineer shall certify the cost thereof to the Council. Upon receipt of the certificate, the Council shall examine the same and, if found correct, shall cause the cost as shown thereon to be charged against said lands. If such cost is found to be excessive, the Council shall cause the reasonable cost thereof to be charged against said lands. The amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands. Such amount shall bear interest at the same rate as other taxes and shall be collected and enforced by the same officer and in the same manner as taxes.

§ 433-12. Construal of provisions.

Nothing contained in this article shall be construed as repealing or in any wise affecting the provisions of Chapter 175, Brush, Weeds and Debris.

§ 433-13. Violations and penalties.

[Amended 5-9-1969 by Ord. No. 3912; 3-17-1970 by Ord. No. 3969]

Every owner or tenant who shall refuse or neglect to cut or trim any plant life in the manner and within the time provided in the notice given by the City Engineer or who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$500 or by imprisonment for a term not exceeding 90 days, or both.

Article III. Shade Trees, Ornamental Trees and Shrubs

[Adopted 12-20-60 by Ord. No. 3319 as Article 2 of Chapter 28 of the Revised Ordinances of the City of Clifton, New Jersey, 1960]

§ 433-14. Certain acts prohibited without permission.

No person shall do or cause to be done any of the following acts within or along any public street or park without the written permission of the Director of the Division of Public Works:

- A. Cut, prune, break, injure or remove any healthy tree, shrub or plant.
- B. Cut or unduly disturb or interfere with, in any way, any root of any healthy tree, shrub or plant.

- C. Spray with chemical any tree, shrub or plant.
- D. Fasten any rope, wire, sign or other device to any tree or shrub or to any guard around or protecting any tree or shrub.
- E. Remove or damage any guard or device protecting any tree or shrub.
- F. Close or obstruct any open space provided about the base of trees or shrubs, which open space permits the access of air, water or fertilizer to the roots thereof.

§ 433-15. Permit required for planting.

[Amended 1-15-2008 by Ord. No. 6713-08]

No shade or ornamental tree or shrub shall be planted in or along any public street or park until such tree or shrub shall have been first approved for planting and the place where it is to be planted designated by the Director of the Division of Public Works and a permit granted therefor. Application shall be made to the Director of Public Works, together with an application fee of \$10 payable to the City of Clifton.

§ 433-16. Compliance with regulations and specifications required.

[Amended 11-4-70 by Ord. No. 4015-70]

Any work performed under such written permit shall be in accordance with the terms and conditions set forth in such permit and in accordance with the following regulations and specifications:

- A. The following shade or ornamental trees are approved for planting in or along any public street or park, namely: pin oak, red oak, scarlet oak, London plane, sweet gum, moraine sugar maple, Norway maple, moline elm, sycamore, green spire linden, kwanson cherry and Pyrus calleryana (Bradford pear).
[Amended 9-4-2012 by Ord. No. 7049-12]
- B. No shade or ornamental tree shall be planted unless nursery-grown and at least two inches in diameter at a height of 12 inches from the ground.
- C. No shade or ornamental tree so planted shall have a crooked or bent trunk or more than one leader or main trunk.
- D. All trees planted shall have at least two stakes for support.
- E. No shade or ornamental tree whose lowest limbs or branches extend onto or over a public street shall have its lowest limbs or branches less than 12 feet above such street.
- F. Any person engaged in the pruning of shade or ornamental trees in or along any public street or park shall apply the correct and required pruning techniques and methods in cutting, painting of wounds and sterilization of pruning tools and equipment.

§ 433-17. Permission required to impede access to roots; open area to be maintained.

- A. It shall be unlawful for any person, except with the written permission of the Director of Public Works, to place or maintain, or cause to be placed or maintained, upon the ground in or along any public street or park any stone, concrete, cement or other substance which impedes the free access of air and water to any roots of a tree or shrub located in any such public street or park.

- B. Unless otherwise provided for in said written permit, an open area shall always be maintained around any tree planted along a public street, which area shall consist of at least eight linear feet parallel to the curb, by at least three linear feet between the curb and sidewalks.

§ 433-18. Prohibited acts.

- A. No person shall place or cause to be placed any salt, brine, oil or other substance injurious to plant growth in or upon any public street or park in such a manner as to injure any tree or shrub growing thereon.
- B. No person shall build any fire or station any tar kettle, road roller or other engine or machine in or upon any public street or park in such a manner as to permit the heat, vapors or fumes emanating therefrom to injure any tree or shrub growing in or along such street or park.
- C. Steam shovels and all other implements, machines and tools shall be used or operated in such a manner as not to damage or destroy any tree, shrub or plant in or along any public street or park.

§ 433-19. Tree guards.

In the erection, moving, alteration or repairing of any building or structure, the owner or contractor performing the work shall place guards around all trees in the vicinity of such work so as to effectively prevent damage or injury to the trees.

§ 433-20. Permission required to excavate.

No person shall do any excavating within two feet of any tree or shrub standing or growing along or in any public street or park without the written permission of the Director of the Division of Public Works.

§ 433-21. Maintenance of wires.

Every person having or maintaining any electric telephone, telegraph or other wires running over, along or through a public street or park shall:

- A. Securely fasten and maintain the wires in such a manner as to safeguard the trees and shrubs against any damage therefrom.
- B. Make periodic adjustments, when necessary, to prevent damage to trees and shrubbery growing in or along any public street or park.

§ 433-22. Permission required to attach wires.

No person shall attach or fasten any wire, insulator or other device for holding any wire to any tree or shrub in or along any public street or park without the written permission of the Director of the Division of Public Works.

§ 433-23. Removal of wires for pruning.

- A. When it shall become necessary to prune or remove any tree in or along any public street or park, any person having wires running through said public street shall temporarily remove the wires within 48 hours after service of a written notice from the Director of the Division of Public Works upon the owner of the wire or his agent.

- B. Any utility company, instead of temporarily removing such wires, shall have the option of pruning or removing the tree to below the level of the wires. Such tree pruning or removal shall be done under the direction of the Director of the Division of Public Works or any competent agent or employee of the City assigned by the Director.

§ 433-24. Cutting down of trees or shrubs restricted.

- A. No tree or shrub in or along any public street or park shall be cut down unless it shall be diseased, dead or dangerous to public health or safety.
- B. When any tree or shrub, other than one diseased, dead or dangerous to the public health or safety, imposes a hardship upon the adjoining property owner, but not the public, the Director of the Division of Public Works may approve the removal thereof, and the property owner shall be responsible for the replacement of the tree or shrub.
[Amended 2-4-1986 by Ord. No. 5051-86; 1-16-1996 by Ord. No. 5783-96]
- C. A tree or shrub shall constitute a hardship to the adjoining property owner if:
[Added 12-1-1998 by Ord. No. 6015-98]
- (1) It requires the adjoining property owner to have the sidewalk lifted or replaced more than once in a five-year period;
 - (2) It interferes with the sewer line for a second time within a five-year period; and
 - (3) The cost of the same to the property owner exceeds \$500.

§ 433-25. Procedure for removal of trees; fees.

[Amended 2-4-1986 by Ord. No. 5051-86; 1-16-1996 by Ord. No. 5783-96; 10-6-1998 by Ord. No. 6001-98; 12-1-1998 by Ord. No. 6015-98; 6-19-2007 by Ord. No. 6669-07]

- A. Any property owner with reason to believe that a tree or shrub growing in or along any public street is diseased, dead or dangerous to the public health or safety, or constitutes a hardship to the adjacent property owner, shall request the Department of Public Works to remove the tree, setting forth the reasons therefor. Upon receipt of such request from the property owner, the Department of Public Works shall conduct an inspection in order to confirm that such tree or shrub is in fact diseased, dead or dangerous to the public health or safety or constitutes a hardship to the adjacent property owner. Upon confirmation that such tree or shrub is diseased, dead or dangerous to the public health or safety, or constitutes a hardship to the adjacent property owner, the Director of Public Works shall cause such tree or shrub to be removed, and the property owner shall be responsible for the replacement of the tree or shrub.
- B. Tree removal permit:
[Amended 1-2-2008 by Ord. No. 6711-08; 4-16-2008 by Ord. No. 6733-08]
- (1) Any property owner cutting down any tree in excess of six inches in diameter on the property but not within the right-of-way shall request a permit from the Director of Public Works for the removal of said tree.
 - (2) The fee for a tree removal permit shall be \$30.
[Amended 1-5-2009 by Ord. No. 6788-09]
 - (3) The Director of Public Works shall have the discretion to waive the fee for a tree removal permit where such permit is requested within five days of a storm for a downed tree relating to the storm.
- C. The City of Clifton shall remove any tree in excess of six inches in diameter from curbside if the work is performed by the property owner. If the tree is cut down by a contractor, the contractor shall

be responsible for the removal of the same. In order for the City of Clifton to be responsible for the removal, the City of Clifton shall be notified by the property owner on the day the work is being performed in order for the City of Clifton to verify the party doing the work.

§ 433-26. Violations and penalties.

[Amended 10-18-1988 by Ord. No. 5302-88; 10-16-2012 by Ord. No. 7057-12]

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$1,250. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Article IV. Spraying

[Adopted 12-20-60 by Ord. No. 3319 as Article 3 of Chapter 28 of the Revised Ordinances of the City of Clifton, New Jersey, 1960]

§ 433-27. Application for spraying; release required.

Upon application of any owner or occupant of any property within the City to spray trees on such property and upon the applicant's execution and delivery of the release hereinafter described in § 433-29, the City Engineer may cause such trees to be sprayed.

§ 433-28. Fee.

The application shall be accompanied by a fee of \$0.50 for each tree to be sprayed.

§ 433-29. Form of release.

The release described in § 433-27 shall run in favor of the City and all its officers or employees, and shall release them and each of them of and from any and all liability for injuries or damages arising out of the spraying of such trees.

Article V. Tree Removal and Protection

[Adopted 12-3-2002 by Ord. No. 6320-02]

§ 433-30. Title.

This article shall be known as the "Tree Removal and Protection Ordinance of the City of Clifton."

§ 433-31. Findings and purpose.

The Mayor and Municipal Council of the City of Clifton finds that the preservation, protection and planting of trees aids in the stabilization of soil by the prevention of erosion and sedimentation; reduces stormwater runoff and the potential damage it may create; aids in the removal of pollutants from the air and assists in the generation of oxygen; provides a buffer and screen against noise and pollution; provides protection against severe weather; aids in the control of drainage and restoration of denuded soil subsequent to construction or grading; provides a haven for birds and other wildlife and otherwise

enhances the environment; protects and increases property values; conserves and enhances the City's physical and aesthetic appearance; and generally protects the public health and safety as well as the general welfare.

§ 433-32. Definitions.

The following definitions shall apply to this article:

MAJOR TREE

A deciduous tree with a mature height of at least 20 feet which shall be of a caliper of at least 2 1/2 inches measured 4 1/2 feet above the ground when planted (e.g., red, Norway, silver or sugar maple; sweetgum; London plane; American sycamore; white, red or pin oak; American elm; yellow or white poplar; or copper beech, and such other species as requested by applicant, all of the aforesaid species to be approved by the administration official in charge of enforcement of this article).

MINOR TREE

An evergreen tree, ornamental tree or other small tree at least six feet in height at time of planting (e.g., birch, dogwood, Japanese maple, cherry, crab apple, magnolia, Bradford pear, willow, cedar, spruce, pine, fir or hemlock, and such other species as requested by applicant, all of the aforesaid species to be approved by the administration official in charge of enforcement of this article).

PERSON

The owner of a parcel of real estate or any other individual, group, company, firm, corporation, partnership, association, society or other legal entity.

SPECIES

For purposes of this article, the common name of the tree.

STRUCTURE

A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

§ 433-33. Applicability.

[Amended 5-3-2005 by Ord. No. 6481-05]

The provisions of this article shall apply to all new subdivisions, site plans and new construction within the City of Clifton. The provisions of this article shall not apply to additions or alterations to existing one- and two-family residences on lots with areas of 9,375 square feet or less.

§ 433-34. Permit required.

No person shall cut down or remove any tree of a caliper of four inches or greater measured at a height of 4 1/2 feet above the ground or engage in any site clearing without a tree removal permit.

§ 433-35. Application procedure.

A. Application for a tree removal permit shall be made by submission of the following (commercial, multifamily, and one- and two-family):

- (1) An original and two copies of an application on forms provided by the City containing the following information: the name and address of the applicant; the street address and tax lot

and block of the property in question; the number of trees to be removed; and reason for tree removal.

- (2) An original and two copies of a tree removal plan consisting of a map drawn to scale showing the location of all trees to be removed, the species of such trees and their caliper. In the event that the application is for the removal of more than five trees, the tree removal plan must be prepared, signed and sealed by a licensed land surveyor, and must show the location of all existing and proposed structures on the property, together with the distance, up to 15 feet that the trees proposed to be removed are located from such structures and from the property line. This section applies to commercial and multifamily only.
 - (3) An original and two copies of a tree mitigation plan (if mitigation is required pursuant to § 433-37, Subsection D, Mitigation), consisting of a map drawn to scale showing the location of all trees to be planted, the species of such trees and their caliper or size as required. Said plan shall be prepared, signed and sealed by a professional engineer, land surveyor, architect or landscape architect. This section applies to commercial and multifamily only.
- B. The applicant shall place a one-inch-wide red, yellow, or blue ribbon around the trunk of each tree to be removed at a height of 4 1/2 feet above the ground so that the proposed tree removal may be inspected in the field.

§ 433-36. Fees.

The fee for a tree removal permit shall be the following:

Number of Trees	Fee
1 to 5	\$50.00
6 to 10	\$100.00
11 to 20	\$200.00
21 to 50	\$300.00
51 and over	\$400.00, plus an additional \$100.00 for each additional 50 trees or part thereof

§ 433-37. Standards for application review.

The following standards for review of applications shall apply:

- A. Permitted removal. No tree shall be permitted to be removed unless the tree is:
- (1) Located within the building footprint of a proposed principal building and/or located within 15 feet of any building (size of tree may require additional clearance).
 - (2) Located between the right-of-way line of a proposed roadway approved pursuant to the Subdivision Ordinance.^[1]

[1] *Editor's Note: See Ch. 399, Subdivision of Land.*
 - (3) Dead or poses a safety hazard (i.e., damage to walks, curbs, or utilities).
 - (4) Required by site grading for building access, parking, etc.
 - (5) Located within the area of a proposed driveway, walkway, utility line, accessory building, or any other structure.
 - (6) Specifically permitted to be removed in a site plan approved pursuant to the Municipal Land Use Law^[2], considered by evidence and testimony.

[2] *Editor's Note: See N.J.S.A. 40:55D-1 et seq.*

- (7) Obstructs line of site for site ingress and egress.
- B. Conflict with other laws. Notwithstanding anything in this article to the contrary, no tree removal shall be permitted where prohibited by the Zoning Ordinance^[3] (e.g., buffer zones and crest line provisions) or any other municipal, state federal statute, ordinance or regulation.
- [3] *Editor's Note: See Ch. 461, Zoning.*
- C. Hardship appeal. In the event that an applicant desires to appeal the standards as set forth above, the applicant may seek relief from the Planning Board or the Zoning Board of Adjustment, if applicable, or the Mayor and Municipal Council.
- D. Mitigation. Mitigation for tree removal shall be required as follows:
- (1) No mitigation shall be required in connection with tree removal conducted pursuant to a permit issued under Subsections **A(1)**, **(2)** and **(7)** of this section.
 - (2) Mitigation shall be required pursuant to Subsections **A(4)**, **(5)**, **(6)** and **(7)**.
 - (3) For each tree for which mitigation is required, the following shall apply:
 - (a) For each tree removed pursuant to the standards of this article of a caliper of four inches to no more than six inches, the applicant shall plant a major tree as defined in this article on the property in question, unless the applicant asserts the planting would be inappropriate and the official in charge of enforcement and administration of the chapter agrees.
 - (b) For each tree removed pursuant to the standards of this article of a caliper of more than six inches, the applicant shall plant a major tree as defined in this article on the property in question, unless the applicant asserts the planting would be inappropriate and the official in charge of enforcement and administration of this article agrees.
 - (4) In the event that the tree removal occurs in an area otherwise than as permitted in Subsection **A** of this section, mitigation shall be required at the rate of two replacements for each one removed.
 - (5) In the event that it is unknown or in question in any given instance as to whether mitigation should be determined on the basis of a minor tree or major tree, mitigation shall be required on the basis of a major tree.
 - (6) In the event that it is unknown how many trees were removed from any given site, and removal took place without a tree permit issued pursuant to this or the predecessor chapter, the number of trees requiring mitigation shall be computed by assuming trees over six inches in caliper existed 30 feet on center and plotting the maximum number of those trees as circles on a fifteen-foot radius without having the circles overlap or extend beyond the property lines or driplines of existing trees.
 - (7) In connection with tree removal pursuant to Subsection **A(3)** of this section, it shall be required that the applicant plant major trees, on center a distance of 30 feet, as street trees between the curbline and the edge of the right-of-way in a location determined by the City Engineer and the official administering this article.
 - (8) Mitigation in any instance is not to be considered a penalty, but rather an implementation of the purposes of this article. Mitigation shall not be a substitute for, but shall be in addition to, any penalty imposed for violation of the provisions of this article.

§ 433-38. Performance bond (commercial applications only).

Except in the event of tree removal pursuant to an approved subdivision or site plan where a performance bond to assure tree planting was posted, as a precondition to the issuance of a permit where mitigation is required, the applicant shall post a cash bond to assure mitigation in an amount equal to the amount set forth in the resolution adopted by the Municipal Council for each minor and major tree to be planted. The bond shall be returned to the applicant upon completion of the required mitigation.

§ 433-39. Protection of existing trees.

- A. In connection with any construction, subsequent to tree clearing but prior to the issuance of a building permit or start of construction, snow fencing or other protective barrier acceptable to the official charged with the administration and enforcement of this article shall be placed at least 10 feet from the trunk of any tree and shall remain in place until all construction activity is terminated. No equipment, chemicals, soil deposits or construction materials shall be placed within any area so protected by barriers. Any landscaping activities subsequent to removal of barriers shall be accomplished with light machinery or hand labor.
- B. No person shall:
- (1) Cut down or remove any tree except as permitted by this article or allow or cause such cutting or removal.
 - (2) Cause or allow any willful damage, injury or disfigurement of any tree growing within the City. For purposes of this subsection, the actions of any person shall be deemed willful if the damage, injury or disfigurement of any tree is caused as a result of but not limited to the following: cutting, gashing or slitting of any tree; the pouring of any liquid or other material on any tree or on the nearby ground; the construction or placement of any nonporous material on the ground around any tree so as to cut off air, light or water from the roots; or placement or removal of any soil from within 15 feet of any tree.
 - (3) Store or pile building material or debris or place construction equipment within 10 feet of any tree.
- C. In the event that any tree to be saved in connection with construction as set forth above or any tree planted in mitigation shall die within two years after planting, it shall be replaced by the applicant or property owner within six months.

§ 433-40. Administration and enforcement.

This article shall be administered and enforced by the City Manager, or his designee, except that the Municipal Council shall approve the issuance of a tree removal permit in conjunction with any tree removal sought in conjunction with an application for a major soil-moving permit.

§ 433-41. Appeals.

Any person aggrieved by the decision of the official charged with the administration and enforcement of this article shall have the right, within 10 days of the issuance of any decision by such official to appeal to the Municipal Council, which shall take action as it deems necessary in this matter. In the event of such an appeal, the procedures set forth with reference to applications based on hardship contained in this article shall apply.

§ 433-42. Violations and penalties.

Any person who violates any provision of this article shall, upon conviction thereof, be punished by a fine not exceeding \$1,000, and each tree removed or damaged in violation of this article shall be deemed a separate offense.

Ordinance # []- Tree Removal-Replacement Ordinance

[Trees play a critical, often overlooked, role in the water cycle and in the mitigation of stormwater runoff issues such as soil erosion, pollutant reduction, infiltration, quantity reduction, and thermal effects. This ordinance is intended to ensure that permittees are considering these undervalued assets in their stormwater management efforts.]

The 2023 Tier A MS4 permit renewal requires permittees to, at a minimum, adopt and enforce a community-wide ordinance to control tree removal and replacement for all types of properties where the municipality has jurisdiction. This model ordinance, developed by the Department, can be used by each municipality for consideration in reviewing and/or updating their existing tree ordinance, or adopting a new tree ordinance. This model may also be modified by the municipality to meet the needs of their community.]

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in [insert name of municipality] to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

[Municipalities that are accredited with the [NJ Urban and Community Forestry Program](#) may continue to follow their town's established forestry program requirements provided their accredited program addresses tree removal and replacement.]

The details of a municipality's forestry program shall be incorporated by reference or contained within the municipality's adopted ordinance. Please contact the [NJ Urban and Community Forestry Program](#) to obtain further information regarding becoming an accredited municipality and the associated requirements.]

[Municipalities with an existing tree ordinance may contact the Department at stormwatermanager@dep.nj.gov to determine if their ordinance requires modification.]

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural

number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.

B. "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a CRR = 6"x1.5' = 9'.

C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.

D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees. [Municipalities may choose to require a Licensed Tree Expert to make all Hazard tree determination]

1. Has an infectious disease or insect infestation;
2. Is dead or dying;
3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.

F. "Planting strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

G. "Resident" means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to (or specified distance from) the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

[Application review and approval can be conducted along with existing business practices and permit application review such as, but not limited to, site plan approvals, building permit approvals, planning board application approval, etc. A separate application process is not required, but the Department has included sample language below for municipalities that prefer to do so.]

A. Optional Application Process:

1. Any person planning to remove a street tree, as defined as Tree removal, with DBH of 2.5" or more or any non-street tree with DBH of 6" or more on their property shall submit a Tree Removal Application to **[Municipal Officials]**. No tree shall be removed until municipal officials have reviewed and approved the removal. **[For larger scale clearing projects, municipalities may choose to require a tree survey be submitted as part of the application to determine number, sizes, and exemptions of trees for the assessment of fees]**

[The municipality may choose to impose application fees. If so, the following language may be used, with revisions as deemed appropriate.]

[Optional for municipalities: Applicants will be subject to an application fee as per the Table below.]

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6" or more per acre, unless otherwise detailed under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A (insert municipality provided tree list as Appendix A of this ordinance). [The municipality shall provide a list of approved trees that are acceptable to be planted as replacement trees, or at a minimum develop a list of trees that shall not be used as replacement trees. This list will be included as "Appendix A". It is permissible for a municipality to include a procedure for approval of a tree not on the approved list. The list shall also contain approved planting times/seasons and proper planting standard procedures or a reference to available literature containing this information.]

Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the municipality;
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirements Table:

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)	Application Fee <i>[Municipality may choose to include]</i>
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			<i>and determine appropriate fees.]</i>
1	DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed	<i>TBD by town</i>
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed	<i>TBD by town</i>
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 1.5" for each tree removed	<i>TBD by town</i>
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 1.5" for each tree removed	<i>TBD by town</i>

C. Replacement Alternatives:

1. If the municipality determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a. Plant replacement trees in a separate area(s) approved by the municipality.
 - b. Pay a fee of (amount to be set by municipality) per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the municipality by all persons claiming an exemption **[the municipality shall define what "proper justification" is such as photos or statements from NJ licensed tree expert as per NJ Statue 45:15C-11 or arborist.]**

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period. [The number of trees removed is a rolling count across a five-year period. For example, if 3 trees from category 1 are removed in July 2023, the 'count' resets to zero in July 2028. However, if 1 tree from category 1 is removed in July 2023 and another in July of 2025 the first tree will come off the count in July 2028 and the second in July 2030.]
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;

- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the municipality;
- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement:

This ordinance shall be enforced by the **[Police Department and/or other Municipal Officials of insert name of municipality]** during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$ [amount per tree to be established by municipality but shall not be less than the amount of the required replacement tree(s) and cost of planting] [Municipalities may require the planting of additional trees in lieu of a fine].

SECTION VIII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Adoption Date: _____

Appendix A

Approved list of Replacement tree Species and Planting Standards for (Insert Municipality Name)

[The municipality shall provide a list of approved trees that are acceptable to be planted as replacement trees, or at a minimum develop a list of trees that shall not be used as replacement trees. The list shall include approved planting times/seasons and proper planting standard procedures or a reference to available literature containing this information.]

Tree Species	Planting Season	Planting Procedure (soil type, watering, pruning, staking, wrapping, exposure, depth, mulching, etc)

ITEM NUMBER: A- 13

ITEM NAME: Authorization to Approve Continuation of Outside Legal Counsel Through Transition Period (R312-R319)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Memo	6/14/2024	Cover Memo



City of Clifton

LAW DEPARTMENT
900 CLIFTON AVENUE
CLIFTON, NEW JERSEY 07013

(973) 470-5817
FAX: (973) 470-5254

June 14, 2024

Mayor Raymond Grabowski & Members of
the Clifton Municipal Council
City Hall - 900 Clifton Avenue
Clifton, New Jersey 07013

Re: **Continuation of Outside Legal Counsel Through Transition Period**

Dear Mayor Grabowski and Members of the Municipal Council:

As the Council is aware, several new firms were awarded contracts for outside legal counsel services. It will take some time for the former firms to transition files to the new firms, prepare exit memos where appropriate and bring new counsel up to speed. This is particularly critical for the transition to new Redevelopment Counsel and memos and hundreds if not thousands of pages of documents will need to be transmitted to the new firm. The former firms will need a mechanism to bill for their transition time. We have placed a Resolution of the agenda extending to June 30th for this transition to occur.

Also, three of the former firms have active matters that would be complicated, expensive or impossible to transition to new firms. As discussed, Michael Montanari, Esq. represents the City in Varga v. City of Clifton. As also discussed, Dominick Carmagnola represents the City in Joey's Place, LLC t/a Bliss Nightclub v. City of Clifton and Samuel Arnowitz v. City of Clifton. These matters have been ongoing for several years and are nearing the conclusion of the cases. Finally, Gina Mendola Longarzo, Esq. is in the middle of four independent investigations into allegations of workplace harassment and/or discrimination that have been ongoing and numerous witnesses have already been interviewed. We have placed Resolutions on the agenda permitting these firms to finalize these matters.

Should you have any questions, please do not hesitate to contact me. Thank you for your consideration in this matter.

Very truly yours,

MATTHEW T. PRIORE
Municipal Attorney

MTP/kmk
Enc.

ITEM NUMBER: A- 14

ITEM NAME: Authorization to Approve RFP for Third Party Administration Services
for Liability Claims - Bergen Risk Managers (R320)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Memo	6/14/2024	Cover Memo



City of Clifton

LAW DEPARTMENT
900 CLIFTON AVENUE
CLIFTON, NEW JERSEY 07013

(973) 470-5817
FAX: (973) 470-5254

June 13, 2024

Mayor Ray Grabowski & Members of
the Clifton Municipal Council
City Hall - 900 Clifton Avenue
Clifton, New Jersey 07013

Re: **RFP for Third Party Administration Services for Liability Claims**

Dear Mayor Grabowski and Members of the Municipal Council:

The Purchasing Agent advertised a request for proposals for third party administration of liability claims and received three proposals on June 11, 2024. The proposals from Acrisure LLC D/B/A Bergen Risk Managers, LLC, Scibal Associates Inc. D/B/A Qual Lynx and Claims Resolution Corporation Inc. are summarized in the attached bid tabulation sheet. Acrisure is our current provider and submitted the lowest proposal of \$31,800.00 as a lump sum. The second lowest proposal was from Claims Resolution Corporation Inc. at \$49,900.00 in lump sum. The RFP forms requested a compensation proposal in lump sum but Scibal Associates submitted a proposal based upon the number of claims filed. Given the City's average number of claims as shown in the attached chart, the Scibal Associates' proposal would cost the City in excess of \$60,000.00 per year. The City's insurance broker of record, Polaris Galaxy Group also reviewed the proposals received and concurs that Acrisure's proposal meets the City's qualifications and is most advantageous to the City. Consequently, a resolution appears on the agenda awarding a renewal contract for these services to Acrisure at a cost of \$31,800.00 for a one year term.

Thank you for your consideration in this matter.

Very truly yours,

Andrew P. Oddo/s
ANDREW P. ODDO
First Assistant Municipal Attorney

APO/kmk
Enc.

RFP forTHIRD PARTY PROPERTY AND CASUALTY INC 6-11-2024 @11:00 AM					
#	COMPANY NAME	BID AMOUNT		Total	RANK
1	ACRISURE LLC DBA BERGEN RISK MANAGERS	LUMP SUM FEE/YEAR	\$31,800.00	\$31,800.00	RANK 1
2	SCIBAL ASSOCIATES INC. DBA: QUAL LYNX	1. Automobile Liability per claim -Bodily injury	\$1,500.00	\$10,000.00	RANK 3 - DEPENDS ON THE NUMBER OF CLAIMS
		2.Automobile Liability- per claim- Property Damage	\$750.00		
		3.General Liability -Bodily injury per claim	\$1,500.00		
		4. General Liability -Property Damage per claim	\$750.00		
		5.General Liability -Police Professional per claim	\$1,500.00		
		6.Employment	\$1,500.00		
		7.Public Officials	\$1,500.00		
		8. Property -Inland marine,Building & contents/Collision/Comprehen sive	\$1,000.00		
3	CLAIMS RESOLUTION CORPORATION INC	LUMP SUM FEE/YEAR	\$44,700.00	\$49,900.00	RANK 2
		One Time Conversion Fee	\$5,200.00		

Line of Coverage	2019 Claims	2020 Claims	2021 Claims	2022 Claims	2023 Claims	5-Year Total Count	# in Suit	# Requiring Excess Carrier Reporting
Auto Liability	13	13	23	18	13	80	7	
General Liability	47	30	32	47	51	207	25	
Law Enforcement Liability	10	3	5	6	4	28	10	
Public Officials Liability	6	2	3	1	1	13	9	
Totals	76	48	63	72	69	328	51	24

Open Claim Count
on 2/8/2024 is 71

# of Payments Processed	164	196	312	242	361	1275
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ITEM NUMBER: A- 15

ITEM NAME: Authorization to Approve Application to Become a Member of Action
Clifton Committee (Hazel) (R321)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
📎 Application	6/12/2024	Cover Memo

Hazel

Mayor & Municipal Council
City of Clifton
900 Clifton Avenue
Clifton, NJ 07013

**THE CITY OF CLIFTON
APPLICATION TO SERVE ON A BOARD OR COMMISSION**

Name: Ahmad "Ed" Duqmaq Date: 06/11/24

Address: 12 Chestnut St

Telephone: _____

Cell: (914) 953-1000

Business: _____

E-mail: ADUQMAQ@MSN.COM

Board Applying For: Action Committee

Reason for Applying for this Board: _____

I'm eager to contribute to our community's growth and well-being, as I believe Clifton is a fantastic place to live and raise a family.

List Work Experience:

List Educational Background:

MBA - Operations Management & BA in Business Administration

List Previous Boards Served On

Private or work settings only. Not on City or Government Settings.

ITEM NUMBER: A- 16

ITEM NAME: Authorization to Approve Use of City Hall for International Overdose Awareness Day on August 29, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo	6/12/2024	Cover Memo

Nick, Hope this email finds you well. Clifton Against Substance Abuse is once again preparing to host our annual overdose awareness candlelight vigil. This years event will be held on Thursday 8/29/24. We are asking permission to use the front steps of City Hall. This event will start around 8pm with set-up taking place at 630pm.

This years theme is Together We Can.

Please put this on a council agenda for approval.

Once approved I will then schedule to meet with you to discuss the logistics and needs.

Thank you as always for your continued support.

Thomas Whittles
Vice President of Operations



1961 Morris Avenue
Suite C2
Union, NJ 07083

Office: 718.785.4136
Cell: 973.800.2938
Fax: 908.497.7048
(24 Hrs.) 908.643.5111
twhittles@aj2security.com
<http://aj2security.com>

ITEM NUMBER: A- 17

ITEM NAME: Authorization to Approve 911 Memorial Service on September 11, 2024 at 5:30 pm

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Memo	6/14/2024	Cover Memo

From: Judith Bassford <judithbassford@gmail.com>

Date: June 14, 2024 at 12:38:21 AM EDT

To: "Villano, Dominick" <dvillano@cliftonnj.org>

Subject: 9/11/2024

CAUTION: This email originated outside the City of Clifton's email system.
Do not click links or open attachments unless you recognize the sender and know the
content is safe.

Dear City Manager Villano,

I am writing to request permission to gather on September 11, 2024, for a small citizens' gathering to honor the victims of 9-11. We plan to meet from 5:30 PM to 7:30 PM at the 9-11 Garden located on City Hall property.

This will be a peaceful gathering aimed at reflecting on, honoring, and respecting our fallen Clifton citizens, as well as all the other victims of that tragic day.

Thank you for considering our request.

Sincerely,

Judith Bassford

ITEM NUMBER: A- 18

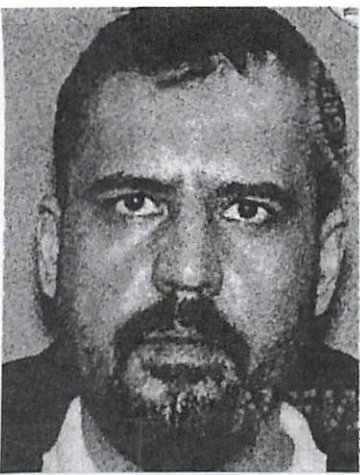
ITEM NAME: Authorization to Approve New Limousine License - TRK Transportation (R325)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
☐ Checklist	6/14/2024	Cover Memo



2024

LICENSE APPROVAL CHECK LIST

Paid
4-26-2024
\$175.00

Owner Name: Ali Yaka

Address: 6 East Emerson Clifton, N.J. 07013

Business Name: TRK Transportation

License For: Limo / Taxi



Date Approved

✓ Police Department 6/13/2024

 Fire Department

✓ Zoning Department 6/12/2024

 Health Department

 Engineering Department

✓ Police Traffic 6/11/2024

ITEM NUMBER: A- 19

ITEM NAME: Authorization to Approve Entertainment Licenses (R326 - R329)
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo	6/14/2024	Cover Memo



City of Clifton

LAW DEPARTMENT
900 CLIFTON AVENUE
CLIFTON, NEW JERSEY 07013

(973) 470-5817
FAX: (973) 470-5254

June 14, 2024

Mayor Raymond Grabowski and Members
of the Clifton Municipal Council
900 Clifton Avenue
Clifton, NJ 07013

Re: Entertainment License Renewal Applications

Dear Mayor Grabowski and Council Members:

Please be advised that the following establishments have submitted entertainment license renewal applications for the period covering July 1, 2024 through June 30, 2025:

1. Yesterday's LLC t/a Yesterday's Bar and Grille;
2. Palenque Bar & Grill;
2. Jhonny Ospina/Colosa, LLC t/a Noches De Columbia; and
3. Sportzone Bar & Grill, Inc. t/a Sportzone Bar & Grill.

These establishments are not seeking any changes in the times, days or forms of entertainment that is authorized by their most current entertainment licenses. In addition, these establishments do not have any significant CAD activity and the Police Department has recommended the approval of each establishment's renewal application. For purposes of this letter, no significant CAD activity means any establishment having five (5) or fewer noise/disturbance-type complaints on nights that entertainment is offered between July 1, 2023 through May 31, 2024. Resolutions authorizing the renewal of the above establishments' entertainment licenses appear on the agenda for your consideration.

Should you have any questions or need additional information, please do not hesitate to contact me. Thank you your attention and consideration in this matter.

Very truly yours,

THOMAS M. EGAN
Assistant Municipal Attorney

TME/kk

ITEM NUMBER: A- 20

ITEM NAME: Authorization to Approve Submittal and Execution of Grant Application and Agreement with NJDOT for Third Street Pedestrian Safety Improvements Phase II Project (R330)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Email	6/7/2024	Cover Memo

Ferrigno, Nancy

From: Margaret Morse <mmorse@brunoassociatesinc.com>
Sent: Wednesday, June 05, 2024 7:53 PM
To: Ferrigno, Nancy
Cc: Lardner, Michael; Villano, Dominick; Grasso, Liana
Subject: Resolution to be Adopted | NJDOT Municipal Aid
Attachments: Resolution.docx

CAUTION: This email originated outside the City of Clifton's email system.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good evening Nancy,

I hope you've been well. Please see attached resolution in support of the city's FY25 NJDOT Municipal Aid application for the Third Street Pedestrian Safety Improvements Phase II project. Please ensure its adoption at the mayor and council meeting on **Tuesday, June 18th**.

If you have any questions or concerns, please let me know. Thank you in advance for your attention to this.

Best regards,
MARGARET MORSE, MPA
Director
Office: (973) 249-6225 x203
Cell: (973) 718-1928
[BRUNOASSOCIATESINC.COM](mailto:MMORSE@BRUNOASSOCIATESINC.COM)

ITEM NUMBER: A- 21

ITEM NAME: Authorization to Approve Awarding Contract to Dr. Theodore
Constandelis for Professional Services for Dental Services - 2024 (331)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Memo	6/12/2024	Cover Memo



Clifton Health Department

INTER-OFFICE MEMO

Date: June 19, 2024

To: Dominick Villano, City Manager

From: John E. Biegel III, Health Officer

CC: Joseph Kunz, CFO
Matthew Priore, Municipal Attorney
Adam Oddo, Assistant Municipal Attorney
Nancy Ferrigno, City Clerk
Amisha Jariwala, Purchasing Agent

Subject: 2024 Professional Services Contract for Dental Services

As you may be aware, the Health Department has not operated the dental clinic since before the pandemic. One of our goals was to reopen the clinic to meet the demand for dental health screenings for school-aged children. We wanted to start slow, but the demand has been very high; therefore, we would like to add more clinics to the calendar. This is why I am sending this memo at this point in time. I am recommending the hiring of Dr. Theodore Constandelis, 465 Valley Road, Clifton, NJ, retroactive to January 1, 2024 and extending through December 31, 2024. I have contacted other Dentists who expressed no interest in providing this contractual service for the City. I recommend a pay rate of \$140.00 per hour at a maximum dollar amount for the year of \$6,720.00.

Dr. Constandelis will be providing comprehensive dental care including: prophylaxis (examination, cleanings x-rays, fluoride treatments, and sealants) and restorative treatment (cavity fillings, extractions, crowns, and root canals). He possesses all necessary insurance coverage required by a professional medical contract.

Please advise on this matter. Thank you.

ITEM NUMBER: A- 22

ITEM NAME: Authorization to Approve Conducting an Open Space and Recreation Plan (R332)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo	6/10/2024	Cover Memo

Recreation Department

Interoffice Memorandum

TO: Dominick Villano, City Manager

FROM: Debbie J. Oliver, Recreation Supervisor

DATE: May 30, 2024

RE: Open Space and Recreation Plan

At our last Open Space Trust Fund Meeting we had a presentation conducted by Barbara Davis, Vice President of Programs for The Land Conservancy about the benefits of conducting a Citywide Open Space and Recreation Plan. The benefits of having this type of document translates to greater opportunities for obtaining grants, a basis for recreation improvement and land acquisition strategy and provides documented information on all recreational and open space properties within the city limits. The committee unanimously agreed that this would be an important basis for our future concerning our open space trust fund plans and spendings as we move forward.

The presentation was well received and very informative. We received a proposal from The Land Conservancy for a total of \$13,500.00 and have learned that the tax funds can be used to pay for this study and report. We would need to obtain additional quotes from other potential vendors (I am currently seeking at least two) however, because The Land Conservancy recently completed an Environmental Resource Inventory for the City of Clifton, we would be able to save \$1,000.00 on the cost of the inventory and the environmental component of the new report has already been completed.

The Land Conservancy is a non-profit land trust organization dedicated to permanently protecting land for the conservation of natural resources, recreation, and water quality protection. This makes them an excellent partner to have on our side for future funding opportunities. I have attached their proposal.

If you need any additional information from me, you can email me at doliver@cliftonnj.org or via phone at ext. 5958



19 Boonton Avenue
Boonton, NJ 07005
Tel: (973) 541-1010
Web: tlc-nj.org

QUALIFICATIONS AND EXPERIENCE

CITY OF CLIFTON: OPEN SPACE AND RECREATION PLAN

The Land Conservancy is uniquely experienced and qualified to assist the City of Clifton with the preparation of its Open Space and Recreation Plan. We are a comprehensive planning organization with staff skilled and experienced in the requirements and analyses needed to prepare an Open Space Plan. We have the capacity and technical ability to quickly and efficiently step in to complete this report for the municipality.

Our staff has written 100 Open Space and Recreation Plans for municipalities and counties throughout New Jersey. We have recently completed the initial draft of the City of Clifton's Environmental Resource Inventory, the first update to this report in 20 years.

In Passaic County, we have completed similar reports for Ringwood and West Milford Townships (most recently in 2020). For towns of size and density comparable to Clifton, we have worked with Caldwell Borough in Essex County, Garfield and Hackensack Cities in Bergen County, West Orange Township in Essex County (a demographically diverse community at the peak of the Watchung Mountains, a few towns removed from Clifton), and Edison Township in Middlesex County. We have recently begun an Open Space Plan with Waldwick Borough in Bergen County, a small, suburban community at the outset of its open space program, much the same as Clifton City.

Open Space and Recreation Plans completed by our office following Green Acres guidelines and our work is consistently recommended by their staff. Having an Open Space Plan will garner the City 10 points through the Sustainable Jersey program toward your renewal application for certification.

Our office's resources include a state-of-the-art Geographic Information Systems (GIS) center. The Land Conservancy has licensed software, including ArcGIS Pro, PhotoShop, InDesign, Canva, and the Microsoft Office Suite. Staff is skilled at a variety of web-based software. Our Plan Updates have been recently redesigned to provide a clean, fresh look at the reports, so the information is easily transmittable and obtainable. Please click on this link to view the reports recently completed by our office: <https://www.tlc-nj.org/municipal-services>, including the Open Space and Recreation Plan for Bergen County.

The Land Conservancy is a nonprofit land trust organization dedicated to permanently protecting land for the conservation of natural resources, recreation, and water quality protection. Founded in 1981, we have helped over 100 government and private organizations preserve, steward, and protect open space. We have written 200 land conservation plans, preserved over 29,500 acres, and helped towns receive \$254 million for land preservation. Our staff includes a licensed planner, technical writers, skilled GIS cartographers, naturalists, and graduate students in urban planner and sustainability. We have received numerous awards for our work:



- 2024: Land Ethics Award for Best Large-Scale Project: Nancy Conger West Brook Preserve in West Milford Township, Passaic County.
- 2022: NJ Planning Officials Outstanding Plan Award for Farmland Planning
- 2022: NJ American Planning Association Great Places Award: South Branch Preserve in Mt. Olive Township, Morris County.
- 2018: New Jersey Environmental Excellence Award for Land Conservation
- 2017: NJDEP GIS 1st Place: Sussex County Open Space Plan Update
- 2016: NJ BIZ, Public Private Partnership Award: Bergen County Flood Planning

SCOPE OF WORK

CITY OF CLIFTON: OPEN SPACE AND RECREATION PLAN

Description

An Open Space and Recreation Plan is a comprehensive document that guides local open space preservation programs. The Land Conservancy follows the NJDEP Green Acres Program requirements for format and content for the municipal Open Space Plan, which ensures the municipality will qualify for state funding for land acquisition. Green Acres requires that the Plan be adopted as an amendment to the Master Plan Update and updated every ten years.

Locally, the Plan will build upon the 2024 Environmental Resource Inventory Update recently completed by our office, the City's Master Plan, and will include a review of local recreational facilities and sites of local historic/cultural importance. It will look at the City's Recreation and Open Space Inventory (ROSI) filed with NJDEP Green Acres and provide recommendations for updates to the ROSI (if needed). Information in the Plan will reflect current priorities and actions, reflective of why the voters approved the establishment of a municipal Open Space Trust Fund in the November election. Clifton City is located at the hub of local and regional parks, including Garret Mountain Reservation, City Green Farm Eco-Center, and your municipal recreational facilities.

Composition of Plan Update

Completing the report will document the current open space objectives of the municipality, including land acquisition priorities and recreational program needs. The Open Space and Recreation Plan includes the following sections:

1. Executive Summary.
2. Open space goals and objectives of the community.
3. Inventory of the currently protected open space and undeveloped lands.
4. History of the open space program including the municipal Open Space Trust Fund.
5. Community meetings to determine the goals and public need for open space.
6. Planning review of state, county, and local plans, including the state's Outside, Together! planning initiative.
7. Preservation recommendations to identify local priorities for conservation.
8. Maps using ArcGIS to determine priority lands for preservation and recreation.
9. Action program for open space protection and stewardship.

Mapping

All maps in the document will incorporate current tax assessment data and are completed on an ArcGIS mapping platform. This software allows the environmental data to be layered and visualized with greater accuracy and include:

- ✓ Preserved and Public Lands Map identifying recreation and cultural features
- ✓ Land Use Map and Greenway Map

Upon completion of the Plan Update, our office will provide the GIS data to NJDEP Green Acres as part of their project funding requirements.

Meetings

The Land Conservancy will facilitate up to two (2) public meetings for the Plan Update (as required by Green Acres). Staff will attend up to four (4) meetings in the City, including the public meetings.

Deliverables

Our office will provide an initial draft of the report to the Planning Board, Recreation Department, and/or City Council for review. Once comments are received, our staff will update the report and provide a draft for review by municipal officials and boards. Upon approval by the Planning Board, The Conservancy will submit a final report for the City. The plan will be delivered by an electronic link, no hard copies will be provided.

Timeline

The Land Conservancy can start the Plan immediately, and a draft will be ready for review within six months. If the City requires other information to be included in the Plan above what is within this proposal and/or requests a shortened timeline for delivery of the report, the costs may change.

FEE: \$14,500

REDUCED to \$13,500

Since our office is completing the Environmental Resource Inventory for the City of Clifton, we will reduce our fee by \$1,000, recognizing the partnership between The Land Conservancy and the City.

Note: Due to legislation related to Daniel's Law, The Land Conservancy requests the City provide the property tax assessment data for all property in the City, inclusive of owner information. This data will not be shared outside of this project, and the owner information for private landowners will not be released by The Land Conservancy.

Proposal submitted March 13, 2024

Work to commence upon approval and authorization by the City of Clifton

ITEM NUMBER: A- 23

ITEM NAME: Authorization to Approve Tax Exempt Veteran
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Memo	6/12/2024	Cover Memo

OFFICE OF THE TAX COLLECTOR

900 Clifton Avenue, Clifton, NJ – 07013

Telephone: 973-470-5837 Fax 973-471-9336

Email: taxcollector@cliftonnj.org

Interoffice Memorandum

Date: June 12, 2024
To: Mayor and Council
Cc: Nick Villano, City Manager
From: Sanjana S. Parab, Tax Collector
Subject: Tax Exempt Veteran

Dorie W James III, owner of 46 Fair Hill Rd has been classified by the Department of Veteran Affairs as 100% disabled veteran; documentation and memorandum from the Tax Assessor are included for review. The retroactive refunds revert to January 22, 2024 for a total refund \$ 4,237.72.

Veteran Exempt Calculation

Veccia	Address 15 Clay St.	Date of Eligibility	Per Diem	Block	Lot		
		7/22/2023		39.02	13		Refund Exempt Portion
2024 1stQ				<u>Amount Paid</u>	<u>Taxable Portion</u>	<u>Exempt Portion</u>	<u>Refund</u>
\$ 2,398.72			2398.72/90 = 26.6524	\$ 2,398.72	\$ 559.71	\$ 1,839.01	\$ 1,839.01
					21 days	69 days	
2024 2ndQ				<u>Amount Paid</u>	<u>Taxable Portion</u>		<u>Refund</u>
\$ 2,398.71				\$ 2,398.71	0	\$ 2,398.71	\$ 2,398.71
<i>Billed</i>				<i>Paid</i>	<i>Taxable</i>	<i>Exempt</i>	<i>Refund Due</i>
\$ 4,797.43				\$ 4,797.43	\$ 559.71	\$ 4,237.72	\$ 4,237.72

INTEROFFICE MEMO
CITY OF CLIFTON
TAX ASSESSOR'S OFFICE

To: Sanjana Parab, Tax Collector

Date: June 3, 2024

From: Matthew Rinaldi, Tax Assessor

Re: 100% Disabled Veteran Exemption

Claimant Name: JAMES, DORIE W III

Property Location: 46 Fair Hill Rd.
Block: 39.02 Lot: 13

Date Application Received:	June 3, 2024
Date of Dept. of VA Letter:	May 12, 2024
Date VA Determined 100% Permanent & Total Disability:	July 22, 2023
Date of Ownership:	January 18, 2024
Date of Legal or Domiciliary resident of New Jersey:	January 22, 2024

Based on my review, the above referenced claimant has met the requirements for property tax exemption on the dwelling of a 100% disabled veteran. Effective today, I approved the exemption and changed the property class to exempt classification 15F. Enclosed is his approved application as well as his VA letter dated May 12, 2024. Mr. James purchased his house on January 18, 2024, and claimed on his application that he became a legal or domiciliary resident of New Jersey on January 22, 2024.

In reference to any retroactive refund, pursuant to N.J.S.A.54:4-3.32, it states that the governing body of each municipality, at its discretion, may return all taxes collected on property which would have been exempt had proper claim in writing been made at the time of the exemption.

Please let me know if you have any questions or require further information.

Enclosures

**CLAIM FOR PROPERTY TAX EXEMPTION ON DWELLING OF DISABLED
VETERAN OR SURVIVING SPOUSE/CIVIL UNION OR DOMESTIC
PARTNER OF DISABLED VETERAN OR SERVICEPERSON**

(N.J.S.A. 54:4-3.30 et seq. as amended by P.L. 2019, c. 413; N.J.A.C. 18:28-1.1 et seq.)

IMPORTANT: File this completed claim with your municipal tax assessor. (See General Guidelines)

1. CLAIMANT NAME

Dorie W James III

Name(s) of veteran claimant owner (& spouse, as tenants by entirety, or civil union or domestic partner) or of surviving spouse/civil union or domestic partner permanently residing in dwelling.

2. DWELLING LOCATION

46 Fair Hill Road	9176980305	Djam2658@gm
Street Address of claimant owner's principal residence	Phone #	Email
Passaic	1602	
County		Municipality
39.02	13	
Block	Lot	Qualifier

**3. DISABLED VETERAN/SURVIVING SPOUSE/CIVIL UNION OR DOMESTIC PARTNER
OF DISABLED VETERAN OR SERVICEPERSON (Check A, B, or C)**

- A. ☒ Honorably discharged 100% permanently and totally disabled veteran with active duty service in United States Armed Forces. ATTACH copy DD214.
- B. ☐ Surviving spouse/civil union or domestic partner of honorably discharged 100% permanently and totally disabled veteran with active duty service in United States Armed Forces; and I have not remarried/formed a new registered civil union or domestic partnership. ATTACH copy DD214.
- C. ☐ Surviving spouse/civil union or domestic partner of serviceperson who died on active duty in the United States Armed Forces; and I have not remarried/formed a new registered civil union or domestic partnership. ATTACH copy Military Notification of Death.

IMPORTANT CHANGE**November 3, 2020, an amendment to the State Constitution was approved by ballot vote. This amendment implemented Public Law 2019, chapter. 413 which provides that N.J. resident honorably discharged disabled veterans, or their surviving spouses no longer need to serve during a specific war period or other emergency to receive the property tax exemption. This Act amends P.L. 1948, c. 259, and supplements chapter 4 of Title 54 of the Revised Statutes.

4. DISABILITY (Complete A and check B or C)

- A. ☒ Date V.A. determined veteran 100% permanently and totally disabled 07/22/2023.
- B. ☒ Service-connected disability declared to be a total or 100% permanent disability, and not so evaluated solely because of hospitalization or surgery and recuperation, sustained through enemy action, or accident, or resulting from disease contracted while in such service.
- C. ☐ Service-connected disability rated unemployable with payment of 100% and stated to be totally and permanently disabling.

5. OWNERSHIP & OCCUPANCY (Complete A, B, or D as applicable and C)

- A. ☒ I (my spouse/civil union partner & I, as tenants by entirety), solely own or hold legal title to the above dwelling house.
- B. ☐ Partial owners: I (as joint tenant/tenant in common) own _____%.
Grantee (buyer) _____ name per deed. Deed Date _____.
- C. ☒ The dwelling house is One-Family and I occupy all of it as my principal residence. OR The dwelling house is Multi-Unit and I occupy _____% as my principal residence.
- D. ☐ The claimed property is a ☐ Co-operative ☐ or Mutual Housing Corporation in which I am a Tenant Shareholder:

Corporation Name of Co-operative or Mutual Housing Corporation

Co-Op/M.H. Corp. Street Address

Municipality

☐ Co-op

☐ MHC

Number of Shares for Unit

*Total Number of Shares for Co-Op/MHC

*The total number of shares for the corporation can be obtained from the Co-Op/MHC manager.

6. CITIZEN & RESIDENT (Complete A or B)

- A. ☒ As of 01/22/2024 (insert date - month/day/year), I, the above named veteran claimant was a legal or domiciliary resident of New Jersey.

- B. ☐ As of _____ (insert date - month/day/year), I, the above named surviving spouse/civil union or domestic partner claimant was a legal or domiciliary resident of New Jersey; and My deceased veteran or serviceperson spouse/civil union or domestic partner was a resident of New Jersey at death.

I certify the above declarations are true to the best of my knowledge and belief and understand they will be considered as if made under oath and subject to penalties for perjury if falsified.

DO
Signature of claimant

06/03/2024
Date

USE ONLY	Block <u>39.02</u>	Lot <u>13</u>	Qualifier _____	☒ Approved	☐ Disallowed
Assessor	<u>[Signature]</u>		Date <u>6/3/2024</u>		



DEPARTMENT OF VETERANS AFFAIRS

May 12, 2024

Dorie James
46 Fair Hill Rd
Clifton, NJ 07013

In Reply Refer to:
xxx-xx-1887
27/eBenefits

Dear Dorie James:

This letter is a summary of benefits you currently receive from the Department of Veterans Affairs (VA). We are providing this letter to disabled Veterans to use in applying for benefits such as state or local property or vehicle tax relief, civil service preference, to obtain housing entitlements, free or reduced state park annual memberships, or any other program or entitlement in which verification of VA benefits is required. Please safeguard this important document. This letter is considered an official record of your VA entitlement.

Our records contain the following information:

Personal Claim Information

Your VA claim number is: xxx-xx-1887

You are the Veteran.

Military Information

Your most recent, verified periods of service (up to three) include:

Branch of Service	Character of Service	Entered Active Duty	Released/Discharged
-------------------	----------------------	---------------------	---------------------

(There may be additional periods of service not listed above.)

VA Benefit Information

You have one or more service-connected disabilities:	Yes
Your combined service-connected evaluation is:	100%
You are considered to be totally and permanently disabled due solely to your service-connected disabilities:	Yes
The effective date of when you became totally and permanently disabled due to your service-connected disabilities:	July 22, 2023

You should contact your state or local office of Veterans' affairs for information on any tax, license, or fee-related benefits for which you may be eligible. State offices of Veterans' affairs are available at

Parab, Sanjana

From: Rinaldi, Matthew
Sent: Monday, June 3, 2024 11:49 AM
To: Parab, Sanjana
Subject: 39.02-13, 46 Fair Hill Rd. - Jame, Dorie W III - Approved 100% DAV
Attachments: 39.02-13 46 fair hill rd MEMO TO PARAB TAXABLE to EXEMPT - 100% Disabled Vet (1 Family) -6-3-2024.pdf

Sanjana:

Attached is an approved claim for a 100% Disabled veteran.

Please let me know if you have any questions or require additional information,

Matt

Matthew S. Rinaldi, CTA, SCGRE
Municipal Tax Assessor
City of Clifton
900 Clifton Ave.
Clifton, NJ 07013
Phone (973) 470-5843
Fax (973) 470-5923
mrinaldi@cliftonnj.org

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June 11, 2024
01:02 PM

Clifton City
Tax Account Detail Inquiry

Page No: 1

BLQ: 39.02 13.
Owner Name: JAMES, DORIE W III & CORTES, SARAH
Tax Year: 2024 to 2024
Property Location: 46 FAIR HILL RD

Tax Year: 2024	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	2,398.72	2,398.71	0.00	0.00	4,797.43
Payments:	2,398.72	2,398.71	0.00	0.00	4,797.43
Balance:	0.00	0.00	0.00	0.00	0.00

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2024 Prin Balance
		Description								
		Original Billed						4,797.43		4,797.43
02/09/24	1	Payment	001	FED WIRE	CK	506 6166	CORELOGI	2,398.72	0.00	2,398.71
05/07/24	2	Payment	001	FED WIRE	CK	1157 6780	CORELOGI	2,398.71	0.00	0.00
		CORELOGIC								

Total Principal Balance for Tax Years in Range: 0.00

Pro-rated portion of 1st Qtr. 2024
Full refund of 2nd Qtr. 2024
Paid by Corelogic Total = \$4237.72

ITEM NUMBER: D- 1

ITEM NAME: Memorial for Kowal, Gaccione, Murphy & Eagler
RECOMMENDATION:

SUMMARY:

<u>ATTACHMENTS:</u>		
Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: D- 2

ITEM NAME: Setting Meeting Date for ON3 (No documentation)
RECOMMENDATION:

SUMMARY:

<u>ATTACHMENTS:</u>		
Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: CM- 1

ITEM NAME: Approval of Application for Green Acres Grant
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo	6/12/2024	Cover Memo



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER

401 East State Street
P.O. Box 420, Mail Code 401-07B
Trenton, New Jersey 08625-0420
Tel. (609) 292-2885 • Fax (609) 292-7695
www.nj.gov/dep

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

June 12, 2024

Honorable Raymond Grabowski
Mayor, Clifton City
900 Clifton Avenue
Clifton, NJ 07013

RE: 1602-24-029 and 1602-24-UPG
Main Memorial Park Improvements
Clifton City, Passaic County

Dear Mayor Grabowski:

I am pleased to inform you that the New Jersey Department of Environmental Protection and the Garden State Preservation Trust (GSPT) have approved Clifton City's application for a Green Acres non-matching grant of \$1,400,000 and a non-matching Urban Parks grant of \$750,000. The Green Acres funding is contingent upon the passage of a legislative appropriation.

Preserving land, improving local parks, and stewarding our natural resources are critical components of our efforts to ensure high quality, close-to-home recreation opportunities and open space for all residents. This project represents a significant step toward our shared goal of protecting and enhancing New Jersey's quality of life, and I congratulate you.

Green Acres staff will contact you directly and provide further information to guide you through this project. We look forward to working with Clifton City toward the successful completion of this important undertaking.

Sincerely,

Shawn M. LaTourette
Commissioner

ITEM NUMBER: CM- 2

ITEM NAME: Memo - Firehouse at Main and Piaget Avenues
RECOMMENDATION:

SUMMARY:

<u>ATTACHMENTS:</u>		
Description		Upload Date
 Memo		6/12/2024
		Type
		Cover Memo

From: Angela Montague <angela@downtownclifton.com>

Date: June 10, 2024 at 8:00:54 PM EDT

To: Angela Montague <angela@downtownclifton.com>

Cc: "Villano, Dominick" <dvillano@cliftonnj.org>

Subject: Fire house at Main and Piaget

CAUTION: This email originated outside the City of Clifton's email system.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor and Council,

I understand that the placement of the new fire house at Main and Piaget is back on the agenda.

Please review the attached video of the flooding on Main Avenue in that area during a flash flood. I have permission to send it to the council and the city manager only. Please do not share this on social media.

This was taken in July 2022 during a flash flood. The location is Ludington and main avenues in downtown Clifton.

Removing the trees that are in that park will be devastating to the small business owners in that area during heavy rain.

Not only do the trees provide shade and oxygen, they also absorb tons of water. Please do your homework before you start removing trees from a flood zone.

Removing those trees and planting other trees somewhere else is not going to help this area.

Regards,

Angela Montague

ITEM NUMBER: CM- 3

ITEM NAME: Thank You - The Grabowski Family
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
 Thank You		6/13/2024	Cover Memo

Thank
you all for
the beautiful flowers
that you sent for our
mother's funeral Mass.
Your kindness is deeply
appreciated!

Perhaps you sent a lovely card,
Or sat quietly in a chair.
Perhaps you sent a floral piece,
If so we saw it there.
Perhaps you spoke the kindest words,
That anyone could say;
Perhaps you were not there at all,
Just thought of us that day.
Whatever you did to console our hearts,
We thank you so much whatever the part.

The family of

Talene Grabowski

ITEM NUMBER: CM- 4

ITEM NAME: Memo on Introduction of Budget from DLGS
RECOMMENDATION:

SUMMARY:

<u>ATTACHMENTS:</u>		
Description	Upload Date	Type
 Memo	6/14/2024	Cover Memo

June 14, 2024

The Honorable Raymond Grabowski, Mayor
and Members of the Governing Body
Clifton City
900 Clifton Avenue
Clifton, NJ 07013

Re: Notice of Late Introduction of Municipal Budget
Order to Introduce

Dear Mayor and Members of the Governing Body:

As of the date of this letter, the introduced 2024 budget of your municipality has not been received by the Division. The submission of an introduced budget is now two months overdue, as the Local Finance Board granted an extension to March 29, 2024, or your next regularly scheduled meeting thereafter.

The annual budget serves as the municipality's planning document and financial roadmap for expenditures throughout the year. Budget review and certification are mandatory to ensure that the anticipated revenues and expenditures are legally compliant and that the budgeted appropriations are sufficient to satisfy the municipality's financial obligations.

While some delay is understandable, the fact that your municipality has not introduced a budget within the time frame authorized by the Division compromises the municipality's fiscal integrity. Accordingly, you are hereby directed to introduce your budget no later than July 19, 2024. All other pertinent financial documents necessary for budget review and approval should also be received by the same date.

Furthermore, failure to comply with the Local Budget Law or the directions set forth in this letter subjects you to penalties under N.J.S.A. 40A:4-84. These penalties consist of a personal penalty in the amount of \$25 for each day that a budget has not been introduced after July 19, 2024. If you choose to appeal this directive, you must notify the Local Finance Board within ten days, in writing, and request a hearing. Any such application to the Board must give an adequate explanation for the delay after July 19, 2024. If you successfully introduce your budget by July 19, 2024, there is no need to appeal, and you will not be subject to any penalty.

If you have any questions, please do not hesitate to contact the Bureau of Financial Regulation and Assistance at (609) 913-4428.

Sincerely,

A handwritten signature in black ink, reading "Jacquelyn A. Suárez". The signature is fluid and cursive, with the first name and middle initial being more prominent.

Jacquelyn A. Suárez
Commissioner, Department of Community Affairs
Director, Division of Local Government Services

TJ/JAS

c: Municipal Clerk (email only)

ITEM NUMBER: CM- 5

ITEM NAME: U.S. Dept. of Housing & Urban Development Block Grant
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Memo	6/14/2024	Cover Memo



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

PRINCIPAL DEPUTY ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

May 18, 2024

The Honorable Raymond Grabowski
Mayor of Clifton
900 Clifton Avenue
Clifton, NJ 07013-2708

Dear Mayor Grabowski:

Congratulations! I am pleased to give you formal notice of your jurisdiction's Fiscal Year 2024 (FY24) allocations for the Office of Community Planning and Development's (CPD) formula programs. Your jurisdiction's FY24 available amounts are as follows:

Community Development Block Grant (CDBG)	\$1,238,640.00
HOME Investment Partnerships (HOME)	\$403,032.95

Your HOME formula allocation amount indicates that you may qualify as a participating jurisdiction for the HOME Program for the first time. In order to begin the qualification process, you must notify your local HUD Field Office in writing of your intent

These grant funds provide the financial tools to support low-to-moderate income individuals, families, and communities to address homelessness, affordable housing challenges, aging infrastructure, and economic hardships. CPD is committed to being your partner throughout the process of using these funds. Our local office will assist in finalizing grant agreements, offer technical assistance, training when needed, monitor and implement grant funds for eligible projects in a timely manner. The Department of Housing and Urban Development will work with your team to ensure proper reporting in the Integrated Disbursement and Information System to improve performance data on how these programs are benefitting and touching people's lives, build trust with stakeholder groups, Congress, and amplify the success stories that you and your jurisdiction are able to accomplish with these vital resources.

In addition, you also have \$6,193,200 in available Section 108 borrowing authority based on your CDBG allocation and outstanding Section 108 balances as of May 14, 2024. Since Section 108 loans are federally guaranteed, this allows your jurisdiction to borrow up to five times of your current CDBG allocation to access loan capital for larger projects at a low interest rate. HUD encourages you to consider using this CDBG multiplier for high priority housing projects, such as housing rehabilitation and conversion of nonresidential properties to residential uses and mixed-use development. This could help fill gaps left by Congress' cut to the HOME program for FY24.

As you begin to plan for the use of FY24 grant funding, please also consider having strategic conversations with your local team to ensure that existing grants are being maximized to meet your local priorities and community needs. A few questions that you might consider asking:

- What were our goals in our most recent Consolidated Plan? How did our commitments in FY23 and previous Action Plans support those goals?
- Do we have any expiring funds? Are there plans to use our funding from past years before the end of the period of performance?
- What, if any, findings have HUD / the Office of Inspector General made against our jurisdiction in the last five years? What have we done to address those findings?

The combination of higher mortgage interest rates, limited for-sale housing inventory, and high home prices has created a challenging environment for homebuyers – particularly low-income families seeking to purchase their first home. In preparing the annual action plan for your jurisdiction's CPD formula funds, we urge you to consider how your HOME Program and other funds may be used to increase the supply of modestly priced housing or provide direct purchase assistance to low-income families seeking to buy a home.

The timely expenditure of your previous year funds is critical to mitigate risks of recapture. If your community's priorities have changed, you have an opportunity to repurpose funding. Our team can work with you to ensure that funds are fully utilized and reach the populations intended by these programs. Please contact our Field Office to learn more.

The Department greatly appreciates your leadership in using these funds to address your most pressing local needs by increasing access to affordable housing, supporting renters and homeowners, providing life-saving assistance to people experiencing homelessness, creating jobs and opportunities for people with modest means, improving public facilities, community resilience, and public services. If you or any member of your staff have questions or would like to request technical assistance, please contact your local CPD Field Director.

Sincerely,



Marion Mollegen McFadden
Principal Deputy Assistant Secretary
for Community Planning and Development

ITEM NUMBER:

ITEM NAME: Rabbi Kronenberg

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description

Upload Date

Type

No Attachments Available

ITEM NUMBER:

ITEM NAME: Minutes of Executive Session of June 5, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER:

ITEM NAME: Minutes of Regular Meeting of June 5, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Regular	6/13/2024	Cover Memo

**CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES JUNE 5, 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 Eric Farrar - Hope Reformed Church

PRESENTATION

Gorab 70th Anniversary

APPROVAL OF MINUTES

A Motion was made by Councilman Kolodziej seconded by Councilman Gibson and passed on roll call vote to approve the Workshop Session, Executive Session and Regular Session Meeting Minutes of May 21, 2024, and the Special Budget Meeting of May 29, 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 Angely Quirino, Finance, Records Support Technician 1, Hired effective May 16, 2024, at \$45,000.00 annually.
- C-2 Sanjana Parab, Promoted to Tax Collector, effective March 1, 2024, at \$94,000.00 annually.
- C-3 Eric Oliver, Public Works, Laborer 1, hired effective May 16, 2024, at \$32,500.00 annually.

June 5, 2024

COMMUNICATIONS MEETING MINUTES

- C-4 Minutes of Planning Board of April 25, 2024,
- C-5 Minutes of Clifton Arts Center of April 22, 2024,
- C-6 Minutes of CA-TV Committee of April 24, 2024,
- C-7 Minutes of North Jersey District Water Supply Commission of April 24, 2024,
- C-8 Minutes of Senior Citizen Advisory Committee of April 25, 2024,
- C-9 Minutes of Passaic Valley Water Commission of April 25, 2024,
- C-10 Minutes of Board of Recreation of April 29, 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.

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

With no one else 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 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)

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

C. Adoption of Ordinance 7914-24

D. Public Hearing on Ordinance 7914-24

Mayor Grabowski opened the floor to the public regarding Ordinance 7914-24.

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, seconded by Councilman Latona to close the public hearing and adopt 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)

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

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.

B. Introduction of Ordinance 7915-24

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 Latona and passed on roll call vote. This position will be a Confidential Employee position.

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

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 18, 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.

C. Introduction of Ordinance 7916-24

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 Kolodziej, seconded by Councilman Gibson and passed 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 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Deletes 1 Handicapped Space)

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 18, 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.

D. Introduction of Ordinance 7917-24

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 Kolodziej, seconded by Councilman Latona and passed 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 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 16 Restricted Handicapped Spaces)

It was regularly moved, seconded, and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, June 18, 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.

E. Introduction of Ordinance 7918-24

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 Kolodziej, seconded by Councilman Latona and passed on roll call vote.

June 5, 2024

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 5 Handicapped Spaces)

It was regularly moved, seconded, and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, June 18, 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.

F. Introduction of Ordinance 7919-24

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 Kolodziej, seconded by Councilman Gibson and passed 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 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Amends Handicapped Parking Placard Number)

It was regularly moved, seconded, and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, June 18, 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.

G. Introduction of Ordinance 7920-24

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 Latona, seconded by Councilman D'Amato and passed 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 439-14 Thereof, Entitled "Parking Prohibited During Certain Hours/Days on Certain Streets (Eliminates Hourly Parking Restrictions on McCosh Road Because it is Already Covered by Permit Parking)

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 18, 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.

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

FLOOR TO THE MEMBERS OF THE PUBLIC

Jamie Placek, 185 Washington Ave., thanked the Council for allowing him to serve the City of Clifton as Outside Council for the past eight years.

Ben Schwartz, 28 Belmont Ave., asked what the status is of the installation of sidewalks by Latteri Park.

Gabriel Garcia, Albion Section, spoke about the City's Carnival Ordinance. He thanked Councilwoman Sadrakula and Councilwoman Pino for clarifying some issues he had with the Ordinance.

Francesco Muoio, J5 Meadow Ct., announced the 80th anniversary of D-Day. He suggested that the City honors these Veterans at an annual event.

Lily D'Amato, 81 Merrill Rd., spoke about a lawn ordinance summons she received in error. She remarked that the salary range for the new Communications Manager is too low. Ms. D'Amato commented on an item on the Council agenda where some confidential employees were not paid properly.

Phil Binaso, 23 Mountainside Terr., remarked that building a firehouse on the Main Memorial park property is not a good idea. It would result in the removal of too many mature trees. He stated that the City should stop chasing ratales.

Robert Popowich, 57 Dalewood Rd., asked why the new firehouse discussion was put on as a confidential item.

Ann Schnackenberg, 268 Washington Ave., spoke about fire, flooding, trees and grass. She discussed building a fire house on public property, removing trees and the land swap process. She commented on the amount of trees removed when building Anzaldi Park. Ms. Schnackenberg spoke about Blue Acres funding and asked for a clarification on the lawn maintenance ordinance.

Kim Castellano, 59 Mahar Ave., thanked the Council for supporting her organization, The Power of One. She spoke about several events that were sponsored by the Power of One and gave kudos to Health Officer, John Biegel for everything he does to help the program.

Dave Wyka, 101 Van Breeman Drive, offered his services, as a tree expert, free of charge, to help the City with any tree issues. He announced that he is organizing a tree walk with the Clifton Arts Center.

Donna Popowich, 57 Dalewood Rd., thanked Mr. Wyka for volunteering his time and expertise to help with City tree issues. She suggested the City acquire interns from Montclair State University to assist the new Communications Manager. Ms. Popowich objected to having a firehouse built on public park property. She commented on a bear that has been spotted in the City and she commented on an error when calculating several Confidential employee's compensation.

With no one else wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilwoman Sadrakula, 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

Jamie Placek – City Manager, Dominick Villano, said that Jamie is a stand-up guy and thanked him for his many years of service to the City.

Ben Schwartz – City Manager Dominick Villano, commented that there was a change in plans for the Latteri Park sidewalks. Mr. Villano stated that he would like to build the sidewalks from Bloomfield Ave. to Dwasline Road.

Francesco Muoio – City Manager, Dominick Villano, said the City does have a Veterans' Day Parade and several services for Veterans. The City Council could certainly approve an annual memorial service for D-Day Veterans.

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Lily D'Amato – City Manager, Dominick Villano, apologized for the mix up with the lawn maintenance summons. City Manager, Dominick Villano, said he would provide an analysis of the Confidential employee compensation audit.

Phil Binaso – City Manager, Dominick Villano, commented that if the property is developed properly, it can be a good prospect. He stated that the City needs the firehouse and currently does not have the funds to purchase a property. Mr. Villano remarked that he is open to suggestions on where to put the firehouse.

Robert Popowich – City Manager, Dominick Villano, said that land acquisitions must be discussed in Executive Session. The use of public land can take place in open session.

Ann Schnackenberg – City Manager, Dominick Villano, said that Council meetings are prioritized to air live before any other Board meeting. He explained that the State dictates any swapping of open spaces and paper streets. Mr. Villano explained the grass maintenance ordinance.

Kim Castellano – City Manager, Dominick Villano, thanked Ms. Castellano for all her work helping City residents.

Dave Wyka, City Manager, Dominick Villano, said he would accept Mr. Wyka's offer to use his expertise and experience to preserve and plant City trees.

Donna Popowich – City Manager, Dominick Villano, stated that a notice has already been put out for acquiring interns. He explained that the bear's location is being monitored. He asked that all residents keep lids on garbage cans and to avoid the bear if they see it.

COMMITTEE REPORTS

Councilwoman Pino announced that the Sub-committee on Committees met and made good progress. She commented that the City Manager was asked to research information for the committee and report back before the next meeting.

Councilman Gibson read Recreation news and events.

Councilman Kolodziej stated that the Cable committee met, and they would like to do a tribute to the late Peter Eagler. A suggestion to include Councilwoman Murphy, Frank Gaccione and Don Kowal be added to the tribute. Councilman Kolodziej asked that this item be put on the next council agenda.

COUNCIL PRIVILEGE

Councilman Latona

Councilman Latona spoke about the anniversary of D-Day. He announced news and events taking place in the City. Councilman Latona wished all fathers a Happy Fathers' Day. He spoke about Blue Acres funding, the newly hired Comptroller, interns and volunteers, on-line scams, grass maintenance and utilities ripping up roads. He spoke about building a new firehouse on park property and said that if trees need to be taken down due to construction, then new trees can be planted. Councilman Latona stressed the need for the firehouse.

Councilman D'Amato

Councilman D'Amato asked for the status of the aid from the DEP and the Army Corp of Engineers for the Third River flooding issue. He discussed the advantages of the City being a Film Ready Community and thanked the employee that attended the Film Ready Workshop. Councilman D'Amato urged all residents to attend the Allwood Road project meeting on June 26th. He discussed the hiring of a Communications Manager, the new law modernizing the Open Public Records Act and the building of a new firehouse. Councilman D'Amato stated that honoring D-Day Veterans annually is the right thing to do. He spoke about the bear that has been spotted in the City and informed the public that the Health Department has posted guidelines if anyone should encounter the bear.

City Manager, Dominick Villano, replied that the aid for the Third River from the DEP is in 90-day review. He suggested contacting the City's Congressman to urge the Army Corp of Engineers for assistance in moving this project along.

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

Councilwoman Pino

Councilwoman Pino announced Recreation news, fundraisers and events taking place in the City. She expressed her condolences to Mayor Grabowski on the passing of his sister. Councilwoman Pino wished all a happy Father's Day.

Councilwoman Sadrakula

Councilwoman Sadrakula reminded Administration that reviews of Confidential employees were slated to start. She urged all residents to attend the meeting regarding the proposal to change Allwood Road.

Councilman D'Amato returned to the dais at 9:45 p.m.

Councilwoman Sadrakula stated that parkland is not the place to build a firehouse. She stressed the importance of preserving open space. She thanked resident, Dave Wyka, for offering his expertise to help preserve trees. Councilwoman Sadrakula asked that an item be put on the next agenda to discuss an annual service to honor WWII Veterans. She thanked Jamie Placek for his years of service to the City as Outside Legal Counsel. Councilwoman Sadrakula spoke about the need for sidewalks on Allwood Place, uncut grass, hiring interns, Third River flooding assistance, using Zoom at Council meetings, transparency and the modernization of the Open Public Records Act.

Councilman Gibson

Councilman Gibson congratulated Nicholas and Somaya Gorab on their 70th Wedding Anniversary. He spoke about sidewalks, honoring D-Day Veterans, constructing a new firehouse, enforcing the grass ordinance and illegal dumping. Councilman Gibson gave his support to hire a Communications Manager. He expressed his condolences to the D'Arco Family on the passing of a family member.

City Manager, Dominick Villano, suggested video surveillance in areas where there has been illegal dumping.

Councilman Kolodziej

Councilman Kolodziej spoke about the modernization of the Open Public Records Act.

Councilwoman Sadrakula left the dais at 10:05 p.m.

He announced that he will be voting no on the Resolutions on the agenda pertaining to the hiring of Outside Council because although the Council claims these were chosen through the RFP process, the process did not comply with the State of NJ Administrative Code. Councilman Kolodziej explained that some of the selections will cost the City more money than what was being paid to the previous firms and that the City is losing many years of expertise on existing projects. He suggested that when there is a conflict with Tuesday Council meetings, they should be moved to Thursday so the meeting can be held in the Courtroom rather than the Conference Room. Councilman Kolodziej stated he did some research on a new law called the Rain Tax which operates similar to the Open Space Tax and allows funds to be reserved strictly for storm water management.

Councilwoman Sadrakula returned to the dais at 10:08 p.m.

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Councilman Kolodziej commented that he is against building a firehouse on parkland. He urged residents to pay attention to how his Council colleague's vote. He spoke about the large self-storage building being proposed for the corner of Broad St. and Route 46. He felt perhaps that parcel can be purchased and used as open space. Councilman Kolodziej suggested that the High School Liaison to the Clifton Arts Center, who recently resigned, be filled with the individual recommended by the High School.

Mayor Grabowski

Mayor Grabowski congratulated Nicholas and Somaya Gorab on their 75th Wedding Anniversary. He spoke about enforcing the grass ordinance and offered some tips should anyone encounter the bear that has been spotted recently. Mayor Grabowski thanked everyone who offered their condolences on the passing of his sister Valerie.

RESOLUTIONS VOTED ON SEPERATELY

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to table Resolution R29-24.

R279-24 Resolution Awarding Contract for Civic Plus Website Management Services Through SHI, Inc. off the Bergen County Cooperative Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION AWARDING CONTRACT FOR CIVIC PLUS WEBSITE
MANAGEMENT SERVICES THROUGH SHI INC 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 website digital optimization providing the automation package for the workflow certain services including training and module installation for web site and Package of Civic Plus Agenda Module; and

WHEREAS, this procurement request is made in accordance with N.J.S.A:40A:11-12a, via Bergen County Cooperative BC-BID-24-38, which expires June 5,2026; and,

WHEREAS, MIS Department recommends the award of contract to SHI International located at 290 Davidson Ave Somerset NJ 08873 for a term of January 1,2024, to December 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 \$53,377.49, off the Bergen County Cooperative 24-38.

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

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and failed on roll call vote to amend the Surplus Policy developed by the Chief Financial Officer.

R276-24 Resolution - Amending Surplus Policy

**RESOLUTION AMENDING SURPLUS POLICY DEVELOPED BY
THE CHIEF FINANCIAL OFFICER**

WHEREAS, on October 21, 2014, the City Council adopted Resolution R486-14, setting a Surplus Policy as a Best Practice; and,

WHEREAS, the policy adopted with this Resolution requires amending to comply with historical usage since the adoption of this Policy; and,

WHEREAS, the Chief Financial Officer has amended the Surplus Policy as:

Surplus Policy:

The City of Clifton may utilize up to 60% of the year-end fund balance in the proceeding Budget as Anticipated Surplus to support said Budget. At no time will the balance of fund balance be less than 4.5% of the Current Fund Municipal Budget, excluding the Public Library's Tax Levy. At no time may the Current Fund balance fall below \$5,000,000.

If Utilization exceeds over 60% of the prior year-end Fund Balance or leaves a balance of less than 4.5% of the Current Fund Budget, efforts will be made to correct the fund balance usage by the next Municipal Budget, by reducing reliance of Fund Balance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby amends and reestablishes the above-stated Surplus Policy, effective immediately.

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

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

R274-24 Resolution: Approve Claims List Resolution for the June 5, 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	\$	601,599.03
Grant Fund	\$	93,978.93
General Capital Fund	\$	79,405.58
Sewer Utility -Operating	\$	15,843.63
Sewer Utility-Capital	\$	-
Developers Escrow	\$	17,159.25
Dog Trust	\$	9,452.00
Revolving Loan Fund		
Police Extra Duty	\$	-
Trust Other	\$	16,008.19
Section 8 Public Housing	\$	-
Reserve for Housing	\$	-
Community Development	\$	26,082.06
Payroll Agency	\$	-
Tax Title Lien Redemption	\$	-
Affordable Housing	\$	-
	\$	-
Self Insurance	\$	1,397,860.74
Fire Dedicated Penalties	\$	-
Revolving Loan Fund	\$	-
Tax Title Lien Redemption	\$	-

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Unemployment Trust Fund	\$	-
Library	\$	283,563.13
General Liability Trust	\$	143,028.96
Workers Compensation Trust	\$	69,331.32
Trust Escrow	\$	-
Reserve for Housing	\$	-
Federal DOJ Forfeiture	\$	-
TOTAL CLAIMS	\$	2,753,312.82

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

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

R280-24 Resolution to Purchase Industrial Supplies and Equipment from W.W. Grainger for the City of Clifton off of NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

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

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

WHEREAS, W.W. Grainger was awarded New Jersey State Contract number 19-FLEET-00566 for Industrial Supplies and Equipment, expiring December 31, 2024, and

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

WHEREAS, the City of Clifton, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the Purchasing Agent to procure goods as-needed from W.W. Grainger, Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016-3582 via New Jersey State Contract number 19-FLEET-00566, in an amount not to exceed \$100,000.00, for the period of July 1, 2024, through to June 30, 2025; and

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

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

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

R285-24 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for General Environmental Counsel Services

RESOLUTION AWARDING CONTRACT TO DECOTIIS, FITZPATRICK, COLE & GIBLIN, LLP FOR GENERAL ENVIRONMENTAL COUNSEL SERVICES

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, DeCotiis, FitzPatrick, Cole & Giblin, LLP, of 61 South Paramus Road, Suite 250, Paramus, New Jersey, is agreeable to providing said general environmental counsel services for the term at the rate of \$175.00 per hour for partners and \$150.00 per hour for associates, not to exceed \$5,000.00 for the term of the contract, one year from the date of appointment, 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 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) may 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 DeCotiis, FitzPatrick, Cole & Giblin, LLP, effective June 5, 2024, through June 4, 2025, the rate to be paid for said services is \$175.00 per hour for partners and \$150.00 per hour for associates, 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:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

June 5, 2024

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

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP
Services: Environmental Counsel Services
Project: Various Sites
Amount: \$175.00 per hour for partners and \$150.00 per hour for associates, not to exceed \$5,000.00 for the contract term
Term: June 5, 2024, through June 4, 2025

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

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Gibson to vote on the following resolution separately:

R293-24 Resolution Authorizing Games of Skill Operator License - Peko Barbershop

RESOLUTION AUTHORIZING GAMES OF SKILL OPERATOR LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Games of Skill Operator License from Peko Barbershop, 540 Van Houten Avenue in the City of Clifton; and

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

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

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

(4-2-1-0) Councilman Kolodziej, Councilman D'Amato, Councilwoman Pino and Mayor Grabowski voted aye. Councilman Gibson and Councilwoman Sadrakula voted nay. Councilman Latona abstained.

A Motion was made by Councilman Kolodziej, seconded by Councilman D'Amato to vote on the following Resolutions separately:

R283-24 Resolution Awarding Contract to Adams, Lattiboudere, Croot & Herman for Prosecution of Disciplinary Matters Against Employees of the City of Clifton

RESOLUTION AWARDING CONTRACT TO ADAMS, LATTIBOUDERE, CROOT & HERMAN FOR PROSECUTION OF DISCIPLINARY MATTERS AGAINST EMPLOYEES OF THE CITY OF CLIFTON

WHEREAS, the City of Clifton requires the services of outside legal counsel to assist on an as-needed basis with the prosecution of disciplinary matters against the City of Clifton; and

WHEREAS, Adams, Lattiboudere, Croot & Herman, of 555 Route 1 South, Suite 240, Iselin, New Jersey, is agreeable to providing legal services for the City of Clifton for the term at the rate of \$185.00 per hour for partners and \$185.00 per hour for associates, not to exceed \$5,000.00 for the term of the contract, one year from the date of appointment, 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 fair and open contract in accordance with *N.J.S.A.* 19:44-A-20.5; and

WHEREAS, the estimated value of this contract (in combination with other matters) may 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 legal services for outside counsel to assist with the prosecution of disciplinary matters against employees of the City of Clifton, in the form as approved by the Clifton Law Department, is awarded to Adams, Lattiboudere, Croot & Herman, effective June 5, 2024, through June 4, 2025, the rate to be paid for said services is \$185.00 per hour for partners and associates, not to exceed \$5,000.00 for the term of the contract without the express approval of the Municipal Council and the 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:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Adams, Lattiboudere, Croot & Herman
Services: Prosecution of Disciplinary Matters
Project: Prosecution of Disciplinary Matters Against Employees of the City of Clifton
Amount: \$185.00 per hour for partners and associates, not to exceed \$5,000.00 for the contract term
Term: June 5, 2024, through June 4, 2025

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

R286-24 Resolution Awarding Contract to Laddey, Clark & Ryan LLP 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

**RESOLUTION AWARDING CONTRACT TO LADDEY, CLARK & RYAN LLP 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 5, 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, Laddey, Clark & Ryan LLP, of 60 Blue Heron Road, Suite 300, Sparta, New Jersey, is agreeable to providing legal services for the City of Clifton for the term at the rate of \$200.00 per hour for partners and \$175.00 per hour for associates, not to exceed \$5,000.00 for the term of the contract, one year from the date of appointment, 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 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) may 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 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, in the form as approved by the Clifton Law Department, is awarded to Laddey, Clark & Ryan LLP, effective June 5, 2024, through June 4, 2025, the rate to be paid for said services is \$200.00 per hour for partners and \$175.00 per hour for associates, 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:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Laddey, Clark & Ryan, LLP
Services: Independent Investigations

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

R287-24 Resolution Awarding Contract to Weiner Law Group LLP for Employment Litigation Claims

**RESOLUTION AWARDING CONTRACT TO WEINER LAW GROUP LLP FOR
EMPLOYMENT LITIGATION CLAIMS**

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, Weiner Law Group LLP, of 629 Parsippany Road, Parsippany, New Jersey is agreeable to providing said legal services for the term at the rate of \$175.00 per hour, not to exceed \$5,000.00 for the term of the contract, one year from the date of appointment, 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 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) may 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 legal services for outside counsel to represent the City of Clifton in employment litigations claims filed against the City, in the form as approved by the Clifton Law Department, is awarded to Weiner Law Group LLP, effective June 5, 2024, through June 4, 2025, 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 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:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Weiner Law Group LLP
Services: Legal Counsel
Project: Employment Litigation Claims

June 5, 2024

Amount: \$175.00 per hour, not to exceed \$5,000.00 for the contract term

Term: June 5, 2024, through June 4, 2025

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

R298-24 Late - Resolution Awarding Contract to for Special Counsel Services in Connection with Affordable Housing Litigation

RESOLUTION AWARDING CONTRACT TO ERIC M. BERNSTEIN & ASSOCIATES, LLC FOR SPECIAL COUNSEL SERVICES IN CONNECTION WITH AFFORDABLE HOUSING LITIGATION

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, Eric M. Bernstein & Associates, LLC is agreeable to providing said services such as the declaratory judgment action as required by the decision of the New Jersey Supreme Court and also to approve the City's spending plan as well as other services in connection with Affordable Housing for the term at the rate of \$160.00 per hour, not to exceed \$5,000.00 for the term of the contract, one year from the date of appointment, 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 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:

- I. 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 Eric M. Bernstein & Associates, LLC, effective June 5, 2024, through June 4, 2025, the rate to be paid for said services is \$160.00 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.
- II. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
- III. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
- IV. The original of this resolution and the contract in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.

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

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARD**

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

Awarded to: Eric M. Bernstein & Associates, LLC
Services: Affordable Housing Litigation
Project: COAH
Amount: \$160.00 per hour, not to exceed \$5,000.00
Term: June 5, 2024, through June 4, 2025

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

A Motion was made by Councilwoman Sadrakula, seconded by Councilman D'Amato to vote on the following resolution separately:

R288-24 Resolution Awarding Contract to McManimon, Scotland & Baumann, LLC for Legal Services in Connection with Redevelopment of Former Hoffman La Roche Property

**RESOLUTION AWARDING CONTRACT TO MCMANIMON, SCOTLAND &
BAUMANN, LLC FOR LEGAL SERVICES IN CONNECTION WITH
REDEVELOPMENT OF FORMER HOFFMAN-LA ROCHE PROPERTY**

WHEREAS, the Council previously awarded contracts for the provision of legal services in connection with the redevelopment of the Hoffman-La Roche site, and

WHEREAS, McManimon, Scotland & Baumann, LLC, at 75 Livingston Avenue, Second Floor, Roseland, New Jersey, is agreeable to providing said legal services for the term at a rate of \$215.00 per hour, not to exceed \$5,000.00 for the term of the contract, one year from the date of appointment, 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 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) may 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 aforesaid services;

NOW, THEREFORE, BE IT RESOLVED, that:

A contract for professional redevelopment legal counsel services, in the form as approved by the Clifton Law Department, is awarded to McManimon, Scotland & Baumann, LLC, effective June 5, 2024, through June 4, 2025, the rate to be paid for said services is \$215.00 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:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: McManimon, Scotland & Baumann, LLC
Services: Redevelopment Counsel Services
Project: Hoffman-La Roche Property Redevelopment
Amount: \$215.00 per hour, not to exceed \$5,000.00 for the contract term
Term: June 5, 2024, through June 4, 2025

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

RESOLUTIONS

A Motion was made by Councilman Gibson, seconded by Councilman D'Amato and passed on roll call vote to move the group.

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

R275-24 Resolution - 2024, Temporary Budget Amendment #8 for the Clifton Municipal Budget

**2024, TEMPORARY BUDGET
AMENDMENT NUMBER 8**

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

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

WHEREAS, the initial adoption of the 2024, Temporary Municipal Budget, R004-24, was on January 2, 2024, and,

NOW, THEREFORE, BE IT RESOLVED, that the Temporary Appropriations Amendments are hereby authorized to provide funding for Departments named below, Terminal Leave Payments as approved by the City Council of the City of Clifton, County of Passaic, State of New Jersey, prior to the adoption of the 2024, Municipal Budget as follows:

<u>Department</u>	<u>Department Code</u>	<u>Amount</u>
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As Attached

Total Temporary Budget Increase: \$ 9,474,400.00

R277-24 Resolution - Estimated Third Quarter 2024, Tax Bill

**RESOLUTION
ESTIMATED THIRD QUARTER 2024,**

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

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

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

1. The Estimated August 2024, Third Quarter Tax Bill be issued with an estimated tax rate of \$6.06 per \$100.00 of assessed valuation.
2. This Estimated Tax Bill includes the new Municipal Open Space Tax Levy established by referendum.
3. Pursuant to R.S. 54:4-67, interest free rate period (10-day grace period) or the 25th calendar day after the date the tax bill was mailed or otherwise delivered maybe charged back to August 1st. After which, interest at the rate of 8% per annum on amounts up to \$1,500 of delinquency and 18% per annum on amounts over \$1,500 of delinquency shall be charged from August 1, 2024.
4. That the reconciled November 2024, Quarterly Taxes are due and payable as originally scheduled on November 1, 2024, with a ten-day grace period, interest to be calculated as of November 1 if not paid prior to the expiration of said grace period.

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

R278-24 Resolution Awarding Professional Engineering Design Services Contract to Greenman-Pedersen, Inc. for the Preliminary Engineering Phase of the NJDOT SRTS 2022 Project for the Christopher Columbus Middle School Pedestrian Access Tunnel Improvements

**RESOLUTION AWARDING PROFESSIONAL ENGINEERING DESIGN SERVICES
CONTRACT TO GREENMAN-PEDERSEN, INC. FOR THE PRELIMINARY
ENGINEERING PHASE OF THE NJDOT SRTS 2022 PROJECT FOR THE
CHRISTOPHER COLUMBUS MIDDLE SCHOOL PEDESTRIAN ACCESS TUNNEL
IMPROVEMENTS**

WHEREAS, the City of Clifton requires professional engineering design services for the preliminary engineering phase of the NJDOT SRTS 2022 Project for the Christopher Columbus Middle School Pedestrian Access Tunnel Improvements; and

WHEREAS, the City Engineer recommends that a contract be awarded to Greenman-Pedersen, Inc. in accordance with its submitted proposal, dated November 6, 2023, in the amount of not to exceed \$364,276.85; and

WHEREAS, after reviewing the proposal and the recommendation of the City Engineer, the Municipal Council wishes to award a contract to Greenman-Pedersen, Inc. for the provision of said services, in the amount of not to exceed \$364,276.85; and

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

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

WHEREAS, the value of the contract is determined to not to exceed \$364,276.85 and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that a professional engineering design services contract for the preliminary engineering phase of the NJDOT SRTS 2022 Project for the Christopher Columbus Middle School Pedestrian Access Tunnel Improvements is hereby awarded to **GREENMAN-PEDERSEN, INC.**, in accordance with its proposal, dated November 6, 2023, in the amount of not to exceed \$364,276.85, without the adoption of a supplemental resolution authorizing additional funding; and

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

BE IT FURTHER RESOLVED, that the following short notice be printed once in a legal newspaper of the City of Clifton:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Greenman-Pedersen, Inc. Lebanon, NJ
Services: Design services for the preliminary engineering phase
Project: NJDOT SRTS 2022 Project For The Christopher Columbus Middle School
Pedestrian Access Tunnel Improvements
Cost: Not to exceed \$364,276.85
Term: Until completion

R281-24 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 which shall expire 60 days after the date of this resolution.

R282-24 Resolution Awarding Professional Legal Services Contract to Buglione, Hutton & DeYoe, LLC for Defense of Workers' Compensation Claims Against the City of Clifton - 5/1/24-4/30/25

**RESOLUTION AWARDING PROFESSIONAL LEGAL SERVICES CONTRACT TO
BUGLIONE, HUTTON & DeYOE, LLC FOR DEFENSE OF WORKERS'
COMPENSATION CLAIMS AGAINST THE CITY OF CLIFTON FOR THE TERM
MAY 1, 2024, – APRIL 30, 2025**

WHEREAS, the City of Clifton is in need of the services of an attorney who possesses expertise in the field of defense of workers' compensation claims; and

WHEREAS, the firm of Buglione, Hutton & DeYoe, LLC of Wayne, NJ, has been providing these services to the City of Clifton in a satisfactory manner for the past several years; and

WHEREAS, the Municipal Council wishes to award a renewal of the said contract, on the same terms and conditions as previously agreed upon; 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, and the duration of the contract is for one year, May 1, 2024, through April 30, 2025; 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 payment for the services;

NOW, THEREFORE, BE IT RESOLVED, that a professional legal services contract as aforesaid be and the same is hereby awarded Buglione, Hutton & DeYoe, LLC, 401 Hamburg Turnpike, P.O. Box 2449, Wayne, NJ 07470, for the period of May 1, 2024, through April 30, 2025, at a cost as follows:

Flat fee, half of which is payable upon receipt of the file, to cover one calendar year:	\$497.00
Flat fee, payable for each calendar year thereafter that the file remains open:	\$100.00
Hourly rate for all trial work involving the initiation of testimony for any Second Injury Fund Matter:	\$90.00
Hourly rate for scheduling of IME's:	\$85.00

BE IT FURTHER RESOLVED, that the required Certificate of Availability of Funds for the above contract was obtained from the Chief Financial Officer of the City of Clifton and is endorsed hereon; and

BE IT FURTHER RESOLVED, that the original of this resolution and the contract above referred to be placed on file and made available for public inspection at the Office of the City Clerk of the City of Clifton; and

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

BE IT FURTHER RESOLVED, that the following short notice be printed once in a legal newspaper of the City of Clifton:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARD**

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

Awarded to: Buglione, Hutton & DeYoe, LLC, Wayne, NJ
Services: Professional Legal Services
Cost: \$497 flat fee, ½ of which is payable upon receipt of file, to cover 1 calendar year
\$100 flat fee, payable for each year thereafter the file remains open
\$90 hourly rate for all trial work involving the initiation of testimony for any
Second Injury Fund Matter
\$85 hourly rate for scheduling IME's
Subject: Defense of workers' compensation claims against the City of Clifton
Term: May 1, 2024, through April 30, 2025

R284-24 Resolution Authorizing Contracts to the Law Office of Douglas M. Standriff and Boggia, Boggia & Betesh for Special Tax Appeal Counsel Services

RESOLUTION AUTHORIZING CONTRACTS TO THE LAW OFFICE OF DOUGLAS M. STANDRIF AND BOGGIA, BOGGIA, & BETESH FOR SPECIAL TAX APPEAL COUNSEL SERVICES

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 are required for one year from the date of appointment, at the fees as set forth below:

<u>Firm</u>	<u>Fees</u>
Law Office of Douglas M. Standriff	\$150.00 per hour for partners \$135.00 per hour for associates
Boggia, Boggia & Betesh	\$150.00 per hour for partners \$150.00 per hour for associates

WHEREAS, it would be in the best interest of the City to have the aforesaid attorneys, Law Office of Douglas M. Standriff of 25 E. Spring Valley Avenue, Suite 330, Maywood, New Jersey, and Boggia, Boggia & Betesh of 71 Mount Vernon Street, Ridgefield Park, New Jersey, 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 \$5,000.00 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 contracts shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.

R289-24 Resolution Authorizing Amendment to Rule No. 4 of the Rules of Order

RESOLUTION AUTHORIZING AMENDMENT TO RULE NO. 4 OF THE RULES OF ORDER

NOW, THEREFORE, BE IT RESOLVED, that Rule No. 4 of the Rules of Order is amended to read as follows:

RULE 4. The City Manager shall incur no expense exceeding \$5,000 for professional services contracts and \$17,500 for all other expenses except where authorized by law or the Municipal Council.

R290-24 Resolution of Congratulations to Nicholas and Somaya Gorab on Their 70th Anniversary

**RESOLUTION OF CONGRATULATIONS TO
NICHOLAS AND SOMAYA GORAB ON THEIR 70TH ANNIVERSARY**

WHEREAS, on May 2, 1954, Somaya Fadil and Nicholas Gorab were married at St. George Church in Paterson, New Jersey; and

WHEREAS, the couple met at St. George Church and started dating in 1950. Nick served in the Korean Conflict from 1951-1953 and after returning from the service, they were married; and

WHEREAS, less than one-tenth of one percent is the percentage of people who have been married for 70 years. For Nicholas and Somaya Gorab, this is a milestone that they have achieved; and

WHEREAS, Somaya and Nicholas' marriage was blessed with three children: Glenn, Gordon and Lisa, and nine grandchildren; and

WHEREAS, Somaya, who was originally from Garfield, worked in Dumont Industries in East Paterson, was a member of the Passaic General Hospital Ladies Auxiliary for 30 years and was also a member of the Clifton Eastern Star for 30 years; and

WHEREAS, Nick was born and raised in Clifton and worked as Vice-President of Sales for an electrical supply company in Hackensack for 42 years. Nick served as Advancement Chairman for Aheka Boy Scout Council and as an Assistant Scoutmaster in Troop 3 in Clifton. He was a member of the Clifton Masonic Lodge for 70 years and served on the Clifton Board of Education from 1975-1978; and

WHEREAS, Nick and Somaya will be 95 and 94, respectively, and are still going strong. The couple have lived in four different residences in Clifton for their entire marriage.

NOW, THEREFORE, we, the Mayor and Municipal Council of the City of Clifton join with the family and many friends of

NICHOLAS AND SOMAYA GORAB

in congratulating them on the occasion of their 70th wedding anniversary and do extend to them best wishes for good health, peace and happiness in all their future years together.

R291-24 Resolution for Appointment to the Open Space Trust Fund Advisory Committee

**RESOLUTION FOR APPOINTMENT TO THE
OPEN SPACE TRUST FUND ADVISORY COMMITTEE**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an application from Donna Popowich to become a Member of the Open Space Trust Fund Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Donna Popowich be and is hereby appointed to the Open Space Trust Fund Advisory Committee commencing this day for a term of three years.

R292-24 Resolution Authorizing New Ice Cream Peddler's License - Magicle Ice Cream

RESOLUTION AUTHORIZING NEW ICE CREAM PEDDLER'S LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a renewal application for an Ice Cream Peddler's License from Sidney A. San owner of Magicle Ice Cream, LLC, 100 Paulison Avenue, Passaic, New Jersey; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for a renewal application for an Ice Cream Peddlers License from Sidney A. San owner of Magicle Ice Cream, 100 Paulison Avenue, Passaic, NJ is hereby granted.

Company name:
Magicle Ice Cream

Owner:
Sidney A. San

Approved Operator:
Sidney A. San

Approved Vehicle:
1975 Chevy P30 CPY2253301352
1994 Chevy P30 1GBJP32K7R3322070

Parking Location:
103 Paulison Avenue, Passaic, NJ 07055

R293-24 Resolution Authorizing Games of Skill Operator License - Peko Barbershop

RESOLUTION AUTHORIZING GAMES OF SKILL OPERATOR LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Games of Skill Operator License from Peko Barbershop, 540 Van Houten Avenue in the City of Clifton; and

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

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

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

R294-24 Resolution Authorizing Peddler's License - C&C Floral

**RESOLUTION AUTHORIZING PEDDLER'S LICENSE
C&C FLORAL**

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey that approval for Peddler's License from Peter Caggiano be and is hereby granted.

R295-24 Resolution Awarding Consultant Services Contract to Crystal Rodriguez for Assisting the City of Clifton Health Department with Grant Tasks Under the New Jersey Department of Health for the Strengthening Local Public Health Capacity Grant for the Term July 1, 2024, Through June 30, 2025

**RESOLUTION AWARDING CONSULTANT SERVICES TO CRYSTAL RODRIGUEZ
AS LOCAL HEALTH OUTREACH CO-ORDINATOR
TERM -JULY 1,2024, THROUGH JUNE 30,2025**

WHEREAS, the City of Clifton Health Department through New Jersey Association of County and City Health Officials grant has a continuous need to implement comprehensive local health outreach plan to gather data and monitoring infectious disease and related response activities including surveillance, testing rates and vaccination coverages; and

WHEREAS, quotations were solicited for the purpose of providing objectives for the outreach plan, such as increasing vaccination rates, promoting hygiene practices, and early detection of infectious diseases. The following three vendors submitted the quotes:

		Per Hour Cost	Annual Cost
1.	Crystal Rodriguez	\$40.25	\$43,953.00
2.	Adriana Alfaro.	\$60.00	\$54,000.00
3.	Strategic Health Advisors, LLC	\$85.00	\$76,500.00

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

WHEREAS, the estimated value of the contract is expected to be in excess of \$17,500.00; and

WHEREAS, the Business Entity Disclosure Certification has been received from Crystal Rodriguez located at 15 West 16th Street, Linden NJ 07036. and is incorporated in the contract awarded hereby; and

WHEREAS, upon review of the submitted quotes, it is recommended the contract be awarded to the lowest responsive and responsible vendor Crystal Rodriguez located at 15 West 16th Street, Linden NJ 07036. in the amount not to exceed \$43,953.00; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council that the contract (by way of a purchase order) for Local Health Outreach Coordinator Services be awarded to the lowest respondent, Crystal Rodriguez located at 15 West 16th Street, Linden NJ 07036 in an amount not to exceed \$43,953.00. Term of contract shall commence July 1, 2024, and end on June 30, 2025

R296-24 Resolution Authorizing Execution of Subordination Agreement Between City of Clifton and Mutual of Omaha Mortgage, Inc. ISAOA (Its Successors and/or Assigns), as their Interest May Appear (Ricky D. Van Horn and Crystal W. Van Horn, His Wife)

**RESOLUTION AUTHORIZING EXECUTION OF SUBORDINATION AGREEMENT
BETWEEN CITY OF CLIFTON AND MUTUAL OF OMAHA MORTGAGE, INC.
ISAOA (ITS SUCCESSORS AND/OR ASSIGNS), AS THEIR INTEREST MAY
APPEAR (RICKY D. VAN HORN AND CRYSTAL W. VAN HORN, HIS WIFE)**

June 5, 2024,

WHEREAS, in conjunction with a Clifton Housing Improvement Program (CHIP) grant to Ricky D. Van Horn and Crystal W. Van Horn, his wife, a mortgage loan dated August 8, 2020, recorded July 16, 2021, in the amount of \$9,370.00 was given by the City of Clifton for property situated at Block 11.5, Lot 32, 218 Hamilton Avenue, Clifton, New Jersey; and

WHEREAS, the said Ricky D. Van Horn and Crystal W. Van Horn, his wife, has requested that the City of Clifton subordinate this mortgage to a mortgage given by Mutual Of Omaha Mortgage, Inc. ISAOA (its successors and/or assigns), as their interest may appear, to Ricky D. Van Horn and Crystal W. Van Horn, his wife; and

WHEREAS, such a subordination is within the regulations established for the Clifton Home Improvement Program (CHIP); and

WHEREAS, the Director of Community Development has no objection to the request of Ricky D. Van Horn and Crystal W. Van Horn, his wife, to subordinate Clifton's \$9,370.00 mortgage;

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 a Subordination Agreement as set forth above, in a form satisfactory to the Law Department.

R297-24 Late - Resolution Authorizing Entry Into American International Group (AIG) Crime Risk Management Policy for Period 7/1/24-7/1/25

RESOLUTION AUTHORIZING ENTRY INTO AMERICAN INTERNATIONAL GROUP (AIG) CRIME RISK MANAGEMENT POLICY FOR PERIOD 7/1/2024, - 7/1/2025

WHEREAS, the City of Clifton requires renewal of its crime liability insurance for the period July 1, 2024, to July 1, 2025; and

WHEREAS, the City's broker of record after soliciting proposals has recommended and the Municipal Council wishes to award a renewal contract to American International Group (AIG) for the provision of said insurance, in accordance with its proposal submitted May 1, 2024, which provides the best and most cost-effective service for the City; and

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

NOW, THEREFORE, BE IT RESOLVED, that a contract for a Crime Risk Management Policy with American International Group (AIG) for the period July 1, 2024, to July 1, 2025, is hereby awarded in accordance with its proposal submitted May 1, 2024, for a price of \$8,548.00; and

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

R299-24 Late - Resolution Approving the Acceptance of Grant for the 2024, Walkathon Event from BAPS Charities, Inc. and Execution of Grant Agreement

RESOLUTION APPROVING THE ACCEPTANCE OF GRANT FOR THE 2024, WALKATHON EVENT FROM BAPS CHARITIES, INC AND EXECUTION OF GRANT AGREEMENT

WHEREAS, BAPS Charities, Inc. has selected the Clifton Police Department as Local Beneficiary regarding the BAPS Charities 2024, Walkathon; and

WHEREAS, BAPS Charities, Inc. seeks permission to use the Local Beneficiary's name in connection with promotional and marketing materials for the Walkathon on June 15, 2024, and in addition, use their name and logo on the BAPS Charities, Inc. website, for the purpose of advertising the joint philanthropic relationship in the Walkathon; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that authorization is given to accept a grant from BAPS Charities, Inc. of \$1,500.00 the Clifton Police Department; and,

BE IT FURTHER RESOLVED, that authorization is given for entry into and execution by the City of Clifton of a Grant Agreement in connection with said grant; and

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

BE IT FURTHER RESOLVED, that the Local Beneficiary will promote the Walkathon by placing a display for the Walkathon in a high traffic area at its facility during the month of June 2024, and proactively promote the event to the best of its ability.

R300-24 Executive Session

RESOLUTION AUTHORIZING EXECUTIVE SESSION

WHEREAS, the Municipal Council deems it essential in the furtherance of the public interest, to discuss, in closed session, as expressly permitted by N.J.S.A. 10:4-12, the following subject(s), to wit:

CON-1 Update of Liability Claims Filed Against City of Clifton - Litigation Privilege
CON-2 Purchasing Procedures - Legal Opinion
CON-3 Appointments Made by the City Manager - Legal Opinion
CON-4 New Firehouse
CON-5 Former Fire Chief Terminal Leave Pay-Out - Personnel
CON-6 Neighbors of Clifton/Richfield Section
CON-7 Reginald Baker v. City of Clifton, et al - Litigation
CON-8 Late - PBA Contract Negotiations
CON-9 Rice Notice – Legal Department & CFO – Legal Opinion
CON-10 Potential Land Acquisition

NOW, THEREFORE, BE IT RESOLVED that the public shall be excused and excluded from that portion of the Council's meeting to be held on June 5, 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 Chopped Cheese House

RESOLUTION FOR PRELIMINARY APPROVAL
FOR CHOPPED CHEESE HOUSE CORP.
T/A CHOPPED CHEESE HOUSE
ADDRESS 1578 MAIN AVE CLIFTON, NJ 07011
TYPE OF FOOD ESTABLISHMENT INTENDED CATERER-CONTINUED USE
FORMERLY OR NEW IYAGI

June 5, 2024,

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.

879 CLIFTON AVE CLIFTON, NJ 07013

BE AND THE SAME IS HEREBY APPROVED AND LICENSES SO ISSUED IN COMPLIANCE WITH THE APPROVAL OF THE BOARD OF HEALTH, FIRE DEPARTMENT, POLICE AND ZONING OFFICER.

ADJOURNMENT

A Motion was made by Councilwoman Sadrakula, seconded by Councilman D'Amato 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

ITEM NUMBER:

ITEM NAME: Minutes of Workshop Meeting of June 5, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Workshop	6/14/2024	Cover Memo

**CITY OF CLIFTON
CLIFTON, NEW JERSEY
WORKSHOP
MEETING MINUTES JUNE 5, 2024**

The Conference 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 and called to Order by the Mayor.

6:30 P.M. CALL OF ROLL

Mayor Grabowski 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	(AT)
Councilman D'Amato	(CD) (Arrived 6:06 p.m.)
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.

Presentations:

Action items of the City Manager's Work Session Agenda
Discussion items of the City Manager's Work Session Agenda
Council mail items of the City Manager's Work Session Agenda

Respectfully submitted,

Nancy Ferrigno
City Clerk

June 5, 2024

PRESENTATION / HEARING / CONFERENCE APPEARANCE(S)

ACTION ITEMS

A-1 2024 Temporary Budget Increase for the Municipal Budget (R275)
Approved: JK/BG

A-2 Authorization to Approve Amending the City of Clifton's Surplus Policy (R276)

A Motion was made by Councilman Kolodziej, seconded by Councilman D'Amato and failed on roll call vote to approve amending the City of Clifton's Surplus Policy

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

A-3 Tax Collector and the Chief Financial Officer Recommends the Adoption of the Resolution for a Third Quarter 2024 Estimated Tax Bill (R277)
Approved: JK/CD

A-4 Authorization to Approve Awarding of Contract for Design Services to Greenman-Pedersen, Inc. - Christopher Columbus Middle School Pedestrian Access Tunnel Improvements (R278)
Approved: JK/BG

A-5 Authorization to Approve Award of Contract for Civic Plus Website Management Services through SHI Inc. Off Bergen County Cooperative Purchasing Program (R279)

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to table Item A-5

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

A-6 Authorization to Approve Purchase of Industrial Supplies and Equipment from W. W. Grainger for the City of Clifton off NJ State Contract Purchasing Program (R280)

A Motion was made by Councilman Kolodziej, seconded by Councilman D'Amato and passed on roll call vote to approve purchase of industrial supplies and equipment from W.W. Grainger

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

A-7 Authorization to Approve Amending By-Laws and Ordinance of the Advisory Committee for Individuals with Disabilities (O7912)

A Motion was made by Councilwoman Sadrakula, seconded by Councilman D'Amato and passed on roll call vote to table Item A-7

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

A-8 Authorization to Approve Amending the By-Laws of the Civil Rights Committee (R281)
Approved: CD/AL

A-9 Authorization to Approve Renewal of Contract to O'Toole Scrivo, LLC - Labor Counsel

A Motion was made by Councilman Kolodziej, seconded by Councilman Gibson and failed on roll call vote to approve the renewal of contract to O'Toole Scrive, LLC – Labor Counsel

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

A Motion was made by Councilwoman Sadrakula seconded by Councilman D'Amato and passed on roll call vote to have the Purchasing Agent prepare an RFP for new Labor Counsel

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

A-10 Authorization to Approve Amendment to Chapter 439-14 to Resolve Inconsistent Parking Ordinances Concerning McCosh Road (O7920-24)

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Gibson and passed on roll call vote to approve amendment to Chapter 439-14 to resolve inconsistent parking ordinances concerning McCosh Road.

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

A-11 Authorization to Approve Adding Communications Manager Title (O7915-24)

A Motion was made by Councilman Kolodziej to set the Communications Manager salary from \$100k to \$125K. There was no second to the Motion.

A Motion was made by Councilman D'Amato, seconded by Councilwoman Pino to make the Communications Manager position a Confidential Employee.

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

A-12 Authorization to Approve Application to Become a Member of the Open Space Committee (R291)

Approved: MS/JK

A-13 Authorization to Approve New Ice Cream Peddler License - Magical Ice Cream (R292)

Approved: AL/CD

A-14 Authorization to Approve New Games of Skill Operator's License - Peko Barbershop (R293)

A Motion is made by Councilman Latona, seconded by Councilman D'Amato and passed on roll call vote to approve new Games of Skill Operator's License – Peko Barbershop

(4-2-1-0) Councilman Kolodziej, Councilman D'Amato, Councilwoman Pino and Mayor Grabowski voted aye. Councilman Gibson and Councilwoman Sadrakula voted nay. Councilman Latona abstained.

A-15 Authorization to Approve Peddler's License - C&C Floral (R294)

Approved: MS/AL

A-16 Authorization to Approve Renewal of Professional Services Contract to Crystal Rodriguez for Local Health Outreach Coordinator - 7/1/24-6/30/25 (R295)

Approved: BG/CD

A-17 Authorization to Approve Amendment to Confidential Salaries 2021-2024

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to table Item A-17

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

June 5, 2024

A-18 Late - Authorization to Approve Crime Risk Insurance Policy Renewal (R297)
Approved: AL/CD

A-19 Late - Authorization to Approve Awarding Contract to Adams, Lattiboudere, Croot & Herman for Prosecution of Disciplinary Matters Against Employees of the City (R283)

A Motion was made by Councilman D'Amato, seconded by Councilwoman Sadrakula and passed on roll call vote to approve Awarding Contract to Adams, Lattiboudere, Croot & Herman for Prosecution of Disciplinary Matters Against Employees of the City

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

A-20 Authorization to Approve Appointment of Special Counsel for Affordable Housing (R298)

A Motion was made by Councilman D'Amato, seconded by Councilman Latona and passed on roll call vote to approve appointment of Special Counsel for Affordable Housing.

(4-3-0-0) Councilman Gibson, Councilman Latona, Councilman D'Amato and Councilwoman Pino voted aye. Councilman Kolodziej, Councilwoman Sadrakula and Mayor Grabowski voted nay.

A-21 Late - Authorization to Approve Outside Legal Counsel Appointments Through June 5, 2024

A Motion was made by Councilman Kolodziej, seconded by Councilman D'Amato and passed on roll call vote to approve Outside Legal Counsel Appointments through June 5, 2024.

(5-1-1-0) Councilman Gibson, Councilman Kolodziej, Councilman D'Amato, Councilwoman Pino and Mayor Grabowski voted aye. Councilwoman Sadrakula voted nay. Councilman Latona abstained.

A-22 Late - Authorization to Approve Acceptance of Grant for 2024 BAPS Walkathon
Approved: MS/BG

DISCUSSION ITEMS

D-1 Repairing City Sidewalks (No documentation) CD

A discussion took place regarding ways to take the responsibility of repairing sidewalk due to tree uprooting off the homeowners. Discussed were amending the Ordinance and bonding for capital, outsourcing and going out for bid or creating a trust fund.

D-2 ON3 and Phase IV Residential Mixed-Use Plan (No documentation) RP

Direction was given to set up a special public meeting for further presentation of Phase IV of the ON3 project.

D-3 Zoning Ordinance for Houses of Worship (No documentation) MS

Direction was given to set up a Zoning Committee Meeting to discuss parking around Houses of Worship

D-4 Allwood Road Project (No documentation) CD

Direction was given to have Administration contact the County and address the following questions:

Will there be a time limit for speakers? Will there be an agenda? Will remote access be available? Will the meeting be televised? Council stated they would like to be briefed on the content prior to the formal meeting.

COUNCIL MAIL

- CM-1 Township of Lyndhurst Master Plan
- CM-2 Response to Council Inquiry - Recruitments - Personnel
- CM-3 2024 Temporary Budget Reports for Both the Municipal Budget and the Sewer Utility Budget
- CM-4 Letter of Resignation as Clifton Public Schools Liaison, from the Clifton Arts Center Advisory Board.

Councilman Kolodziej suggested that the new liaison appointment be the individual recommended by the High School.

- CM-5 Botany Village Municipal Parking Lots
- CM-6 Stew Leonard's - Styertowne Shopping Center

ABC Board Secretary, Michele Butler, advised the Council that the licensee has abated the issue of cordoning off alcohol during hours that alcohol cannot be sold.

- CM-7 Late - Van Breeman Petition
- CM-8 Late - Stew Leonard's - Styertowne Shopping Center Update
- CM-9 Late - Uncut Grass Ordinance

CONFIDENTIAL ITEMS/CLOSED SESSION

**CITY OF CLIFTON
RESOLUTION AUTHORIZING EXECUTIVE SESSION**

A Motion was made by Councilman Gibson, seconded by Councilman D'Amato and passed on roll call vote to enter Executive Session.

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

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 Update of Liability Claims Filed Against City of Clifton - Litigation Privilege
- CON- 2 Purchasing Procedures - Legal Opinion
- CON- 3 Appointments Made by the City Manager - Legal Opinion
- CON- 4 New Firehouse
- CON- 5 Former Fire Chief Terminal Leave Pay-Out - Personnel
- CON- 6 Neighbors of Clifton/Richfield Section
- CON- 7 Reginald Baker v. City of Clifton, et al - Litigation
- CON- 8 Late - PBA Contract Negotiations

NOW, THEREFORE, BE IT RESOLVED that the public shall be excused and excluded from that portion of the Council's meeting to be held on June 5, 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.

ITEM NUMBER:

ITEM NAME: Executive Session

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description

Upload Date

Type

No Attachments Available

ITEM NUMBER: C- 1

ITEM NAME: Moira Murray, Public Safety, resigned position of Public Safety
Telecommunicator Trainee, effective June 3, 2024.

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: C- 2

ITEM NAME: Madeline Perruzzi, Legal Department, Retired position of Principal Legal Stenographer, Effective June 1, 2024.

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: C- 3

ITEM NAME: Maurico Portillo, Human Services, Retired position of Omnibus Operator,
Effective June 1, 2024.

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: C- 4

ITEM NAME: Omar Shaheed, Senior Citizens Center, Hired as Omnibus Operator,
Effective June 3, 2024, at \$32,145.43 annually.

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: C- 5

ITEM NAME: Minutes of Board of Recreation of April 27, 2024
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: C- 6

ITEM NAME: Minutes of Disabilities Committee of May 20, 2024
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: C- 7

ITEM NAME: Minutes of Historical Commission of May 2, 2024
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: O- 7915-24

ITEM NAME: An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article IV Thereof, Entitled "Confidential Officials and Employees" Section 99-34 Thereof Entitled "Minimum and Maximum Salaries Fixed" (Creates Title of Communications Manager)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Ordinance	6/7/2024	Cover Memo

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," AND MORE PARTICULARLY SECTION 99-34 THEREOF ENTITLED "MINIMUM AND MAXIMUM SALARIES FIXED" (ADDS TITLE AND COMPENSATION FOR COMMUNICATIONS MANAGER)

BE IT ORDAINED, by the Municipal Council of the City of Clifton, as follows:

1. Chapter 99 of the Code of the City of Clifton, entitled "Salaries and Compensation," Article VI, entitled "Confidential Officials and Employees," more particularly Section 99-34, entitled "Minimum and Maximum Salaries Fixed," is hereby amended, revised and supplemented by **ADDING** the following title and salary for Communications Manager, as follows:

ARTICLE VI

Confidential Officials and Employees

* * *

§ 99-34 Minimum and Maximum Salaries Fixed

* * *

2024 Salaries

Title

**Minimum
Maximum**

Communications Manager	\$ 75,000.00	\$ 100,000.00
------------------------	--------------	---------------

* * *

2. All other provisions of Chapter 99 are unchanged and remain in full force and effect.
3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.
4. This ordinance shall take effect after final passage and publication as provided by law.

Adopted: June 5, 2024

ATTEST:

Raymond Grabowski, Mayor

Nancy Ferrigno, City Clerk

ITEM NUMBER: O- 7916-24

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

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Ordinance	5/31/2024	Cover Memo

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 439 OF
THE CODE OF THE CITY OF CLIFTON, ENTITLED "VEHICLES AND
TRAFFIC", MORE PARTICULARLY SECTION 439-37 THEREOF, ENTITLED
"HANDICAPPED PARKING ON STREETS" (DELETES 1 HANDICAPPED
SPACE)**

BE IT ORDAINED, by the Municipal Council of the City of Clifton, that:

1. Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", more Particularly Section 439-37 Thereof, Entitled "Handicapped Parking on Streets" is amended, revised and supplemented to DELETE the following location:

66 East Clifton Avenue Beginning at a point 19 feet west of the west
driveway line of 66 East Clifton Avenue and
extending 22 feet westerly therefrom

2. The Chief of Police is hereby directed to remove all signs and markings designating such locations as restricted parking spaces for use by persons who have been issued special permits by the Division of Motor Vehicles.

3. This ordinance shall take effect after final passage and publication as provided by law.

Adopted:

Raymond Grabowski, Mayor

ATTEST:

Nancy Ferrigno, City Clerk

ITEM NUMBER: O- 7917-24

ITEM NAME: An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 16 Restricted Handicapped Spaces)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Ordinance	5/31/2024	Cover Memo

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 439 OF THE
CODE OF THE CITY OF CLIFTON, ENTITLED "VEHICLES AND TRAFFIC",
MORE PARTICULARLY SECTION 439-38 THEREOF, ENTITLED "HANDICAPPED
PARKING ON STREETS FOR PRIVATE RESIDENCES" (ADDS 16 RESTRICTED
HANDICAPPED SPACES)**

BE IT ORDAINED, by the Municipal Council of the City of Clifton, that:

1. Whenever any words and phrases are used herein, the meanings respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words and phrases.

Section 439-38. Handicapped parking on streets for private residences:

In accordance with the provisions of N.J.S.A. 39:4-197.6, the following on-street locations in front of private residences occupied by a handicapped person if a windshield placard or wheelchair symbol license plates have been issued for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicles pursuant to the provisions of N.J.S.A. 39:4-204 et seq., provided such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic, are designated as handicapped parking spaces for the exclusive use by the person issued the New Jersey license plate shown below. No other person shall be permitted to park in these spaces.

A. Application shall be made to the Police Department for such restricted handicapped parking space, and the applicant shall pay a one-time administrative fee of \$150.00 to cover the costs of processing such application and individualized sign, made payable to the City of Clifton.

Name of Street	Location	Initial Permit Number
94 Center Street Space on Cutler St.	West side, beginning at a point 50 feet from stop sign, extending 22 feet north therefrom	2366HH
132 Center Street Space on Milosh St.	West side, beginning at a point 50 feet from stop sign, extending 22 feet north therefrom	P#2680968
93 Christie Avenue	South side, beginning at the eastern property line, extending 22 feet west therefrom	P#2855287
1320D Clifton Avenue	West side, beginning at a walkway edge, extending 22 feet north therefrom	P#2754378
30 Cutler Street	West side, beginning at the southern property edge, extending 22 feet north therefrom	P#2870107
16 Grace Avenue	North side, beginning at the western property edge, extending 22 feet east therefrom	P#2840246
371 Harding Avenue	South side, beginning at the western property edge, extending 22 feet east therefrom	P#2754421

26 Harrison Place	South side, beginning at the eastern property edge, extending 22 feet west therefrom	P#2658102
150 Knapp Avenue	North side, beginning at the western driveway edge, extending 22 feet west therefrom	P#2664725
9 Madeline Avenue	South side, beginning at the western driveway edge, extending 22 feet west therefrom	P#2754284
319 Parker Avenue	West side, beginning at the southern property line, extending 22 feet north therefrom	P#2860303
44 Portland Avenue	North side, beginning at the western property edge, extending 22 feet east therefrom	P#2711340
160 Richfield Terrace	East side, beginning at the northern walkway edge, extending 22 feet north therefrom	P#2802207
30 Sewall Avenue	North side, beginning at the eastern driveway edge, extending 22 feet east therefrom	P#2785525
106 Trimble Avenue	North side, beginning at the western driveway edge, extending 22 feet west therefrom	P#2727466
95 West 1 st Street	South side, beginning at the eastern property edge, extending 22 feet west therefrom	P#2829882

2. The Chief of Police is hereby directed to have the proper signs calling attention to the provisions of this ordinance erected or placed upon said streets at said locations.

3. This ordinance shall take effect after final passage and publication as provided by law.

Adopted:

Raymond Grabowski, Mayor

ATTEST:

Nancy Ferrigno, City Clerk

ITEM NUMBER: O- 7918-24

ITEM NAME: An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 5 Handicapped Spaces)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Ordinance	5/31/2024	Cover Memo

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 439 OF
THE CODE OF THE CITY OF CLIFTON, ENTITLED "VEHICLES AND
TRAFFIC", MORE PARTICULARLY SECTION 439-38 THEREOF, ENTITLED
"HANDICAPPED PARKING ON STREETS FOR PRIVATE RESIDENCES"
(DELETES 5 HANDICAPPED SPACES)**

BE IT ORDAINED, by the Municipal Council of the City of Clifton, that:

1. Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", more Particularly Section 439-37 Thereof, Entitled "Handicapped Parking on Streets" is amended, revised and supplemented to DELETE the following locations:

170 Clifton Avenue

271 Harding Avenue Space on Fifth Street	West side, beginning at a point 25 feet of the southwest corner of Harding Avenue and Fifth Street and extending 22 feet southerly therefrom	P#1119071
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68A Richfield Court	North side, beginning at the east curbline and extending 10 feet westerly therefrom	P#1798815
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49 Sixth Avenue	West side, beginning at the northern driveway edge, extending 22 feet north therefrom	P#2394313
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9 Van Cleve Avenue	South side, beginning at the west edge of the driveway and extending 22 feet westerly therefrom	P#1346547
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2. The Chief of Police is hereby directed to remove all signs and markings designating such locations as restricted parking spaces for use by persons who have been issued special permits by the Division of Motor Vehicles.

3. This ordinance shall take effect after final passage and publication as provided by law.

Adopted:

Raymond Grabowski, Mayor

ATTEST:

Nancy Ferrigno, City Clerk

ITEM NUMBER: O- 7919-24

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

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Ordinance	5/31/2024	Cover Memo

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 439 OF
THE CODE OF THE CITY OF CLIFTON, ENTITLED "VEHICLES AND
TRAFFIC", MORE PARTICULARLY SECTION 439-38 THEREOF, ENTITLED
"HANDICAPPED PARKING ON STREETS FOR PRIVATE RESIDENCES"
(AMENDS HANDICAPPED PARKING PLACARD NUMBER)**

BE IT ORDAINED, by the Municipal Council of the City of Clifton, that the following handicapped parking placard numbers have been changed as follows:

Name of Street	Location	Initial Permit Number	New Number
26 Arthur Street (No change)	No change	P1411884	P2802315
26 Bowdoin (No change)	No change	P2323868	P2870738
239 E. 8 th Street (No change)	No change	3107HH	PH85HL
52 E. 9 th Street (No change)	No change	P2389927	P2816348
173 E. 9 th Street (No change)	No change	P2281088	P2840052
2 Federal Street (No change)	No change	P2366402	P2787769
26 Lincoln Place (No change)	No change	P959606	P2312006
42 Lincoln Place (No change)	No change	1820897	P2754151
11 Madison Avenue (No change)	No change	P2568245	P2816374
146 Mahar Avenue (No change)	No change	P2362078	P2821961
21 Milosh Street (No change)	No change	P886282	P2802426
51 Piaget Avenue (No change)	No change	P1452292	P2840036

1. The Chief of Police is hereby directed to have the proper signs calling attention to the provisions of this ordinance erected or placed upon said streets at said locations.

2. This ordinance shall take effect after final passage and publication as provided by law.

Adopted: _____

Raymond Grabowski, Mayor

ATTEST:

Nancy Ferrigno, City Clerk

ITEM NUMBER: O- 7920-24

ITEM NAME: An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-14 Thereof, Entitled "Parking Prohibited During Certain Hours/Days on Certain Streets (Eliminates Hourly Parking Restrictions on McCosh Road Because it is Already Covered by Permit Parking)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Ordinance	5/31/2024	Cover Memo

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 439 OF THE
CODE OF THE CITY OF CLIFTON, ENTITLED "VEHICLES AND TRAFFIC,"
MORE PARTICULARLY SECTION 439-14 THEREOF, ENTITLED "PARKING
PROHIBITED DURING CERTAIN HOURS/DAYS ON CERTAIN STREETS
(ELIMINATES HOURLY PARKING RESTRICTIONS ON MCCOSH ROAD
BECAUSE IT IS ALREADY COVERED BY PERMIT PARKING)**

BE IT ORDAINED, by the Municipal Council of the City of Clifton, that:

1. Chapter 439 of the Code of the City of Clifton, entitled "Vehicles and Traffic," more particularly Section 439-14 thereof, entitled "Parking prohibited during certain hours/days on certain streets," be and the same is hereby revised to remove the following locations:

Chapter 439
VEHICLES AND TRAFFIC

Article II.
Stopping, Standing and Parking

§ 439-14. Parking prohibited during certain hours/days on certain streets.

No person shall park a vehicle between the hours listed and/or the days specified upon any of the following streets or parts of streets:

Name of Street	Side	Hours/Days	Location
McCosh Road (Northern Portion)	East	8:00 a.m. to 5:00p.m./ Tues. And Thurs.	From Woodlawn Ave to Edwards Road
McCosh Road (Northern Portion)	West	8:00 a.m. to 5:00p.m./ Mon., Wed., Fri.	From Woodlawn Ave to Hibben Place
McCosh Road (Southern Portion)	East	8:00 a.m. to 11:00a.m./ Tues. And Thurs.	From Normal Ave to Woodlawn Ave
McCosh Road (Southern Portion)	West	8:00 a.m. to 11:00a.m./ Mon., Wed., and Fri.	From Normal Ave to Woodlawn Ave

2. The Chief of Police is hereby directed to install and/or remove signs and/or markings calling attention to the within ordinance.

3. Any ordinance or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

4. This ordinance shall take effect upon final passage and publication as provided by law, and upon approval of the County of Passaic.

Adopted:

Raymond Grabowski, Mayor

ATTEST:

Nancy Ferrigno, City Clerk

ITEM NUMBER: O- 7912-24

ITEM NAME: 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)

RECOMMENDATION:

SUMMARY:

This ordinance does not affect the liaisons. It is simply to add two additional Alternates to the committee. I don't think this belongs in a Sub-Committee of Committees meeting.

ATTACHMENTS:

Description		Upload Date	Type
	Ordinance	5/3/2024	Cover Memo

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 § 43-2 "MEMBERSHIP, TERMS OF OFFICE" (ADDS TWO ALTERNATE MEMBERS TO THE COMMITTEE)

BE IT ORDAINED, by the Municipal Council of the City of Clifton, that:

1. Chapter 43 of the Code of the City of Clifton, as titled above, is hereby amended, revised and supplemented to read as follows:

Chapter 43

Advisory Committee for Individuals With Disabilities

§ 43-2 Membership; terms of office.

- A. The Committee shall consist of nine members to be appointed by the Municipal Council. The term of each member shall be four years. In the event that a vacancy occurs, the same shall be filled by the Municipal Council for the unexpired balance of the term.
- B. The Municipal Council shall appoint two alternate members in addition to the nine regular members. The alternate members shall be designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2." The term of each alternate member shall be four years. In the event that a vacancy occurs, the same shall be filled by the Municipal Council for the unexpired balance of the term. An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first.
- C. The Committee shall be composed of persons with disabilities and/or persons interested in matters affecting individuals with disabilities.

2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

3. This ordinance shall take effect after final passage and publication as provided by law.

Adopted: _____

Raymond Grabowski, Mayor

ATTEST:

Nancy Ferrigno, City Clerk

ITEM NUMBER: O- 7921-24

ITEM NAME: An Ordinance to Replace Chapter 394 of the Code of the City of Clifton,
Entitled "Stormwater Control" in its Entirety

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Ordinance	6/10/2024	Cover Memo

AN ORDINANCE TO REPLACE CHAPTER 394 OF THE CODE OF THE CITY OF CLIFTON, ENTITLED "STORMWATER CONTROL" IN ITS ENTIRETY

BE IT ORDAINED, by the Municipal Council of the City of Clifton, that:

1. Chapter 394 of the Code of the City of Clifton, entitled "Stormwater Control," is hereby replaced in its entirety as follows:

Chapter 394. Stormwater Control

Section I. Scope and Purpose:

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section II.

C. Applicability

1. This ordinance shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the City of Clifton and any other governmental agency.
3. An application required by ordinance pursuant to C.1 above that has been submitted prior to July 3, 2024 shall be subject to the stormwater management requirements in effect on July 2, 2024.
4. An application required by ordinance for approval pursuant to C.1 above that has been submitted on or after March 2, 2021, but prior to July 3, 2024, shall be subject to the stormwater management requirements in effect on July 2, 2024.
5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

Section II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"CAFRA Centers, Cores or Nodes" means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

"CAFRA Planning Map" means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

"Community basin" means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

"Compaction" means the increase in soil bulk density.

"Contributory drainage area" means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

"Core" means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

"County review agency" means an agency designated by the County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

"Department" means the Department of Environmental Protection.

"Designated Center" means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

"Design engineer" means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

"Development" means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 *et seq.*

"Disturbance" means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

"Drainage area" means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

"Environmentally constrained area" means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

"Environmentally critical area" means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

"Empowerment Neighborhoods" means neighborhoods designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

"Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

"Green infrastructure" means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

"Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

"Infiltration" is the process by which water seeps into the soil from precipitation.

"Lead planning agency" means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

"Major development" means an individual "development," as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

"Motor vehicle" means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

"Motor vehicle surface" means any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

"Municipality" means any city, borough, town, township, or village.

"New Jersey Stormwater Best Management Practices (BMP) Manual" or "BMP Manual" means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater

management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

“Public roadway or railroad” means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 *et seq.*), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or
quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

"Sediment" means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

"Site" means the lot or lots upon which a major development is to occur or has occurred.

"Soil" means all unconsolidated mineral and organic material of any origin.

"State Development and Redevelopment Plan Metropolitan Planning Area (PA1)" means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

"State Plan Policy Map" is defined as the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

"Stormwater" means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

"Stormwater management BMP" means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

"Stormwater management measure" means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

"Stormwater runoff" means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

"Stormwater management planning agency" means a public body authorized by legislation to prepare stormwater management plans.

"Stormwater management planning area" means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

"Tidal Flood Hazard Area" means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Section III. Design and Performance Standards for Stormwater Management

Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
 2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

Section IV. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q and R:
 - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
 - 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well ^(a)	0	No	Yes	2
Grass Swale	50 or less	No	No	2 ^(e) 1 ^(f)
Green Roof	0	Yes	No	--
Manufactured Treatment Device ^{(a) (g)}	50 or 80	No	No	Dependent upon the device
Pervious Paving System ^(a)	80	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Bioretention Basin ^(a)	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Small-Scale Infiltration Basin ^(a)	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations ^(a) through ^(g) are found on Page D-14)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes ^(b) No ^(c)	2 ^(b) 1 ^(c)
Infiltration Basin	80	Yes	Yes	2
Sand Filter ^(b)	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond ^(d)	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found on Page D-14)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device ^(h)	50 or 80	No	No	Dependent upon the device
Sand Filter ^(c)	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

(Notes corresponding to annotations ^(b) through ^(d) are found on Page D-14)

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
 - (b) designed to infiltrate into the subsoil;
 - (c) designed with underdrains;
 - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
 - (e) designed with a slope of less than two percent;
 - (f) designed with a slope of equal to or greater than two percent;
 - (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
 - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of green infrastructure at Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

I. Design standards for stormwater management measures are as follows:

1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;
3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.

J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.

K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.

M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal

degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R.

5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section V.D of this ordinance is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs,
and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P, Q and R.

7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
 - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section V.C and D, respectively, of this ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse

between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

Section V. Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using the following method:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "curve number" applies to the NRCS methodology above at Section V.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 - Urban Hydrology for Small Watersheds* or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13,

the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

- B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsrreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

- C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:

1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:

https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj; and

2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 5: Current Precipitation Adjustment Factors

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03

Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

- D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

Table 6: Future Precipitation Change Factors

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

Section VI. Sources for Technical Guidance:

- A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

- 1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.**

- 2. Additional maintenance guidance is available on the Department's website at:**

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

- B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

Section VII. Solids and Floatable Materials Control Standards:

- A. Site design features identified under Section IV.F above, or alternative designs in accordance with Section IV.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section VII.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces,

shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

Section VIII. Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;

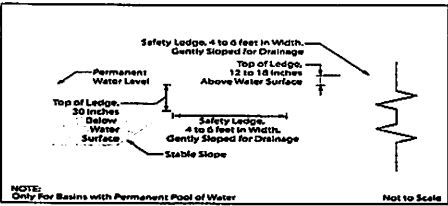
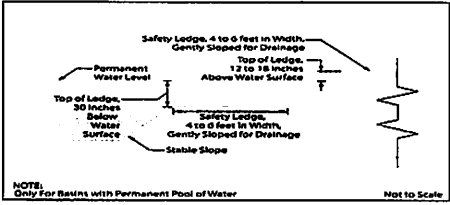
- iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; And
 - iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



Section IX. Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section IX.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit three copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.C of this ordinance.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written

description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections III through V are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section X.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section IX.C.1 through IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

Section X. Maintenance and Repair:

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section X.B and X.C.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.

8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

Maintenance and inspection guidance can be found on the Department's website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53

Section XI. Penalties:

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:

A fine not exceeding \$2,000 and/or imprisonment in the county jail, or in any place provided by the municipality for the detention of prisoners for a term not exceeding 90 days; and/or a period of community service not exceeding 90 days. Each day that a violation continues shall be deemed a separate and distinct offense.

Section XII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

Section XIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

ALL OF WHICH IS ADOPTED THIS 2nd day of July, 2024, by the Mayor and Council of the City of Clifton.

Adopted:

Raymond Grabowski, Mayor

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 301-24

ITEM NAME: Resolution: Approve Claims List Resolution for the June 18, 2024, City Council Meeting

RECOMMENDATION: Approve

SUMMARY:

To: Dominick Villano, City Manager

Please find the Bill List Resolution and supporting documents for your review and approval. I have reviewed all of the payment vouchers and recommend they all be approved by the City Council at the Council Meeting on June 18, 2024.

If you have any questions with the above, feel free to contact me.

Joseph D. Kunz
Chief Financial Officer

ATTACHMENTS:

Description	Upload Date	Type
No Attachments Available		

ITEM NUMBER: R 302-24

ITEM NAME: Resolution Releasing Guarantees for Site Improvements: 20 Somerset Place LLC, 20 Somerset Place - Block 49.11, Lot 68

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/12/2024	Cover Memo

APPROVED AS TO ENGINEERING
MR CITY ENGINEER

**RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
20 SOMERSET PLACE LLC, 20 SOMERSET PLACE
BLOCK 49.11, LOT 68**

WHEREAS, 20 Somerset Place LLC (the Developer) originally posted with the City of Clifton a cash bond in the amount of \$7,368.00 for public improvements and privately owned buffer landscaping for the facility located at 20 Somerset Place, designated as Block 49.11, Lot 68; and

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

WHEREAS, prior to the return of the Performance Guarantees, the Developer agrees to submit to the City of Clifton a Maintenance Bond in the amount of \$2,585.70; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements at 20 Somerset Place, Clifton, New Jersey, Block 49.11, Lot 68 are accepted, the City Engineer is hereby directed to return the Performance Bonds and all escrow funds to 20 Somerset Place LLC upon receipt of the aforementioned Maintenance Bond.

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 303-24

ITEM NAME: Resolution Authorizing Permission to Bid for Plog Brook Culvert Rehabilitation (ARPA)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/12/2024	Cover Memo

APPROVED AS TO ENGINEERING
MR. CITY ENGINEER

**CITY OF CLIFTON
RESOLUTION AUTHORIZING PERMISSION TO BID FOR
PLOG BROOK CULVERT REHABILITATION (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 cleaning and lining of existing corrugated metal round and arch type pipes of various sizes; 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.*

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 304-24

ITEM NAME: Resolution Awarding Contract for Sanitary Sewer Improvements - Passaic Avenue and Allwood Road (ARPA)

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Resolution	6/13/2024	Cover Memo

APPROVED AS TO ENGINEERING

MPL CITY ENGINEER

**RESOLUTION AWARDING CONTRACT FOR
SANITARY SEWER IMPROVEMENTS
PASSAIC AVENUE AND ALLWOOD ROAD (ARPA)**

BE IT RESOLVED: that the contract for the **SANITARY SEWER IMPROVEMENTS – PASSAIC AVENUE AND ALLWOOD ROAD (ARPA)** be and the same is hereby awarded to **JOHN GARCIA CONSTRUCTION** of **Clifton, New Jersey**, the low bidder meeting the specifications at a grand total bid price of **\$998,810.00**, in accordance with bids received on **June 11, 2024**, and recommended by communication dated **June 13, 2024** to the Mayor and Council; and

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

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

CERTIFICATION OF FUNDS:
FUNDS ARE AVAILABLE IN

ACCOUNT # _____

Joseph Kunz, CFO

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 305-24

ITEM NAME: Resolution Awarding Contract to Foveonics Imaging Technologies, Inc. for Cloud-Based File Management Services Through the Educational Services Commission of New Jersey

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/12/2024	Cover Memo

**RESOLUTION AWARDING CONTRACT TO FOVEONICS IMAGING
TECHNOLOGIES, INC. FOR CLOUD-BASED FILE MANAGEMENT SERVICES
THROUGH THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY**

WHEREAS, since the onset of COVID-19, the City of Clifton has helped reduce the potential spread of the virus by creating digital resources for forms, records, applications, purchase orders, and other OPRA applicable documents, via cloud-based document management; and

WHEREAS, pursuant to New Jersey State Department of Treasury, Division of Revenue and Enterprise Services record retention guidelines, the capture of document files as digital images is an acceptable form of record retention; and

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ) cooperative, which has awarded contract number ESCNJ 22/23-11, for Document Management for Records Retention and Disposal to Foveonics Imaging Technologies, Inc., located at 999 Willow Grove Street, Suite 3A, Hackettstown, NJ 07840, inclusive of the same services as the previous ESCNJ contract, for the period of July 1, 2022 through to June 30, 2024 extended till June 30, 2025; and

WHEREAS, Foveonics Imaging Technologies, Inc., has successfully provided the City with services that include capturing, cataloging, and converting documents to high resolution web-accessible images during Phase I, originally financed by the County Cares grant; and

WHEREAS, the above ESCNJ award allows Phase II of the City's Document Management project, which began with R394-21, adopted September 8, 2021, to continue without interruption; and

WHEREAS, the above services are utilized City-wide, and are requested to be authorized for continuance of Phase II of the project, in an as-needed amount not to exceed \$399,355.01, extended till June 30, 2025, to be funded out of the American Rescue Plan Act (ARPA), for which the above services were approved; and

NOW, THEREFORE, BE IT RESOLVED, that the contract for Foveonics Imaging Technologies, Inc., located at 999 Willow Grove Street, Suite 3A, Hackettstown, NJ 07840, be awarded through to June 30, 2025, for which all expenditures shall be predicated on accomplished benchmarks, comprehensive and detailed invoicing, via a properly executed purchase order; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed hereby to execute such agreement, upon approval of 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.

CERTIFICATION OF FUNDS: funding via American Rescue Plan Act grant funds, and funds shall be certified at the time of purchase with the presentation of invoices and properly executed purchase order.

Joseph D. Kunz, CFO

Date

Adopted: June 18, 2022

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 306-24

ITEM NAME: Resolution to Purchase Traffic Control Signs and Related Products from National Highway Products for the City of Clifton off of Somerset County Cooperative Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/13/2024	Cover Memo

**RESOLUTION TO PURCHASE TRAFFIC CONTROL SIGNS AND RELATED
PRODUCTS FROM NATIONAL HIGHWAY PRODUCTS FOR THE CITY OF
CLIFTON OFF OF SOMERSET COUNTY COOPERATIVE PURCHASING
PROGRAM PURSUANT TO N.J.S.A:40A:11-12a**

WHEREAS, the City of Clifton, Department of Public Works and Police Department has need to purchase the Traffic Signs and Related Products; and

WHEREAS, National Highway Products was awarded Somerset County Cooperative Contract number CC-0099-22 for Traffic Control Signs, supports, hardware & safety devices, expiring December 31, 2025; and

WHEREAS, the Department of Public Works and Police Department recommends authorization to procure goods on an as-needed basis from National Highway Products, 301 Riverside Drive, Millville, NJ 08332, pursuant to Somerset County Cooperative Contract number CC-0099-22; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the Purchasing Agent to procure goods as-needed from National Highway Products, 301 Riverside Drive, Millville, NJ 08332 via Somerset County Cooperative Contract number CC-0099-22, in an amount not to exceed \$23,210.00, for the period of May 1, 2024 through to December 31, 2025; and

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

DPW Account #04-215-55-592-004 DPW Electric Signs
Police Department Account#01-201-25-240-416 -Signs

Joseph D. Kunz, CFO

Date

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 307-24

ITEM NAME: Resolution to Award Contract to First Student for the Summer Program
Transportation Services for City of Clifton

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**RESOLUTION TO AWARD CONTRACT TO FIRST STUDENT FOR THE SUMMER
PROGRAM TRANSPORTATION SERVICES FOR CITY OF CLIFTON**

WHEREAS, the Recreation Department of the City of Clifton requires transportation services for its Summer Program trips; and

WHEREAS, the Recreation Department solicited proposals from three transportation service providers: First Student Inc., Trans Ed, and Student Transportation of America; and

WHEREAS, both Trans Ed and Student Transportation of America have indicated their unavailability to provide transportation services for the Summer Program; and

WHEREAS, First Student Inc. is available and has the necessary qualifications and capacity to provide reliable and safe transportation services for the Summer Program; and

WHEREAS, First Student Inc. has submitted a proposal for the provision of these services at a cost not to exceed \$22,903.01; 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; and

WHEREAS, the Business Entity Disclosure Certification has been received from First Student Inc. located at 600 Vine Street Cincinnati OH 45202 and is incorporated in the contract awarded hereby; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the Purchasing Agent to procure Summer Program Trip Transportation/Bus Services for the Recreation Department from First Student Inc. located at 600 Vine Street Cincinnati OH 45202, in an amount not to exceed \$22,903.01; and

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

CERTIFICATION OF FUNDS: Funds are available
upon adoption of the 2024 budget in account number.
15-296-56-005-006 -Recreation Summer Trust Account

Joseph D. Kunz, CFO

Date

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 308-24

ITEM NAME: Resolution Authorizing Permission to Advertise Request for Proposals Via Competitive Contracting Pursuant to N.J.S.A. 40A:11-4.1 et seq. for Electronic Recycling Waste Services

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

CITY OF CLIFTON
RESOLUTION AUTHORIZING PERMISSION TO ADVERTISE REQUEST FOR
PROPOSALS VIA COMPETITIVE CONTRACTING PURSUANT TO N.J.S.A.
40A:11-4.1 ET SEQ FOR ELECTRONIC RECYCLING WASTE SERVICES

WHEREAS, the City of Clifton has identified a need for the proper and environmentally responsible disposal of electronic waste; and

WHEREAS, it is in the best interest of the City to seek competitive proposals to ensure the selection of a qualified and cost-effective service provider for electronic recycling waste; and

WHEREAS, the above services produce revenue for the City, and as such is viewed as a concession; and

WHEREAS, the solicitation of Requests for Proposals (RFPs) will allow the City to evaluate and select a provider based on criteria including experience, capability, and pricing;

BE IT FURTHER RESOLVED by the Mayor and Municipal Council of the City of Clifton that the Purchasing Agent is authorized to advertise a Request for Proposal and to receive and publicly open any responses for the goods and services described therein; and

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

Adopted: June 18,2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 309-24

ITEM NAME: Resolution Approving Developer Agreement Between the City of Clifton and Haci Baba Bakery, LLC

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/10/2024	Cover Memo

**RESOLUTION APPROVING DEVELOPER AGREEMENT BETWEEN
THE CITY OF CLIFTON AND HACI BABA BAKERY, LLC**

BE IT RESOLVED, that a Developer Agreement between the City of Clifton and Haci Baba Bakery LLC., the developer of Block 9.06, Lot 6, 1639 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.

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 310-24

ITEM NAME: Resolution Approving Developer Agreement Between the City of Clifton and Peter Mastriano c/o Madeline Investments, LLC

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Resolution	6/10/2024	Cover Memo

**RESOLUTION APPROVING DEVELOPER AGREEMENT BETWEEN
THE CITY OF CLIFTON AND PETER MASTRIANO c/o MADELINE
INVESTMENTS, LLC**

BE IT RESOLVED, that a Developer Agreement between the City of Clifton and Peter Mastriano c/o Madeline Investments, LLC., the developer of Block 16.16, Lot 7, 125 Madeline 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.

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 311-24

ITEM NAME: Resolution Authorizing Renewal of Underground Storage Tank Insurance Policy - Rivington Partners - 8/7/24-8/6/25

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/13/2024	Cover Memo

**RESOLUTION AUTHORIZING RENEWAL OF UNDERGROUND STORAGE TANK
INSURANCE POLICY - 8/7/24 - 8/6/25**

WHEREAS, the City of Clifton requires renewal of its underground storage tank insurance for the period August 7, 2024 to August 6, 2025; and

WHEREAS, the City's broker of record after soliciting proposals has recommended and the Municipal Council wishes to award a renewal contract to Rivington Partners for the provision of said insurance, in accordance with its proposal submitted June 12, 2024, which provides the best and most cost effective service for the City; and

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

NOW, THEREFORE, BE IT RESOLVED, that a contract for an Underground Storage Tank Policy with Rivington Partners for the period August 7, 2024 to August 6, 2025, is hereby awarded in accordance with its proposal submitted June 12, 2024 for a price of \$10,350.00; and

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

Certification of Funds:
Funds Are Available in
Account # _____

Joseph Kunz, CFO Date:

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 312-24

ITEM NAME: Resolution Appointing Legal Counsel to Handle Independent Investigation Services in Connection With Complains Brought Under the City's Policy Prohibiting Sexual Harassment and Discrimination Involving Employees of the City of Clifton

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**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**

WHEREAS, the City of Clifton requires the continued services of outside legal counsel to perform independent investigation services for the City of Clifton in pending complaints brought by employees D.H., T.R., E.G. and K.A. (employee initials are being used to maintain confidentiality) under the City's policy prohibiting sexual harassment and discrimination involving employees of the City of Clifton; and

WHEREAS, Gina Mendola Longarzo, Esq. has been providing independent investigation services for the City of Clifton in these matters and the Municipal Attorney recommends the continuation of her appointment as independent investigation counsel through the conclusion of these matters, at the rate of \$125.00 per hour, and the duration of the contract is through the conclusion of each investigation being handled; 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 in excess of \$17,500.00, and the duration of the contract is continued, retroactive to April 1, 2024, 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, the rate to be paid for said services is \$125.00 per hour retroactive to April 1, 2024.

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:

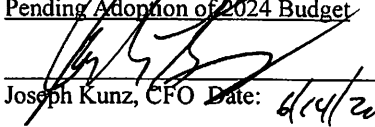
**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

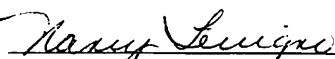
Awarded to: Gina Mendola Longarzo, Esq., Chatham, NJ
Services: Independent Investigations
Project: Claims involving employees under the City's policy prohibiting sexual harassment and discrimination
Amount: \$125.00 per hour.
Term: Through the conclusion of pending matters

Adopted: June 18, 2024
Nancy Ferrigno, City Clerk

Certification of Funds:
Funds Are Available in
Account # Personnel - Legal Fees
Pending Adoption of 2024 Budget


Joseph Kunz, CFO Date: 6/14/2024

Adopted: June 18, 2024


Nancy Ferrigno, City Clerk

ITEM NUMBER: R 313-24

ITEM NAME: Resolution Appointing Special Counsel to Represent the City of Clifton in Pending Litigation - Montanari Law Group

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**RESOLUTION APPOINTING SPECIAL COUNSEL TO REPRESENT THE CITY OF
CLIFTON PENDING LITIGATION**

WHEREAS, the City of Clifton requires the services of outside legal counsel to represent the City of Clifton in a lawsuit filed against the City; and

WHEREAS, Michael Montanari, Esq. of Montanari Law Group, LLC, of Little Falls, New Jersey, has been providing legal services for the City of Clifton in regard to *Varga v. City of Clifton* at the rate of \$150.00 per hour for partners and associates, and

WHEREAS, the City requires continued special defense counsel services in this matter; 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, and the duration of the contract is retroactive to April 1, 2024 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 as special counsel is awarded to Michael Montanari, Esq. of Montanari Law Group, LLC of Little Falls, New Jersey, retroactive to April 1, 2024, the rate to be paid for said services is \$150.00 per hour for partners and associates.

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:

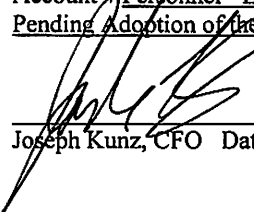
**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Michael Montanari, Esq. of Montanari Law Group, LLC
Services: Special Counsel
Project: Special Counsel
Amount: \$150.00 for partners; \$150.00 for associates
Term: Through conclusion of each lawsuit being handled

Adopted: June 18, 2024
Nancy Ferrigno, City Clerk

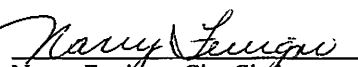
Certification of Funds:
Funds Are Available in
Account # Personnel - Legal Fees
Pending Adoption of the 2024 Budget



Joseph Kunz, CFO

Date: 6/14/2024

Adopted: June 18, 2024



Nancy Ferrigno, City Clerk

ITEM NUMBER: R 314-24

ITEM NAME: Resolution Appointing Special Counsel to Represent the City of Clifton in Pending Litigation - Carmagnola & Ritardi

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**RESOLUTION APPOINTING SPECIAL COUNSEL TO REPRESENT THE CITY OF
CLIFTON PENDING LITIGATION**

WHEREAS, the City of Clifton requires the services of outside legal counsel to represent the City of Clifton in certain lawsuits filed against the City; and

WHEREAS, Dominick Carmagnola, Esq. of the firm Carmagnola & Ritardi, LLC of Morristown, New Jersey, have been providing legal services for the City of Clifton in the past in a satisfactory manner, and is currently representing the City as special defense counsel in regard to Joey's Place, LLC t/a Bliss Nightclub, Glenn Franco v. City of Clifton, et al and Samuel Arnowitz, et al v. City of Clifton, et al at the rate of \$175.00 per hour for partners, and \$135.00 per hour for associates; and

WHEREAS, the City requires continued special defense counsel services in both matters; 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, and the duration of the contract is continued, retroactive to April 1, 2024, 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 as special counsel is awarded to Carmagnola & Ritardi, LLC, effective June 18, 2024, the rate to be paid for said services is \$175.00 per hour for partners and \$135.00 per hour for associates retroactive to April 1, 2024.

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:

CITY OF CLIFTON

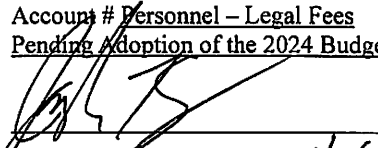
NOTICE OF CONTRACT AWARDED

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

Awarded to:	Carmagnola & Ritardi, LLC, Morristown, New Jersey
Services:	Special Counsel
Project:	Special Counsel
Amount:	\$175.00 for partners, \$135.00 for associates
Term:	Through conclusion of each lawsuit being handled

Adopted: June 18, 2024
Nancy Ferrigno, City Clerk

Certification of Funds:
Funds Are Available in
Account # Personnel – Legal Fees
Pending Adoption of the 2024 Budget



Joseph Kunz, CFO Date: 6/19/2024

Adopted: June 18, 2024



Nancy Ferrigno, City Clerk

ITEM NUMBER: R 315-24

ITEM NAME: Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for General Environmental Counsel Services - April 1, 2024 - June 30, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZPATRICK, COLE &
GIBLIN, LLP, FOR GENERAL ENVIRONMENTAL COUNSEL SERVICES
APRIL 1, 2024 - JUNE 5, 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 \$17,500.00 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 April 1, 2024 through June 5, 2024, the rate to be paid for said services is \$175.00 per hour, not to exceed \$17,500.00 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:

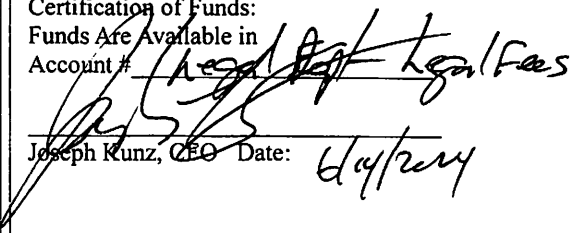
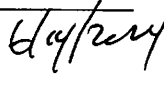
**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

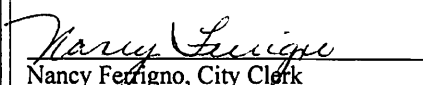
Awarded to: De Cotiis, Fitzpatrick, Cole & Giblin, LLP of Paramus, NJ
Services: Environmental Counsel Services
Project: Various Sites
Amount: \$175 per hour, not to exceed \$17,500.00 for the contract term
Term: April 1, 2024 - June 30, 2024

Adopted: June 18, 2024
Nancy Ferrigno, City Clerk

Certification of Funds:
Funds Are Available in
Account #


Joseph Kunz, CEO Date: 

Adopted: June 18, 2024


Nancy Ferrigno, City Clerk

ITEM NUMBER: R 316-24

ITEM NAME: Resolution Authorizing Contracts/Renewals of Contracts for Special Tax
Appeal Counsel Services - April 1, 2024 - June 30, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
☐	Resolution	6/13/2024	Cover Memo

**RESOLUTION AUTHORIZING CONTRACTS/RENEWALS OF CONTRACTS FOR
SPECIAL TAX APPEAL COUNSEL SERVICES
APRIL 1, 2024 - JUNE 30, 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 April 1, 2024 - June 30, 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 \$17,500.00 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 contracts shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.

CERTIFICATION OF FUNDS:

Funds are available in

Account # Tax Assessor OE

Joseph Kunz, CFO Date:

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 317-24

ITEM NAME: Resolution Appointing Legal Counsel to Handle Employment Litigation
Claims Against the City of Clifton - April 1, 2024 - June 30, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE EMPLOYMENT
LITIGATION CLAIMS AGAINST THE CITY OF CLIFTON
APRIL 1, 2024 - JUNE 30, 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 satisfactory manner, and the City would like to continue the firm's appointment as employment litigation counsel for the from April 1, 2024 through June 30, 2024, when such services are required, at the rate of \$175.00 per hour for partners, and \$135.00 per hour for associates, the total fee not to exceed \$17,500.00; 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 April 1, 2024 through June 30, 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 \$17,500.00 without the adoption of a supplemental resolution by the Municipal Council.

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:

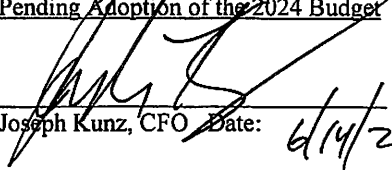
**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

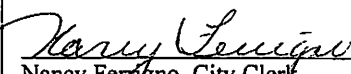
Awarded to: Carmagnola & Ritardi, LLC, Morristown, NJ
Services: Legal Counsel
Project: Employment Litigation Claims
Amount: \$175.00 per hour for partners; \$135 per hour for associates, not to exceed \$17,500.00
Term: April 1, 2024 through June 30, 2024

Adopted: June 18, 2024
Nancy Ferrigno, City Clerk

Certification of Funds:
Funds Are Available in
Account # Personnel - Legal Fees
Pending Adoption of the 2024 Budget


Joseph Kunz, CFO Date: 6/14/2024

Adopted: June 18, 2024


Nancy Ferrigno, City Clerk

ITEM NUMBER: R 318-24

ITEM NAME: Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for Legal Services in Connection with Redevelopment of Former Hoffman La Roche Property for the Term March 16, 2024 - June 30, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**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 MARCH 16, 2024 – JUNE 30, 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 March 16, 2024 through June 30, 2024, for the fee of \$215.00 per hour, the total fee not to exceed \$17,500.00 for the term of the contract; and

WHEREAS, any fee in excess of \$17,500.00 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 March 16, 2024 through June 30, 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 March 16, 2024 through June 30, 2024 at a fee of \$215.00 per hour, not to exceed \$17,500.00 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 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:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

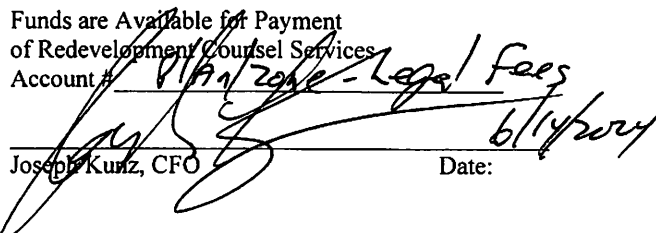
The City of Clifton has awarded a professional services contract without competitive bidding pursuant to *N.J.S.A. 40A:11-5(1)(a)*. This contract and the resolution authorizing it are available for public inspection in the Office of the City Clerk.

Awarded to: DeCotiis, FitzPatrick, Cole & Giblin, LLP, Paramus, NJ
Services: Redevelopment Counsel Services
Project: Hoffman-La Roche Property Redevelopment
Amount: \$215/hr/not to exceed \$17,500.00
Term: March 16, 2024 through June 30, 2024

Adopted: June 18, 2024
Nancy Ferrigno, City Clerk

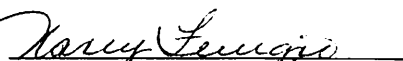
CERTIFICATION OF FUNDS:

Funds are Available for Payment
of Redevelopment Counsel Services
Account #


Joseph Kunz, CFO

Date: 6/14/2024

Adopted: June 18, 2024


Nancy Ferrigno, City Clerk

ITEM NUMBER: R 319-24

ITEM NAME: Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin LLP for Special Counsel Services in Connection with Affordable Housing Litigation - June 1, 2024 - June 30, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE &
GIBLIN LLP, FOR SPECIAL COUNSEL SERVICES IN CONNECTION WITH
AFFORDABLE HOUSING LITIGATION
JUNE 1, 2024 – JUNE 30, 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 from June 1, 2024 through June 30, 2024; and

WHEREAS, the services shall be rendered at the same rate of \$175.00 per hour and not to exceed \$17,500.00 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 June 1, 2024 to June 30, 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;

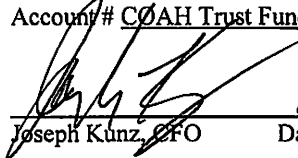
NOW, THEREFORE, BE IT RESOLVED, that:

1. A contract for professional 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, for June 1, 2024 – June 30, 2024 and the rate to be paid for said services is \$175.00 per hour, not to exceed \$17,500.00 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 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.

CERTIFICATION OF FUNDS:

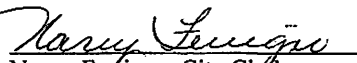
Funds are available in

Account # COAH Trust Fund


Joseph Kunz, CFO

6/14/2024
Date:

Adopted: June 18, 2024


Nancy Ferrigno, City Clerk

ITEM NUMBER: R 320-24

ITEM NAME: Resolution Authorizing Entry into and Execution of a Service Renewal Agreement with Acrisure LLC d/b/a Bergen Risk Managers, Inc. for Administration of Liability Self-Insurance Program Claims

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/13/2024	Cover Memo

**RESOLUTION AUTHORIZING ENTRY INTO AND EXECUTION OF A SERVICE
RENEWAL AGREEMENT WITH ACRISURE LLC D/B/A/ BERGEN RISK
MANGERS, INC. FOR ADMINISTRATION OF LIABILITY SELF-INSURANCE
PROGRAM CLAIMS**

WHEREAS, the City of Clifton requires services for the administration of liability self-insurance claims; and

WHEREAS, the City of Clifton advertised a Request for Proposals for Third Party Administration Services for the Administration of Liability Self-Insurance Claims and received three proposals on June 11, 2024; and

WHEREAS, the City's broker of record, the Polaris Galaxy Group, has reviewed the proposals and recommends an award of contract to the firm submitting the lowest proposal, Acrisure LLC D/B/A Bergen Risk Managers, Inc. for the provision of said services, in accordance with its proposal dated June 10, 2024, which provides the best and most cost-effective service for the City; and

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

WHEREAS, the estimated value of the contract is determined to be \$31,800.00, and the duration of the renewal contract is for a period of one (1) year; and

NOW, THEREFORE, BE IT RESOLVED, that a renewal contract for liability self-insurance claims service administration, for the period of one year, is hereby awarded to Acrisure LLC D/B/A Bergen Risk Managers, Inc. in accordance with its proposal dated June 10, 2024, for a price of \$31,800.00; and

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

CERTIFICATION OF FUNDS:

Funds are Available in
Account # General Liability Trust

Joseph Kunz, CFO Date:

Adopted: June 18 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 321-24

ITEM NAME: Resolution for Appointment to the Action Clifton Committee

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/12/2024	Cover Memo

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

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an application from Ahmad Duqmaq to become a Member of the Action Clifton Committee (Hazel Section);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Ahmad Duqmaq is hereby appointed as a Member of the Action Clifton Committee commencing this day.

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 322-24

ITEM NAME: Resolution of Congratulations Upon Retirement - Principal Legal
Stenographer - Madeline L. Perruzzi

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Resolution	6/4/2024	Cover Memo

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
PRINCIPAL LEGAL STENOGRAPHER
MADELINE L. PERRUZZI**

WHEREAS, June 1, 2024, Principal Legal Stenographer, officially retired from her position with the City of Clifton; and

WHEREAS, she was appointed as a Legal Stenographer on March 8, 2010, and her retirement will conclude a twenty-four-year career in service to the public and the City of Clifton; and

WHEREAS, throughout her career, she has always displayed an attitude of professionalism and dedication to duty; and

WHEREAS, she has been a credit to the City of Clifton during this time, and this Governing Body wishes to acknowledge her service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Members of the Municipal Council of the City of Clifton do hereby extend to

PRINCIPAL LEGAL STENOGRAPHER

MADELINE L. PERRUZZI

their sincere congratulations and thanks for a job well done, as well as their best wishes for continued good health, peace and happiness in her retirement; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to **MADELINE L. PERRUZZI**.

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 323-24

ITEM NAME: Resolution of Congratulations Upon Retirement - Omnibus Operator
Maurico Portillo

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Resolution	6/7/2024	Cover Memo

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
OMNIBUS OPERATOR
MAURICO PORTILLO**

WHEREAS, June 1, 2024, Omnibus Operator, Maurico Portillo, officially retired from his position with the City of Clifton; and

WHEREAS, he was appointed as an Omnibus Operator on October 1, 2015, and his retirement will conclude a nine-year career in service to the public and the City of Clifton; and

WHEREAS, throughout his career, he has always displayed an attitude of professionalism and dedication to duty; and

WHEREAS, he has been a credit to the City of Clifton during this time, and this Governing Body wishes to acknowledge his service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Members of the Municipal Council of the City of Clifton do hereby extend to

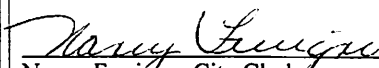
OMNIBUS OPERATOR

MAURICO PORTILLO

their sincere congratulations and thanks for a job well done, as well as their best wishes for continued good health, peace and happiness in his retirement; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to **MAURICO PORTILLO**.

Adopted: June 18, 2024



Nancy Ferrigno, City Clerk

ITEM NUMBER: R 324-24

ITEM NAME: Resolution Proclaiming August 29, 2024 as Overdose Awareness Day
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/12/2024	Cover Memo

**CITY OF CLIFTON
RESOLUTION PROCLAIMING AUGUST 29, 2024
AS OVERDOSE AWARENESS DAY**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey does affirm and acknowledge the harm and hardship caused by drug overdose; and

WHEREAS, the City of Clifton recognizes the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and ending the stigma of drug-related deaths; and

WHEREAS, the City of Clifton resolves to play our part in reducing the toll of overdoses in our community; and

WHEREAS, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our love, compassion and support;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey do hereby proclaim August 29, 2024 as Overdose Awareness Day in the City of Clifton.

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 325-24

ITEM NAME: Resolution Authorizing New Limousine License - TRK Transportation
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**CITY OF CLIFTON
RESOLUTION AUTHORIZING NEW LIMOUSINE LICENSE**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a new Limousine License application from Ali Yaka the owner and operator of TRK Transportation, in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that approval for a new Limousine License application from Ali Yaka the owner and operator of TRK Transportation in the City of Clifton is hereby granted.

Company name:

TRK Transportation

Owner and Operator:

Ali Yaka

Abdullah Yusal

Approved Vehicles:

2019 Chevy Suburban 1GNSKHKC2KR178328

Approved Parking Location:

6 East Emerson Street, Clifton, NJ

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 326-24

ITEM NAME: Resolution Authorizing Entertainment License for Octavio Perez t/a
Palenque Bar & Grill at 283 Parker Avenue

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

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

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

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) days per week:

Friday and Saturday - 8:00 p.m. to 12:00 a.m.

DJ, Karaoke, or Up to Two (2)-Piece Acoustic Band

Sunday: 1 p.m. to 8 p.m. - DJ, Karaoke, or Up to Two (2)-Piece Acoustic Band

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year's Eve

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

3. TYPE OF ENTERTAINMENT:

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

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2023 through June 30, 2024

5. SECURITY/PARKING REQUIREMENTS:

N/A

6. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

7. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

8. REQUIREMENTS/RESTRICTIONS:

A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.

B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.

C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

ADOPTED: June 18, 2024

ATTEST:

NANCY FERRIGNO, City Clerk

ITEM NUMBER: R 327-24

ITEM NAME: Resolution Authorizing Entertainment License for Sportzone Bar & Grill,
Inc. t/a Sportzone Bar & Grill

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
 Resolution	6/14/2024	Cover Memo

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

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Sportzone Bar & Grill, Inc. t/a Sportzone Bar & Grill, of 593 Van Houten Avenue, Clifton, New Jersey (B-C Zone), is approved, and entertainment is authorized for the period from July 1, 2024 through June 30, 2025, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week: Thursday, Friday and Saturday
Hours: 9:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve

3. OPTIONAL ENTERTAINMENT HOURS:

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

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

Thursday - Karaoke
Friday & Saturday - DJ Music

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 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.

ADOPTED: June 18, 2024

ATTEST:

NANCY FERRIGNO, City Clerk

ITEM NUMBER: R 328-24

ITEM NAME: Resolution Authorizing Entertainment License for Jhonny Ospina/Colosa, LLC t/a Noches de Colombia at 1 Village Square East

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR JHONNY OSPINA/COLOSA, LLC T/A NOCHES DE COLOMBIA AT 1 VILLAGE SQUARE EAST

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Jhonny Ospina/Colosa, LLC t/a Noches De Colombia, at 1 Village Square East, 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:

Three (3) nights per week:
Thursday, Friday and Saturday, 8:00 p.m. to 12:30 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve

3. OPTIONAL ENTERTAINMENT HOURS:

8:00 p.m. to 12:30 a.m.

4. TYPE OF ENTERTAINMENT:

DJ; band, 2-piece amplified; singer/duo

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.

ADOPTED: June 18, 2024

ATTEST:

NANCY FERRIGNO, City Clerk

ITEM NUMBER: R 329-24

ITEM NAME: Resolution Authorizing Entertainment License for Yesterday's, LLC t/a Yesterday's Bar and Grille

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

	Description	Upload Date	Type
	Resolution	6/14/2024	Cover Memo

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

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Yesterday's LLC t/a Yesterday's Bar and Grille, of 70 Main Avenue, Clifton, New Jersey (Zone B-C), is approved, and entertainment is authorized for the period from July 1, 2024 through June 30, 2025, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

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

2. OPTIONAL ENTERTAINMENT NIGHTS:

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

3. OPTIONAL ENTERTAINMENT HOURS:

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

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

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

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 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.

ADOPTED: June 18, 2024

NANCY FERRIGNO, City Clerk

ITEM NUMBER: R 330-24

ITEM NAME: Resolution Authorizing the Submittal of a Grant Application and Execution of a Grant Agreement with the New Jersey Department of Transportation for the Third Street Pedestrian Safety Improvements Phase II Project

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/7/2024	Cover Memo

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

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the City of Clifton formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that City Engineer, Michael Lardner, is hereby authorized to submit an electronic grant application identified as "MA-2025-Third Street Pedestrian Safety Impro-00239" to the New Jersey Department of Transportation on behalf of the City of Clifton.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Clifton and their signatures below constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Mayor and Council of the City of Clifton on this day of Tuesday, June 18th, 2024.

Nancy Ferrigno, City Clerk

The mayor's signature and the clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

Raymond Grabowski, Mayor

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 331-24

ITEM NAME: Resolution Awarding Professional Services Contract for Dental Services to Dr. Theodore Constandelis for Assisting the City of Clifton Health Clinic Services for the Term January 1, 2024 Through December 31, 2024

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/12/2024	Cover Memo

RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT FOR DENTAL SERVICES TO DR. THEODORE CONSTANDELIS FOR ASSISTING THE CITY OF CLIFTON HEALTH DEPARTMENT WITH DENTAL CLINIC SERVICES FOR THE TERM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024

WHEREAS, the City of Clifton Health Department requires dental services to assist with the dental clinics; and

WHEREAS, a quote was provided by Dr. Theodore Constandelis to provide said services at a rate of \$140.00 per hour, not to exceed \$6,720.00 for the term, price and other factors considered, was deemed to be most; and

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

WHEREAS, the value of the contract is determined not to exceed \$6,720.00 and the term of the contract is from January 1, 2024 through December 31, 2024; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that a Professional Services Contract for Dental Services is hereby awarded to Dr. Theodore Constandelis, of 465 Valley Road, Clifton, NJ, for the term commencing January 1, 2024 and ending December 31, 2024 at a fee of \$140.00 per hour, not to exceed \$6,720.00; and

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

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 332-24

ITEM NAME: Resolution Authorizing the Cancellation and Refund of a Portion of the 2024 1st Quarter Taxes, and the 2024 2nd Quarter Taxes, on Property Known as Block 39.02, ot 13, 46 Fair Hill Road, Owned by a Disabled Veteran

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

**RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF A
PORTION OF THE 2024 1st QUARTER TAXES, AND THE 2024 2nd QUARTER
TAXES, ON PROPERTY KNOWN AS BLOCK 39.02 LOT 13, 46 FAIR HILL ROAD,
OWNED BY A DISABLED VETERAN**

WHEREAS, the Tax assessor has confirmed that Dorie W. James III, the owner of a single-family residence located at Block 39.02 Lot 13, 46 Fair Hill Road has been declared 100% disabled as of July 22,2023 by the United States Department of Veteran Affairs; and

WHEREAS Dorie W. James III became a resident of the City of Clifton on January 22, 2024; and

WHEREAS Dorie W. James III has made application to the Tax Assessor of the City of Clifton for a 100% property tax exemption on the subject property in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Dorie W. James III is entitled to the cancellation and a partial refund of the 2024 first quarter property taxes and 2024 second quarter taxes on the subject property; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to grant the application and hereby approves the 100% tax exemption on the subject property as of January 22,2024, and hereby authorizes the cancellation of 100% of the taxes and a partial refund of the 2024 first quarter property taxes and 2024 second quarter property taxes on the subject property in the total amount of \$4,237.72.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that for the reasons aforesaid, the Tax Collector and/or City Treasurer are hereby authorized and directed:

1. To cancel and refund the pro-rated portion of 2024 first quarter in the amount of \$1,839.01 and the 2024 second quarter in the amount of \$2,398.71 for a total refund in the amount of \$4,237.72 and cancel the remaining 2024 property taxes on the subject property; and
2. To keep the subject property tax exemption for the totally disabled veteran for so long as he shall qualify for the exemption and for so long as the exemption is authorized by law based upon the facts and circumstances of this matter.

Adopted: June 18, 2024

Nancy Ferrigno, City Clerk

ITEM NUMBER: R 334-24

ITEM NAME: Resolution Cancelling Current Fund Grant Reserve

RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

R33A-24

**CITY OF CLIFTON
CANCELLING CURRENT FUND GRANT RESERVE**

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

WHEREAS, the City has not fully expended such funds and intends to utilize a portion of the unexpended balance to replace revenue losses as part of the 2024 budget; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Clifton, that the following appropriated grant reserve balance be cancelled and reclassified as an unappropriated grant reserve balance and thereby be available for the 2024 City budget:

<u>Grant Description</u>	Unexpended
<u>Appropriation</u>	
American Rescue Plan	<u>\$3,866,630</u>

Adopted: June 18, 2024

Certified by me:

Nancy Ferrigno, City Clerk

Raymond Grabowski, Mayor

ITEM NUMBER: R 335-24

ITEM NAME: Resolution - Introduction of 2024 Municipal Budget
RECOMMENDATION:

SUMMARY:

ATTACHMENTS:

Description		Upload Date	Type
	Resolution	6/14/2024	Cover Memo

R335-24

**CITY OF CLIFTON
PASSAIC COUNTY, NEW JERSEY
INTRODUCTION OF 2024 BUDGET**

BE IT RESOLVED, that the following statements of revenues and appropriations attached hereto constitute the local Budget of the City of Clifton, Passaic County, New Jersey for the year 2024.

BE IT FURTHER RESOLVED, that the said budget be published in The North Jersey Herald and News in the issue of June 21, 2024, and that a hearing on the Budget will be held at the Municipal Building on July 16, 2024 at 8:00 o'clock (P.M.) or as soon thereafter as the matter may be reached.

Introduced by _____

Seconded by _____

Adopted: June 18, 2024

ATTEST

Approved _____, 2024

Nancy Ferrigno, City Clerk

Raymond Grabowski, Mayor

ITEM NUMBER: L- 1

ITEM NAME: Blaze Smoke Shop
RECOMMENDATION:

SUMMARY:
F3 Holdings Group, LLC
t/a Blaze Smoke Shop
675 Van Houten Ave., Clifton, NJ 07013
Final Approval
Grocery - continued use

ATTACHMENTS:

Description	Upload Date	Type
 Blaze Smoke Shop - Final Res	5/22/2024	Cover Memo

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF F3 HOLDINGS GROUP LLC

T/A BLAZE SMOKE SHOP

for permission to conduct a: GROCERY-CONTINUED USE

for a period ending January 31, 2025 on the premises known as:

675 VAN HOUTEN 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.

FOR OFFICE USE ONLY:

LICENSE #

ISSUED

ADOPTED _____

ATTEST _____

CITY CLERK

ITEM NUMBER: L- 2

ITEM NAME: Food Brigade
RECOMMENDATION:

SUMMARY:
The Food Brigade, Inc
t/a Food Brigade
236 Colfax Ave., Clifton, NJ 07013
Final Approval
Yearly Itinerant - new

ATTACHMENTS:

Description	Upload Date	Type
 Food Brigade - Final Res	6/10/2024	Cover Memo

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF THE FOOD BRIGADE, INC

T/A FOOD BRIGADE

for permission to conduct a:

YEARLY ITINERANT - NEW

for a period ending January 31, 2025 on the premises known as:

236 COLFAX 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.

FOR OFFICE USE ONLY:

LICENSE #

ISSUED

ADOPTED _____

ATTEST _____

CITY CLERK

ITEM NUMBER: L- 3

ITEM NAME: Mira Vie at Clifton
RECOMMENDATION:

SUMMARY:
Mira Vie at Clifton OPCO, LLC
t/a Mira Vie at Clifton
782 Valley Rd., Clifton, NJ 07013
Preliminary Approval
Restaurant - continued use.

ATTACHMENTS:

Description	Upload Date	Type
 Mira Vie at Clifton - :Preliminary Res	6/11/2024	Cover Memo

RESOLUTION FOR PRELIMINARY APPROVAL

FOR MIRA VIE AT CLIFTON OPCO, LLC

T/A MIRA VIE AT CLIFTON

ADDRESS 782 VALLEY RD CLIFTON, NJ 07013

TYPE OF FOOD ESTABLISHMENT INTENDED RESTAURANT-CONTINUED USE

FORMERLY OR NEW CHELSEA SENIOR LIVING, LLC

ZONE RA1

PERMITTED YES

VARIANCE REQUIRED NO

FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION.

FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

ADOPTED _____

ATTEST _____

CITY CLERK

ITEM NUMBER: L- 4

ITEM NAME: Green 2 O
RECOMMENDATION:

SUMMARY:
Green 2 O, LLC
t/a Green 2 O
575 Clifton Ave., Clifton, NJ 07011
Final Approval
Caterer/Grocery/Milk - continued use

ATTACHMENTS:

Description	Upload Date	Type
 Green 2 O - Final Resolution	6/11/2024	Cover Memo

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF GREEN 2 O LLC

T/A GREEN 2 O

for permission to conduct a: CATERER/GROCERY/MILK

for a period ending January 31, 2025 on the premises known as:

575 CLIFTON 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.

FOR OFFICE USE ONLY:

LICENSE #

ISSUED

ADOPTED _____

ATTEST _____

CITY CLERK

ITEM NUMBER: L- 5

ITEM NAME: Paris Baguette Clifton
RECOMMENDATION:

SUMMARY:
EJK Paris Clifton, LLC
t/a Paris Baguette Clifton
345 Allwood Rd., Clifton, NJ 07012
Preliminary Approval
Restaurant/Bakery - continued use

ATTACHMENTS:

Description	Upload Date	Type
 Paris Baguette Clifton - Preliminary Res	6/12/2024	Cover Memo

RESOLUTION FOR PRELIMINARY APPROVAL

FOR EJK PARIS CLIFTON LLC

T/A PARIS BAGUETTE CLIFTON

ADDRESS 345 ALLWOOD RD CLIFTON, NJ 07012

TYPE OF FOOD ESTABLISHMENT INTENDED RESTAURANT/BAKERY-CONTINUED USE

FORMERLY OR NEW STEW LEONARD'S VINEYARDS OF CLIFTON

ZONE PD-HC

PERMITTED YES

VARIANCE REQUIRED NO

FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION.

FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

ADOPTED _____

ATTEST _____

CITY CLERK

ITEM NUMBER: L- 6

ITEM NAME: Thinoy
RECOMMENDATION:

SUMMARY:
Thinoy, LLC
t/a Thinoy
64 Market St., Clifton, NJ 07012
Preliminary Approval
Restaurant - continued use

ATTACHMENTS:

Description	Upload Date	Type
☐ Thinoy - Preliminary Res	6/12/2024	Cover Memo

RESOLUTION FOR PRELIMINARY APPROVAL

FOR THINOY LLC

T/A THINOY

ADDRESS 64 MARKET ST CLIFTON, NJ 07012

TYPE OF FOOD ESTABLISHMENT INTENDED RESTAURANT-CONTINUED USE

FORMERLY OR NEW SAWADEJA THAI RESTAURANT

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.

ADOPTED _____

ATTEST _____

CITY CLERK

ITEM NUMBER: L- 7

ITEM NAME: My Pewex NJ
RECOMMENDATION:

SUMMARY:
Lamania, LLC
t/a My Pewex NJ
217 Dayton Ave., Clifton, NJ 076011
Final Approval
Grocery - continued use

ATTACHMENTS:

Description	Upload Date	Type
 My PewexNJ - Final Res	6/12/2024	Cover Memo

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF LAMANIA LLC

T/A MY PEWEX NJ

for permission to conduct a: GROCERY-CONTINUED USE

for a period ending January 31, 2025 on the premises known as:

217 DAYTON 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.

FOR OFFICE USE ONLY:

LICENSE #

ISSUED

ADOPTED _____

ATTEST _____

CITY CLERK

ITEM NUMBER: L- 8

ITEM NAME: Courtside Pub
RECOMMENDATION:

SUMMARY:
Lam & Sons, LLC
t/a Courtside Pub
66 Center St., Clifton, NJ 07011
Final Resolution
Restaurant - continued use

ATTACHMENTS:

Description	Upload Date	Type
 Courtside Pub - Final Res	6/12/2024	Cover Memo

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF LAM & SONS, LLC

T/A COURTSIDE PUB

for permission to conduct a: RESTAURANT - CONTINUED USE

for a period ending January 31, 2025 on the premises known as:

66 CENTER ST 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.

FOR OFFICE USE ONLY:

LICENSE #

ISSUED

ADOPTED _____

ATTEST _____

CITY CLERK