**CITY OF CLIFTON**
**CLIFTON, NEW JERSEY**
**REGULAR MEETING MINUTES OF DECEMBER 5, 2017**

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

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

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

Adequate notice of this meeting has been provided by the Annual Notice of regularly scheduled meetings of the Municipal Council for the year 2017 which was published as legal advertisements in the Herald News on December 8, 2016 and was additionally given to the Clifton Journal, Herald News and The Record. Further notice of this meeting was given on Friday prior to the meeting to the Clifton Journal, Herald News and The Record and by posting of said notice on the bulletin board at City Hall and on the Clifton Website which notice stated that formal action may or may not be taken on matters to come before the Municipal Council.

Upon roll call, the following were noted present:

| | |
|---|---|
| Councilman Eagler | (PE) |
| Councilman Gibson | (BG) |
| Councilman Grabowski | (RG) |
| Councilman Hatala | (SH) |
| Councilman Kolodziej | (JK) |
| Councilwoman Murphy | (LM) |
| Mayor Anzaldi | (JA) |

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

**INVOCATION**

Reverend Mike Weber – United Reformed Church

**PLEDGE TO THE FLAG**

**PUBLIC HEARING**

**Community Development - Amendment B17-MC-34-0103 Action Plan Year 43**
**Funding Source & Amount**

The Mayor opened the floor to the public.

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

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

**APPROVAL OF MINUTES**

None

**COMMUNICATIONS FROM THE CITY MANAGER**

C-1 Christopher Divver, Lieutenant in the Fire Department retires his position effective 12/01/2017.

**COMMUNICATIONS – MEETING MINUTES**

C-2 Board of Recreation Minutes October 23, 2017
C-3 Minutes of the Board of Adjustment of November 15, 2017
C-4 Minutes of Clifton Traffic Safety Council of November 16, 2017

**ORDINANCES – SECOND READING**

**A. Adoption of Ordinance 7417-17**

**B. Public Hearing on Ordinance 7417-17**

**An Ordinance to Amend, Revise & Supplement C. 99 of the Code of the City of Clifton, Entitled "Salaries," More Particularly Article IV, Entitled "Officials & Employees Not Represented by a Bargaining Unit" (Amends Salary for Fire Prevention Specialist (Part-Time)**

The Mayor opened the floor to the public with regard to the Ordinance 7417-17

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

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

**ORDINANCES – FIRST READING**

**A. Introduction of Ordinance 7418-17**

**An Ordinance to Amend, Revise & Supplement C. 99 of the Code of the City of Clifton, Entitled "Salaries & Compensation," More Particularly Art II Thereof, Entitled "Nonuniformed Officials & Employees," Sect 99-2, Entitled "Minimum & Maximum Salaries Fixed; Uniform Allowance" (Creates Title of & Compensation for Senior Citizen Program Aide)**

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

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, December 19, 2017 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

**B. Introduction of Ordinance 7419-17**

**An Ordinance to Amend, Revise & Supplement C. 99 of the Code of the City of Clifton, Entitled "Salaries & Compensation," More Particularly Art. VI Thereof, Entitled "Confidential Officials & Employees," Sect. 99-34, Entitled "Minimum & Maximum Salaries Fixed" (Amends Compensations for 2018)**

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 carried by roll call vote.

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, December 19, 2017 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

**C. Introduction of Ordinance 7420-17**

**An Ordinance to Amend, Revise & Supplement C. 99 of the Code of the City of Clifton, Entitled "Salaries & Compensation," More Particularly Art. VI Thereof, Entitled "Confidential Officials & Employees," Sect. 99-37, Entitled "Hospitalization & Insurance" (Amends Physician Co-Pay, Prescription Co-Pay & Employee/Retiree Contributions)**

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 carried by roll call vote.

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, December 19, 2017 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

**D. Introduction of Ordinance 7421-17**

**An Ordinance to Amend, Revise & Supplement C. 99 of the Code of the City of Clifton, Entitled "Salaries & Compensation," More Particularly Art III Thereof, Entitled "Supervisory Officials & Employees," Sect. 99-10, Entitled "Minimum & Maximum Salaries Fixed" (Amends Salaries for Supervisory Officials & Employees for Years 2016. 2017 & 2018)**

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

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, December 19, 2017 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

## CITY MANAGER PRIVILEGE

City Manager, Dominick Villano, stated that the pre-budget meeting, requested by Council, cannot be held in December due to conflicting schedules. He suggested that the meeting be held on a Saturday in January. Mr. Villano said he would have his secretary poll Council and set up a meeting.

## FLOOR TO MEMBERS OF THE PUBLIC

Fred Verillo, Verillo Realty and Insurance Agency, 657 Van Houten Ave., commented that he recently had real estate signs confiscated by the police and never got them back. Mr. Verillo said the signs are very costly and feels that the City's sign Ordinance should be amended to allow realtors to post signs for real estate sales.

Jose Montalvo, 47 Clinton Ave., spoke about a hostile work environment complaint filed at the Department of Public Works.

Thomas Fuscaldo, 429 Preakness Ave., Paterson, discussed mail theft. He also asked how he could obtain a copy of the Council Meeting.

Joseph Gaccione, 113 Orono St., spoke about the Clifton Junior Mustang Football Team. He announced that the team will be traveling to Canton, Ohio for the Pro Football Hall of Fame National Youth Football Tournament. He asked the community for support by donating to the Team through a Go Fund Me Page set up on Facebook.

Ellen DeLosh, 547 Clifton Ave., read a letter from the Founder and CEO of the Freedom Center.

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

A Motion was made by Councilman Hatala, seconded by Councilman Kolodziej, and passed on roll call vote to reopen the public session.

A visit was made by Saint Nicholas, who wished all City residents a happy and healthy holiday season.

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

City Manager, Dominick Villano, responded to Mr. Verillo regarding the real estate signs. He stated that they were erected against the City Ordinance and that the City had the right to confiscate them.

Mayor Anzaldi responded to Mr. Fuscaldo, that he could obtain a copy of the Council Meeting by submitting an OPRA request. He also announced the mailing address for donations for the Clifton Junior Mustangs Team for people who do not have access to Facebook.

## COUNCIL PRIVILEGE

### Councilman Eagler

Councilman Eagler thanked all the volunteers and workers who helped with the Christmas Tree Lighting Ceremony. He announced that the flags will be flown at half-mast for Pearl Harbor Day. Councilman Eagler spoke about a new program for Veterans which entitles them to a State Tax Deduction. He stated he would provide the information to Administration and asked that it be posted on the City website.

### Councilman Gibson

Councilman Gibson congratulated the Junior Mustang Football Team for their accomplishments. He stated that Joseph Gaccione is very dedicated coach. He thanked all volunteers and workers who helped with the Tree Lighting Ceremony. Councilman Gibson warned the public about shopping during the holidays and the opportunity for thefts. He asked residents to shop local.

### Councilman Grabowski

Councilman Grabowski congratulated the Junior Mustang Football Team for their outstanding performance. He commented that the Centennial Gala was excellent and thanked the committee for all their hard work. In closing, Councilman Grabowski stated that it is an honor to be on the Council for the City of Clifton.

### Councilman Hatala

Councilman Hatala announced that the Economic Committee recently met and discussions took place regarding the development of the Hoffman LaRoche property. He stated that the Bond Advisory Committee met and most of the roadwork projects have been completed. Councilman Hatala also stated that the Fire Committee met and an update of potential properties for a new firehouse should be complete in a few weeks. He urged residents to shop local during the upcoming holiday season. Councilman Hatala congratulated the Junior Mustang Football Team. He thanked the Centennial Committee volunteers for all the work they put forth on the Centennial Gala. In closing, Councilman Hatala thanked all the staff, volunteers and Clifton High School musicians who helped make the Christmas Tree Lighting a success.

**Councilman Kolodziej**

Councilman Kolodziej thanked everyone who helped put together the recent Christmas Tree Lighting ceremony. He also thanked all the members of the Centennial Committee for all the work they did putting together all the Centennial events this past year. Councilman Kolodziej congratulated Coach Gaccione and the Clifton Junior Mustang Football Team. He said that the team is a great source of pride for the City.

A Motion was made by Councilman Kolodziej, seconded by Councilman Hatala and passed on roll call vote, to procure an outside agency to recommend ways to reduce overtime in the Police Department

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

A Motion was made by Councilman Kolodziej, seconded by Councilman Eagler, and passed on roll call vote, to donate $100.00 to the Junior Mustang Football Team.

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

**Councilwoman Murphy**

Councilwoman Murphy stated that a Go Fund Me page is set up on Facebook for anyone interested in donating to the Clifton Junior Mustang Football Team trip to Canton, Ohio. She announced that the Recreation Department will be hosting Candyland on December 9, 2017 at City Hall. She thanked everyone involved in putting together the Centennial Gala.

**Mayor Anzaldi**

Mayor Anzaldi congratulated the Clifton Junior Mustang Football Team and asked the public to donate to their trip to the Pro Football Hall of Fame National Youth Football Tournament. He thanked Coach Gaccione for his dedication to the team. Mayor Anzaldi thanked everyone involved in putting together the Tree Lighting ceremony, the Clifton High School Madrigal Singers, the Clifton High School Mustang Band and the Centennial Committee for their hard work and dedication. He announced that the time capsule will be buried sometime in the spring. In closing, Mayor Anzaldi wished everyone a safe and healthy holiday.

**RESOLUTIONS TO BE VOTED ON SEPERATELY**

A Motion was made by Councilman Hatala, seconded by Councilman Kolodziej, and passed on roll call vote, to have Councilman Eagler chair.

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(6-0-1-0) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilman Hatala, Councilman Kolodziej, Councilwoman Murphy voted aye. Mayor Anzaldi abstained.

R564-17 Resolution to approve claims to be paid meeting of December 5, 2017

**RESOLUTION TO APPROVE CLAIMS TO BE PAID**
**MEETING OF December 5, 2017**

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

| | | |
|---|---|---|
| Current Fund | $ | 6,234,175.58 |
| Trust Escrow | | |

| | | |
|---|---|---|
| General Capital Fund | $ | 833,654.68 |
| Dog Trust | $ | 2,657.99 |
| Trust Other | $ | 433,383.11 |
| Community Development | $ | 65,242.91 |
| Grant Fund | $ | 240,713.60 |
| Reserve for Housing | | |
| Tax Title Lien Redemption | $ | |
| Unemployment Trust Fund | $ | 5,580.27 |
| Revolving Loan Fund | | |
| Section 8 Public Housing | $ | 39,656.77 |
| Self Insurance | $ | 1,236,691.05 |
| Police Extra Duty | $ | 459,640.50 |
| COAH | $ | |
| Fire Dedicated Penalties | $ | |
| Sewer Utility – Operating | $ | 55,967.72 |
| Sewer Utility – Capital | $ | 17,781.84 |
| Library | $ | 174,260.01 |
| Developers Escrow | $ | 8,439.96 |
| General Liability Trust | $ | 8,710.84 |
| Workers Compensation Trust | $ | 60,076.62 |
| **TOTAL CLAIMS** | **$** | **9,876,633.45** |

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**RESOLUTIONS**

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

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

R564-17 Resolution to approve claims to be paid meeting of December 5, 2017

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

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| Tax Title Lien Redemption | $ | |
| Unemployment Trust Fund | $ | 5,580.27 |
| Revolving Loan Fund | | |
| Section 8 Public Housing | $ | 39,656.77 |
| Self Insurance | $ | 1,236,691.05 |
| Police Extra Duty | $ | 459,640.50 |
| COAH | $ | |
| Fire Dedicated Penalties | $ | |
| Sewer Utility – Operating | $ | 55,967.72 |
| Sewer Utility – Capital | $ | 17,781.84 |
| Library | $ | 174,260.01 |
| Developers Escrow | $ | 8,439.96 |
| General Liability Trust | $ | 8,710.84 |
| Workers Compensation Trust | $ | 60,076.62 |
| **TOTAL CLAIMS** | **$** | **9,876,633.45** |

R565-17 Resolution to Transfer 2017 Budget Appropriations in the Current Fund

**RESOLUTION TO TRANSFER**
**2017 BUDGET APPROPRIATIONS**
**CURRENT FUND**

**WHEREAS**, transfers between budget appropriations are permitted by N.J.S.A. 40A:4-58 during the last two months of the fiscal year; and

**WHEREAS,** certain 2017 City Budget Appropriations are expected to be insufficient to meet the expenditure requirements through the end of the fiscal year, and certain 2017 budget appropriations are expected to have funds available to offset these expenditure requirements;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, (not less than two-thirds thereof affirmatively concurring) that the transfers as listed between 2017 City Budget Appropriations be made in the Current Fund:

| Department | Account Number | Amount – From: | Amount – To: |
|---|---|---|---|
| City Clerk – S&W | 01-201-20-120-101 | | $ 1,000.00 |
| City Clerk – OE | 01-201-20-120-225 | $ 1,000.00 | |
| Housing Director – OE | 01-201-21-190-318 | | $ 10,000.00 |
| Insurance General Liability | 01-201-23-210-310 | | $100,000.00 |
| Police Dept. – S&W | 01-201-25-240-112 | | $250,000.00 |
| Fire Dept. – S&W | 01-201-25-265-112 | | $180,000.00 |
| Building Dept. (DPW)–S&W | 01-201-26-290-101 | | $ 4,000.00 |
| Roads Dept. – S&W | 01-201-26-292-101 | $ 6,500.00 | |
| Shade Tree – S&W | 01-201-28-300-101 | | $ 2,500.00 |
| Maint. Of Parks – OE | 01-201-28-375-405 | | $ 5,000.00 |
| Maint. Of Parks – S&W | 01-201-28-375-101 | $ 5,000.00 | |
| Terminal Leave | 01-201-30-415-112 | $430,000.00 | |
| Fuel – Gasoline | 01-201-31-460-221 | | $ 20,000.00 |
| Sanitation – Contractual | 01-201-32-465-503 | $ 107,000.00 | |
| Municipal Court – OE | 01-201-43-490-503 | | $ 5,000.00 |
| Municipal Court – S&W | 01-201-43-490-101 | $ 5,000.00 | |
| Purchase Vehicles | 01-201-31-458-251 | $ 23,000.00 | |
| | Total Transfer Amount: | $577,500.00 | $577,500.00 |

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R566-17 Resolution Awarding Contract for 2017 Roadway Resurfacing Project

**RESOLUTION AWARDING CONTRACT FOR**
**2017 ROADWAY RESURFACING PROJECT**

**BE IT RESOLVED**: that the contract for 2017 ROADWAY RESURFACING PROJECT be and the same is hereby awarded to SMITH SONDY ASPHALT CONSTRUCTION COMPANY, INC. of Wallington, New Jersey, the low bidder meeting the specifications at a grand total bid price of $2,082,962.43, in accordance with bids received on November 21, 2017, and recommended by communication dated November 27, 2017 to the Mayor and Council; and

**NOW, THEREFORE BE IT FURTHER RESOLVEDBE IT 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.

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R567-17 Resolution Awarding Contract for Rutgers Place Drainage Improvements

**RUTGERS PLACE DRAINAGE IMPROVEMENTS**

**BE IT RESOLVED**: that the contract for the RUTGERS PLACE DRAINAGE IMPROVEMENTS be and the same is hereby awarded to JOHN GARCIA CONSTRUCTION CO., INC. of Clifton, New Jersey, the low bidder meeting the specifications at a grand total bid price of $106,975.27, in accordance with bids received on November 21, 2017, and recommended by communication dated November 27, 2017 to the Mayor and Council; and

**NOW, THEREFORE BE IT FURTHER RESOLVEDBE IT 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.

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R568-17 Resolution Awarding Contract for Emergency Generators at Various Locations

**RESOLUTION AWARDING CONTRACT FOR EMEGENCY GENERATORS AT VARIOUS LOCATIONS**

**BE IT RESOLVED**: that the contract for the EMEGENCY GENERATORS AT VARIOUS LOCATIONS be and the same is hereby awarded to TSUJ CORPORATION of Wayne, New Jersey, the low bidder meeting the specifications at a grand total bid price of $383,378.00, in accordance with bids received on November 21, 2017, and recommended by communication dated November 27, 2017 to the Mayor and Council; and

**NOW, THEREFORE BE IT FURTHER RESOLVEDBE IT 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.

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R569-17 Resolution Authorizing Permission to Bid for Vehicle Storage Building at DPW Complex

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR VEHICLE STORAGE BUILDING AT DPW COMPLEX**

**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 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 City Clerk and/or Purchasing Agent is authorized to advertise the Notice to Bidders herein included and to receive public bids for the services described therein:

**BE IT FURTHER RESOLVED** that the following Notice to Bidders be published once in a legal newspaper of the City of Clifton not less than ten full days prior to the date fixed for the receipt of bids, and that revisions, if necessary, be published and made available by written notice sent certified mail no later than seven days, Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of bids to any person who has submitted a bid or has received a bid package.

**CITY OF CLIFTON - NOTICE TO BIDDERS**

Sealed identified bids for Vehicle Storage Garage at DPW Complex will be received until 10:00 a.m. on the date(s) indicated below at which time same will be opened and read at Clifton City Hall Municipal Council Conference Room (Room No. 101).

BIDS DUE: JANUARY 4, 2018 AT 10:00 A.M.

Drawings, Plans, Specifications and Instruction to Bidders are on file and may be obtained at the Engineering Department, 900 Clifton Avenue, Clifton, New Jersey 07013, First Floor for a non-refundable payment of $100.00. Checks shall be made payable to the City of Clifton.

Bidders shall comply with the requirements of the Equal Employment Opportunity/Affirmative Action Requirements as specified in N.J.S.A. 10:5-31 and N.J.A.C. 17:27 et seq.

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R570-17 Resolution Authorizing the Purchase of a Truck Outfitted for Mobile Welding Off the NJ State Purchasing Program Pursuant to NJSA 40A:11-12a

**RESOLUTION AUTHORIZING THE PURCHASE OF A TRUCK OUTFITTED FOR MOBILE WELDING OFF OF THE NEW JERSEY STATE PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a**

**WHEREAS**, the Department of Public Works seeks a truck outfitted for mobile welding; and

**WHEREAS**, the DPW plans to purchase said truck from Route 23 Automall located at 1301 Route 23, Butler, New Jersey 07495 off of New Jersey State Contract #40321 in the amount of $55,138.00; 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 governing body wishes to authorize the aforesaid mentioned purchase and delegate the power to make the same to the following named official: Robyn Esposito, Purchasing Agent; and

**NOW, THEREFORE**, **BE IT RESOLVED**, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase from Route 23 Automall located at 1301 Route 23, Butler, New Jersey off of New Jersey State Contract #40321 in an amount not to exceed $55,138.00; and

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

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R571-17 Resolution Authorizing the Purchase of One (1) Toro Grounds Master 7200 and One (1) Toro 72" Rear Discharge Mowing Deck Off the Middlesex Regional Educational Services Commission Cooperative #15/16-08

**RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TORO GROUNDS MASTER 7200 AND ONE (1) TORO 72" REAR DISCHARGE MOWING DECK OFF THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION COOPERATIVE #15/16-08**

**WHEREAS**, the City of Clifton is a member of the Middlesex Regional Educational Services Commission (MRESC) Cooperative and the DPW wishes to purchase the following equipment from Storr Tractor Company:

| | | |
|---|---|---|
| • | 1 Toro Grounds Master 7200 | $ 15,536.00 |
| • | 1 Toro 72" Rear Discharge Mowing Deck | $ 3,563.20 |
| | Total | $ 19,099.20 |

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

**NOW, THEREFORE**, **BE IT RESOLVED**, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchases of equipment from Storr Tractor Company, 3191 Route 22 West, Somerville, New Jersey 08876 pursuant to MRESC Bid #15/16-08 at a cost not to exceed $19,100 and

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

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R572-17 Resolution Authorizing the Purchase of Office Equipment Off the NJ State Purchasing Program Pursuant to NJSA 40A:11-12a for the Police Dispatch Center Upgrade

**RESOLUTION AUTHORIZING THE PURCHASE OF OFFICE EQUIPMENT OFF OF THE NEW JERSEY STATE PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a FOR THE POLICE DISPATCH CENTER UPGRADE**

**WHEREAS**, the Clifton Police Department has a need to purchase office equipment which is part of the Dispatch Center Upgrade; and

**WHEREAS**, said equipment encompasses Microsoft Surface Tablets, Laptop computers, Monitor, Printers, docking stations, etc. in an amount not to exceed $20,328.47;

**WHEREAS**, Microsoft Corp. and Dell Marketing LP have been awarded New Jersey State Contract's 40166 (Microsoft) and 89967 (Dell) and SHI International Corp. is the authorized dealer for same; 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 purchase and delegate the power to make the same to the following named official: Robyn Esposito, Purchasing Agent; and

**NOW, THEREFORE**, **BE IT RESOLVED**, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase from SHI International Corp. located at 290 Davidson Avenue, Somerset, New Jersey 08873 in an amount not to exceed $20,328.47 off of Microsoft Corp. New Jersey State Contract # 40166 and Dell Marketing LP New Jersey State Contract # 89967 (M-0483); and

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

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R573-17 Resolution Awarding Contract to Jen Electric Off Morris County Cooperative Pricing Contract #37

**RESOLUTION AWARDING CONTRACT TO JEN ELECTRIC OFF OF MORRIS COUNTY COOPERATIVE PRICING CONTRACT #37: TRAFFIC SIGNAL PREVENTATIVE MAINTENANCE JANUARY 1, 2018 THRU JUNE 30, 2018**

**WHEREAS**, the Police Department requests services from Jen Electric, Inc. for traffic signal maintenance and repairs on the City's 48 traffic signals, as needed; and

**WHEREAS**, Jen Electric has been awarded Morris County Cooperative Contract #37 - Traffic Signal Maintenance & Repairs

**WHEREAS**, the Preventative Maintenance Rate is $425 per unit ($425 x 48 = $20,400); and

**WHEREAS**, the Police Department requests additional funds be set aside for traffic signal materials in the amount of $15,000; and

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

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

**NOW, THEREFORE**, **BE IT RESOLVED**, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned award of contract to Jen Electric, Inc., 631 Morris Avenue, Springfield, NJ 07081, based on the contract period and terms outlined in the Morris County Cooperative Pricing Contract in an amount not to exceed $20,400 and an additional $15,000 for traffic signal materials; total amount of said contract shall not exceed $35,400 without the adoption of a supplemental Resolution; and

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

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

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R574-17 Resolution Awarding Contract to Jen Electric off Morris County Co-op for Emergency Repair

**RESOLUTION AWARDING CONTRACT TO JEN ELECTRIC OFF OF MORRIS COUNTY COOPERATIVE PRICING CONTRACT #37: TRAFFIC SIGNAL EMERGENCY REPAIR JANUARY 1, 2018 THRU JUNE 30, 2018**

**WHEREAS**, the Police Department requests the services from Jen Electric, Inc. for traffic signal maintenance and repairs, as needed; and

**WHEREAS**, Jen Electric has been awarded Morris County Cooperative Contract #37 - Traffic Signal Maintenance & Repairs; and

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

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

**NOW, THEREFORE**, **BE IT RESOLVED**, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned award of contract to Jen Electric, Inc., 631 Morris Avenue, Springfield, NJ 07081, based on the contract period and terms outlined in the Morris County Cooperative Pricing Contract in an amount not to exceed $30,000 without the adoption of a supplemental Resolution; and

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

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

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R575-17 Resolution Awarding Contract for the Disposal of Vegetative Waste to Low Bidder

**RESOLUTION AWARDING CONTRACT FOR THE DISPOSAL OF VEGETATIVE WASTE TO LOW BIDDER**

**WHEREAS**, bids were received on November 21, 2017 for the Disposal of Vegetative Waste:

**WHEREAS**, the Director of Public Works recommends that a contract for the Disposal of Vegetative Waste (Option 1: Delivered by Scavenger or City Vehicles) be awarded to the low bidder RER Supply as follows:
Option 1: Delivered by Scavenger or City Vehicles

**WHEREAS**, the total contract price from January 1, 2018 thru May 31, 2018 is $156,620.50; and

**NOW, THEREFORE**, **BE IT RESOLVED**, that the contract for the Disposal of Vegetative Waste be awarded to RER Supply, LLC, 20 Cotluss Road, Suite 10, Riverdale, NJ 07457 as outlined above; and

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are authorized and directed hereby to execute a contract for said services, upon approval of the Law Department.

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

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R576-17 Resolution Approving Developer Agreement Between the City of Clifton and Abbas Malek, LLC

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

**BE IT RESOLVED**, that a Developer Agreement between the City of Clifton and Abbas Malek, LLC, the developer of Block 18.01, Lots 1, 13 and 14, 405 Piaget Avenue (Rt. 46) and 30-34 Montgomery Street, 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.

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R577-17 Resolution Awarding Professional Engineering Services Contract to Neglia Engineering for Surveying and Investigation for the Kuller Road Drainage Improvements Project

**RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES CONTRACT TO NEGLIA ENGINEERING FOR SURVEYING AND INVESTIGATION FOR THE KULLER ROAD DRAINAGE IMPROVEMENTS PROJECT**

**WHEREAS**, the City of Clifton requires professional engineering services to survey and conduct an initial investigation for the Kuller Road Drainage Improvements Project; and

**WHEREAS**, the City Engineer solicited proposals for said services and in response thereto received four (4) proposals; and

**WHEREAS**, after reviewing the proposals received, the City Engineer recommends the award of a professional engineering services contract to Neglia Engineering Associates, which provided the lowest proposal of $50,170.00 for the provision of said services; and

**WHEREAS**, after a review of the proposal and the recommendation of the City Engineer, the Municipal Council wishes to award a contract for said services to Neglia Engineering Associates, at a price not to exceed $50,170.00; and

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

**WHEREAS**, 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 be not to exceed $50,170.00, and the duration of the contract is until completion;

**NOW, THEREFORE**, **BE IT RESOLVED**, that a professional engineering services contract for surveying and investigative services in connection with the Kuller Road Drainage Improvements Project is hereby awarded to Neglia Engineering Associates, in accordance with its proposal dated November 14, 2017, for the total price not to exceed $50,170.00; 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; 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: | Neglia Engineering Associates, Lyndhurst, NJ |
| Services: | Surveying and Initial Investigation |
| Project: | Kuller Road Drainage Improvements |
| Cost: | Not to exceed $50,170 |
| Term: | As per proposal; Until Completion |

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R578-17 Resolution Authorizing Agreement Between the City of Clifton and D.I.A.L. (Disabled Information, Awareness & Living) As a Grant Sub-Recipient for 2018

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF CLIFTON AND D.I.A.L. (DISABLED INFORMATION, AWARENESS AND LIVING) AS A GRANT SUB-RECIPIENT FOR 2018**

**BE IT RESOLVED**, that an Agreement between the City of Clifton and D.I.A.L., as a sub-recipient of a Community Development Block Grant, conditioned upon performance of certain services and satisfaction of conditions in connection with Community Development for the City of Clifton, for performance of services for the handicapped, at a fee of $l2,000.00, for the period 1/1/18 thru 12/31/18, in the form as approved by the Law Department, be and the same is hereby authorized by the Municipal Council, and the Mayor and City Clerk be and they are hereby authorized and directed to execute the same on behalf of the City of Clifton; and

**BE IT FURTHER RESOLVED**, that the required Certificate of Availability of Funds for the above contract has been obtained from the City Treasurer of the City of Clifton, and is endorsed hereon.

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R579-17 Resolution Authorizing Execution of Cancellation of Mortgages Between City of Clifton and Paul and Jodie Agures; Edith Fedorowski; and Raquel Celi (Clifton Home Improvement Program)

**RESOLUTION AUTHORIZING EXECUTION OF CANCELLATION OF MORTGAGES BETWEEN CITY OF CLIFTON AND PAUL AND JODIE AGURES; EDITH FEDOROWSKI; and RAQUEL CELI (CLIFTON HOME IMPROVEMENT PROGRAM)**

**WHEREAS**, on December 27, 2010, in conjunction with a CHIP grant to Paul and Jodie Agures, a mortgage in the amount of $10,000.00 was given by the City of Clifton for property situated at 216 Union Avenue, Clifton, New Jersey (Block 18.14, Lot 12); and

**WHEREAS**, on January 7, 2011, in conjunction with a CHIP grant to Edith Fedorowski, a mortgage in the amount of $10,000.00 was given by the City of Clifton for property situated at 84 Hawthorne Avenue, Clifton, New Jersey (Block 20.11, Lot 7); and

**WHEREAS**, on September 26, 2011, in conjunction with a CHIP grant to Raquel Celi, a mortgage in the amount of $10,000 was given by the City of Clifton for property situated at 77 Wonham Street, Clifton, New Jersey (Block 43.16, Lot 29); and

**WHEREAS**, the Program Director of the Clifton Home Improvement Program has advised that the aforesaid mortgages have expired;

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

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R580-17 Resolution Awarding Contract to Helmer, Conley & Kasselman, PA, for Professional Services in Conjunction With Telecommnications and Broadband Issues Through December 2018

**RESOLUTION AWARDING CONTRACT TO HELMER, CONLEY & KASSELMAN, PA, FOR PROFESSIONAL SERVICES IN CONJUNCTION WITH TELECOMMUNICATIONS AND BROADBAND ISSUES THROUGH DECEMBER 2018**

**WHEREAS**, the City of Clifton requires the services of counsel to perform certain legal services for the City of Clifton in conjunction with telecommunications and broadband issues; and

**WHEREAS**, the firm of Helmer, Conley& Kasselman, P. A., has expertise in said area, and the Mayor and Municipal Council wish to award a professional services contract therefor for a period of one year commencing immediately through December 2018, at a blended fee of $200.00 per hour for all attorneys, not to exceed $10,000.00 for the term of the contract; and

**WHEREAS**, any fee in excess of $10,000.00 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

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

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

**NOW, THEREFORE**, **BE IT RESOLVED**, that:

1. A professional services contract is awarded to Helmer, Conley & Kasselman, P. A., for provision of legal services in connection with telecommunications and broadband issues, effective immediately through December 2018, at a blended fee of $200.00 per hour for all

attorneys, not to exceed $10,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

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

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

4. The original of this resolution and the agreement in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.

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R581-17 Resolution of Congratulations Upon Retirement - Fire Lieutenant Christopher M. Divver

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT - FIRE LIEUTENANT CHRISTOPHER M. DIVVER**

**WHEREAS**, on December 1, 2017, Fire Lieutenant Christopher M. Divver officially retired from his position with the Clifton Fire Department; and

**WHEREAS**, he was appointed as a Firefighter on December 1, 1997, and through dedication and hard work he rose through the ranks to be elevated to the title of Fire Lieutenant; and

**WHEREAS**, his retirement concludes a twenty-year career in service to the City of Clifton and its citizens, during all of which time he has always displayed an attitude of professionalism and dedication to duty; and

**WHEREAS**, he has been a credit to both the Fire Department and the City of Clifton, and this Governing Body wishes to acknowledge his fine and long-time 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

Fire Lieutenant
CHRISTOPHER M. DIVVER

their thanks and appreciation for a job well done, and do further wish him good health, peace and happiness in his well-earned retirement; and

**BE IT FURTHER RESOLVED**, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to
Christopher M. Divver.

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R582-17 Resolution Appointing Walter Koenig as a Member of the Senior Citizen Advisory Committee

**RESOLUTION FOR APPOINTMENT OF MEMBER TO SENIOR CITIZEN ADVISORY COMMITTEE**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey are in receipt of an application from Walter Koenig to become a Member of the Senior Citizen Advisory Committee; 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 Walter Koenig be appointed as a Member of the Senior Citizen Advisory Committee to fill the unexpired term of Mariann Josephson commencing this day and expiring on December 31, 2019.

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R 583-17 Resolution Appointing Kim Oeffler as a Member of the Clifton CA-TV Committee

**RESOLUTION FOR APPOINTMENT TO THE CLIFTON CA-TV COMMITTEE**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a letter of resignation from Lizz Gagnon and an application from Kim Oeffler to become a member of the Clifton CA-TV Committee; and

**WHEREAS**, said resignation letter and application were listed as Council Mail on the November 21, 2017 Council Agenda;

**NOW, THEREFORE**, **BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Kim Oeffler is hereby appointed as a Member of the Clifton CA-TV Committee, to fill the unexpired term of Lizz Gagnon, for a four year term, commencing this day through December 31, 2019.

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R584-17 Resolution Re-Appointing Members to the Advisory Board of Recreation

**RESOLUTION FOR RE-APPOINTMENT OF MEMBERS OF THE CLIFTON BOARD OF RECREATION**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a re-appointment form from the secretary of the Clifton Board of Recreation recommending re-appointment of the following members:

Robert Foster
Joseph Gaccione

**WHEREAS**, said members' term will expire on December 31, 2017; and

**WHEREAS**, said members are being re-appointed to the Clifton Board of Recreation for a term of three years commencing on January 1, 2018 through December 31, 2020;

**NOW, THEREFORE**, **BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that the above-mentioned members of the Clifton Board of Recreation be and are hereby re-appointed for a three year term, commencing on January 1, 2018 through December 31, 2020.

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R585-17 Resolution Appointing Nicholas Surgent as Alternate #3 of the Advisory Board of Recreation

**RESOLUTION FOR APPOINTMENT OF MEMBER TO ADVISORY BOARD OF RECREATION**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey are in receipt of an application from Nicholas Surgent to become Alternate #3 of the Advisory Board of Recreation; 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 Nicholas Surgent be appointed as Alternate #3 of the Advisory Board of Recreation commencing this day through December 31, 2020.

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R586-17 Resolution Approving Amendment to Community Development Block Grant Program Budget - Amendment B-17-MC-34-0103 (Action Plan Year 43 - Funding Source & Amount 12-5-17 meeting)

**RESOLUTION APPROVING AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET – AMENDMENT B-17-MC-34-0103 (Action Plan Year 43 – Funding Source& Amount 12-5-17 meeting)**

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

**WHEREAS**, the City of Clifton was awarded a contract by the United States Department of Housing and Urban Development (HUD) as proposed in budget applications for the year 2017; and

**WHEREAS**, the City of Clifton now finds a need to amend the budget to correct the funding amount being award to the Clifton Community Development Office for Year 43 Funds;

**WHEREAS**, the correct funding amount the Clifton Community Development Office will receive from the Department of Housing and Urban Development for the Year 43 CDBG Program is $933,318.00;

**NOW, THEREFORE**, **BE IT RESOLVED**, that the Mayor and Municipal Council of the City of Clifton hereby approve the said amendment as reflected on the attached schedule, and authorizes the City Manager to execute any approvals required by the local HUD office.

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R587-17 Resolution Transfer Premiums from Trust to Current

**RESOLUTION TO TRANSFER TAX SALE CERTIFICATE PREMIUMS FROM TRUST ACCOUNT TO CURRENT ACCOUNT**

**WHEREAS**, pursuant to N.J.S.A. 54:5-33, premiums paid by purchasers Tax Sale Certificates are escheated by the Municipality if a period OF FIVE (5) years passes without the Tax Sale Certificate being redeemed and:

**WHEREAS**, the Tax Collector’s office has identified three Tax Sale Certificates not redeemed after five (5) years, for which premiums have been paid; and ;

**WHEREAS**, Tax Sale Certificate 09-010 purchased in 2009, premium paid $3,500.00 on Block 5.11, Lot 19 and

**WHEREAS**, Tax Sale Certificate 10-115 purchased in 2010, premium paid $6,100.00 on Block 37.03, Lot 9 and

**WHEREAS**, Tax Sale Certificate 11-0007 purchased in 2011, premium paid $7,000.00 on Block 1.10, Lot 10 and

**WHEREAS**, Tax Sale Certificate 11-0220 purchased in 2011, premium paid $6,000.00 on Block 15.10, Lot 43 and

**WHEREAS**, Tax Sale Certificate 11-0339 purchased in 2011, premium paid $7,200.00 on Block 34.03, Lot 13 and

**WHEREAS**, Tax Sale Certificate 12-094 purchased in 2012, premium paid $6,000.00 on Block 8.18, Lot 27 and

**NOW THEREFORE**, **BE IT RESOLVED**, by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey authorize the aforesaid premiums shall be transferred from the Trust Account and place into the Current account.

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R 588-17 Resolution Fixing Fees for Delinquent Tax and Assessments

**FIXING FEES FOR DELINQUENT TAXES OR ASSESSMENTS**

**WHEREAS**, Chapter 45 of the Laws of 1970 authorizes the municipality to establish the rate of interest to be charged for delinquent taxes or assessments in the City of Clifton, and

**WHEREAS**, N.J.S.A. 54:4-67 permits the governing body may also fix a penalty to be charged to a tax payer with a delinquency in excess of $10,000 who fails to pay that delinquency prior to the end of the calendar year and that such penalty shall not exceed 6% of the amount of the delinquency, and

**WHEREAS**, P.L. N.J.S.A. 40A:5:17-1 allows the governing body of the municipality to authorize the Clifton Tax Collector to process the refund and/or cancel property taxes, delinquency or charges and fees less than $10.00 without further action of the governing body.

**WHEREAS**, N.J.S.A. 54:5-61, holder of tax title entitled to penalties at redemption if certificate is more than $200,

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

1. The Tax Collector of the City of Clifton is hereby authorized and directed to charge eight percent (8%) per annum on the first $1,500 of the delinquency and eighteen percent (18%) per annum in excess of $1,500 and no interest shall be charged if payment of any installment is made within a grace period of ten (10) calendar days following the date which same became payable.
2. A six percent (6%) penalty shall be assessed on delinquent taxes, assessments or municipal charges in excess of $10,000, which has not been paid prior to the end of a fiscal year.
3. With respect to tax certificates held by the municipality the following additional penalties are charged: two (2%) percent on the amount due over $200 up to $5,000; four (4%) percent of the amount due over $5,000 up to $10,000; and six (6%) percent on the amount in excess of $10,000.
4. The Tax Collector of the City of Clifton is hereby authorized to process the cancellation of any property tax refund or delinquency of less than $10.00 without further action of the governing body.

**NOW, THERFORE**, **BE IT FURTHER RESOLVED**, by the Clifton City Council, County of Passaic, State of New Jersey that the Tax Collector of the City of Clifton is hereby authorized to conduct a tax sale for all prior years' delinquent taxes pursuant to New Jersey Law Chapter 99.

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R589-17 Resolution Authorizing the Execution of a Professional Fees Escrow Agreement Between the City of Clifton and PB Nutclif Master, LLC

**RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL FEES ESCROW AGREEMENT BETWEEN THE CITY OF CLIFTON AND PB NUTCLIF MASTER**, LLC

**WHEREAS,** the Municipal Council of the City (the "Municipal Council") identified certain properties in the City, also known as the Hoffmann-La Roche site, to be considered for designation as a non-condemnation "area in need of redevelopment" under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

**WHEREAS**, Maser Consulting, P.A., at the direction of the Planning Board of the City (the "Planning Board"), prepared a preliminary investigation/report entitled "Redevelopment Study Area, Determination of Need, Hoffmann-La Roche Site – Nutley/Clifton" dated February 5, 2015, (the "Preliminary Investigation") concerning the Property (as defined herein) in accordance with the LRHL; and

**WHEREAS**, on April 23, 2015, the Planning Board held a public hearing during which any persons interested in or affected by a determination that the Property (as defined herein) is a redevelopment area were given the opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

**WHEREAS**, the Planning Board concurred and agreed with the reasons stated in the Preliminary Investigation that the Property (as defined herein) constitutes and meets the criteria under the LRHL supporting the recommendation that the Property (as defined herein) be delineated as a non-condemnation "area in need of redevelopment"; and

**WHEREAS**, on April 23, 2015, the Planning Board adopted a Resolution recommending that Block 80.02, Lots 1 and 4, and Block 79.04, Lots 10 and 21, containing an area of approximately 67.39 acres as shown on the official Tax Map of the City (collectively, the "Property"), be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the LRHL; and

**WHEREAS,** the Municipal Council concurred and agreed with the Planning Board's recommendation, as supported by the reasons stated in the Preliminary Investigation, that the Property constitutes and meets the criteria under the LRHL and on May 5, 2015, the Municipal Council adopted a Resolution declaring the Property a non-condemnation "area in need of redevelopment" in accordance with the LRHL (the "Redevelopment Area"); and

**WHEREAS,** on July 19, 2016, after conducting the requisite hearings therefor, the Municipal Council, pursuant to Ordinance O-7309-16 and in accordance with the provisions of the LRHL, adopted the redevelopment plan entitled Clifton Hoffmann-La Roche Redevelopment Plan – Phase I (the "Phase I Redevelopment Plan") for a portion of the Redevelopment Area comprised of Block 80.02, Lot 4, which has now been subdivided into Block 80.02, Lots 4.01, 4.02 and 4.03 as shown on the Subdivision (as defined herein) containing approximately 5.573 acres (collectively, the "Phase I Premises"); and

**WHEREAS**, on May 31, 2016, Hoffman-La Roche, Inc. ("HLR") submitted an application to the Planning Board seeking preliminary and final major subdivision approval for the Phase I Premises pursuant to N.J.S.A. 40:55D-50 and Chapter 399 of the Code of the City of Clifton (the "Subdivision"), which Subdivision as approved by the Planning Board on June 23, 2016, among other things (a) permits the subdivision of the Phase I Premises, creating three (3) new separately identifiable lots, Lot 4.01, consisting of a 1.793 acre area, Lot 4.02, consisting of a 0.519 acre area, Lot 4.03, consisting of a 3.261 acre area, in addition to the one (1) remaining tax lot, consisting of the remaining 1,061,200 square feet (24.362 acre area) of Lot 4; (b) creates aforementioned lot 4.01 on which will be located portions of the existing structures known as Building 123 and Building 123A, which consist of a six-story building (Building 123) containing approximately 412,092 gross square feet of building area, and a second six-story building (Building 123A) functioning as a wing of Building 123 containing approximately 65,059 gross square feet as shown on the Subdivision (collectively, the "Existing Buildings") to be, along with other improvements within the Phase I Premises, renovated, redeveloped and occupied by Redeveloper (the "Phase I Project"); (c) creates aforementioned Lot 4.03 which is a vacant lot (except for portions of existing temporary surface parking improvements) on which a future parking structure (or structures) with a commercial component as permitted by the Phase I Redevelopment Plan is contemplated to be located (the "Parking Structure"); and (d) created aforementioned Lot 4.02 which is a vacant lot (except for existing temporary surface parking improvements for the Existing Buildings and/or the possible future redevelopment of same consistent and in accordance with the Phase I Redevelopment Plan) (the "Vacant Lot"); and

**WHEREAS**, on September 29, 2016, PB Nutclif Med, LLC, a related entity to Owner, acquired fee simple interest in the Phase 1 Premises from HLR, and Owner acquired a fee simple interest in the remainder of the Redevelopment Area from HLR; and

**WHEREAS,** on June 20, 2017, after conducting the requisite hearings therefor, the Municipal Council, pursuant to Ordinance O-7390-17 and in accordance with the provisions of the LRHL, adopted the redevelopment plan entitled "Revised Clifton Hoffmann-La Roche Redevelopment Plan – Phase II-A" (the "Phase II-A Redevelopment Plan") for a portion of the Redevelopment Area, specifically constituting the entirety of the area of Block 79.04, Lots 10 and 21, containing approximately 12.39 acres (collectively, the "Phase II-A Premises"); and

**WHEREAS**, on June 20, 2017, after conducting the requisite hearings therefor, the Municipal Council, pursuant to Ordinance O-7391-17 and in accordance with the provisions of the LRHL, adopted the redevelopment plan entitled "Revised Clifton Hoffmann-La Roche Redevelopment Plan – Phase II-B" (the "Phase II-B Redevelopment Plan") for a portion of the Redevelopment Area, specifically constituting a portion of the area of Block 80.02, Lot 4, containing approximately 4.57 acres (collectively, the "Phase II-B Premises"); and

**WHEREAS,** the Municipal Council believes that the redevelopment of the Phase II Premises is in the vital and best interests of the community and promotes the health, safety, morals and welfare of the City's residents and is in accord with the public purpose and provisions of the LRHL and all other applicable law; and

**WHEREAS,** in furtherance of the potential redevelopment of all or a portion of the remainder of the Redevelopment Area and the improvements located thereon, excluding the Phase 1 Premises, the Phase 1 Project and the Parking Structure, but including the Phase II-A Premises and the Phase II-B Premises (the "Phase II Projects"), which contains approximately 61.817 acres (the "Phase II Premises"), the Municipal Council of the City of Clifton desires to enter into an Escrow Agreement with the Owner allowing the Owner to deposit funds in escrow with the City to fund all reasonable out-of-pocket costs incurred by the City in connection with the potential redevelopment of the Phase II Projects and the Phase II Premises.

**NOW THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Clifton, being the governing body thereof, as follows:

Section 1. The above "WHEREAS" paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. The Escrow Agreement by and between the Municipal Council of the City of Clifton and PB Nutclif Master, LLC in the form attached hereto as Exhibit A, subject to any and all conditions contained therein and such revisions as deemed advisable by counsel to the City, is hereby authorized and approved.

Section 3. The Mayor of the of the City is hereby authorized to execute the Escrow Agreement, substantially in the form attached hereto as Exhibit A, with such changes to the Escrow Agreement from the attached form as deemed desirable or necessary by the Mayor on behalf of the Municipal Council of the City of Clifton, or recommended by counsel to the City.

Section 4. Upon execution of the Escrow Agreement, the Mayor, in consultation with the City's consultants and internal staff, are each hereby authorized and directed to perform the obligations and exercise the rights of the City under the Escrow Agreement so executed in a manner consistent therewith.

Section 5. The City Clerk is hereby directed to publish and post notice of this resolution if required by applicable law.

Section 6. The executed copy of the Escrow Agreement shall be certified and shall be filed with the Office of the Clerk of the City of Clifton.

Section 7. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the validity thereof shall not affect the remaining parts of this Resolution.

Section 8. All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

Section 9. This Resolution shall take effect at the time and in the manner provided by applicable law.

ESCROW AGREEMENT

THIS ESCROW AGREEMENT (this "Agreement"), by and between PB NUTCLIF MASTER, LLC, a New Jersey limited liability company having its principal office at c/o Prism Capital Partners, LLC, 200 Broadacres Drive, Suite 180, Bloomfield, New Jersey 07003 (the "Owner"); and THE CITY OF CLIFTON, a public body corporate and politic of the State of New Jersey, whose address is 900 Clifton Avenue, Clifton, New Jersey 07013 (the "City"; and together with the Owner, the "Parties" or each a "Party").

W I T N E S S E T H

**WHEREAS**, the Municipal Council of the City (the "Municipal Council") identified certain properties in the City, also known as the Hoffmann-La Roche site, to be considered for designation as a non-condemnation "area in need of redevelopment" under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

**WHEREAS,** Maser Consulting, P.A., at the direction of the Planning Board of the City (the "Planning Board"), prepared a preliminary investigation/report entitled "Redevelopment Study Area, Determination of Need, Hoffmann-La Roche Site – Nutley/Clifton" dated February 5, 2015, (the "Preliminary Investigation") concerning the Property (as defined herein) in accordance with the LRHL; and

**WHEREAS**, on April 23, 2015, the Planning Board held a public hearing during which any persons interested in or affected by a determination that the Property (as defined herein) is a redevelopment area were given the opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

**WHEREAS,** the Planning Board concurred and agreed with the reasons stated in the Preliminary Investigation that the Property (as defined herein) constitutes and meets the criteria under the LRHL supporting the recommendation that the Property (as defined herein) be delineated as a non-condemnation "area in need of redevelopment"; and

**WHEREAS**, on April 23, 2015, the Planning Board adopted a Resolution recommending that Block 80.02, Lots 1 and 4, and Block 79.04, Lots 10 and 21, containing an area of approximately 67.39 acres as shown on the official Tax Map of the City (collectively, the "Property"), be determined by the Municipal Council to be a non-condemnation "area in need of redevelopment" under the LRHL; and

**WHEREAS**, the Municipal Council concurred and agreed with the Planning Board's recommendation, as supported by the reasons stated in the Preliminary Investigation, that the Property constitutes and meets the criteria under the LRHL and on May 5, 2015, the Municipal Council adopted a Resolution declaring the Property a non-condemnation "area in need of redevelopment" in accordance with the LRHL (the "Redevelopment Area"); and

**WHEREAS,** on July 19, 2016, after conducting the requisite hearings therefor, the Municipal Council, pursuant to Ordinance O-7309-16 and in accordance with the provisions of the LRHL, adopted the redevelopment plan entitled Clifton Hoffmann-La Roche Redevelopment Plan – Phase I (the "Phase I Redevelopment Plan") for a portion of the Redevelopment Area comprised of Block 80.02, Lot 4, which has now been subdivided into Block 80.02, Lots 4.01, 4.02 and 4.03 as shown on the Subdivision (as defined herein) containing approximately 5.573 acres (collectively, the "Phase I Premises"); and

**WHEREAS**, on May 31, 2016, Hoffman-La Roche, Inc. ("HLR") submitted an application to the Planning Board seeking preliminary and final major subdivision approval for the Phase I Premises pursuant to N.J.S.A. 40:55D-50 and Chapter 399 of the Code of the City of Clifton (the "Subdivision"), which Subdivision as approved by the Planning Board on June 23, 2016, among other things (a) permits the subdivision of the Phase I Premises, creating three (3) new separately identifiable lots, Lot 4.01, consisting of a 1.793 acre area, Lot 4.02, consisting of a 0.519 acre area, Lot 4.03, consisting of a 3.261 acre area, in addition to the one (1) remaining tax lot, consisting of the remaining 1,061,200 square feet (24.362 acre area) of Lot 4; (b) creates aforementioned lot 4.01 on which will be located portions of the existing structures known as Building 123 and Building 123A, which consist of a six-story building (Building 123) containing approximately 412,092 gross square feet of building area, and a second six-story building (Building 123A) functioning as a wing of Building 123 containing approximately 65,059 gross square feet as shown on the Subdivision (collectively, the "Existing Buildings") to be, along with other improvements within the Phase I Premises, renovated, redeveloped and occupied by Redeveloper (the "Phase I Project"); (c) creates aforementioned Lot 4.03 which is a vacant lot (except for portions of existing temporary surface parking improvements) on which a future parking structure (or structures) with a commercial component as permitted by the Phase I Redevelopment Plan is contemplated to be located (the "Parking Structure"); and (d) created aforementioned Lot 4.02 which is a vacant lot (except for existing temporary surface parking improvements for the Existing Buildings and/or the possible future redevelopment of same consistent and in accordance with the Phase I Redevelopment Plan) (the "Vacant Lot"); and

**WHEREAS**, on September 29, 2016, PB Nutclif Med, LLC, a related entity to Owner, acquired fee simple interest in the Phase 1 Premises from HLR, and Owner acquired a fee simple interest in the remainder of the Redevelopment Area from HLR; and

**WHEREAS,** on June 20, 2017, after conducting the requisite hearings therefor, the Municipal Council, pursuant to Ordinance O-7390-17 and in accordance with the provisions of the LRHL, adopted the redevelopment plan entitled "Revised Clifton Hoffmann-La Roche Redevelopment Plan – Phase II-A" (the "Phase II-A Redevelopment Plan") for a portion of the Redevelopment Area, specifically constituting the entirety of the area of Block 79.04, Lots 10 and 21, containing approximately 12.39 acres (collectively, the "Phase II-A Premises"); and

**WHEREAS**, on June 20, 2017, after conducting the requisite hearings therefor, the Municipal Council, pursuant to Ordinance O-7391-17 and in accordance with the provisions of the LRHL, adopted the redevelopment plan entitled "Revised Clifton Hoffmann-La Roche Redevelopment Plan – Phase II-B" (the "Phase II-B Redevelopment Plan") for a portion of the Redevelopment Area, specifically constituting a portion of the area of Block 80.02, Lot 4, containing approximately 4.57 acres (collectively, the "Phase II-B Premises"); and

**WHEREAS**, in furtherance of the potential redevelopment of all or a portion of the remainder of the Redevelopment Area and the improvements located thereon, excluding the Phase 1 Premises, the Phase 1 Project and the Parking Structure, but including the Phase II-A Premises and the Phase II-B Premises (the "Phase II Projects"), which contains approximately 61.817 acres (the "Phase II Premises"), the City has agreed that Owner may deposit funds in escrow with the City to fund the Reimbursable City Costs (as defined herein) all in accordance with, and subject to, the terms of this Agreement.

**NOW, THEREFORE**, for and in consideration of the promises and mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Contemporaneously with the execution of this Agreement, Owner has deposited in a non-interest bearing escrow account held by the City (the "Escrow Account") the amount of Twenty-Five Thousand Dollars ($25,000.00).
2. Owner shall reimburse to the City all reasonable out-of-pocket costs incurred by the City in connection with the potential redevelopment of the Phase 2 Projects and the Phase 2 Premises, which shall include the reasonable fees and costs of any attorney, planner, engineer and other professionals retained by the City in connection with the preparation and drafting of a redevelopment plan or plans for the Phase 2 Projects and the Phase 2 Premises, including but not limited to the preparation, drafting and adoption of the Phase II-A Redevelopment Plan and the Phase II-B Redevelopment Plan, financial/fiscal analysis, preparation of a redevelopment agreement or financial agreement, bond issuance, and professional fees associated with compliance and review of the implementation of same, but shall not include the costs of wages, salaries and benefits paid to employees of the City providing services in furtherance of the Phase 2 Projects or Phase 2 Premises (collectively, the "Reimbursable City Costs").
3. If, when, and as often as may occur that the Escrow Account is drawn down to or is below a balance of Five Thousand and 00/100THS ($5,000.00) Dollars, then Owner, upon the City's written request, shall within thirty (30) business days after receipt of such written request provide to the City deposit funds sufficient to replenish the Escrow Account to the amount of Twenty-Five Thousand and 00/100THS ($25,000.00) Dollars for use in accordance with the terms hereof, unless such time period shall be extended for good reason by the City in its sole discretion.
4. The City may pay for, or reimburse itself for any payment made for, any Reimbursable City Costs from the funds in the Escrow Account as provided in this Agreement. The City shall provide Owner with any and all invoices setting forth the Reimbursable City Costs incurred by the City for Owner's review and approval prior to drawing down against the Escrow Account. The Owner shall have ten (10) business days to dispute any invoices received from the City. If the Owner fails to respond within said ten (10) business days, the City may proceed to reimburse itself for the Reimbursable City Costs from the funds in the Escrow Account. The Parties agree that this Agreement shall not be governed by N.J.S.A. 40:55D-53.2 of the Municipal Land Use Law, except that any dispute concerning payment of the Reimbursable City Costs shall be resolved in accordance with the procedures set forth in N.J.S.A. 40:55D-53.2a of the Municipal Land Use Law.
5. Upon the termination of this Agreement, and there being no Owner default hereunder, any money remaining in the Escrow Account shall be disbursed to Owner, except that the City may retain for not more than sixty (60) days after such submission or termination date, an amount sufficient to cover unpaid expenses of Reimbursable City Costs.
6. All notices, demands, reports or other communications required or permitted to be given

hereunder shall be given in writing and delivered either by (a) certified mail, return receipt requested, postage prepaid, or (b) a reputable messenger service or a nationally recognized priority delivery service such as Federal Express, addressed to respective Party at the address set forth above. The foregoing addresses may be changed or supplemented by written notice given as above provided. Any such notice sent by certified mail shall be deemed to have been received by the addressee on the third business day after posting in the United States mail, or, if transmitted by messenger or a priority delivery service, on the first business day after transmittal provided the sender has evidence of delivery. Counsel for a Party may give notice to the other Party with the same effect as if given by a Party.

7. This Agreement and the rights and benefits created by it are for the sole and exclusive benefit of the City and the Owner and, without limiting the generality of the foregoing, this Agreement shall not be deemed to be for the direct or indirect benefit of any third party.

8. This Agreement shall be governed by the laws of the State of New Jersey, without regard to principles of conflict of laws.

9. No failure of any Party to this Agreement to exercise any power or right granted under this Agreement, or to insist upon strict compliance by any other Party of any obligation under this Agreement, and no custom or practice of any Party with regard to the terms of performance hereof, shall constitute a waiver of the rights of such Party to demand full and exact compliance with the terms of this Agreement.

10. This Agreement contains the entire Agreement of the Parties and no representations, inducements, promises, or agreements, whether oral or otherwise, between such Party not embodied in this Agreement shall be of any force or effect. This Agreement shall not be modified or amended unless such modification or amendment is in writing and signed by all Parties.

11. Each clause or term of this Agreement is severable from the entire Agreement, and if any clause or term is declared invalid, the remaining clauses or terms shall remain in effect.

12. All references in this Agreement to "days" shall mean and refer to calendar days. If any action is required to be performed, or if any notice, consent, or other communication is given, on a day that is a Saturday or a Sunday, or a legal holiday in the jurisdiction in which the action is required to be performed, or in which is located the intended recipient of such notice, consent, or other communication, such performance shall be deemed to be required, and such notice, consent, or other communication, shall be deemed to be required on the first business day following such Saturday, Sunday or legal holiday.

13. This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the Parties.

14. This Agreement may be executed in any number of counterparts, including facsimile or scanned PDF documents. Each such counterpart, facsimile or scanned PDF document will be deemed an original instrument, and all of such counterparts, together, constitute one and the same instrument.

15. This Agreement shall automatically terminate if the City fails to designate the Owner as the designated "redeveloper" of any of the Phase II Projects. This Agreement shall terminate when the City and the Owner enter into a Redevelopment Agreement for any of the Phase II Projects; provided that the means for covering Reimbursable City Costs are included in another agreement, such as the financial agreement pursuant to a Long Term Tax Exemption or Redevelopment Area Bonds.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates set forth below.

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R 590-17 Resolution Drive Sober or Get Pulled Over

**PROCLAMATION/RESOLUTION SUPPORTING THE DRIVE SOBER OR GET PULLED OVER2017 YEAR END HOLIDAY CRACKDOWN**

**WHEREAS**, impaired drivers on our nation's roads killed 10,497 people in 2016; and

**WHEREAS**, 20% of motor vehicle fatalities in New Jersey are alcohol-related; and

**WHEREAS**, an enforcement crackdown is planned to combat impaired driving; and

**WHEREAS**, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

**WHEREAS**, the State of New Jersey, Division of Highway TrafficSafety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over Year End Holiday Crackdown; and

**WHEREAS**, the project will involve increased impaired driving enforcement from December 8, 2017 through January 1, 2018; and

**WHEREAS**, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

**THEREFORE, BE IS RESOLVED** that the City of Clifton declares it's support for the Drive Sober or Get Pulled Over 2017 Year End Holiday Crackdown from December 8, 2017 through January 1, 2018 and pledges to increase awareness of the dangers of drinking and driving.

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R591-17 Late - Resolution Re-Appointing Members of the Clifton CA-TV Committee

**RESOLUTION RE-APPOINTING MEMBERS OF THE CLIFTON CA-TV COMMITTEE**

**WHEREAS**, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a letter of resignation from Lizz Gagnon as a member of the Clifton CA-TV Committee; and

**NOW, THEREFORE**, **BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that John Esposito (Alternate #1) be moved up to Member of the CA-TV Committee; and

**BE IT FURTHER RESOLVED**, that Lynn Franke (Alternate #2) be moved up to Alternate #1 of the CA-TV Committee; and

**BE IT FURTHER RESOLVED**, that Christine Liszner (Alternate #3) be moved up to Alternate #2 of the CA-TV Committee.

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R592-17 Late - Resolution Adopting the Requirements of the New Jersey Substance Use Disorder Law, P.L. 2017, Chapter 28

**RESOLUTION ADOPTING THE REQUIREMENTS OF THE NEW JERSEY SUBSTANCE USE DISORDER LAW, P. L. 2017, CHAPTER 28**

**BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, that the City of Clifton hereby adopts the requirements of the New Jersey Substance Use Disorder Law, P. L. 2017, Chapter 28, and selects Option 1: Accepting the substance use disorder coverage as it applies to the mandate.

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R593-17 Late - Resolution Authorizing Provision of Public Entity Insurance for Excess Workers' Compensation and Environmental Impairment - 2018

**RESOLUTION AUTHORIZING PROVISION OF PUBLIC ENTITY INSURANCE FOR EXCESS WORKERS' COMPENSATION AND ENVIRONMENTAL IMPAIRMENT - 2018**

**BE IT RESOLVED**, that pursuant to the recommendation of Polaris Galaxy Insurance, LLC, the City's insurance broker, and based upon the Standard Certification Declaration for an Extraordinary Unspecifiable Service of the City Manager, which is attached hereto and incorporated herein by reference, the Mayor and Municipal Council of the City of Clifton hereby authorize the provision of Excess Workers' Compensation Insurance coverage for the City of Clifton with Safety National Casualty Corporation for the period 1/1/18 thru 12/31/18, at a premium of $129,584 (with a $750,000 retention); and the provision of Environmental Impairment insurance coverage with Chubb Insurance Co. for the period 1/1/18 thru 12/31/18 at a premium of $38,756.

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

CITY OF CLIFTON

The City of Clifton has authorized the provision of insurance coverage without competitive bidding as an extraordinary unspecifiable service pursuant to N.J.S.A. 40:11-5(1)(a)(ii) and (m) and N.J.A.C. 5:34-2.3(B). The contract and authorizing resolution are available for public inspection in the Office of the City Clerk.

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|---|---|
| Awarded to: | Safety National Casualty Corporation |
| Services: | Excess Workers' Compensation Insurance |
| Cost: | $129,584 ($750,000 retention) |
| Term: | 1/1/18 - 12/31/18 |

| | |
|---|---|
| Awarded to: | Chubb Insurance Co. |
| Services; | Environmental Impairment Insurance |
| Cost: | $38,756 |
| Term: | 1/1/18- 12/31/18 |

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R594-17 Late - Resolution Authorizing Provision of Various Public Entity Insurance Coverages Including Property, Equipment and Boilers, General Liability, Employment Practices Liability, Auto Liability and Physical Damage, Commercial Crime, Flood, Earthquake, Terrorism, Umbrella Excess Liability, ExcessWorkers' Compensation, Environmental Impairment

**RESOLUTION AUTHORIZING PROVISION OF VARIOUS PUBLIC ENTITY INSURANCE COVERAGES INCLUDING PROPERTY, EQUIPMENT AND BOILERS, GENERAL LIABILITY, EMPLOYMENT PRACTICES LIABILITY, AUTO LIABILITY AND PHYSICAL DAMAGE, COMMERCIAL CRIME, FLOOD, EARTHQUAKE, TERRORISM, UMBRELLA EXCESS LIABILITY, EXCESS WORKERS' COMPENSATION, ENVIRONMENTAL IMPAIRMENT**

**BE IT RESOLVED**, that, pursuant to the recommendation of the Clifton Insurance Committee, and based upon the Standard Certification Declaration for an Extraordinary Unspecifiable Service of the City Manager, which is attached hereto and incorporated herein by reference, the Mayor and Municipal Council of the City of Clifton hereby authorize the provision of insurance coverage for the City of Clifton with the American Alternative Insurance Corp., Torus National Insurance Company, and Selective Insurance Company, as negotiated by the City's Broker of Record, Polaris Galaxy Insurance, LLC, for the period beginning January 1, 2018 and ending December 31, 2018; 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**

The City of Clifton has authorized the provision of insurance coverage without competitive bidding as an extraordinary unspecifiable service pursuant to N.J.S.A. 40:11-5(1)(a)(ii) and (m) and N.J.A.C. 5:34-2.3(B). The contract and authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to: American Alternative Insurance Corp., with additional coverages provided by: Torus National Insurance Company
Services: Various Liability Insurance Coverages
Cost: $504,000
Term: 1/1/18 - 12/31/18

Awarded to: Torus National Insurance Company
Cost: $63,557
Term: 1/1/18 - 12/31/18

Awarded to: Selective Insurance Company
Services: Property Insurance Coverages
Cost: $280,892
Term: 1/1/18 - 12/31/18

R595-17 Late - Resolution Authorizing Medical Stop-Loss Insurance Coverage for 2018

**RESOLUTION AUTHORIZING MEDICAL STOP-LOSS INSURANCE COVERAGE FOR 2018**

**BE IT RESOLVED**, that pursuant to the recommendation of the Clifton Insurance Committee, and based upon the Standard Certification Declaration for an Extraordinary Unspecifiable Service of the City Manager which is attached hereto and incorporated herein by reference, the Mayor and Municipal Council of the City of Clifton hereby authorize the following provider of insurance coverage and administration for the period beginning January 1, 2018 and ending December 31, 2018 for Stop Loss Insurance Coverage for Claims, for the reason that this provider has offered the best and most cost effective services for the City of Clifton:

Sun Life Financial, 1 Sun Life Executive Park, Wellesley Hills, MA 02481
Provider of Stop Loss Insurance Coverage for Claims
Related to the City's Medical Insurance Program

The subject matter falls within the exception provisions of N.J.S.A. 40A:11-5 et seq. and N.J.A.C. 5:34-2.3(B) et seq. and may be awarded without public advertising for bids and bidding therefor.

**BE IT FURTHER RESOLVED**, that the original of this resolution 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 any and all required documents in connection with this matter 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**

The City of Clifton has authorized the provision of insurance coverage pursuant to the exception provisions of N.J.S.A. 40:11-5(1)(a)(ii) and (m) and N.J.A.C. 5:34-2.3(B). The contract and authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to: Sun Life Financial, Wellesley Hills, MA 02481
Services: Stop Loss Insurance Coverage for Claims Related to the City's Medical Insurance Program (Specified and Aggregate) Estimated Cost: $1,176,161
(Estimated cost based upon the number of eligible employees)
Term: 1/1/18 - 12/31/18

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R596-17 Late - Resolution Authorizing Group Insurance Coverages and Administration for City of Clifton Employees and Retirees (2018)

**RESOLUTION AUTHORIZING GROUP INSURANCE COVERAGES AND ADMINISTRATION FOR CITY OF CLIFTON EMPLOYEES AND RETIREES (2018)**

**BE IT RESOLVED**, that pursuant to the recommendation of the Clifton Insurance Committee, and based upon the Standard Certification Declaration for an Extraordinary Unspecifiable Service of the City Manager which is attached hereto and incorporated herein by reference, the Mayor and Municipal Council of the City of Clifton hereby authorize the following provider of insurance coverage and administration for the period beginning January 1, 2018 and ending December 31, 2018 for administration of Major Medical Claims, for the reason that this provider has offered the best and most cost effective services for the City of Clifton:

Horizon Blue Cross and Blue Shield of NJ, Inc.
3 Penn Plaza, Newark, NJ 07101
Administrator for Major Medical Claims

The subject matter falls within the exception provisions of N.J.S.A. 40A:11-5 et seq. and N.J.A.C. 5:34-2.3(B) et seq. and may be awarded without public advertising for bids and bidding therefor.

**BE IT FURTHER RESOLVED**, that the original of this resolution 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 any and all required documents in connection with this matter 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**

The City of Clifton has authorized the provision of insurance coverage pursuant to the exception provisions of N.J.S.A. 40:11-5(1)(a)(ii) and (m) and N.J.A.C. 5:34-2.3(B). The contract and authorizing resolution is available for public inspection in the Office of the City Clerk.

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|---|---|
| Awarded to: | Horizon Blue Cross and Blue Shield of NJ, Inc., Newark, NJ |
| Services: | Administrator for Major Medical Claims Estimated Cost: $553,031 |
| | (Estimated cost based upon the number of eligible employees) |
| Term: | 1/1/18 - 12/31/18 |

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R597-17 Late - Resolution Authorizing Entry into Contract for Prescription Benefit Administration With Benecard Services, Inc. for the Period January 1, 2018 through December 31, 2018

**RESOLUTION AUTHORIZING ENTRY INTO CONTRACT FOR PRESCRIPTION BENEFIT ADMINISTRATION WITH BENECARD SERVICES, INC. FOR THE PERIOD JANUARY 1, 2018 THRU DECEMBER 31, 2018**

**BE IT RESOLVED**, that pursuant to the recommendation of the Clifton Insurance Committee, and based upon the Standard Certification Declaration for an Extraordinary Unspecifiable Service of the City Manager which is attached hereto and incorporated herein by reference, the Mayor and Municipal Council of the City of Clifton hereby authorize the following providers of insurance coverage and administration for the period beginning January 1, 2018 and ending December 31, 2018, for the reason that this provider has offered the best and most cost effective services for the City of Clifton:

Benecard Services, Inc.
3131 Princeton Pike
Building 2B, Suite 103
Lawrenceville, NJ 08648
Administrator for Prescription Benefit Program

The subject matter falls within the exception provisions of N.J.S.A. 40A:11-5 et seq. and N.J.A.C. 5:34-2.3(B) et seq. and may be awarded without public advertising for bids and bidding therefor; and

**BE IT FURTHER RESOLVED**, that the original of this resolution 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 any and all required documents in connection with this matter 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**

The City of Clifton has authorized the provision of insurance coverage pursuant to the exception provisions of N.J.S.A. 40:11-5(1)(a)(ii) and (m) and N.J.A.C. 5:34-2.3(B). The contract and authorizing resolution are available for public inspection in the Office of the City Clerk.

| | |
|---|---|
| Awarded to: | Benecard Services, Inc. of Lawrenceville, NJ |
| Services: | Administration of Prescription Benefit Program |
| Estimated Cost: | Not to exceed $6,529,890.00 (based upon number of eligible employees) |
| Term: | 1/1/18 - 12/31/18 |

R598-17 Late - Resolution Amending the City's Health Insurance Plan Options to Eliminate the Horizon Blue Cross Blue Shield Essential Provider Option (EPO) Plan and add the OMNIA Plan

**RESOLUTION AMENDING THE CITY'S HEALTH INSURANCE PLAN OPTIONS TO ELIMINATE THE HORIZON BLUE CROSS BLUE SHIELD ESSENTIAL PROVIDER OPTION (EPO) PLAN AND ADD THE OMNIA PLAN**

**WHEREAS**, the City of Clifton previously added a third optional insurance plan for its employees known as the Horizon Blue Cross Blue Shield Essential Provider Option (EPO) plan, but to date no employees have enrolled in said plan; and

**WHEREAS**, the City of Clifton would like to add a new optional plan for its employees known as the Horizon Blue Cross Blue Shield Omnia Plan commencing on January 1, 2018;
**NOW, THEREFORE**, **BE IT RESOLVED**, by the Mayor and Municipal Council of the City of Clifton, that the City of Clifton hereby eliminates the Horizon Blue Cross Blue Shield Essential Provider Option (EPO) plan and adds the Horizon Blue Cross Blue Shield Omnia Plan to the City's Health Insurance Plan, commencing on January 1, 2018.

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R 599-17 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 Developer Agreement - Abbas Malek, LLC
CON-2 Cambridge Crossings - Use Agreement Negotiations
CON-3 Workers' Compensation Claims Settlements - CB (Firefighter) D/L: 5/23/14 & 9/20/15
CON-4 Disposal of Vegetative Waste Bids - Legal Opinion
CON-5 Request to Amend Secretary to the ABC Board Stipend
CON-6 Request to Acquire City Property - Negotiations
CON-7 Kaufman-Wickman Terrace - Negotiations/Pending Litigation - Tax Court Complaint
CON-8 Polish Veterans Proposed Agreement - Negotiations
CON-9 Charles L. Updegraph III et al v. City of Clifton et al - Docket No. PAS-L-3859-15
CON-10 Madsen v. City of Clifton - Docket No. PAS-L-1270-17

CON-11 United Holy Land Fund Tax Appeal
CON-12 Potential Sites for New Firehouse
CON-13 Police Overtime Discussion
CON-14 Request to Amend Fire Chief Salary
CON-15 Clifton Supervisors Associating (CSA) 2016-2018 Contract Negotiations
CON-16 CWA Crossing Guard Negotiations
CON-17 237 Dayton Ave - Developers Agreement 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 November 21, 2017 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.

A Motion was made by Councilman Kolodziej, seconded by Councilman Eagler, and passed on roll call vote, to prepare a resolution in honor of "Carlos Day".

Upon motion made by Councilman Eagler, seconded by Councilman Kolodziej and unanimously passed on roll call vote, the meeting was adjourned at 9:05p.m.

Respectfully Submitted,

Nancy Ferrigno
City Clerk

James Anzaldi, Mayor