

**CITY OF CLIFTON
CLIFTON, NEW JERSEY**

REGULAR MEETING MINUTES OF FEBRUARY 7, 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.

8:00 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, Dave Bruins; City Clerk, Nancy Ferrigno; Deputy City Clerk, Michele Butler

INVOCATION

Pastor Eric Farrar – Hope Reformed Church

Mayor Anzaldi asked if anyone from the public wanted to speak with regard to Palenque Bar requesting an Entertainment License.

A Motion was made by Councilman Hatala, seconded by Councilman Kolodziej, and passed on roll call vote to grant an Entertainment License to Palenque Bar, with a review on or about July 1, 2017.

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

PUBLIC HEARING

Public Hearing on Application to NJDEP's Green Acres program – Athenia Park

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 Public Hearing.

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

PLEDGE TO THE FLAG

APPROVAL OF MINUTES

Minutes of Workshop Session of January 17, 2017

Minutes of Executive Session of January 17, 2017

Minutes of Regular Meeting of January 17, 2017

Upon Motion made by Councilman Eagler, seconded by Councilman Kolodziej, and passed on roll call vote, the Minutes of Workshop Meeting, Regular Meeting and Executive Session of January 17, 2017 were approved.

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

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Julio Santiago hired as Laborer 1 at the D.P.W. at \$29,141.81 annually, effective 01/17/2017.

C-2 Awilda Rodriguez hired as School Traffic Guard Public Safety, at \$12.92 hourly and approximately 12.5 hours weekly effective 01/23/2017.

C-3 Karina Quijano resigned her position as School Traffic Guard effective 01/06/2017.

C-4 Laura Naranjo-Castro resigned her position as Public Safety Telecommunicator Trainee effective 01/31/2017.

C-5 Rosa Molina hired as Employee Benefits Clerk in the Personnel Department effective 02/01/2017 at \$48,000.00 annually.

C-6 Assad Baradhi hired as Laborer 1 in the Department of Public Works at \$29,141.81 annually, effective 02/01/2017.

C-7 Lauren Scarfo hired as Keyboarding Clerk 1 in the Health Department at \$32,000.00 annually.

C-8 William Henn retired his position as Fire Captain in the Fire Department effective 02/01/2017.

C-9 Frank Giangrande Laborer 1 in the Department of Public Works retired his position effective 02/01/2017.

C-10 Frank Giangrande Laborer 1 with the Department of Public Works retired his position effective 02/01/2017.

COMMUNICATIONS – MEETING MINUTES

C-12 Minutes of Board of Adjustment of January 18, 2017

C-13 Minutes of Clifton Senior Center Advisory Committee of January 26, 2017

C-14 Minutes of North Jersey District Water Supply Commission of December 14, 2016

C-15 Minutes of Passaic Valley Water Commission of December 21, 2016

C-16 Minutes of Advisory Board of Recreation of December 5, 2016

C-17 Minutes of Clifton Arts Center of September 28, 2016

ORDINANCES - SECOND READING

A. Adoption of Ordinance 7352-17

B. Public Hearing on Ordinance 7352-17

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Art IV Thereof, Entitled "Traffic Regulations," Sect 439-32 Thereof, Entitled "Traffic Control Signals," Sect A., Entitled "Municipal Signals" (Amends and Adds Intersections)

The Mayor opened the floor to the public with regard to the Ordinance 7352-17

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 Eagler, 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.

C. Adoption of Ordinance 7353-17

D. Public Hearing on Ordinance 7353-17

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Sect. 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Amends Permit Number for 33 East 6th Street)

The Mayor opened the floor to the public with regard to the Ordinance 7353-17

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 Gibson, 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.

E. Adoption of Ordinance 7354-17

F. Public Hearing on Ordinance 7354-17

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Sect. 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Deletes Three Designated Handicapped Parking Spaces)

The Mayor opened the floor to the public with regard to the Ordinance 7354-17

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.

G. Adoption of Ordinance 7355-17

H. Public Hearing on Ordinance 7355-17

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Sect. 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 10 Restricted Handicapped Spaces)

The Mayor opened the floor to the public with regard to the Ordinance 7355-17

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 Kolodziej, seconded by Councilman Gibson 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.

I. Adoption of Ordinance 7356-17

J. Public Hearing on Ordinance 7356-17

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

The Mayor opened the floor to the public with regard to the Ordinance 7356-17

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.

K. Adoption of Ordinance 7357-17

L. Public Hearing on Ordinance 7357-17

An Ordinance to Amend, Revise & Supplement C. 87 of the Code of the City of Clifton, Entitled "Recreation, Department Of" (Amends Sect 87-4 - Fees and Charges)

The Mayor opened the floor to the public with regard to the Ordinance 7357-17

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 Gibson 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 7358-17

An Ordinance to Amend, Revise & Supplement C. 99 of the Code of the City of Clifton, Entitled "Salaries & Benefits," More Particularly Art VI Thereof, Entitled "Confidential Officials & Employees," and More Particularly Sect 99-34 Thereof, Entitled "Minimum & Maximum Salaries Fixed" (Amends Salary of Fire Chief)

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 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.

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, January 21, 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.

B. Introduction of Ordinance 7359-17

An Ordinance to Change the Name of Ellsworth Street (Off Katherine Avenue and Howard Avenue) to Dick Street

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.

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

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, January 21, 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.

FLOOR TO MEMBERS OF THE PUBLIC

Ellen DeLosh, 547 Clifton Avenue, read a letter from The American Center for Law and Justice.

Father Peter DeFrance, St. Peter's Episcopal Church, 380 Clifton Avenue, stated that he would like to have a march and prayer service walk from St. Peter's Episcopal Church to Main Memorial Park to support diversity.

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

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

Mayor Anzaldi, in reply to Father Peter DeFranco, stated that a permit from the Recreation Department needs to be issued for the use of Main Memorial Park.

COUNCIL PRIVILEGE

Councilwoman Murphy

Councilwoman Murphy made a Motion, seconded by Councilman Hatala, and passed on roll call vote to have the women's handicapped bathroom in City Hall unlocked.

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

Councilman Kolodziej

Councilman Kolodziej spoke about high lead readings in drinking water. He said that Passaic Valley Water Commission will run a free test to measure lead in drinking water. Councilman Kolodziej stated that all non-profits should not have fees waived for building permits. It is costing the City too much lost revenue. He stated that the residents of Ellsworth St. should be sent a second letter in reference to the name of the street being changed to Dick St.

A Motion was made by Councilman Kolodziej, seconded by Councilman Eagler, and passed on roll call vote to send a second letter to the residents of Ellsworth St.

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

Councilman Kolodziej stated that he has received numerous complaints from residents regarding traffic and parking issues on Karen Drive near School #2.

A Motion was made by Councilman Kolodziej, seconded by Councilman Hatala, to have letters sent to the parents of the students of School #2 to remind them not to park/stand illegally.

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

Councilman Hatala

Councilman Hatala spoke about traffic issues on Karen Drive. He spoke about police patrols, vacancies and summer concerts in Botany Village. Councilman Hatala stated that the Economic Development Committee met and vacancies in the City are being filled quickly. He mentioned that several residents asked for an update on the PSE&G project currently being done in the City. City Manager, Dominick Villano, stated that all the major gas lines have been replaced and presently the final connections are being done. Mr. Villano also stated that all major road projects have been scheduled for 2017. Councilman Hatala said that the road at Merrill and Market Streets are in immediate need of repair. He asked residents to ensure the elderly are safe during snowstorms. Councilman Hatala announced that the Adult Opportunity Center is involved in a fundraiser through Amazon.com. Councilman Hatala stated that MONOC Ambulance Service should be investigated due to, what he feels, are unfair billing practices.

A Motion was made by Councilman Hatala, seconded by Councilman Gibson, to have a letter written to Assemblyman Giblin, for an investigation into MONOC billing practices.

(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 Hatala, seconded by Councilman Kolodziej, and passed on roll call vote, to adopt a resolution when the answer from the Assemblyman comes in.

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

In closing, Councilman Hatala wished Mayor Anzaldi an early Happy Birthday.

Councilman Grabowski

Councilman Grabowski announced that the Beautification Committee is planning to build a Memorial Walk on City Hall Grounds.

Councilman Gibson

Councilman Gibson spoke about traffic and parking issues on Karen Drive. He stated that he watched the Board of Education Meeting and said the Commissioner pointed out that the City does not get its fair share of State Funding.

A Motion was made by Councilman Gibson, seconded by Councilman Eagler, and passed on roll call vote to support the Board of Education for fair share funding.

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

Councilman Hatala suggested that administration ask the Commissioner of the Board of Education for the formula he used to determine the fair funding amount.

Councilman Gibson mentioned that a snow storm is predicted for this week. He asked that residents check on the elderly and shovel around fire hydrants. In closing, Councilman Gibson thanked everyone who supported his son's hockey team.

Councilman Eagler

Councilman Eagler discussed a magazine article from the League of Municipalities regarding decorating trees in local parks by students and suggested Clifton start a similar program. He spoke about vacant buildings in Botany Village. He asked the Council to petition the State to open a Motor Vehicle Agency in Clifton.

A Motion was made by Councilman Eagler, seconded by Councilman Kolodziej, and passed on roll call vote to petition the State to establish a Motor Vehicle Agency in the Botany Section of Clifton.

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

Mayor Anzaldi

Mayor Anzaldi stated that he received several complaints regarding traffic on Karen Drive and near School 15. He also received complaints about City trucks at the Department of Public Works, disturbing the peace and waking up the neighbors. Mayor Anzaldi announced that the Centennial Parade will be held on May 21, 2017. He stated that an Ideal Market will be opening in Botany Village along with a fitness center. Mayor Anzaldi mentioned that the Centennial Committee is working on bus trips to professional hockey and baseball games. He stated that April 26, 2017 is the actual day of Clifton's Centennial. In closing, Mayor Anzaldi suggested the corner of Clifton and Van Houten Avenues be named Centennial Square.

A Motion was made by Councilman Kolodziej, seconded by Councilman Eagler, and passed on roll call vote to name the corner of Clifton and Van Houten Avenue Centennial Square.

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

RESOLUTIONS

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

A Motion was made by Councilman Eagler, seconded by Councilwoman Murphy, and passed on roll call vote to amend Resolution #R082-17. The amended resolution will rename Athenia Steel Park, James Anzaldi Park rather than Anzaldi Park.

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

A Motion was made by Councilman Eagler seconded by Councilman Hatala and passed on roll call vote to vote on the following exceptions:

Exceptions Page 1, Item 308
Page 9, Item 419

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

R057-17 Resolution to approve claims to be paid meeting of February 7, 2017

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF February 7, 2017**

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

Current Fund	\$ 13,721,918.30
Trust Escrow	
General Capital Fund	\$ 408,405.45
Dog Trust	\$ 291.76
Trust Other	\$ 274,356.66
Community Development	\$ 78,143.02
Grant Fund	\$ 237,776.60
Reserve for Housing	
Tax Title Lien Redemption	\$
Unemployment Trust Fund	\$
Revolving Loan Fund	
Section 8 Public Housing	\$ 10,868.06
Self Insurance	\$ 2,489,730.44
Police Extra Duty	\$
COAH	\$660.00
Fire Dedicated Penalties	\$
Sewer Utility – Operating	\$ 1,770,102.56
Sewer Utility – Capital	\$ 104,471.66
Library	\$ 83,282.61
Developers Escrow	\$
General Liability Trust	\$ 120,373.24
Workers Compensation Trust	\$ 302,683.16
TOTAL CLAIMS	\$ 19,603,063.52

A Motion was made by Councilman Hatala, seconded by Councilman Gibson, and passed on roll call vote to table Resolution #R081-17.

A Motion was made by Councilman Kolodziej and seconded by Councilman Eagler 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.

R057-17 Resolution to approve claims to be paid meeting of February 7, 2017

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF February 7, 2017**

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

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Police Extra Duty	\$	
COAH	\$	660.00
Fire Dedicated Penalties	\$	
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Sewer Utility – Capital	\$	104,471.66
Library	\$	83,282.61
Developers Escrow	\$	
General Liability Trust	\$	120,373.24
Workers Compensation Trust	\$	302,683.16
TOTAL CLAIMS	\$	19,603,063.52

R058-17 Resolution Rescinding Petty Cash Funds in the City Manager's Office and the Finance Department

**RESOLUTION
RESCINDING PETTY CASH FUNDS**

WHEREAS, the City of Clifton has Perry Cash Accounts in both the City Manager’s Office and the Finance Department to handle and expenditures under \$45.00; and,

WHEREAS, Petty Cash expenditures can now be tracked and reimbursed to employees through their semimonthly pay checks in the Finance Office; and,

WHEREAS, this process will expedites reimbursement to the City’s Employees;

NOW, THEREFORE, BE IT RESOLVED, it is the desire of the City of Clifton, County of Passaic, State of New Jersey, that the Petty Cash Funds for the City Manager’s Office and Finance Department’s Office be rescinded; and,

BE IT RESOLVED, by the Governing Body of the City of Clifton, County of Passaic, State of New Jersey, hereby authorizes such action and two copies of this Resolution be filed with the Division of Local Government Services (DLGS), New Jersey Department of Community Affairs for approval.

R059-17 2017 Temporary Budget Amendment to the City Budget

**2017 TEMPORARY BUDGET
CITY BUDGET AMENDMENT**

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

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

WHEREAS, the original temporary budget resolution was approved on January 3, 2017,

NOW, THEREFORE, BE IT RESOLVED, that the Temporary Appropriations Amendments are hereby authorized to provide for contracts, commitments, and payments prior to the adoption of the 2017 Municipal Budget as follows:

Department Code Amount

Engineering – Other Expenses 01-201-20-165-503 \$ 75,000.00

Roads Dept. – Salary & Wages 01-201-26-292-101 \$ 75,000.00

Roads Dept. – Other Expenses 01-201-26-292-207 \$ 75,000.00

FEBRUARY 7, 2017

ABC Board – Salary & Wages 01-201-22-197-102 \$ 2,500.00
Total Temporary Budget Amendment: \$227,500.00

R060-17 Resolution Authorizing Budget Appropriation Transfers in the City of Clifton's 2016 Operating Budget

**RESOLUTION FOR BUDGET TRANSFERS
2016 APPROPRIATION RESERVES
CURRENT FUND**

WHEREAS, transfers between appropriation reserves are permitted by N.J.S.A. 40A:4-59 during the first three (3) months of the next succeeding fiscal year; and

WHEREAS, certain 2016 appropriation reserves are expected to be insufficient to meet expenditure requirements for 2016 liabilities, and certain 2016 appropriation reserves have funds available to offset these expenditure requirements;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton (not less than two-thirds of the full membership thereof affirmatively concurring (5)) that the transfers listed below, between 2016 appropriation reserves, be made.

Department	Account Number	Amount - In	Amount - Out
Legal Dept. – Other Expenses	01-203-31-430-261	\$ 40,000.00	
Building & Grounds – Other Exp.	01-203-26-290-405	\$ 15,000.00	
Health & Welfare – S & W	01-203-27-330-102	\$ 5,000.00	
Health & Welfare – Other Exp.	01-203-27-330-503	\$ 5,000.00	
Maint. Of Parks – S & W	01-203-28-375-101	\$100,000.00	
Res. Tax Appeals	01-203-30-415-323	\$200,000.00	
Fuel Oil – Diesel	01-203-31-447-322	\$ 25,000.00	
Social Security – Employer Taxes	01-203-36-472-300	\$ 50,000.00	
		\$220,000.00	\$220,000.00

R061-17 Resolution to extend Toner Replacement Maintenance Contract with Stewart Business Systems of New Jersey

**RESOLUTION TO AWARD TONER REPLACEMENT MAINTENANCE CONTRACT
TO STEWART BUSINESS SYSTEMS OF NEW JERSEY STATE CONTRACT
PURSUANT TO
N.J.S.A. 40A:11-12a**

WHEREAS, the City of Clifton has been reviewing operations to save money and operational costs overall; and

WHEREAS, Stewart Business Systems has a program for network printers to supply toner that saves money over our current method of ordering toner; and

WHEREAS, the City of Clifton entered into an agreement on September 1, 2015, Resolution #R474-15, and desires to maintain our Toner Replacement, for Network Printers, Maintenance Contract with Stewart Business Systems, a Xerox Company, 2 Brighton Road, Suite 400, Clifton, New Jersey 07012, for said contract; and

WHEREAS, Xerox Corporation is an authorized dealer on the New Jersey State Contract #51145; 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, the toner replacement maintenance coverage commenced on September 15, 2015, and was a three (3) year contract, not a single year contract, and now needs to be extended; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned Toner Replacement Maintenance Contract, off the New Jersey State Contract #51145, with Stewart Business Systems, a Xerox Company, 2 Brighton Road, Suite 400, Clifton, New Jersey, 07012, in the amount of \$14,916 (monthly contract price is approximately \$1,243.00); and

BE IT FURTHER RESOLVED, that this amended contract will expire on September 9, 2018; and

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

R062-17 Resolution Awarding a Professional Engineering Contract to Pennoni for Water and Sewer Account Billing for 2017

**RESOLUTION AWARDING A PROFESSIONAL ENGINEERING CONTRACT
TO PENNONI FOR WATER AND SEWER ACCOUNT BILLING FOR 2017
CITY OF CLIFTON**

WHEREAS, the Clifton Sewer Utility invoices residents for their sewer usage based on water consumption billing records from the Passaic Valley Water Commission (PVWC); and

WHEREAS, the City Council authorized a Report from Pennoni on May 17, 2016, Resolution # 282-16, to review account billing; and

WHEREAS, the City has added work to the scope of this project and report to assist the City in invoicing properties; and

WHEREAS, the additional costs for this work is \$6,000; and

WHEREAS, the City Council wishes to increase this professional service with Pennoni, 24 Commerce Street, Suite 300, Newark, NJ 07102 for the provision of said services for the year 2017; 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 contractor and is incorporated into the contract awarded hereby, along with the Determination of Value; and

WHEREAS, the value of the contract is determined to exceed \$17,500.00, and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that the professional engineering service contract awarded to Pennoni of Newark, NJ, for Water and Sewer Account Billing Services not to exceed \$6,000.00, and charged to Sewer Utility Account Number 07-201-26-291-503; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute a contract for 2017 in accordance with the submitted proposal of Pennoni 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 in the City Clerk's Office 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 EXTENSION OF CONTRACT AWARDED**

FEBRUARY 7, 2017

The City of Clifton has awarded an extension of 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: Pennoni of Newark, NJ
Services: Licensed Engineering Firm
Project: Water and Sewer Accounts Billing
Cost: Not to Exceed \$6,000.00
Term: For Year 2017

R063-17 Resolution Authorizing Permission to Bid for Clifton Arts Center Building and HVAC Upgrades

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR
CLIFTON ART CENTER BUILDING AND HVAC UPGRADES**

WHEREAS, the City of Clifton shall incur no expense exceeding \$12,000, 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 \$12,000 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 Clifton Art Center Building and HVAC Upgrades will be received until 11:00 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: MARCH 8, 2017 AT 11:00 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.

R064-17 Resolution Authorizing Permission to Bid for Renaissance Drive Roadway Rehabilitation

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR
RENAISSANCE DRIVE ROADWAY REHABILITATION**

WHEREAS, the City of Clifton shall incur no expense exceeding \$12,000, 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 \$12,000 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 Renaissance Drive Roadway Rehabilitation will be received until 2:00 p.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: MARCH 8, 2017 AT 2:00 P.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.

R065-17 Resolution Awarding Contract for Broad Street Sanitary Sewer Bypass Improvement

**RESOLUTION AWARDING CONTRACT FOR
BROAD STREET SANITARY SEWER BYPASS IMPROVEMENT**

BE IT RESOLVED: that the contract for the BROAD STREET SANITARY SEWER BYPASS IMPROVEMENT be and the same is hereby awarded to MONTANA CONSTRUCTION CORP., INC. of Lodi, New Jersey, the low bidder meeting the specifications at a grand total bid price of \$54,257.08, in accordance with bids received on January 10, 2017, and recommended by communication dated January 10, 2017 to the Mayor and Council; and

NOW, THEREFORE BE IT FURTHER RESOLVED: that the Mayor and City Clerk be and they are authorized and directed hereby to execute such contract, upon approval by the Law Department.

BE IT FURTHER RESOLVED: that the required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton. The appropriation to be charged for this expenditure is:

R066-17 Resolution Authorizing Reduction of Bond Requirements for Mesivta of Clifton, Inc.

**RESOLUTION AUTHORIZING REDUCTION OF BOND REQUIREMENTS
FOR MESIVTA OF CLIFTON, INC.**

WHEREAS, the City Engineer advises that Mesivta of Clifton, Inc., the Developer, having its offices at 294 Main Avenue, Clifton, New Jersey, has completed substantial construction of the site improvements and requests a reduction of the performance guarantees they have posted with the City; and

WHEREAS, the Engineering Consultant has inspected the improvements and finds that the same have been constructed in accordance with the plans, and it recommends reduction of the performance guarantee at this time; and

WHEREAS, the Developer requests the reduction of performance guarantees as follows:

Amount of Performance Bond (90 %)	\$286,331.76
Amount of Cash Guarantee (10 %)	\$ 31,814.64
Amount of Performance Bond Reduced	\$159,580.80
Amount of Performance Bond Remaining	\$126,750.96
Amount of Cash Guaranty Reduced	\$ 17,731.20
Amount of Cash Guaranty Remaining	\$ 14,083.44

NOW, THEREFORE, BE RESOLVED, that the Performance Guarantees be reduced to \$126,750.96 and \$14,083.44, respectively, with \$159,580.80 being released and \$17,731.20 being returned to MESIVTA OF CLIFTON, INC. at this time.

R067-17 Resolution Authorizing and Ratifying Additional Sanitary Sewer Emergency Services at Industrial South

**RESOLUTION AUTHORIZING AND RATIFYING ADDITIONAL SANITARY SEWER
EMERGENCY SERVICES AT INDUSTRIAL SOUTH**

WHEREAS, a report, dated September 11, 2016 was submitted to the City Manager by City Engineer Michael J. Lardner, which indicated the need for emergency work to the sanitary sewer at Industrial South; and

WHEREAS, the report notes that the sewer crew flushing equipment had become lodged in a broken sanitary sewer pipe, and needed to be excavated and repaired; and

WHEREAS, because of the emergent nature of the sewer blockage, which would have impacted the health, safety and welfare of the public, it was necessary to engage the services of Montana Construction, Inc. of Lodi, New Jersey to cope with the emergency conditions, all without the necessity of formal bidding for services; and

WHEREAS, the emergency was abated by the replacement of approximately 280' of pipe and restoration of the trench; and

WHEREAS, The City Engineer recommends an additional expenditure to cover the cost of the work at this location, and this Governing Body wishes to approve and ratify the additional emergency services and the additional expenditure of funds:

NOW THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the additional emergency sanitary sewer work performed at Industrial South by Montana Construction, Inc. is hereby approved and ratified, and an additional amount not to exceed \$26,617.00 is authorized to be allocated to this project.

R068-17 Resolution Rejecting Bids for Temporary Personnel and Authorization to Readvertise

**RESOLUTION REJECTING BIDS FOR TEMPORARY PERSONNEL AND
AUTHORIZATION TO RE-ADVERTISE**

WHEREAS, Bids for Temporary Personnel were received and opened on January 19, 2017; and

WHEREAS, the sole respondent was Nicsam Personnel, Inc. (dba Baker Temps); and

WHEREAS, the bid received is non-responsive to the terms and conditions, specifications, legal requirements and other provisions of the Bid Specifications (N.J.S.A 40A:11-2.(33) as follows:

Nicsam Personnel, Inc. did not submit the required Bid bond.

NOW, THEREFORE, BE IT RESOLVED, that the bid received is hereby rejected for the following:

1. The bid submitted by Nicsam Personnel, Inc. is non-responsive to the terms and conditions, specifications, legal requirements and other provisions of the Bid Specifications (N.J.S.A 40A:11-2.(33); and

2. The governing body wishes to substantially revise the specifications of the Bid to remove the governing body's requirement of obtaining a bid bond on all goods and services contracts over \$50,000; and

BE IT FURTHER RESOLVED, that the City Clerk and/or Purchasing Agent is hereby authorized and directed to re-advertise the Bid for Temporary Personnel Services.

CITY OF CLIFTON - NOTICE TO BIDDERS

Sealed Bids will be received and opened on the date(s) indicated below:

RE-ADVERTISE FOR: Temporary Personnel Services

BID OPENING: Tuesday, February 28, 2017 at 11:00 a.m.

Bidders are required to comply with the requirements of N.J.A.C. 17:27 et seq. (P.L. 1975, c.127) Required RFP forms, specifications, terms and conditions are on file in the Purchasing Department at Clifton City Hall.

R069-17 Resolution to Award Radio Maintenance Contract to Tactical Public Safety (In Connection with Narrowbanding Communication Equipment) Off of NJ State Contract Pursuant to N.J.S.A. 40A:11-12a

RESOLUTION TO AWARD RADIO MAINTENANCE CONTRACT TO TACTICAL PUBLIC SAFETY (IN CONNECTION WITH NARROWBANDING COMMUNICATION EQUIPMENT) OFF OF NEW JERSEY STATE CONTRACT PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, to ensure compliance with the Federal Communications Commission (FCC), the Mayor and Municipal Council approved a Resolution to purchase radio communication equipment and accessories off of New Jersey State Contract on October 16, 2012 (R-3); and

WHEREAS, the Police Department desires to enter into a Radio Maintenance Contract with Tactical Public Safety, 1036 Industrial Drive, West Berlin, NJ 08091, for repair and maintenance services to the fixed-end radio equipment; and

WHEREAS, Tactical Public Safety is an authorized dealer on the New Jersey State Contract #83932; 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

FEBRUARY 7, 2017

WHEREAS, the radio maintenance coverage shall commence on January 1, 2017 and end on December 31, 2017; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned Radio Maintenance Contract, off the New Jersey State Contract #83932, with Tactical Public Safety, 1036 Industrial Drive, West Berlin, NJ 08091, in the amount of \$62,649.00 (quarterly contract price is approximately \$15,662.25); and

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

CERTIFICATION OF FUNDS: Funds are available in account # 01-201-25-240-503

R070-17 Resolution Authorizing Exercise of Second Option to Renew Contract for Marketing of Recyclables Between the City of Clifton and Atlantic Coast Fibers, LLC, for the Period June 1, 2017 through May 31, 2018

**RESOLUTION AUTHORIZING EXERCISE OF SECOND OPTION TO RENEW
CONTRACT FOR MARKETING OF RECYCLABLES BETWEEN THE CITY OF
CLIFTON AND ATLANTIC COAST FIBERS, LLC. FOR THE PERIOD JUNE 1, 2017
THROUGH MAY 31, 2018**

BE IT RESOLVED, that authorization is hereby given to exercise the second option to renew the contract for Marketing of Recyclables between the City of Clifton and Atlantic Coast Fibers, LLC, for the period of June 1, 2017 through May 31, 2018.

R071-17 Resolution Awarding Contract to Jen Electric Off of Morris County Cooperative Pricing Contract #37: Traffic Signal Maintenance - 2017

**RESOLUTION AWARDING CONTRACT TO JEN ELECTRIC
OFF OF MORRIS COUNTY COOPERATIVE PRICING CONTRACT #37:
TRAFFIC SIGNAL MAINTENANCE - 2017**

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 based on the rates listed on the Notification of Award Contract period: Two Years: July 1, 2016 – June 30, 2018; 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 \$24,400 for 2017 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.

R072-17 Resolution Awarding Contract to Jen Electric Off of Morris County Cooperative Pricing Contract #37: Traffic Signal Emergency Repair - 2017

**RESOLUTION AWARDING CONTRACT TO JEN ELECTRIC
OFF OF MORRIS COUNTY COOPERATIVE PRICING CONTRACT #37:
TRAFFIC SIGNAL EMERGENCY REPAIR - 2017**

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 based on the rates listed on the Notification of Award Contract period: Two Years: July 1, 2016 – June 30, 2018; 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 for 2017 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.

R073-17 Resolution Awarding Contract Extension for the Collection and disposal of Solid Waste (Option Year 2)

**RESOLUTION AWARDING CONTRACT EXTENSION FOR THE COLLECTION AND
DISPOSAL OF SOLID WASTE (OPTION YEAR 2)**

WHEREAS, the Contract with Suburban Disposal for the Collection and Disposal of Solid Waste expired on May 31, 2016; and

WHEREAS, the City of Clifton has the option to extend said contract for an additional two (2) years at a lump sum of \$3,796,000 for the fourth year (Option Year 1) and \$3,920,00 for the fifth year (Option Year 2) at the price, terms and conditions in accordance with bids received on April 24, 2013; and

NOW, THEREFORE, BE IT RESOLVED, that the contract with Suburban Disposal of 54 Montesano Road, Fairfield, NJ 07006 for the Collection and Disposal of Solid Waste is hereby extended for a fifth and final year (Option Year 2) commencing June 1, 2017 through May 31, 2018; 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; and

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

R074-17 Resolution Approving Participation with the State of NJ Federal Grant Program Administered by the Div of Criminal Justice, Dept of Law & Public Safety

**RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY
FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL
JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the City of Clifton wishes to apply for funding of approximately \$60,000 with a match of \$185,336.70 for an approximate project total cost of \$245,336.70 for a project under the State of New Jersey Safe and Secure Communities Grant Program; and

WHEREAS, the Municipal Council of the City of Clifton has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the City of Clifton for the purpose described in the application;

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

1. As a matter of public policy, the City of Clifton wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General of New Jersey will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized by law.

R075-17 Resolution Appointing Legal Counsel to Handle Independent Investigation Services in Connection with Complaints Brought Under the City's Policy Prohibiting Sexual Harassment and Discrimination Involving Employees of the City of Clifton (2017)

**RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE INDEPENDENT
INVESTIGATION SERVICES IN CONNECTION WITH COMPLAINTS BROUGHT
UNDER THE CITY'S POLICY PROHIBITING SEXUAL HARASSMENT AND
DISCRIMINATION INVOLVING EMPLOYEES OF THE CITY OF CLIFTON (2017)**

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

WHEREAS, Gina Mendola Longarzo, Esq. has been providing legal services for the City of Clifton in the past in a satisfactory manner, and the Municipal Attorney recommends the continuation of her appointment as independent investigation counsel for the year 2017 when such services are required, at the rate of \$100.00 per hour, not to exceed \$5,000 per year without approval of the Municipal Attorney, and not exceed \$10,000 without approval from the Municipal Council; and

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

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

WHEREAS, the estimated value of the contract may be in excess of \$17,500.00, and the duration of the contract is for 2017 and may be continued through the conclusion of each claim being handled; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that:

1. An agreement for professional legal services for outside counsel to conduct independent investigations for complaints brought under the City’s policy prohibiting sexual harassment and discrimination involving employees of the City of Clifton, effective January 1, 2017, the rate to be paid for said services is \$100.00 per hour, not to exceed \$5,000.00 without the approval of the Municipal Attorney, and not to exceed \$10,000.00 without the approval of the Municipal Council..
2. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
4. The original of this resolution and the contract in question shall be placed on file and made available for public inspection in the City Clerk’s Office of the City of Clifton.
5. The following short notice be printed once in a legal newspaper of the City of Clifton:

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Gina Mendola Longarzo, Esq., Chatham, NJ
Services: Independent Investigations
Project: Claims involving employees under the City’s policy prohibiting sexual harassment and discrimination
Amount: \$100 per hour; not to exceed \$5,000 without approval of Municipal Attorney; not to exceed \$10,000 without approval of Municipal Council
Term: 2017

R076-17 Resolution Authorizing Entry Into and Execution of Service Agreement with Bergen Risk Managers, Inc. for Administration of Liability Self-Insurance Program Claims for Period 3/1/17 - 2/18/18

RESOLUTION AUTHORIZING ENTRY INTO AND EXECUTION OF SERVICE AGREEMENT WITH BERGEN RISK MANAGERS, INC. FOR ADMINISTRATION OF LIABILITY SELF-INSURANCE PROGRAM CLAIMS FOR PERIOD 3/1/17 - 2/28/18

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 entry into a contract with the following provider of liability self-insurance claims service administration, for the period March 1, 2017 thru February 28, 2018, for the reason that this provider has offered the best and most cost effective service for the City of Clifton:

Bergen Risk Managers, Inc.
Ramsey, NJ

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 liability self-insurance claims administration services 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: Bergen Risk Managers, Inc., Ramsey, NJ
Services: Administration of Self-Insurance Liability Program Claims
Cost: \$27,588
Term: 3/1/17 - 2/28/18

R077-17 Resolution Authorizing Execution of Cancellation of Mortgages Between City of Clifton and Helena Golia; and Christine Witmyer (Clifton Home Improvement Program)

**RESOLUTION AUTHORIZING EXECUTION OF CANCELLATION OF
MORTGAGES BETWEEN CITY OF CLIFTON AND HELENA GOLIA; and
CHRISTINE WITMYER (CLIFTON HOME IMPROVEMENT PROGRAM)**

WHEREAS, on September 17, 2010, in conjunction with a CHIP grant to Helena Golia, a mortgage in the amount of \$9,975.00 was given by the City of Clifton for property situated at 192 Hazel Street, Clifton, New Jersey (Block 16.13, Lot 23); and

WHEREAS, on October 15, 2010, in conjunction with a CHIP grant to Christine Witmyer, a mortgage in the amount of \$10,000.00 was given by the City of Clifton for property situated at 107 Mt. Prospect Avenue, Clifton, New Jersey (Block 36.08, Lot 36); 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.

R078-17 Resolution Authorizing and Ratifying Filing of Verified Complaint and Order to Show Cause to Obtain Access to Block 34.04, Lot 21, for Well Monitoring Purposes

**RESOLUTION AUTHORIZING AND RATIFYING FILING OF VERIFIED
COMPLAINT AND ORDER TO SHOW CAUSE TO OBTAIN ACCESS TO BLOCK
34.04, LOT 21, FOR WELL MONITORING PURPOSES**

WHEREAS, Rohan Tadas, the City's Licensed Site Remediation Professional (LSRP), requires access to Block 34.04, Lot 21, in order to fully complete his Remedial Investigation Report and otherwise comply with the requirements of the New Jersey Department of Environmental Protection (NJDEP); and

WHEREAS, to date, the City has been unsuccessful in obtaining such access from the property owners; and

WHEREAS, N.J.S.A. 58:10B-16 and N.J.A.C. 7:26C-8.1 provide a judicial procedure for obtaining such access;

NOW, THEREFORE, BE IT RESOLVED, that the filing of a Verified Complaint and Order to Show Cause pursuant to the above laws and regulations is hereby authorized and ratified for the purpose of obtaining access to Block 34.04, Lot 21, to continue such well monitoring and additional well installation as is required pursuant to law.

R079-17 Resolution Awarding Professional Services Contract to Jill A. Hartmann, PP, AICP, for Planning Services for Clifton Housing and Urban Development Section 8 Program

RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO JILL A. HARTMANN, PP, AICP, FOR PLANNING SERVICES FOR CLIFTON HOUSING AND URBAN DEVELOPMENT SECTION 8 PROGRAM

WHEREAS, the City of Clifton Housing and Urban Development Section 8 Program requires specialized administrative and planning services of an expert in connection with its operations; and

WHEREAS, Jill A. Hartmann, PP, AICP, has submitted a proposal to furnish such services at a fee of \$100 per hour for principal and \$50 per hour for associate, not to exceed \$30,000 for the term; and

WHEREAS, such services constitute AProfessional Services@ within the ambit of N.J.S.A. 40A:11-5 and may be awarded without the need for public bidding; and

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

WHEREAS, the value of the contract is not to exceed \$30,000.00, and the duration of the contract is one year from January 1, 2017 thru December 31, 2017, unless terminated prior thereto; and

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

NOW, THEREFORE, BE IT RESOLVED, that a contract for administrative and planning services for the Housing and Urban Development Section 8 Program, from January 1, 2017 through December 31, 2017 unless terminated prior thereto, is hereby awarded to Jill A. Hartmann, PP, AICP of Mahwah, New Jersey, at a cost of \$100 per hour for the principal and \$50 per hour for an associate, however, not to exceed \$30,000.00 for the term of the contract; 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 public 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: Jill A. Hartmann, PP, AICP, Mahwah, NJ 07430
Services: Planning and Administrative Services
Cost: \$100 hr princ/\$50 hr assoc; not to exceed \$30,000
Program: HUD Section 8 Program

FEBRUARY 7, 2017

Term: January 1, 2017 thru December 31, 2017, unless terminated prior thereto

R080-17 Resolution Denying Entertainment License Application for the 2016/2017 Term for
Alexus Clifton, Inc. t/a Alexus Steakhouse & Tavern

**RESOLUTION DENYING ENTERTAINMENT LICENSE APPLICATION FOR THE
2016/2017 TERM FOR ALEXUS CLIFTON, INC. T/A ALEXUS STEAKHOUSE &
TAVERN**

WHEREAS, Alexus Clifton, Inc. t/a Alexus Steakhouse & Tavern appeared at a hearing before the Municipal Council on January 17, 2017 to consider an application for an entertainment license for the 2016/2017 term;

WHEREAS, Alexus Clifton, Inc. t/a Alexus Steakhouse & Tavern was afforded the opportunity to testify before the Municipal Council and be heard on all matters pertaining to its application for an entertainment license for the 2016/2017 term;

WHEREAS, at the conclusion of the hearing on January 17, 2017, the Municipal Council voted to deny the application of Alexus Clifton, Inc. t/a Alexus Steakhouse & Tavern for an entertainment license covering the period from July 1, 2016 through June 30, 2017;

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Alexus Clifton, Inc. t/a Alexus Steakhouse and Tavern, of 955 Valley Road, Clifton, New Jersey (B-C Zone), for an entertainment license covering the period from July 1, 2016 through June 30, 2017 is denied, and that the applicant is hereby prohibited from offering entertainment of any type at its establishment.

A Motion was made by Councilman Hatala, seconded by Councilman Gibson, and passed on roll call vote to table resolution #R081-17.

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

R081-17 Resolution Extending Professional Engineering Services Contract Awarded to T & M Associates for Licensed Site Remediation Services at the DPW, Firehouse #3, Firehouse #6, City Hall, and Safas Site at 2 Ackerman Ave for Year 2017

**RESOLUTION EXTENDING THE PROFESSIONAL ENGINEERING SERVICES
CONTRACT AWARDED TO T & M ASSOCIATES FOR LICENSED SITE
REMEDIAION SERVICES AT THE DPW, FIREHOUSE #3, FIREHOUSE #6, CITY
HALL, AND SAFAS SITE AT 2 ACKERMAN AVE FOR YEAR 2017**

WHEREAS, in accordance with a mandate by the New Jersey Department of Environmental Protection (NJDEP), the City of Clifton, by resolution adopted June 19, 2012, appointed Rohan Tadas of T & M Associates as its Licensed Site Remediation Professional (LSRP) for five sites in the City requiring remediation; namely, the DPW, Firehouse #3, Firehouse #6, City Hall, and the Safas site at 2 Ackerman Avenue; and

WHEREAS, on August 21, 2012, the City of Clifton adopted a resolution awarding a professional engineering services contract to T & M Associates for licensed site remediation services at the five sites; and

WHEREAS, by resolutions, the Municipal Council extended the contract awarded to T & M Associates for the years 2013, 2014, 2015 and 2016; and

WHEREAS, T & M Associates has been performing the services contracted for in a satisfactory manner, and the City Engineer recommends that the contract be extended for 2017; and

WHEREAS, upon request of the City Engineer, T & M Associates submitted a proposal to provide the additional services required and a breakdown of the costs allocated to each of the five sites, which costs total \$75,000.00; and

WHEREAS, the Municipal Council wishes to extend the contract with T & M Associates of Middletown, NJ, for the provision of said services for the year 2017, in accordance with its quotation, at an additional cost of \$75,000.00; 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 contractor and is incorporated into the contract awarded hereby, along with the Determination of Value; and

WHEREAS, the value of the contract for 2017 is determined to be not to exceed \$75,000.00, and
the duration of the contract is 1/1/17 - 12/31/17;

NOW, THEREFORE, BE IT RESOLVED, that the professional engineering services contract awarded to T & M Associates of Middletown, NJ, for licensed site remediation professional services (LSRP) for the DPW Site, Firehouse #3, Firehouse #6, City Hall, and Safas Site at 2 Ackerman Avenue, is hereby extended for 2017, to include the additional services required, at a price not to exceed \$75,000.00; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute an amendment extending the contract for 2017 in accordance with the submitted proposal(s) of T & M Associates 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 EXTENSION OF CONTRACT AWARDED**

The City of Clifton has awarded an extension of 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.

R082-17 Resolution of Dedication of Anzaldi Park Recreation Complex

**RESOLUTION OF DEDICATION OF ANZALDI PARK
RECREATION COMPLEX**

WHEREAS, the contributions and dedication of Mayor James Anzaldi to the City of Clifton are well known by his colleagues on the Municipal Council, by the citizens of Our Great City, and throughout the State of New Jersey; and

WHEREAS, this Municipal Council and the entire City family wish to appropriately honor their good friend and our Esteemed Mayor;

NOW, THEREFORE, BE IT RESOLVED, that the Members of the Municipal Council of the City of Clifton do hereby formally dedicate and officially name the Athenia Steel Park Recreation Complex located at 714-716 Clifton Avenue as

ANZALDI PARK RECREATION COMPLEX

FEBRUARY 7, 2017

R083-17 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

**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 March 1, 2017 and ending January 1, 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 for 3/1/17 - 1/1/18 and \$504,000 for 3/1/18 - 1/1/19
Term: 3/1/17 - 1/1/19

Awarded to: Torus National Insurance Company
Cost: \$55,490 for 3/1/17 - 1/1/18
Term: 3/1/17 - 1/1/18

Awarded to: Selective Insurance Company
Services: Property Insurance Coverages
Cost: \$229,286
Term: 3/1/17 - 1/1/18

R084-17 Resolution Authorizing the City Manager to Make Application and Execute an Agreement for Green Acres "Redevelopment of Athenia Park"

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Clifton desires to further the public interest by obtaining funding in the amount of \$1,593,750.00 (one million, five hundred ninety three thousand, seven hundred fifty

dollars), in the form of a 75% grant and, if available, a 0% loan, from the State to fund the Redevelopment of Athenia Park, at a total project cost of \$2,125,000.00 (two million, one hundred twenty five dollars).

NOW, THEREFORE BE IT RESOLVED, the City Council of Clifton resolves that Dominick Villano or the successor to the office of City Manager is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Clifton:

- 1. That the City Manager of the above named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as the “Redevelopment of Athenia Park”;
- 2. That the applicant has its matching share of the project, if a match is required, in the amount of \$531,250 (five hundred thirty one thousand two hundred fifty dollars);
- 3. That, in the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
- 4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
- 5. That this resolution shall take effect immediately.

R085-17 Resolution Appointing Thomas Garretson to the Advisory Board of Health

**RESOLUTION FOR APPOINTMENT OF
MEMBER TO THE ADVISORY BOARD OF HEALTH**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey are in receipt of a letter of resignation from Dr. Michael Bimonte who served as a Member of the Advisory Board of Health; and

WHEREAS, several applications to become a Member of the Advisory Board of Health have been forwarded to the Mayor and Council for their review; and

WHEREAS, Thomas Garretson was unanimously voted in as a Member of the Advisory Board of Health to fill the unexpired term of Dr. Bimonte;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey, that Thomas Garretson be appointed as a Member of the Advisory Board of Health to fill the unexpired term of Dr. Michael Bimonte commencing this day and expiring on September 30, 2019.

R086-17 Resolution Appointing Antonio Latona as a Member of Recycling Committee

**RESOLUTION FOR APPOINTMENT OF
MEMBER TO THE RECYCLING COMMITTEE**

FEBRUARY 7, 2017

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Antonio Latona, be and is hereby appointed as a Member of the Recycling Committee commencing on February 7, 2017.

R087-17 Resolution Appointing John Esposito as a Member of the CA-TV Committee

**RESOLUTION FOR APPOINTMENT OF
MEMBER TO THE CA-TV COMMITTEE**

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that John Esposito, be and is hereby appointed as a Member of the CA-TV Committee commencing on February 7, 2017.

R088-17 Resolution Appointing Kelly Eckert as a Member of the Traffic Safety Council

**RESOLUTION FOR APPOINTMENT OF MEMBER TO THE TRAFFIC SAFETY
COUNCIL**

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, county of Passaic, State of New Jersey that Kelly Eckert, be and is hereby appointed as a Member of the Traffic Safety Council to fill the unexpired term of Jacqueline Matthews, which expires on December 31, 2017.

R089-17 Resolution to Appoint Daniel Trenk and Michael Molner to the Zoning Board of Adjustment

**RESOLUTION FOR APPOINTMENT OF
MEMBER TO THE ZONING BOARD OF ADJUSTMENT**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey have been advised that the term of Daniel Trenk (Alternate No. 1) and Paul Graupe (Alternate No. 2) will expire on February 28, 2017; and

WHEREAS, several applications to become a member of the Zoning Board of Adjustment have been forwarded to the Mayor and Council for their review; and

WHEREAS, a vote was taken at the Mayor and Council Regular Meeting of January 17, 2017, as follows:

Daniel Trenk	6 Aye	1 Nay
Paul Graupe	3 Aye	4 Nay
Michael Molner	4 Aye	3 Nay

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey, that Daniel Trenk be reappointed, as Alternate No. 1, to the Zoning Board of Adjustment for a term of two years, commencing on February 27, 2017 and expiring on February 28, 2019; and

BE IT FURTHER RESOLVED, that Michael Molner be appointed, as Alternate No. 2, to the Zoning Board of Adjustment for a term of two years, commencing on February 27, 2017 and expiring on February 28, 2019.

R090-17 Resolution to Approve Junk Peddler License Renewal - Bruce J. Kaminski

**RESOLUTION AUTHORIZING JUNK PEDDLER
LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Junk Peddler License Renewal from Bruce J. Kaminski, 29 Creekview Rd., Kunkletown, Pa 18058; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of a Junk Peddler License to Bruce J. Kaminski, 29 Creekview Rd., Kunkletown, Pa 18058 is hereby granted.

R091-17 Resolution to Approve Pet Shop & Kennel License Renewal - Allwood Pet Center

**RESOLUTION AUTHORIZING
PET SHOP LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Pet Shop License Renewal from Allwood Pet Center, 656 Allwood Road, in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of a Pet Shop License to Allwood Pet Center, 656 Allwood Road., Clifton, New Jersey, be and is hereby granted.

R092-17 Resolution to Approve Game of Skill Operators License Renewal - The Clif Tavern

**RESOLUTION AUTHORIZING GAMES OF SKILL
OPERATOR LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Games of Skill Operator License Renewal from The Clif Tavern, 605 Clifton Avenue in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of Games of Skill Operator License to The Clif Tavern 605 Clifton Avenue, Clifton, be and is hereby granted.

R093-17 Resolution to Approve Renewal of Florist License - Bartlett Greenhouses & Florist

**RESOLUTION AUTHORIZING
FLORIST LICENSE RENEWAL**

FEBRUARY 7, 2017

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Florist License Renewal from Bartlett Greenhouses and Florist, 814 Grove Street, in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of a Florist License to Bartlett Greenhouses and Florist, 814 Grove Street, Clifton, be and is hereby granted.

R094-17 Resolution to Approve Renewal of New & Used Car Lot License - Wiegers, Inc.

**RESOLUTION AUTHORIZING NEW AND USED
CAR LOT LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a New and Used Car Lot License Renewal from Wiegers, Inc., 181 Fornelius Avenue, in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of a New and Used Car Lot License to Wiegers, Inc., 181 Fornelius Avenue, Clifton, be and is hereby granted.

R095-17 Resolution Approving Renewal of Renting & Leasing of Vehicles License - Passaic Clifton Driv-Ur-Self System

**RESOLUTION AUTHORIZING RENTING AND LEASING OF VEHICLES LICENSE
RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Renting and Leasing of Vehicles License Renewal from Passaic Clifton Driv-Ur-Self System, 593 Broad Street in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of Renting and Leasing of Vehicles License to Passaic Clifton Driv-Ur-Self System, 593 Broad Street, Clifton, be and is hereby granted.

R096-17 Resolution to Approve Renewal of Vending Machine License - Uzatmasiyan

RESOLUTION AUTHORIZING VENDING LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Vending License Renewal from John Uzatmasiyan, 501 Route 3 West in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for renewal of a Vending License to John Uzatmasiyan, 501 Route 3 West, Clifton, be and is hereby granted.

R097-17 Resolution Approving Renewal of Junk Peddler License - Walter Kaminski

**RESOLUTION AUTHORIZING
JUNK PEDDLER LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Junk Peddler License Renewal from Walter Kaminski, 173 Cresthill Avenue, Clifton, NJ; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of a Junk Peddler License to Walter Kaminski, 173 Cresthill Avenue, Clifton, NJ is hereby granted.

R098-17 Resolution Approving Renewal of New and Used Car Lot License - Belal Abdeljabbar

**RESOLUTION AUTHORIZING NEW AND USED
CAR LOT LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of New and Used Car Lot License Renewal from Belal Abdeljabbar, 543 Hazel Street in the City of Clifton; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of New and Used Car Lot License to Belal Abdeljabbar, 543 Hazel Street, Clifton, be and is hereby granted.

R099-17 Resolution Authorizing the City of Clifton to Apply for and Accept a Subgrant Award of the Federal Fiscal Year 2016 of Department of Homeland Security Emergency Management Performance Grant Program Funding and for the City of Clifton Chief Financial Officer to Amend the Budget and Certify the Availability of Funds

**RESOLUTION FOR AUTHORIZATION FOR THE CITY OF CLIFTON TO APPLY
FOR AND ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2016
OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT
PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE CITY OF CLIFTON
CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE
AVAILABILITY OF FUNDS**

WHEREAS, the City of Clifton, Office of Emergency Management has been awarded FY 16 Emergency Management Performance Grant (EMPG) Program, Emergency Management Assistance (EMAA, Award #FY16 EMPG-EMAA-1602, for the period from 7/1/2016 to 6/30/2017, from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of up to \$19,252.80, including up to \$9400.00 Federal Award and up to \$9852.80 Local Matching Funds, is for the purpose of enhancing the City of Clifton's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award, and

WHEREAS, the City of Clifton Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police of Emergency Management; and

WHEREAS, the Application for subgrant Award calls for a match in the amount of up to \$9852.80 which the City of Clifton Office of Emergency Management adequately satisfies through the City of Clifton's approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clifton accepts the award of the FFY16 Emergency Management Performance Grant (EMPG) Program, Emergency Management Agency Assistance (EMAA) in the amount of up to \$9,400.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the Director of the Division of Local Government Services is requested to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of up to \$19,252.80, which is now available from the New Jersey State Police, Office of Emergency Management in the like amount of up to \$9400.00 from the aforementioned grant; and

BE IT FURTHER RESOLVED that the like sum of up to \$9,852.80 is hereby appropriated under the caption FY16 Emergency Management Performance Grant (EMPG) Program, Emergency Management Agency Assistance (EMAA; and

BE IT FURTHER RESOLVED that the City of Clifton Chief Financial officer and the City of Clifton Director of Emergency Management are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police Office of Emergency Management; the, Director of the Division of Local Government Services, the City Manager, the City Chief Financial Officer; the County Division of Emergency Management and Office of the Treasury.

R100-17 Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Highway Safety Fund Project

**RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND
EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE HIGHWAY SAFETY FUND PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey formally approves the grant application for the Highway Safety Fund project;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as HSF-2016-Clifton City-00004 to the New Jersey Department of Transportation on behalf of the City of Clifton;

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

R101-17 Resolution of Support Authorizing Application for the Sustainable Jersey Grant

**RESOLUTION OF SUPPORT AUTHORIZING APPLICATION FOR THE
SUSTAINABLE JERSEY GRANT APPLICATION**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Clifton strives to save tax dollars; to assure clean land, air and water; and to improve working and living environments; and

WHEREAS, the City of Clifton is participating in the Sustainable Jersey program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

WHEREAS, the Mayor and Municipal Council of the City of Clifton have determined that the City should apply for the aforementioned Grant in the amount of \$2,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council of the City of Clifton, in the County of Passaic and State of New Jersey, hereby authorize the submission of the aforementioned Sustainable Jersey Grant application.

R102-17 Late - Resolution Approving New Limousine License - Alfawair

**RESOLUTION AUTHORIZING
LIMOUSINE LICENSE**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a New Limousine License Application from Muteb Alfawair, 54 Priscilla Street, Clifton, NJ 07013; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that approval of a Limousine License to Muteb Alfawair, 54 Priscilla Street, Clifton, NJ 07013 be and is hereby granted.

Company name:
Alfawair Car Service LLC
Owner:
Muteb Alfawair
Approved Operator:
Muteb Alfawair
Approved Vehicles:
2011 Lincoln Towncar 52LNBL8EV4BEV4BX751220

Approved Parking Location:
54 Priscilla Street, Clifton, NJ 07013

R103-17 Late - Resolution Authorizing Second Extension of Professional Engineering Services with Neglia Engineering Associates in Connection with Relocation of Richfield Trunk Sanitary Sewer in Bonsal Preserve

**RESOLUTION AUTHORIZING SECOND EXTENSION OF PROFESSIONAL
ENGINEERING SERVICES CONTRACT WITH NEGLIA ENGINEERING
ASSOCIATES IN CONNECTION WITH RELOCATION OF THE RICHFIELD TRUNK
SANITARY SEWER IN THE BONSAI PRESERVE**

WHEREAS, on February 12, 2012, a professional engineering services contract was awarded to Neglia Engineering Associates in connection with the relocation/replacement of the Richfield Trunk Sanitary Sewer in the Bonsal Preserve property in Montclair to a location along the Clifton border, at a contract price of \$88,500.00; and

WHEREAS, on April 2, 2013, the contract was extended to include additional engineering services as required by the New Jersey Department of Environmental Protection (NJDEP), at an additional cost of \$66,705.00, making the total contract price \$155,205.00; and

WHEREAS, it is necessary to further extend the contract to address required NJDEP permits and easements, and Neglia Engineering Associates has submitted a proposal for the additional services at a cost not to exceed \$19,500.00, and the City Engineer recommends extending the contract with Neglia Associates to include the additional services, which will make the total contract not to exceed \$174,705.00; and

WHEREAS, after reviewing the proposal, the Municipal Council wishes to authorize an extension of the contract to Neglia Engineering Associates for the provision of said additional services, in accordance with its proposal dated December 15, 2016, excluding design revisions and easements, at a price not to exceed \$19,500.00; 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 contractor and is incorporated into the contract awarded hereby, along with the Determination of Value; and

WHEREAS, the value of the additional services is determined to be up to \$19,500.00, for a total contract price of up to \$174,705.00, and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that the professional engineering services contract with Neglia Engineering Associates be extended to include the additional services as aforesaid, excluding design revisions and easements, in a sum not to exceed \$19,500.00, for a total contract price not to exceed \$174,705.00; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute the extension of contract on behalf of the City of Clifton, and that the original of this resolution and the extension of 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 EXTENSION OF CONTRACT AWARDED**

The City of Clifton has awarded an extension of 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: Additional Engineering Services Required by NJDEP
Project: Richfield Trunk Sanitary Sewer Relocation in the Bonsal Preserve

Cost: Not to exceed \$19,500, for a total contract price not to exceed \$174,705
Term: Until completion

R104-17 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 Workers' Compensation Claim - GF (Police) D/L: 10/21/14
- CON-2 Workers' Compensation Claim - DT (Police) D/L: 12/15/12
- CON-3 PBA and SOA Contract Negotiations
- CON-4 FMBA Contract Negotiations
- CON-5 PSE&G - Sanitary Sewer Agreement Negotiations
- CON-6 AECOM Consultants - Access Agreement to Firehouse #6 Property
- CON-7 Right-of-Way Use Negotiations - Mobilitie, Verizon
- CON-8 Access to Blk 34.04 Lot 21 for Groundwater Monitoring - Litigation
- CON-9 Daughters of Miriam I P.I.L.O.T. Negotiations
- CON- 10 Memo from Redevelopment Counsel Re: Roche Redevelopment
- CON- 11 Potential Sites for Firehouse
- CON- 12 Congregation Shomrei Torah of Passaic/Clifton v. The Planning Board of the City of Clifton and Protect Our Neighborhood - Docket No. PAS-L-4266-15
- CON-13 Clifton Adult Opportunity Center Negotiations
- CON-14 Late - Roche Redevelopment - Memo from Redevelopment Counsel

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 February 7, 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.

XI. LICENSES

L-1 Shahrazad Restaurant

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Chahravad Restaurant, Inc t/a Shahrazad Restaurant for permission to conduct a restaurant for a period ending January 31, 2018 on the premises known as:
485 Crooks Ave., Clifton, NJ 07011
Be and the same is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police Department and Zoning Officer.

L-2 Castle of Gourmet Nuts

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Castle of Gourmet Nuts, LLC t/a Castle of Gourmet Nuts for permission to conduct a restaurant for a period ending January 31, 2018 on the premises known as:
166 Main Ave., Clifton, NJ 07014
Be and the same is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police Department and Zoning Officer.

FEBRUARY 7, 2017

L-3 Grande Waffle

RESOLUTION FOR PRELIMINARY APPROVAL

For: Grande Waffle, LLC

T/A: Grand Waffle

ADDRESS: 345 Clifton Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use

FORMERLY OR NEW: Ant Book Store

ZONE: B-C

PERMITTED: Yes

VARIANCE REQUIRED: No

FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION.
FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

L-4 Montclair Beach Club 1931

RESOLUTION FOR PRELIMINARY APPROVAL

For: Montclair Beach Club 1931, LLC

T/A: Montclair Beach Club 1931

ADDRESS: 879 Grove St., Clifton, NJ 07013

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use

FORMERLY OR NEW: Montclair Beach Club

ZONE: RA1

PERMITTED: Yes

VARIANCE REQUIRED: No

FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION.
FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

A Motion was made by Councilman Eagler, seconded by Councilman Kolodziej, and passed on roll call vote to return to closed session.

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

Respectfully Submitted,

Nancy Ferrigno
City Clerk

James Anzaldi, Mayor