

**CITY OF CLIFTON
CLIFTON, NEW JERSEY**

REGULAR MEETING MINUTES OF JULY 17, 2018

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 2018 which was published as legal advertisements in the Herald News on December 9, 2017 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

PLEDGE TO THE FLAG

PUBLIC HEARING

PRESENTATION

APPROVAL OF MINUTES

Upon a Motion made by Councilman Hatala, seconded by Councilman Eagler, and passed on roll call vote, the Minutes of the Workshop, Regular and Executive Session of July 3, 2018 were approved.

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

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Joel Kozlowski D.P.W. promoted provisionally to Supervising Mechanic effective 06/01/2018 at \$65,518.29 annually.

C-2 Alfred DuBois Municipal Recycling Coordinator D.P.W., retired his position effective 07/01/2018.

C-3 Brian Ciaurro Plumbing Inspector Building Dept., resigns his position effective 06/26/2018.

C-4 Jeff Chandler D.P.W. promoted provisionally to Senior Mechanic effective 06/01/2018 at \$63,000.00 annually.

C-5 Jason Criscione Firefighter retired his position effective 07/01/2018.

C-6 Thaddeus Zajac School Traffic Guard Public Safety, passed away 06/28/2018.

C-7 Amisha Jariwala Finance Dept., promoted provisionally pending exam to Keyboarding Clerk 2 effective 07/01/2018 at \$37,000.00 annually.

C-8 Piotr Kamecki Building Dept., hired provisionally pending exam as Plumbing Inspector at \$33.43 per hour, 20 hours per week, effective 07/03

COMMUNICATIONS – MEETING MINUTES

C-9 Minutes of North Jersey District Water Supply Commission of May 23, 2018

C-10 Minutes of Senior Advisory Committee of May 24, 2018

C-11 Minutes of Clifton Senior Advisory Committee of June 28, 2018

C-12 Minutes of Board of Adjustment Meeting of June 27, 2018

C-13 Minutes of Alcoholic Beverage Control Board of June 13, 2018

ORDINANCES – SECOND READING

A. Adoption of Ordinance 7459-18

B. Public Hearing on Ordinance 7459-18

An Ordinance Authorizing Lease of Latteri Park by the City of Clifton

The Mayor opened the floor to the public with regard to the Ordinance 7459-18

Steve Goldberg stated the City is going to lose Latteri Park by renting it. He said the City should purchase the park from the Board of Education so it could be preserved forever.

Councilman Eagler responded that the Board of Education is not selling the park so the only option the City has is to lease it. Councilman Hatala stated the City still controls the zoning laws which would prevent any changes in the use of the property.

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 7460-18

D. Public Hearing on Ordinance 7460-18

An Ordinance to Amend, Revise & Supplement C. 223 of the Code of the City of Clifton, Entitled "Fees" (Increases Fee for Certified Marriage Certificate)

The Mayor opened the floor to the public with regard to the Ordinance 7460-18

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

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

ORDINANCES – FIRST READING

A. Introduction of Ordinance 7461-18

An Ordinance to Amend, Revise & Supplement C. 99 of the Code of the City of Clifton, Entitled "Salaries & Compensation," More Particularly Art II Thereof, Entitled "Nonuniformed Officials & Employees," Sect 99-2, Entitled "Minimum & Maximum Salaries Fixed" (Amends Maximum Salary of Administrative Clerk)

A Motion was made by Councilman Grabowski, seconded by Councilman Eagler and passed on roll call vote to withdraw Ordinance 7461-18

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

B. Introduction of Ordinance 7462-18

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 4 Restricted Handicapped Spaces)

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 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.

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 Wednesday, August 8, 2018 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

C. Introduction of Ordinance 7463-17

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" (Adds 37 Comfort Pl)

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 Gibson, seconded by Councilman Grabowski, 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 Wednesday, August 8, 2018 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

CITY MANAGER PRIVILEGE

City Manager, Dominick Villano, had nothing to report.

FLOOR TO MEMBERS OF THE PUBLIC

Felipe Martinez, 45 Delawanna Ave, asked what was being done to ease truck traffic in the Delawanna neighborhood.

Ellen DeLosh, 547 Clifton Ave., read a letter she received from the Faith and Freedom Coalition.

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Guy Madsen, 91 Nugent Dr., campaigned for his run for City Council in the November election.

Matt West, 122 Rutherford Blvd., spoke regarding the Clifton Police starting salaries and attrition rate.

Steven Goldberg, 124 Charles St. spoke about the Latteri Park lease, police starting salaries, attrition rate, zoning laws and drinking water.

Allesia Eramo, 35 Merrill Rd., expressed the importance of trees and asked why some trees were being removed from Chelsea Park.

David Schwartz, 32 Kenyon St., discussed a day care center proposed to be built between Clifton Avenue and Kenyon Street. He also spoke about speeding on Kenyon St.

Faith Webb, 23 Strangeway Terr., complained about garbage, graffiti and uncovered dumpsters on Clifton Boulevard. She suggested that the lighting in the area be improved. She also spoke about a business that is not zoned for retail selling appliances. Ms. Webb asked everyone to keep social media comments positive.

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

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

City Attorney, Matthew Priore, addressed public speaker, Felipe Martinez, and told him that a meeting was held last week and the City is attempting to get the three companies involved to agree to use Harvey Bernard Drive exclusively. Mr. Priore stated they should be moving towards a solution in the near future.

City Manager, Dominick Villano, addressed the concern from public speaker, Allesia Eramo regarding the removal of trees in Chelsea Park. He stated the roots need to be controlled near the tennis court. Mr. Villano stated all these decisions are made in accordance with the City Arborist.

City Attorney, Matthew Priore, explained recent contract negotiations that took place with the PBA Union.

City Manager, Dominick Villano, explained to public speaker, Mr. Schwartz, that the daycare proposed to be built between Clifton Ave. and Kenyon Street is still in front of the Planning Board. Mayor Anzaldi stated that it still must go before the County Planning Board. Councilman Eagler suggested Mr. Schwartz attend the Planning Board meetings and let them know his concerns. He stated that Council cannot vote on this issue unless there is an appeal.

COUNCIL PRIVILEGE

Councilman Gibson

Councilman Gibson asked City Manager, Dominick Villano, what progress has been made in the efforts to hire more police. Mr. Villano stated that there are currently 11 candidates. Councilman Gibson asked City Attorney, Matthew Priore, what progress has been made in regard to the new contracts. Mr. Priore stated the contracts are with the Unions, pending signature. He also asked City Manager, Dominick Villano, if a list of road closures is posted on the City website. Mr. Villano answered that there is a list. Councilman Gibson talked about safety and security when leaving your home for vacation. He spoke about trash that needs to be cleaned up on Clifton Boulevard, by the train station, and asked if the DPW could have it cleaned. City Manager, Dominick Villano, stated that if it is in the City's purview, he will have the DPW take care of the trash, but if it is the responsibility of another agency, then he will contact that agency to clean up the area. Mr. Villano stated if the City is forced to clean up the area then he will invoice the proper agency and charge them for the clean-up. Councilman Gibson announced the Friday night Botany Village concerts. He asked that police presence be stepped up in the Botany area during the concerts. Councilman Gibson also asked administration if they could contact the County Sheriff's department to seek help with the homeless population. He mentioned an incident which happened recently in the Nash Park dog park where a dog got ill. Councilman Gibson announced the girls softball team won the State championship and are moving on to the regionals. He said they are

holding a fund raiser for the trip. Councilman Gibson urged all residents to make sure their pets are safe in the heat.

Councilman Kolodziej

Councilman Kolodziej discussed police starting salary and the Pittman Schedule. He responded to public speaker, Guy Madsen, and stated that renters do pay taxes through their rent. Councilman Kolodziej explained that the recent Council has stabilized property taxes and the average home in Clifton sells within 60 days. He stated that Clifton was listed in three separate studies to be in the top 100 cities to live in the nation. Councilman Kolodziej said he was in agreement that the City should buy Latteri Park, but the Board of Education is not selling. He suggested Mr. Goldberg attend the Board of Education meetings and speak to them about selling Latteri Park.

Councilman Grabowski

Councilman Grabowski spoke about the starting salary for police officers and the Pittman Schedule. He addressed Mr. Madsen, who spoke at the public session, and informed him that he thought his comments were disrespectful and that he should research his facts prior to speaking to the public.

Councilman Hatala

Councilman Hatala stated that the City would like to buy Latteri Park but the Board of Education is not selling. He announced the girls softball team won the State Championship and will be moving on to the Regionals.

A Motion was made by Councilman Hatala, seconded by Councilman Kolodziej and passed on roll call vote to donate \$100.00 to the Clifton girls' softball team to help with travel to the Regional games.

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

Councilman Hatala discussed positive ratables and low vacancy rates. He mentioned that the City attempts to attract businesses that residents would like to see in Clifton. Councilman Hatala reported that Clifton is one of the most desirable places to live in the US according to various studies. Councilman Hatala thanked the police for their service and stated the starting salary should be raised. He talked about the bond rating and updating the City's infrastructure. Councilman Hatala asked all residents to attend the Botany concerts. He agreed with City Manager, Dominick Villano, that the City should not be responsible for maintaining roads that belong to other agencies.

Councilman Eagler

Councilman Eagler announced the following events: Thursday night concerts at City Green, AARP is sponsoring a smart driver's course, Third Ward Park in Passaic will be hosting a Polka concert. Councilman Eagler discussed temporary no parking signs when streets are being paved. He stated that the time between when the road is milled, until it is paved, the dates on the signs have expired. Councilman Eagler talked about speeding on Mahar Ave. and a tree on Martin Ave. which has wires wrapped all around it. In closing, Councilman Eagler thanked everyone who participated in the City picnic and fireworks.

Councilwoman Murphy

Councilwoman Murphy announced National Night Out will be held on August 7th and that will move the next Council meeting to Wednesday, August 8th. She said there are still openings in the Recreation Department summer camp and that a trip to see the NJ Jackals baseball team will be held on July 19th. Councilwoman Murphy stated the Disabilities Committee met and she asked City Manager, Dominick Villano, if she could obtain a report of how many tickets are issued for improper parking in handicapped parking spaces. She thanked Matt West for his speech regarding police starting salaries and attrition rate. Councilwoman Murphy announced that the Clifton girls' softball team has established a Go Fund Me page to raise funds to attend the regional games.

Mayor Anzaldi

Mayor Anzaldi announced the summer concert series in Main Memorial Park have begun. He asked City Manager, Dominick Villano, to obtain a report of how many accidents have been reported on the corner of Luddington Avenue and Third Street since the blinking stop sign has been installed. Mayor Anzaldi asked the candidates of the upcoming election not to try to gain votes by putting others down, instead gain votes by telling residents what you have done or plan to do for the City. Mayor Anzaldi spoke about the police starting salaries and attrition rate. He asked City Manager, Dominick Villano, to explain the process to hire a police officer. Mr. Villano explained the process. Mayor Anzaldi asked Mr. Villano if the City hired any Special Officers. Mr. Villano stated there are two prospects. In closing, Mayor Anzaldi stated the Table of Organization has increased over the years and he hopes the attrition rate slows down.

RESOLUTIONS VOTED ON SEPARATELY

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

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

Exception Item 308, page 3

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

R321-18 Resolution: Approve Claims List Resolution for the July 17, 2018 City Council Meeting

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

Current Fund	\$	13,075,390.30
Grant Fund	\$	254,842.48
General Capital Fund	\$	1,392,431.68
Sewer Utility - Operating	\$	89,651.12
Sewer Utility - Capital	\$	46,868.50
Developers Escrow	\$	110.00
Dog Trust	\$	1,520.00
Police Extra Duty	\$	
Trust Other	\$	84,491.01
Section 8 Public Housing	\$	237,478.21
Community Development	\$	8,362.41
COAH	\$	
Self Insurance	\$	314,625.58
Fire Dedicated Penalties	\$	
Revolving Loan Fund	\$	
Tax Title Lien Redemption	\$	
Unemployment Trust Fund	\$	
Library	\$	29,518.53
General Liability Trust	\$	47,457.12
Workers Compensation Trust	\$	24,770.58
TOTAL CLAIMS	\$	15,607,517.52

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

Resolution R330-18

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

R330-18 Resolution Authorizing Tax Collector to Lien Properties and Bill Property Owners and Collect for Reimbursement of Expenditures Made by City of Clifton for Emergency Order Clean Ups

**RESOLUTION AUTHORIZING TAX COLLECTOR TO LIEN PROPERTIES AND
BILL PROPERTY OWNERS AND COLLECT FOR REIMBURSEMENT OF
EXPENDITURES MADE BY CITY OF CLIFTON FOR EMERGENCY ORDER
CLEAN-UPS**

WHEREAS, numerous code violations and an emergent health situation existed at the following premises for a long period of time, and despite countless letters, warnings, notices and citations issued to the property owners, the violations and health conditions continued unabated; and

WHEREAS, the City of Clifton took emergency clean-up action on the properties and expended funds from its revolving lien account, inclusive of \$100 Administrative Fee, as follows:

Address	Service Fee	Administrative Fee	Total Lien
38 Harrison Place Blk 4.08, Lot 8	\$ 250.00	\$ 100.00	\$ 350.00
113 West 3rd Street Blk 9.12, Lot 9	\$ 100.00	\$ 100.00	\$ 200.00
173 West 4th Street Blk 9.13, Lot 7	\$ 175.00	\$ 100.00	\$ 275.00
4 Barrington Avenue Blk 11.17, Lot 15	\$ 150.00	\$ 100.00	\$ 250.00
181 Luddington Ave Blk 18.07, Lot 11	\$ 250.00	\$ 100.00	\$ 350.00
659 Clifton Avenue Blk 20.10, Lot 5	\$ 75.00	\$ 100.00	\$ 175.00
189 Highview Drive Blk 53.10, Lot 16	\$ 225.00	\$ 100.00	\$ 325.00
110 Vincent Drive Blk 63.01, Lot 24	\$ 656.34	\$ 100.00	\$ 756.34
130 Sycamore Road Blk 65.05, Lot 61	\$ 275.00	\$ 100.00	\$ 375.00

WHEREAS, it is necessary to place a lien on each property in order to seek reimbursement from each property owner for the funds expended by the City of Clifton; and

WHEREAS, it may be necessary for the City of Clifton to expend funds in the future for the aforesaid properties;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to lien the properties as set forth above, and to take whatever action is necessary to accomplish reimbursement from the property owners for the current expenditures and any expenditures incurred in the future.

RESOLUTIONS

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

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

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R321-18 Resolution: Approve Claims List Resolution for the July 17, 2018 City Council Meeting

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

Current Fund	\$	13,075,390.30
Grant Fund	\$	254,842.48
General Capital Fund	\$	1,392,431.68
Sewer Utility - Operating	\$	89,651.12
Sewer Utility - Capital	\$	46,868.50
Developers Escrow	\$	110.00
Dog Trust	\$	1,520.00
Police Extra Duty	\$	
Trust Other	\$	84,491.01
Section 8 Public Housing	\$	237,478.21
Community Development	\$	8,362.41
COAH	\$	
Self Insurance	\$	314,625.58
Fire Dedicated Penalties	\$	
Revolving Loan Fund	\$	
Tax Title Lien Redemption	\$	
Unemployment Trust Fund	\$	
Library	\$	29,518.53
General Liability Trust	\$	47,457.12
Workers Compensation Trust	\$	24,770.58
TOTAL CLAIMS	\$	15,607,517.52

R322-18 Resolution - Chapter 159 Resolution Amending the 2018 City Budget for Additional Revenue and Appropriation - NJ State Police EMAA Allocation FY2016 - \$9,400.00

CHAPTER 159 RESOLUTION
AMENDING THE 2018 CITY BUDGET FOR
ADDITIONAL REVENUE AND APPROPRIATION

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Clifton has received an award of \$9,400.00 from the New Jersey State Police FY2016 EMAA Allocation Grant Program and wishes to amend the 2018 Municipal Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$9,400.00

Which is now available as a revenue from:
Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the
Division of Local Government Services:
State and Federal Revenues Off-set with
Appropriations:
NJ State Police EMAA Allocation - \$9,400.00

BE IT FURTHER RESOLVED, that the like sum of \$9,400.00
be and the same is hereby appropriated under the caption of:
General Appropriations:
(a) Operations Excluded from CAPS
State and Federal Programs Off-set by
Revenues:
NJ State Police EMAA Allocation - \$9,400.00

BE IT FURTHER RESOLVED, this resolution be forwarded to the Division of Local Government Services for approval.

R323-18 Resolution for the Reclassification of Payments

**RESOLUTION
RECLASSIFICATION OF PAYMENTS**

BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that the Chief Financial Officer is hereby authorized to reclassify the following payments as follows:

<u>CHECK#</u>	<u>DATE</u>	<u>PAYEE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
120557 (partial)	7/3/18	TOMCO CONSTRUCTION, INC.	\$189,334.26	08-215-55-949-301	02-213-40-700-023
120557 (partial)	7/3/18	TOMCO CONSTRUCTION, INC.	\$70,546.10	08-215-55-949-301	02-213-40-700-083

R324-18 Resolution Awarding Contract for Hazel Street Area Sanitary Sewer System Extensions

**RESOLUTION AWARDING CONTRACT FOR
HAZEL STREET AREA SANITARY SEWER SYSTEM EXTENSIONS**

BE IT RESOLVED: that the contract for the HAZEL STREET AREA SANITARY SEWER SYSTEM EXTENSIONS be and the same is hereby awarded to REIVAX CONTRACTING of Newark, New Jersey, the low bidder meeting the specifications at a grand total bid price of \$1,640,648.00, in accordance with bids received on May 23, 2018, and recommended by communication dated July2, 2018 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:

R325-18 Resolution Authorizing Execution of Agreement and Amendment Agreement Between the City of Clifton/DPW and the Commissioner of Transportation of the State of New Jersey Regarding Route 19, Colfax Ave (CR 609) to Marshall Street

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT AND AMENDMENT
AGREEMENT BETWEEN THE CITY OF CLIFTON/DPW AND THE
COMMISSIONER OF TRANSPORTATION OF THE STATE OF NEW JERSEY
REGARDING ROUTE 19, COLFAX AVE (CR 609) TO MARSHALL STREET**

JULY 17, 2018

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, in the County of Passaic and State of New Jersey, that entry into and execution of an Agreement and Amendment Agreement between the City of Clifton/DPW and Commissioner of Transportation of the State of New Jersey, which are incorporated herein by reference, and which are identified as follows, is authorized:

Route 19, Colfax Ave. (CR 609) to Marshall St.
Cities of Clifton & Paterson
Passaic County
UECA-06-Route 19 Colfax Ave 124190
UPC Code: 124190
Contract ID No.: 18-16006

BE IT FURTHER RESOLVED, that James Anzaldi, the Mayor of the City of Clifton, and Nancy Ferrigno, the City Clerk of the City of Clifton, the Delegated Authority in the Agreement and Amendment Agreement, are authorized and directed to execute said contract on behalf of the City of Clifton.

R326-18 Resolution Awarding Professional Construction Management Services Contract to Boswell Engineering for Allwood Sewer Improvements

**RESOLUTION AWARDING PROFESSIONAL CONSTRUCTION MANAGEMENT
SERVICES CONTRACT TO BOSWELL ENGINEERING FOR ALLWOOD SEWER
IMPROVEMENTS**

WHEREAS, the City of Clifton is in need of professional construction management services for the Allwood Sewer Improvements Project; and

WHEREAS, Boswell Engineering was previously awarded a professional engineering design services contract for this project, is familiar with the project, and has proposed to furnish said construction management services for a fee not to exceed \$27,300; and

WHEREAS, the City Engineer recommends the award of a professional services contract as aforesaid to Boswell Engineering of South Hackensack, NJ, at a total fee of not to exceed \$27,300; and

WHEREAS, after reviewing the Engineer's recommendation and the proposals, the Municipal Council wishes to award a professional services contract as aforesaid to Boswell Engineering; 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 and is incorporated into the contract awarded hereby, with the determination of value; and

WHEREAS, the value of the contract has been determined to be not to exceed \$27,300, and the duration of the contract is until completion; and

WHEREAS, there are funds available for the payment of the aforesaid engineering services, and the Chief Financial Officer's certification is attached hereto;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that a professional engineering services contract for construction management services for the Allwood Sewer Improvements is hereby awarded to Boswell Engineering, in the amount not to exceed \$27,300; and

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

BE IT FURTHER RESOLVED, that the 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: Boswell Engineering, So. Hackensack, NJ
Services: Construction Management Services
Cost: Not to exceed \$27,300
Project: Allwood Sewer Improvements
Duration: Until Completion

R327-18 Resolution Awarding Recycling Contract to Atlantic Coast Fibers

**RESOLUTION AWARDING RECYCLING CONTRACT
TO ATLANTIC COAST FIBERS**

WHEREAS, in response to Request for Proposals received on May 15, 2018, only two (2) incomplete bid proposals were received and rejected as non-compliant; and

WHEREAS, upon further investigation, due to massive changes in the recycling market, no local vendor is willing to enter into a long-term contract for the marketing of all of the City’s recyclables, upon terms acceptable to the City, at this time; and

WHEREAS, Atlantic Coast Fibers has agreed to a month-to-month contract with the City through August 2018:

City shall be paid market pricing for each commodity on a monthly basis as follows:

June:	Mixed Paper \$10.00 delivered OCC \$25.00 delivered Aluminum Cans \$600.00 delivered Steel Cans \$15.00 delivered Plastic Bottles \$160.00 delivered
July:	Mixed Paper \$10.00 delivered OCC \$30.00 delivered Aluminum Cans \$600.00 delivered Steel Cans \$15.00 delivered Plastic Bottles \$160.00 delivered
August:	Price list shall be provided to the City no later than August 10, 2018

WHEREAS, the contract 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. 19:44-A-20.5, and, therefore, the Business Entity Disclosure Certification has been received from the contractor and is incorporated into the contract awarded hereby, along with the Determination of Value; and

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WHEREAS, the value of the contract may exceed \$17,500.00, and the duration of the contract is through August 31, 2018;

NOW, THEREFORE, BE IT RESOLVED, that a month-to-month contract for the Marketing of Recyclables with Atlantic Coast Fibers of Passaic, NJ, through August 31, 2018, be and hereby is authorized and approved in accordance with the terms set forth above in a form to be approved by the Law Department; 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.

R328-18 Resolution Authorizing Entertainment License for Jhonny Ospina/Colosa, LLC t/a Noches de Colombia at 1 Village Square East

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR JHONNY OSPINA/COLOSA, LLC T/A NOCHES DE COLOMBIA AT 1 VILLAGE SQUARE EAST

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Jhonny Ospina/Colosa, LLC t/a Noches De Colombia, at 1 Village Square East, Clifton, New Jersey (P.D.-1 Zone), is approved, and entertainment is authorized for the period from July 1, 2018 through June 30, 2019, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week:
Thursday, Friday and Saturday, 8:00 p.m. to 12:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve

3. OPTIONAL ENTERTAINMENT HOURS:

8:00 p.m. to 2:30 a.m.

4. TYPE OF ENTERTAINMENT:

DJ; band, 2-piece amplified; singer/duo

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2018 through June 30, 2019

6. SECURITY/PARKING REQUIREMENTS:

Not applicable

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

9. REQUIREMENTS/RESTRICTIONS:

A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any

party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.

B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.

C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a teen night for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R329-18 Resolution Authorizing Entertainment License for Heart of Athenia Bar & Grill, LLC t/a Heart of Athenia Bar & Grill at 25-27 Grunwald St

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR HEART OF
ATHENIA BAR & GRILL, LLC T/A HEART OF ATHENIA BAR & GRILL**

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Heart of Athenia Bar & Grill, LLC t/a Heart of Athenia Bar & Grill of 25-27 Grunwald Street, Clifton, New Jersey (RB-1 Zone), is approved, and entertainment is authorized for the period from July 1, 2018 through June 30, 2019, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Four (4) nights per week: Wednesday, Thursday, Friday and Saturday
Hours: 9:00 p.m. to 12:30 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year's Eve
Hours: 8:00 p.m. to 1:00 a.m.

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

DJ Music or Karaoke - Wednesday
DJ Music, Karaoke or Four (4) Piece Band - Thursday, Friday and Saturday

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2018 through June 30, 2019

5. SECURITY/PARKING REQUIREMENTS:

In-house security and private security company.

6. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

7. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

8. REQUIREMENTS/RESTRICTIONS:

A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any

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party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.

B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.

C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a teen night for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R331-18 Resolution Authorizing Execution of Cancellation of Mortgage Between City of Clifton and Giuseppe Mosca (Clifton Home Improvement Program)

**RESOLUTION AUTHORIZING EXECUTION OF CANCELLATION OF MORTGAGE
BETWEEN CITY OF CLIFTON AND GIUSEPPE MOSCA (CLIFTON HOME
IMPROVEMENT PROGRAM)**

WHEREAS, on December 23, 2011, in conjunction with a CHIP grant to Giuseppe Mosca, a mortgage in the amount of \$10,000.00 was given by the City of Clifton for property situated at 251 Union Avenue, Clifton, New Jersey (Block 18.17, Lot 4); and

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

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

R332-18 Resolution of Congratulations Upon Retirement - Municipal Recycling Coordinator Alfred J. DuBois

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT - MUNICIPAL
RECYCLING COORDINATOR ALFRED J. DU BOIS**

WHEREAS, on July 1, 2018, Alfred J. DuBois officially retired from his position as Municipal Recycling Coordinator for the City of Clifton; and

WHEREAS, he was appointed as the Coordinator of the Recycling Program in the Department of Public Works on April 22, 1988, and during his many years of employment with the City he was largely responsible for creating Clifton's recycling program and can be credited with bringing many innovative recycling initiatives to the City; and

WHEREAS, his efforts over the years have resulted in many honors and awards being bestowed upon the City for its recycling activities; and

WHEREAS, his retirement culminates a thirty-year career in service to the public, during all of which time he has served the City of Clifton and its citizens well, with professionalism and dedication to duty; and

WHEREAS, this Governing Body wishes to publicly acknowledge the retirement of Municipal Recycling Coordinator Alfred J. DuBois;

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, do hereby congratulate

Municipal Recycling Coordinator
ALFRED J. DU BOIS

upon his retirement, do express sincere thanks and appreciation to him for a job well done, and do extend to him best wishes for good health, peace and happiness in all the years ahead; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to Alfred J. DuBois.

R333-18 Resolution Authorizing Extension of Junk Yard License Renewal for Parkway Iron & Metal Co.

RESOLUTION AUTHORIZING EXTENSION OF JUNK YARD LICENSE RENEWAL FOR PARKWAY IRON & METAL CO.

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey, are in receipt of Junk Yard License Renewal from Parkway Iron & Metal Co., located at 639 Route 46 East in Clifton, New Jersey; and

WHEREAS, in order to approve the renewal of the license, the City requires additional time for all review and/or inspections to be completed by the Zoning, Fire, Health and Police Departments, following the applicant’s obtaining its necessary approvals from the Clifton Zoning Board of Adjustment;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey, that approval for the renewal of a Junk Yard License to Parkway Iron & Metal Co., at 639 Route 46 East in Clifton, New Jersey 07013, will be held, but the 2015 license will be extended until September 16, 2018, to provide Parkway Iron & Metal Co. time to fulfill the conditions of its land use approval and license renewal.

R334-18 Executive Session

RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

- CON-1 6W BP Opportunity LLC v. The Municipal Council of the City of Clifton and the City of Clifton - Docket #PAS-L-2519
- CON-2 Liability Claims Against City of Clifton 2017-2018
- CON-3 Official Towers Ordinance - Legal Opinion Regarding Recent Appellate Division Holding
- CON-4 Contract for Marketing of Recyclables - Atlantic Coast Fibers
- CON-5 IBEW Contract Negotiations
- CON-6 Update on Richfield Farms (No documents attached)
- CON-7 Parkway Iron Junkyard Renewal Application - Potential Litigation
- CON-8 Memo from Redevelopment Counsel - Quest PILOT Agreement
- CON-9 IBEW Local 1158 and CWA Local 1032
- CON-10 Administrative Clerk Salary - Personnel

THEREFORE, BE IT RESOLVED that the public shall be excused and excluded from that portion of the Council’s meeting to be held on July 17, 2018 at which time, said subject(s) shall be discussed; and

BE IT FURTHER RESOLVED, that the discussion held at such closed session can be disclosed to the public on or about the time the matter is concluded.

LICENSES

L-1 The Love of Grub, LLC

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RESOLUTION FOR PRELIMINARY APPROVAL

For: The Love of Grub, LLC

T/A: Love of Grub, The

ADDRESS: 606 Van Houten Ave, Clifton, NJ 07013

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use

FORMERLY OR NEW: Paraiso Bello

ZONE:

PERMITTED: Yes

VARIANCE REQUIRED: No

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

ADJOURNMENT

Upon motion made by Councilman Hatala, seconded by Councilman Kolodziej and unanimously passed on roll call vote, the meeting was adjourned at 9:50 pm.

Respectfully Submitted,

Nancy Ferrigno
City Clerk

James Anzaldi, Mayor