CITY OF CLIFTON
CLIFTON, NEW JERSEY

REGULAR MEETING MINUTES OF AUGUST 8, 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)	Arrived 8:03 pm
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 Daisy Kirchofer – Crossroads Free Methodist Church

PLEDGE TO THE FLAG

Mayor Anzaldi announced that Council will pass an Ordinance banning the sale and cultivation of recreational marijuana in Clifton which will be introduced at the next Council meeting.

APPROVAL OF MINUTES

Upon a Motion made by Councilman Hatala, seconded by Councilman Grabowski, and passed on roll call vote, the Minutes of the Regular Session of July 3, 2018, the Workshop, Regular and Executive Session of July 17, 2018 were approved.

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

Councilman Eagler arrived 8:03pm

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Matthew Geyer Police Officer resigns his position effective 07/17/2018.
C-2 Joanna Welsh Police Civilian, promoted provisionally to Supervisor Criminal Information Records at $57,000. annually, effective 07/15/18.

C-3 Shefali Shah hired as Keyboarding Clerk 1 in the Police Civilian Dept. at $32,000.00 annually effective 08/01/2018.
C-4 Maria Giordano Keyboarding Clerk 1 Police Civilian resigned her position effective 08/01/2018.

COMMUNICATIONS – MEETING MINUTES

C- 5 Minutes of Clifton Advisory Committee for Individuals with Disabilities of June 18, 2018
C- 6 Minutes of Passaic Valley Water Commission of June 20, 2018
C- 7 Minutes of Clifton Traffic Safety Council of June 21, 2018
C- 8 Minutes of North Jersey District Water Supply Commission of June 27, 2018
C- 9 Minutes of Clifton Planning Board of June 28, 2018
C- 10 Minutes of Clifton Cable Advisory Committee of June 27, 2018

ORDINANCES – SECOND READING

A. Adoption of Ordinance 7462-18

B. Public Hearing on Ordinance 7462-18

The Mayor opened the floor to the public with regard to the 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 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.

C. Adoption of Ordinance 7463-18

D. Public Hearing on Ordinance 7463-18

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 Mayor opened the floor to the public with regard to the Ordinance 7463-18

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 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.

ORDINANCES – FIRST READING

A. Introduction of Ordinance 7464-18

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)

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

(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 21, 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.

B. Introduction of Ordinance 7465-18

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 4 Designated Handicapped Parking 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 Grabowksi, 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.

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 21, 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 7466-17

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 Residence" (Adds 12 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 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 21, 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.

D. Introduction of Ordinance 7467-18

A Capital Ordinance Approving $315,000 from the Capital Fund Balance for Public Improvements In and By the City of Clifton, in the County of Passaic, State of New Jersey

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Hatala, seconded by Councilwoman Murphy, 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 21, 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.

E. Introduction of Ordinance 7468-18

Ordinance of the City of Clifton, County of Passaic, New Jersey, Approving the Application for a Long-Term Tax Exemption and Authorizing the City of Clifton to Enter Into a Financial Agreement with Isabella Street Urban Renewal, LLC and Granting a Tax Exemption

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Hatala, seconded by Councilman 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.

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 21, 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.

F. Introduction of Ordinance 7469-17

A Capital Ordinance Appropriating $300,000 from the Sewer Utility Capital Fund Balance for Public Improvements in and by the City of Clifton, in the County of Passaic, State of New Jersey

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

(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 21, 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

Ray Lill, 59 Stevens Road, thanked the Council for their vote to introduce an Ordinance to ban the sale and cultivation of recreational marijuana in Clifton.

Tom Whittles, 20 Kulick St., thanked the Council for vote to introduce and Ordinance to ban the sale and cultivation of recreational marijuana in Clifton.

Ellen DeLosh, 547 Clifton Ave., spoke about a recent scam/theft that took place at her home. She read an excerpt from the book by Judge Janine titled "Liars, Leakers and Liberals".

Ted L'Estrange, Otisville, NY addressed the Council in regard to organ harvesting currently taking place in China. He presented the Council with literature regarding this matter and asked that a Resolution be passed condemning the activity.

Joe Sidor, 181 Highview Drive, stated he was happy to see the remains of war veterans returned to the US from North Korea. He spoke about war statistics. Mr. Sidor congratulated all the graduates of the Junior Police Academy. He said that Clifton was a great city.

Gerard Scorziello, 131 Pershing Road, announced the Clifton Republican Committee will be hosting a candidate's forum for the Board of Education and the City Council candidates.

Guy Madsen, 91 Nugent Drive, campaigned for a seat on the City Council. He also spoke about sewer back-ups and sewer fees.

RJ Mills, Paterson, NJ spoke about newspaper articles from 1996 and 1997.

Ray Robertello, 64 Woodlawn Ave., spoke about the condition of the buildings on City Hall Grounds and the National Trust for Historic Places list.

Steve Goldberg, 124 Charles St., thanked the Council for passing a resolution banning the use and cultivation of recreational marijuana in Clifton. He campaigned for a seat on the City Council. Mr. Goldberg spoke about money spent on elections, overdevelopment of the City, police salaries and police attrition rates.

George Silva, 12 Nino Court, announced the Botany and Main Memorial concerts.

Michael Gimon, 129 Rutherford Blvd., stated everyone should be kind to each other. He asked why people complain about the way certain things are done but never volunteer to help. He closed with "God Bless Clifton".

A Motion was made by Councilman Eagler, seconded by Councilwoman Murphy 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.

COUNCIL PRIVILEGE

Councilman Eagler

Councilman Eagler urged all residents to check on the elderly due to the recent heatwave. He asked administration to contact the Board of Education to set up a joint meeting between the Council and the Board of Education. Councilman Eagler announced that a shred day will be held at Valley National Bank on August 11, 2018. He asked that the Legal Department provide election guidelines so each candidate will know what he/she can post, campaign, etc., legally. Councilman Eagler stated City Green had advised him that a grant is available for tree saplings. City Manager, Dominick Villano, said he just received the grant information and will report his findings at the next council meeting. He thanked City Manager, Dominick Villano, for keeping up on the various road projects throughout the City. In closing, Councilman Eagler thanked all the residents who keep their lawns maintained.

Councilman Gibson

Councilman Gibson announced the Council voted to introduce an Ordinance to ban the sale and cultivation of recreational marijuana in Clifton. He told Mrs. DeLosh that he was very sorry to hear about the theft at her home recently. Councilman Gibson talked about recycling and the need for three more crossing guards.

Councilman Grabowski

Councilman Grabowski announced the Council voted to introduce and Ordinance to ban the sale and cultivation of marijuana in Clifton. He stated that the walkway renovation taking place on the City Hall grounds are worth the money spent due to the dangerous, slippery conditions the current pavers pose. Councilman Grabowski explained the use of Capital Funds and stated that they must be used for Capital Improvements and the money cannot be transferred for use in other areas.

Councilman Hatala

Councilman Hatala congratulated the police department on the capture of 3 individuals believed to be involved in a recent homicide. He thanked everyone for their support in the banning of marijuana for recreational sales and cultivation in Clifton. Councilman Hatala thanked City Manager, Dominick Villano, for keeping up with the many road projects taking place in the City. Councilman Hatala stated the City has more open space and one of the best bond ratings. He stated that taxes have been lowered and many services have been expanded. He urged any candidates who are running for a Council seat, to bring their ideas forward and explain how they will be implemented.

Councilman Kolodziej

Councilman Kolodziej announced the Bond Advisory Committee met and projects were reduced due to a shortfall. He spoke about the upcoming election and about candidates and citizens who personally bash others for their own gain. Councilman Kolodziej spoke about democracy. He thanked the Republican Club for offering to hold a Candidate's forum. In closing Councilman Kolodziej congratulated Angelina Tirado on her promotion to Lieutenant, Clifton Fire Department.

Councilwoman Murphy

Councilwoman Murphy thanked the Council for their support to ban the sale and cultivation of recreational marijuana in Clifton. She spoke about summonses issued for illegally parking in handicapped parking spaces. Councilwoman Murphy expressed her condolences to the Polanco family for the passing of Zaida Polanco. She spoke about the Red Hat Angels fundraiser and Recreation Department activities. Councilwoman Murphy announced that the last day to register to vote is October 16, 2018.

Mayor Anzaldi

Mayor Anzaldi spoke about the history of City Hall Grounds. He mentioned his faith in the people of Clifton and in God. Mayor Anzaldi talked about the election process.

A Motion was made by Councilman Kolodziej, seconded by Councilman Eagler and passed on roll call vote to add and approve Action Item A23 to the August 8, 2018 agenda.

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

RESOLUTIONS VOTED ON SEPARATELY

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

Resolution R360-18

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

R360-18 Resolution Appointing Thomas J. Garretson as a Member of the Alcoholic Beverage Control Board

RESOLUTION FOR APPOINTMENT TO THE ALCOHOLIC BEVERAGE CONTROL BOARD

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of letter of resignation from David D'Arco from the Alcoholic Beverage Control Board; and

WHEREAS, the Mayor and Council are also in receipt of an application from Thomas J. Garretson to become a Member of the Alcoholic Beverage Control Board; and

WHEREAS, two applications were received and voted on at the July 17, 2018 Council Meeting; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Thomas J. Garretson is hereby appointed as a Member of the Alcoholic Beverage Control board, to fill the unexpired term of David D'Arco commencing this day through March 25, 2020.

RESOLUTIONS

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

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

R338-18 Resolution: Approve Claims List Resolution for the August 8, 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	$	17,410,604.92
Grant Fund	$	232,250.55
General Capital Fund	$	360,944.44
Sewer Utility - Operating	$	2,250,565.39
Sewer Utility - Capital	$	544,638.13
Developers Escrow	$	5,123.58
Dog Trust	$	8,237.59
Police Extra Duty	$	143,353.50
Trust Other	$	130,028.47
Section 8 Public Housing	$	13,121.00
Community Development	$	19,242.01
COAH	$	
Self Insurance	$	2,108,288.96
Fire Dedicated Penalties	$	
Revolving Loan Fund	$	
Tax Title Lien Redemption	$	
Unemployment Trust Fund	$	
Library	$	191,579.24
General Liability Trust	$	24,395.42
Workers Compensation Trust	$	31,493.95
TOTAL CLAIMS	**$**	**23,473,867.15**

R339-18 Resolution and Certification of 2017 Audit

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the Group Affidavit Form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the Annual Audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Clifton hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required Affidavit to said Board to show evidence of said compliance.

R340-18 Resolution: Corrective Action Plan for the Annual Audit Ending December 31, 2017

CORRECTIVE ACTION PLAN FOR THE ANNUAL AUDIT ENDING DECEMBER 31, 2017

WHEREAS, the annual Audit Report for the year ending December 31, 2017 was delivered to the City Clerk's Office on July 11, 2018; and,

WHEREAS, the annual Audit Report for the year ending December 31, 2017 was received by the Governing Body of the City of Clifton on July 17, 2018; and,

WHEREAS, the Division of Local Government Services requires a Corrective Action Plan to be prepared and submitted within sixty (60) days from the date the annual Audit is received by the Governing Body; and,

WHEREAS, the Corrective Action Plan covers all findings and recommendations in the Audit Report, including State, Federal, and General Findings; and,

WHEREAS, the Corrective Action Plan should be prepared by the Chief Financial Officer, with the assistance from other Municipal Officials affected by the Audit Recommendations, and approved by the Governing Body,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby approves the Corrective Action Plan prepared and submitted by the Chief Financial Officer in response to the findings and recommendations included as part of the Audit Report for the fiscal year ended December 31, 2017.

R341-18 Resolution for the Reclassification of Funds

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:

CHECK#	DATE	PAYEE	AMOUNT	FROM	TO
120347 (partial)	6/20/18	ROSANDO FENCE CO.	$1,290.81	04-215-55-954-703	02-213-40-700-023

R342-18 Resolution Authorizing the Issuance of Change Order No. 1 and Final - Weasel Brook Section 8 Culvert Rehabilitation

RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 1 AND FINAL
WEASEL BROOK SECTION 8 CULVERT REHABILITATION

WHEREAS, on November 21, 2017, the City of Clifton adopted Resolution R548-17 awarding a contract to PIM CORPORATION of PISCATAWAY, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for WEASEL BROOK SECTION 8 CULVERT REHABILITATION in the amount of $303,875.00; and

WHEREAS, regulations, adopted by the Local Finance Board of the State of New Jersey, and dealing with “Contract Change Order” open-end contracts, etc., became effective on April 15, 1977; and

WHEREAS, the City Engineer has requested that a Change Order be made to the contract awarded to PIM CORPORATION, in the amount of $14,150.00 a 4.66% Increase as authorized by Resolution said being necessary for the proper completion of the project job; and

WHEREAS, the City of Clifton desires to comply with said regulations, and to the end herewith files with the Governing Body a report of the Engineering Department stating the facts involved and indicating that the proposed contract Change Order is necessary and should be approved and allowed; and

WHEREAS, the Chief Financial Officer has certified the availability of sufficient funds for the amendatory change for which authorization is requested in the amount of $14,150.00 a 4.66% INCREASE;

WHEREAS, the total contract amount is now $318,025.00

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Clifton that the said amendatory Change Order be and the same is hereby ratified and payment therefore is hereby approved.

R343-18 Resolution Authorizing Final Payment - Weasel Brook Section 8 Culvert Rehabilitation - PIM Corporation

RESOLUTION AUTHORIZING FINAL PAYMENT
WEASEL BROOK SECTION 8 CULVERT REHABILITATION
PIM CORPORATION

WHEREAS, PIM CORPORATION of Piscataway, New Jersey, did complete WEASEL BROOK SECTION 8 CULVERT REHABILITATION project in and for the City of Clifton for the total amount
of . . . . $ 318,025.00

And previous payments on account of said total have been paid
in the amount of. . . . . $ 200,949.00

Leaving this FINAL PAYMENT
of . . . . $ 117,076.00

WHEREAS, said work was authorized by contract duly awarded at a regular meeting of the Governing Body of the City of Clifton; and

WHEREAS, the Contractor has posted a Maintenance Bond, for a period of two years, in the amount of $31,802.50; and

WHEREAS, the City Engineer has inspected the work done and has determined that said work has been properly done and completed, to the best of his knowledge, in accordance with the terms and provisions of the contract as amended, if amended, and hereby recommends that the said work be accepted;

NOW, THEREFORE, BE IT RESOLVED, that the City of Clifton does hereby formally accept the work as shown as completed in this resolution and contract.

NOW BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is authorized and directed to include the said claim totaling $117,076.00 on the claim list.

R344-18 Resolution Authorizing and Ratifying Sanitary Sewer Emergency Services at Highland Avenue

RESOLUTION AUTHORIZING AND RATIFYING SANITARY SEWER
EMERGENCY SERVICES AT HIGHLAND AVENUE

WHEREAS, a report, dated July 16, 2018 was submitted to the City Manager by City Engineer Michael J. Lardner, which indicated the need for emergency work to the sanitary sewer at Highland Avenue; and

WHEREAS, the report notes that the sewer crew were unable to clear a blockage in the siphon under the Highland Avenue bridge, and required heavy cleaning; 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 with bypass pumping and heavy cleaning; and

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the emergency sanitary sewer work performed at Highland Avenue by Montana Construction, Inc. is hereby approved and ratified, and an amount not to exceed $38,695.44 is authorized to be allocated to this project.

R345-18 Resolution Authorizing the Issuance of Change Order No. 1 - Clifton Arts Center Building and HVAC Upgrades - GMT Contracting Corp.

RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 1
CLIFTON ART CENTER BUILDING AND HVAC UPGRADES
GMT CONTRACTING CORP.

WHEREAS, on November 8, 2017**,** the City of Clifton adopted Resolution R-514-17 awarding a contract to **GMT CONTRACTING CORP.** of NORTH BERGEN, NEW JERSEY, for the performance of certain public work and the furnishing of material, labor and equipment for the **CLIFTON ART CENTER BUILDING AND HVAC UPGRADES** in the amount of $746,500.00; and

WHEREAS, regulations, adopted by the Local Finance Board of the State of New Jersey, and dealing with “Contract Change Order” open-end contracts, etc., became effective on April 15, 1977; and

WHEREAS, the City Engineer has requested that a Change Order be made to the contract awarded to **GMT CONTRACTING CORP.** in the amount of $23,766.27 a 3.18% INCREASE, as authorized by Resolution said being necessary for the proper completion of the project job; and

WHEREAS, the City of Clifton desires to comply with said regulations, and to the end herewith files with the Governing Body a report of the Engineering Department stating the facts involved and indicating that the proposed contract Change Order is necessary and should be approved and allowed; and

WHEREAS, the Chief Financial Officer has certified the availability of sufficient funds for the amendatory change for which authorization is requested in the amount of $23,766.27 a 3.18% INCREASE; and

WHEREAS, the total contract amount is now **$770,266.27:**

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Clifton that the said amendatory Change Order be and the same is hereby ratified and payment therefore is hereby approved.

R346-18 Resolution Releasing Guarantees for Site Improvements: Jeongchul Yoo Laundromat, 496-500 Lexington Avenue, Block 7.14, Lot 1

RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
JEONGCHUL YOO LAUNDROMAT, 496-500 LEXINGTON AVENUE
BLOCK 7.14, LOT 1

WHEREAS, JEONGCHUL YOO (the Developer) originally posted with the City of Clifton a Performance Bond in the amount of $86,130.00; and a Cash Guarantee in the amount of $14,355.00 for site improvements at their facility located at 496-500 Lexington Avenue, designated as Block 7.14, Lot 1; and

WHEREAS, the City of Clifton Engineering Department has inspected the site improvements and finds that the Developer has satisfactorily completed all the work in accordance with the approved plan, and is acceptable; and

WHEREAS, prior to the return of the Performance Guarantees, the Developer agrees to submit to the City of Clifton a Maintenance Bond in the amount of $14,355.00 for a period of two years; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements for the Jeongchul Yoo Laundromat, 496-500 Lexington Avenue, New Jersey, Block 7.14, Lot 1 are accepted, the City Engineer is hereby directed to return the Performance Bond and all escrow funds to Jeongchul Yoo upon receipt of the aforementioned Maintenance Bond.

R347-18 Resolution Authorizing the Issuance of Change Order No. 4 - Firing Range HVAC Upgrade Design Build - Trane U.S., Inc.

RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 4
FIRING RANGE HVAC UPGRADE DESIGN BUILD
TRANE U.S., INC.

WHEREAS, on February 23, 2017, the City of Clifton adopted Resolution R-123-17 awarding a contract to TRANE U.S., INC. of PINE BROOK, NEW JERSEY, for the performance of certain public work and the furnishing of material, labor and equipment for the FIRING RANGE HVAC UPGRADE DESIGN BUILD in the amount of $818,584.00; and

WHEREAS, regulations, adopted by the Local Finance Board of the State of New Jersey, and dealing with “Contract Change Order” open-end contracts, etc., became effective on April 15, 1977; and

WHEREAS, the City Engineer has requested that a Change Order be made to the contract awarded to TRANE U.S., INC. in the amount of $4,702.40 a 11.72% CUMULATIVE INCREASE, as authorized by Resolution said being necessary for the proper completion of the project job; and

WHEREAS, the City of Clifton desires to comply with said regulations, and to the end herewith files with the Governing Body a report of the Engineering Department stating the facts involved and indicating that the proposed contract Change Order is necessary and should be approved and allowed; and

WHEREAS, the Chief Financial Officer has certified the availability of sufficient funds for the amendatory change for which authorization is requested in the amount of $4,702.40 a 11.72% CUMULATIVE INCREASE; and

WHEREAS, the total contract amount is now $914,519.40:

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Council of the City of Clifton that the said amendatory Change Order be and the same is hereby ratified and payment therefore is hereby approved.

R348-18 Resolution Authorizing Increase of Funds on an Existing Purchase Order for Custom Bandag

RESOLUTION AUTHORIZING INCREASE OF FUNDS ON AN EXISTING
PURCHASE ORDER FOR CUSTOM BANDAG

WHEREAS, on July 17, 2018 the Mayor and Council approved Item Number A-11 titled “Request from DPW – Authorization for Increase of Funds for Custom Bandag PO #27395”; and

WHEREAS, to date the Fleet Maintenance Division has spent $37,500 on the purchase of auto parts from Custom Bandag off of New Jersey State Contract(s) 82527 & 82528; and

WHEREAS, currently the Acting Director of Public Works requests the Mayor and Council’s authorization to increase funds in the amount of $15,000 (which brings the total purchase order amount to $52,500) on Custom Bandag purchase order number 27395;

WHEREAS, this increase is necessary for the continued maintenance and repairs of the City’s entire fleet of 384 vehicles; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorizes the additional funds in the amount of $15,000 to be expended for said purchases, which brings the total amount of the purchase order to $52,500.

R349-18 Resolution Awarding Contract for Swift 911 Mass Notification System Services Off of New Jersey State Contract Pursuant to NJSA 40A:11-12a

RESOLUTION AWARDING CONTRACT FOR SWIFT 911 MASS NOTIFICATION SYSTEM SERVICES OFF OF NEW JERSEY STATE CONTRACT PURSUANT TO N.J.S.A. 40A:11-12a

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

WHEREAS, pursuant to the guidelines of New Jersey State Contract Number 89851, quotes were solicited from the five vendors listed on the contract; and

WHEREAS, SHI was the only vendor to respond to the City’s request; and

WHEREAS, SHI was awarded New Jersey State Contract number 89851 for Software License, Maintenance, Support and Related Services Contract; and

WHEREAS, the MIS Department recommends the award of contract to SHI, 290 Davidson Avenue, Somerset, NJ 08873 pursuant to New Jersey State Contract number 89851 in an amount not to exceed $17,995; 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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned award of contract to SHI, 290 Davidson Avenue, Somerset, NJ 08873 off the New Jersey State Contract number 89851 in an amount not to exceed $17,995.00; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed to execute such 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.

R350-18 Resolution of Notice of Intent to Award Contract to Musco Sports Lighting Through Sourcewell National Cooperative Agreement for the Purchase of Indoor-Outdoor Athletic Surfacing with Related Equipment, Products, Supplies, Installation & Service

RESOLUTION OF NOTICE OF INTENT TO AWARD CONTRACT TO MUSCO SPORTS LIGHTING THROUGH SOURCEWELL NATIONAL COOPERATIVE AGREEMENT FOR THE PURCHASE OF INDOOR-OUTDOOR ATHLETIC SURFACING WITH RELATED EQUIPMENT, PRODUCTS, SUPPLIES, INSTALLATION & SERVICE

WHEREAS, the City of Clifton is allowed to participate in inter local purchasing systems per N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 which was enacted into law permitting agencies to utilize cooperative purchasing agreements with other states: and

WHEREAS, the City of Clifton is a member of Sourcewell National Cooperative; and

WHEREAS, the City of Clifton intends to participate in Sourcewell's National Cooperative for the purchase of Indoor-outdoor athletic surfacing with related equipment, products, supplies, installation & service; and

WHEREAS, information regarding the contract may be found on Sourcewell's website at https://www.sourcewell-mn.gov/; and

WHEREAS, the current contract term for Indoor-outdoor athletic surfacing with related equipment, products, supplies, installation & service expires on 9/16/2019; and

WHEREAS, it is the intent of the City of Clifton to award a contract to Musco Sports Lighting pursuant to the proposal submitted in response to Sourcewell's Notice to Bidders Titled "Indoor-outdoor athletic surfacing with related equipment, products, supplies, installation & service" and Contract Award No. 082114-MSL; and

NOW, THERFORE BE IT RESOLVED, that the City of Clifton authorizes the Purchasing Agent to advertise the Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement.

R351-18 Resolution Authorizing Execution of Cancellation of Mortgages Between City of Clifton and Wagdy and Laila Nessim; and Pamela Green (Clifton Home Improvement Program)

RESOLUTION AUTHORIZING EXECUTION OF CANCELLATION OF MORTGAGES BETWEEN CITY OF CLIFTON AND WAGDY and LAILA NESSIM; and PAMELA GREEN (CLIFTON HOME IMPROVEMENT PROGRAM)

WHEREAS, on March 23, 2012, in conjunction with a CHIP grant to Wagdy and Laila Nessim, a mortgage in the amount of $6,960.00 was given by the City of Clifton for property situated at 116 Colfax Avenue, Clifton, New Jersey (Block 30.09, Lot 8); and

WHEREAS, on February 29, 2012, in conjunction with a CHIP grant to Pamela Green, a mortgage in the amount of $10,000.00 was given by the City of Clifton for property situated at 13 Marconi Street, Clifton, New Jersey (Block 43.02, Lot 33); 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 for each aforesaid mortgage in a form satisfactory to the Law Department.

R352-18 Resolution Awarding Professional Construction Management Services Contract to Boswell Engineering for Hazel Street Area Sanitary Sewer System Extensions Project

RESOLUTION AWARDING PROFESSIONAL CONSTRUCTION MANAGEMENT SERVICES CONTRACT TO BOSWELL ENGINEERING FOR HAZEL STREET AREA SANITARY SEWER SYSTEM EXTENSIONS PROJECT

WHEREAS, the City of Clifton is in need of professional construction management services for the Hazel Street Area Sanitary Sewer System Extensions Project; and

WHEREAS, Boswell Engineering of So. Hackensack, NJ, 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 $145,000; and

WHEREAS, the City Engineer recommends the award of a professional services contract as aforesaid to Boswell Engineering, at a total fee of not to exceed $145,000; 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 $145,000, the duration of which 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 Hazel Street Area Sanitary Sewer System Extensions project is hereby awarded to Boswell Engineering, in the amount not to exceed $145,000; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute the contract; 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; 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 $145,000
Project:	Hazel Street Area Sanitary Sewer System Extensions
Term:	Until Completion

R353-18 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for Special Counsel Services in Connection with RLUIPA Claim of Congregation Shomrei Torah of Passaic/Clifton, Inc.

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN, LLP, FOR SPECIAL COUNSEL SERVICES IN CONNECTION WITH RLUIPA CLAIM OF CONGREGATION SHOMREI TORAH OF PASSAIC/CLIFTON, INC.

WHEREAS, the City of Clifton requires the services of special counsel to perform certain legal services for the City of Clifton in connection with a RLUIPA claim asserted by Congregation Shomrei Torah of Passaic/Clifton, Inc.; and

WHEREAS, the Municipal Attorney recommends the appointment of DeCotiis, FitzPatrick, Cole & Giblin, LLP of Teaneck, NJ, to provide said services for the City of Clifton, effective April 1, 2018 through April 1, 2019, at the rate of $175.00 per hour; however, not to exceed $10,000.00 for the term of the contract; and

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

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

WHEREAS, 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 and is incorporated into the contract awarded hereby, along with the Determination of Value; and

WHEREAS. the value of the contract has been determined to be not to exceed $10,000 for the one-year term without the consent of the Municipal Council; and

WHEREAS, there are funds available for the payment of the aforesaid services, and the Chief Financial Officer's Certification of Funds is incorporated herein;

NOW, THEREFORE, BE IT RESOLVED, that:

1. A contract for professional special counsel services in connection with a RLUIPA claim asserted by Congregation Shomrei Torah of Passaic/Clifton, Inc., in the form as approved by the Clifton Law Department, is awarded to DeCotiis, FitzPatrick, Cole & Giblin, LLP, effective April 1, 2018 through April 1, 2019, the rate to be paid for said services is $175.00 per hour, not to exceed $10,000.00 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

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

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

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

R354-18 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP, for Environmental Counsel Services for Period 8/6/18 - 8/5/19

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZPATRICK, COLE & GIBLIN, LLP, FOR ENVIRONMENTAL COUNSEL SERVICES FOR PERIOD 8/6/18 - 8/5/19

WHEREAS, the City of Clifton requires the services of environmental counsel to perform certain legal services for the City of Clifton in connection with the Hoffman-La Roche Site; and

WHEREAS, De Cotiis, Fitzpatrick, Cole & Giblin, LLP of Teaneck, NJ, have been providing legal services for the City of Clifton in connection with the redevelopment of the site in a satisfactory manner, and the Municipal Attorney recommends their appointment as environment counsel to provide said services, effective August 6, 2018 through August 5, 2019, at the rate of $175.00 per hour, however, not to exceed $120,000.00 for the term of the contract; and

WHEREAS, any fee in excess of $120,000.00 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; and

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

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

WHEREAS, the estimated value of the contract is expected to be in excess of $17,500.00, and the duration of the contract is from August 6, 2018 through August 5, 2019; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that:

1. A contract for professional environmental counsel services, in the form as approved by the Clifton Law Department, is awarded to De Cotiis, Fitzpatrick, Cole & Giblin, LLP, effective August 6, 2018 through August 5, 2019, the rate to be paid for said services is $175.00 per hour, not to exceed $120,000.00 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

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

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

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

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

R355-18 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
94 Lake Avenue Blk 4.16, Lot 54	$ 300.00	$ 100.00	$ 400.00
21 Inwood Street Blk 15.12 Lot 42	$ 225.00	$ 100.00	$ 325.00
82 Circle Avenue Blk 15.14 Lot 33	$ 225.00	$ 100.00	$ 325.00
116 Harrington Avenue Blk 55.09, Lot 44	$ 300.00	$ 100.00	$ 400.00
110 Vincent Drive Blk 63.01, Lot 24.01	$1000.00	$ 100.00	$1100.00

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.

R356-18 Resolution Amending Resolution No. 191-18, Adopted on May 1, 2018, Entitled "Resolution Awarding Contract for Vehicle Storage Facility at the Department of Public Works Complex"

RESOLUTION AMENDING RESOLUTION NO. 191-18, ADOPTED ON MAY 1, 2018, ENTITLED ARESOLUTION AWARDING CONTRACT FOR VEHICLE STORAGE FACILITY AT THE DEPARTMENT OF PUBLIC WORKS COMPLEX

WHEREAS, the Municipal Council previously adopted Resolution No. 191-18 on May 1, 2018, awarding the Base Bid to Tomco Construction in the amount of $1,998,592.25; and

WHEREAS, the City Engineer's communication dated March 27, 2018 therein referred to recommended the award of both the Base Bid and Alternate No. 1, and the aforesaid resolution inadvertently did not include Alternate No. 1; and

WHEREAS, the low bidder, Tomco Construction, is the low complying bidder both with and without Alternate No. 1, as reflected in the bid tabulation:

. Contractor	Base Bid Items 1 - 14	Base Bid Plus Alternate No. 1
Tomco Construction	$1,998,592.25	$2,042,592.25
Cypreco Industries	$2,089,000.00	$2,114,000.00
Alexander The Great	$2,302,460.00	$2,309,460.00
Unimak, LLC	$2,375,450.00	$2,407,950.00
*APS Contracting (missing page 5)	$2,313,375.00	$2,318,375.00
GMT Contracting Corp.	$2,595,750.50	$2,620,750.00
ML Inc.	$2,833,728.50	$2,883,728.50
Belmont Construction	$2,908,825.00	$2,940,825.00

NOW, THEREFORE, BE IT RESOLVED, that Resolution No. 191-18, adopted on May 1, 2018, is hereby amended to reflect an additional $44,000.00 for the award of Alternate No. 1, for a total award to Tomco Construction of $2,042,592.25; and.

BE IT FURTHER RESOLVED, that the required Certificate of Availability of Funds has been obtained from the Chief Financial Officer and is endorsed hereon.

R357-18 Resolution Designating Municipal Humane Law Enforcement Officer for the City of Clifton

RESOLUTION DESIGNATING MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER FOR THE CITY OF CLIFTON

WHEREAS, N.J.S.A. 4:22-14.2 requires the City to designate a Municipal Humane Law Enforcement Officer;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of the Municipal Council of the City of Clifton, that the Chief of Police or his designee be and hereby is designated as the Municipal Humane Law Enforcement for the City of Clifton; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Humane Law Enforcement Officer for the County of Passaic.

R358-18 Resolution Authorizing Renewal of Pet Shop & Kennel License - Lisa's Doggie Day Care

RESOLUTION AUTHORIZING PET SHOP & KENNEL 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 & Kennel License Renewal from Lisa’s Doggie Day Care, 220 Main 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, 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 & Kennel License to Lisa’s Doggie Day Care, 220 Main Avenue, Clifton, New Jersey, be and is hereby granted.

R359-18 Resolution Authorizing Renewal of Pet Shop & Kennel License - Allwood Pet Center

RESOLUTION AUTHORIZING PET SHOP & KENNEL 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 & Kennel 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 & Kennel License to Allwood Pet Center, 656 Allwood Road, Clifton, New Jersey, be and is hereby granted.

R361-18 Resolution Approving Changes in Income Requirements for Clifton Home Improvement Program (CHIP)

RESOLUTION APPROVING CHANGES IN INCOME REQUIREMENTS FOR CLIFTON HOME IMPROVEMENT PROGRAM (CHIP) LOANS

WHEREAS, on October 7, 1975, the City of Clifton established the program known as the Clifton Home Improvement Program (CHIP); and

WHEREAS, the purpose of the program is to make available certain federal funds to enable citizens of the City of Clifton to rehabilitate their homes; and

WHEREAS, it is the desire of the Clifton Housing Department, pursuant to the guidelines of the U.S. Department of Housing and Urban Development, to make rehabilitation loans available to the residents of the City of Clifton on a more equitable basis;

NOW, THEREFORE, BE IT RESOLVED , by the Mayor and Municipal Council of the City of Clifton, that the Clifton Housing Department, within its Clifton Home Improvement Program, approves the changes in income requirements for CHIP loans based on the Uncapped Income Limits as provided by the Department of Housing and Urban Development for gross income and size of family according to the following chart :

Size of Family	One	Two	Three	Four
Maximum Income	$57,300	$65,500	$73,700	$81,850
Size of Family	Five	Six	Seven	Eight
Maximum Income	$88,400	$94,950	$101,500	$108,050

BE IT FURTHER RESOLVED, that the same income requirements be used within Designated Neighborhood Strategy Areas and outside Designated Neighborhood Strategy Areas; and

BE IT FURTHER RESOLVED, that a public announcement of these changes be made so that the residents of the City of Clifton are informed of the revised income limits for the CHIP program.

R362-18 Resolution Authorizing Sale of Abandoned Motor Vehicles 2018C Auction

RESOLUTION AUTHORIZING SALE OF ABANDONED MOTOR VEHICLES 2018C AUCTION

WHEREAS, the following motor vehicles have been abandoned and **WHEREAS**, it is required that the sale of same be approved by the Governing Body of the Municipality,

NOW, THEREFORE, be it resolved, that the following motor vehicles be authorized for sale in accordance with N.J.S.A. : 14 - 157, N.J.S.A. 39 : 10A-1 AND N.J.S.A. 40A : 11 - 36 subject to the minimum bid of $10.00 plus starting bid price as per market value.

VITO'S TOWING 65 CLIFTON BLVD. (973) 773-2929

2006 NISSAN ALTIMA	1N4BL 11D76 C2545 66	"	"	"	"
2007 FORD FUSION	3FAHP 07Z27 R1944 19	"	"	"	"
2008 LINCOLN MKZ	3LNHM 28T18 R6249 81	"	"	"	"
2006 FORD EXPLORER	1FMEU 73E16 UA953 53	"	"	"	"
2002 ACURA TL	19UUA 56662 A0047 68	"	"	"	"
1997 VOLKSW PASSAT	WVWFE 83A2V E0016 30	"	"	"	"

2004 PONTIAC GRAND PRIX	2G2WS 52274 12301 47	"	"	"	"
2013 NISSAN SENTRA	1N4AB 7AP2D N9092 00	"	"	"	"
2000 TOYOTA RAV4	JT3HP 10V8Y 71643 31	"	"	"	"
1999 PONTIAC BONNEVILLE	1G2HX 52K3X H2223 81	"	"	"	"
2002 TOYOTA SEQUOIA	5TDBT 44A52 S1328 27	"	"	"	"
2003 MERCERY MARQUIS	2MEFM 74W63 X6178 96	"	"	"	"
2000 TOYOTA COROLLA	2T1BR 12E3Y C2821 47	"	"	"	"
2008 HONDA ACCORD	1HGCP 26308 A0779 20	"	"	"	"
1995 HONDA CIVIC	2HGEJ 1225S H5298 72	"	"	"	"
2006 VOLKSWAGON PASSAT	WVWAK 73C26 P0509 59	"	"	"	"
2001 CHEVY MALIBU	1G1ND 52J51 61205 60	"	"	"	"
2004 FORD TAURUS	1FAFP 53U34 A1506 89	"	"	"	"
1997 FORD RANGER	1FTDR 15X6V TA200 35	"	"	"	"
1998 JEEP GRAND CHEROKEE	1J4GZ 48Y0W C2161 01	"	"	"	"
2003 MAZDA PROTÉGÉ	JM1BJ 22543 01253 41	"	"	"	"

TELEP MOTOR'S 574 VAN HOUTEN AVE. (973) 779-0283

2015 NISSAN SENTRA	3N1AB 7AP1F Y2756 72	"	"	"	"

POLIZZI TOWING 99 WABASH AVE. (973) 546-7993

2003 FORD WINDSTAR	2FMZA 51473 BB475 77	"	"	"	"

R 363-18 Late - Resolution Amending Resolution R327-18 Adopted on July 17, 2018 Entitled "Resolution Awarding Recycling Contract to Atlantic Coast Fibers" (Adds Pricing for August 2018)

RESOLUTION AMENDING RESOLUTION R-327-18, ADOPTED ON JULY 17, 2018, ENTITLED ARESOLUTION AWARDING RECYCLING CONTRACT TO ATLANTIC COAST FIBERS (ADDS PRICING FOR AUGUST 2018)

WHEREAS, Resolution No. R-327-18, adopted on July 17, 2018, entitled Resolution Awarding Recycling Contract to Atlantic Coast Fibers, is amended to read as follows:

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

Aug.: Mixed Paper $10.00 delivered
OCC $40.00 delivered
Aluminum Cans $550.00 delivered

Steel Cans $15.00 delivered
Plastic Bottles $160.00 delivered

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

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.

R 364-18 Late - Resolution of Thanks and Appreciation Upon Separation from Employment - Purchasing Agent Robyn Esposito

RESOLUTION OF THANKS AND APPRECIATION UPON SEPARATION FROM EMPLOYMENT - PURCHASING AGENT ROBYN ESPOSITO

WHEREAS, Robyn Esposito recently announced her resignation from her position as Purchasing Agent for the City of Clifton, and that her separation from employment with the City would be as of August 10, 2018; and

WHEREAS, she has served the City well and faithfully since her appointment in 2011, having always displayed an attitude of professionalism in performing her duties, and she has provided her co-workers, the City and its citizens with vital assistance and courteous service at all times; and

WHEREAS, this Governing Body wishes to publicly acknowledge her excellent service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Members of the Municipal Council of the City of Clifton, on behalf of the Governing Body, the Administration, and the entire City Hall family, do hereby extend to

Purchasing Agent
ROBYN ESPOSITO

their thanks and appreciation for a job well done, and do offer best wishes to her for continued good health, success and happiness in all her future years; and

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

R 365-18 Late - Resolution of Farewell and Best Wishes - Johnny's Bar and Grill

RESOLUTION OF FAREWELL AND BEST WISHES – JOHNNY’S BAR AND GRILL

WHEREAS, the history of Johnny’s Bar and Grill has paralleled that of the City of Clifton, with the original bar predating the time Clifton was incorporated in 1917; and

WHEREAS, the former Zanetti's bar located on Ackerman Avenue was purchased in 1953 by Emily and Johnny Penkalski, Sr., who established the Clifton institution that would become a favorite gathering place for the neighborhood and served as a favorite spot for countless parties over these many years; and

WHEREAS, after Johnny Penkalski, Sr. passed away, the business continued with Emily's marvelous cooking providing the food for the many parties held there, and her son, Johnny Penkalski, Jr., at the helm; and

WHEREAS, after 65 years, Johnny's Bar and Grill will close its doors for good this month, and we reminisce about the many fond memories connected with Johnny's, one the oldest businesses in Our Great City;

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, on behalf of all the citizens of Clifton, do hereby bid a fond farewell to

JOHNNY'S BAR AND GRILL

and do extend our best wishes to Emily and Johnny Penkalski, Jr., and their family, for continued good health, peace and happiness in their retirement and all their future years; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to Emily and Johnny Penkalski, Jr.

R 366-18 Late - Resolution to Award National Contract to Enterprise Fleet Management, Inc. for Fleet Leasing and Management Services

RESOLUTION TO AWARD NATIONAL CONTRACT TO ENTERPRISE FLEET MANAGEMENT, INC. FOR FLEET LEASING AND MANAGEMENT SERVICES

WHEREAS, on July 9, 2018 the Governing Body adopted Resolution Number R308-18 titled "Resolution of Notice of Intent to Award Contract Under a National Cooperative Agreement – The Interlocal Purchasing System (TIPS) for Fleet Leasing and Management Services"; and

WHEREAS, the City of Clifton is a member of The Interlocal Purchasing System (TIPS) which was approved by the Governing Body on June 19, 2018 with Resolution number R276-18; and

WHEREAS, TIPS published legal notices soliciting Request for Proposal (RFP's) in the following newspapers:

*USA Today on May 16, 2016 and May 23, 2016
*The Pittsburg Gazette on May 5, 2016 and May 12, 2016
*The Advocate on May 6, 2016 and May 13, 2016

WHEREAS, Enterprise Fleet Management, Inc. was awarded a contract for Fleet Leasing and Management Services, Contract #2072816 for the term of July 28, 2016 to July 25, 2019, and

WHEREAS, P.L. 2011 c139 (the "Law" or "Chapter 139") allows local contracting units to utilize national cooperative contracts as a method of procurement; and

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services (DLGS) has published LFN 2012-10, a Local Finance Notice detailing guidance to contracting units desiring to purchase under the Law; and

WHEREAS, the Purchasing Agent is satisfied that the procurement conducted by TIPS and the contract awarded to Enterprise Fleet Management, Inc. are compliance with the guidance in LFN 2012-10; and

WHEREAS, the Purchasing Agent followed all applicable guidelines stipulated by the Department of Community Affairs, Division of Local Government Services as outlined in Local Finance Notice 2012-10 including a Legal Advertisement of the Notice of Intent in the July 7, 2018 edition of the Herald News; and

WHEREAS, there were no alternative approaches and/or rejections made by any New Jersey contractors/vendors by the July 19, 2018 comment deadline; and

WHEREAS, this office has reviewed and evaluated the use of TIPS as it relates to charges for services, materials and delivery and has determined that it is in the best interest of the City of Clifton to award said 5-year open-end lease contract to Enterprise Fleet Management, Inc. 600 Corporate Park Drive, St. Louis, MO 63105 as the use of the purchasing agreement shall result in cost savings to the City, considering all factors; 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: **Robin Esposito, Purchasing Agent**; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal council of the City of Clifton, State of New Jersey as follows:

1. The City of Clifton is authorized to award said contract pursuant to TIPS contract #2072816

2. The proposal submitted by Enterprise Fleet Management for the leasing of 36 vehicles for a 5-year open-end lease shall not exceed $251,836.16 annually, and

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

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

R367-18 Late – Resolution Authorizing and Ratifying Emergency Services for the Construction of a Vapor Intrusion Mitigation System at the Department of Public Works Vehicle Storage Facility

RESOLUTION AUTHORIZING AND RATIFYING EMERGENCY SERVICES FOR THE CONSTRUCTION OF A VAPOR INTRUSION MITIGATION SYSTEM AT THE DEPARTMENT OF PUBLIC WORKS VEHICLE STORAGE FACILITY

WHEREAS, a report, dated August 8, 2018 was submitted to the City Manager by City Engineer Michael J. Lardner, which indicated the need for emergency work at the Department of Public Works Vehicle Storage Facility located at 307 East Seventh Street; and

WHEREAS, the report notes that in consultation with our LSRP of record, NJDEP regulations require the construction of a vapor intrusion mitigation system at the proposed facility location; and

WHEREAS, because of the emergent nature of constructing the building without a vapor intrusion mitigation system, which would have impacted the health, safety and welfare of the public, it was necessary to engage the services of EAI, Inc. of Jersey City, New Jersey to cope with the emergency conditions, all without the necessity of formal bidding for services; and

WHEREAS, the emergency shall be abated by the construction of a vapor intrusion mitigation system; and

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the emergency work to be performed at the Department of Public Works Vehicle Storage Facility by EAI, Inc. is hereby approved and ratified, and an amount not to exceed $67,000.00 is authorized to be allocated to this project.

R368-18 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 Workers' Compensation Claim - D/L: 5/22/17 - JV (Police)
CON- 2 Workers' Compensation Claim - D/L: 10/19/15 - EG (Police)
CON- 3 Permit Parking - Legal Opinion/Potential Litigation
CON- 4 2018 Tax Assessment - Negotiations
CON- 5 Intergovernmental Transfer Appointee-Employment
CON- 6 IBEW Contract Negotiations
CON- 7 Redevelopment (Phase II-A-Former Hoffmann-La Roche, Inc. Corporate Campus)
CON- 8 Congregation Shomrei Torah of Passaic/Clifton v. City of Clifton et al.
CON- 9 Towers Committee Meeting - Legal Opinion Regarding Possible Amendments to Chapter 425
CON- 10 Athenia Park Change Orders - Negotiations
CON- 11 DPW Vehicle Storage Building - Negotiations and Attorney/Client Privilege

THEREFORE, BE IT RESOLVED that the public shall be excused and excluded from that portion of the Council's meeting to be held on August 8, 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 Aurora Ristorante

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Aurora Ristorante, LLC t/a Aurora Ristorante for permission to conduct a Restaurant – Continued Use for a period ending January 31, 2019 on the premises known as: 429 Piaget 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 Emilio's Mini Market

RESOLUTION FOR PRELIMINARY APPROVAL

For: Emilio's Mini Market, LLC

T/A: Emilio's Mini Market

ADDRESS: 169 Ackerman Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use

FORMERLY OR NEW: J&J Mini Market

ZONE: RB-3

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 Eagler and unanimously passed on roll call vote, the meeting was adjourned at 9:36pm.

Respectfully Submitted,

Nancy Ferrigno
City Clerk

James Anzaldi, Mayor