

**CITY OF CLIFTON
CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES OF SEPTEMBER 3, 2019**

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 2019 which was published as legal advertisements in the Herald News on December 19, 2018 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)	
Councilwoman Murphy	(LM)	
Councilwoman Pino	(RP)	Absent
Councilwoman Sadrakula	(MS)	
Mayor Anzaldi	(JA)	

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

INVOCATION

Rabbi Kronenberg – Daughters of Miriam

PLEDGE TO THE FLAG

APPROVAL OF MINUTES

A Motion was made by Councilman Grabowski seconded by Councilman Gibson and passed on roll call vote to approve the Minutes of the Regular, Workshop and Executive Session of August 20, 2019.

(5-0-1-1) Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Sadrakula and Mayor Anzaldi voted aye. Councilman Eagler abstained and Councilwoman Pino was absent.

COMMUNICATIONS FROM THE CITY MANAGER

C- 1 Brian Ciaurro Plumbing Sub Code Official Building Dept., hired full-time effective 08/16/2019 at \$61,000.00 annually.

COMMUNICATIONS – MEETING MINUTES

C- 2 Minutes of Board of Adjustment of August 21, 2019

C- 3 Minutes of the North Jersey District Water Supply of July 24, 2019

ORDINANCES – SECOND READING

A. Adoption of Ordinance 7536-19

B. Public Hearing on Ordinance 7536-19

The Mayor opened the floor to the public with regard to the Ordinance 7536-19

With no one wishing to be heard, a Motion was made by Councilman Grabowski, seconded by Councilman Gibson and passed on roll call vote to close the public hearing.

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 Grabowski, seconded by Councilman Gibson and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 379 of the Code of the City of Clifton Entitled "Skating Rinks", More Particularly Sections 379-5, Entitled "Application for License" and 379-9 Entitled "Granting of License; Grounds for Denial" (Amends Sections to Delete References to Schools)

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

C. Adoption of Ordinance 7537-19

D. Public Hearing on Ordinance 7537-19

The Mayor opened the floor to the public with regard to the Ordinance 7537-19

With no one wishing to be heard, a Motion was made by Councilwoman Sadrakula, seconded by Councilman Gibson and passed on roll call vote to close the public hearing.

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Gibson and passed on roll call vote to table this ordinance pending further information.

An Ordinance To Amend, Revise And Supplement Chapter 461 Of The Code Of The City Of Clifton, Entitled "Zoning," More Particularly Article V Thereof Entitled "Supplementary Regulations," Section 461-24.1 Entitled "Steep Slope District," Article Vi Thereof, Entitled "Conditional Uses," § 461.27 Entitled "R-A1, R-A2 And R-A3 Districts," Section 461-33, Entitled "B-C Zones," Section 461-34, Entitled "B-D Zones," Section 461-36, Entitled "M-2 Zones," Section 461-37.1, Entitled "Pcd Zones," Article Vii Thereof Entitled "Site Plan Approval," Section § 461-38 Entitled "Approval Required For Issuance Of Building Permit," Article Ix Thereof Entitled "Signs," Section 461-54 Entitled "R Districts," Article Xi Thereof, Entitled Definitions And Word Usage," Section 461-64, Entitled "Definitions," And 461 Attachment 5 Thereof Entitled "Summary Table Of Conditional Uses" (Amends Various Provisions To Include Public, Private And Parochial Schools)

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

E. Adoption of Ordinance 7538-19

F. Public Hearing on Ordinance 7538-19

The Mayor opened the floor to the public with regard to the Ordinance 7538-19

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilman Grabowski and passed on roll call vote to close the public hearing.

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

Ordinance to Amend, Revise and Supplement Chapter 137 of the Code of the City of Clifton, Entitled "Alcoholic Beverages", More Particularly Article I Thereof, Entitled "Sale and Distribution" (Adds References to Parochial Schools and Houses of Worship)

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

G. Adoption of Ordinance 7539-19

H. Public Hearing on Ordinance 7539-19

The Mayor opened the floor to the public with regard to the Ordinance 7539-19

With no one wishing to be heard, a Motion was made by Councilman Eagler, seconded by Councilman Grabowski and passed on roll call vote to close the public hearing.

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 Grabowski and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 141 of the Code of the City of Clifton Entitled "Amusements" Article II Thereof, Entitled "Games of Skill; Jukeboxes", More Particularly Section 141-13, Entitled "Licensing of Operators" (Amends Section to Include Private Schools)

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

I. Adoption of Ordinance 7540-19

J. Public Hearing on Ordinance 7540-19

The Mayor opened the floor to the public with regard to the Ordinance 7540-19

With no one wishing to be heard, a Motion was made by Councilman Eagler, seconded by Councilman Gibson and passed on roll call vote to close the public hearing.

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 Councilwoman Murphy and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article II Thereof, Entitled "Non-Uniformed Officials and Employees" Section 99-2, Entitled "Minimum and Maximum Salaries Fixed; Uniform Allowances" (Creates Title of and Compensation for Gardener)

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

K. Adoption of Ordinance 7541-19

L. Public Hearing on Ordinance 7541-19

The Mayor opened the floor to the public with regard to the Ordinance 7541-19

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilman Grabowski and passed on roll call vote to close the public hearing.

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Deletes 1 Restricted Handicapped Space)

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

M. Adoption of Ordinance 7542-19

N. Public Hearing on Ordinance 7542-19

The Mayor opened the floor to the public with regard to the Ordinance 7542-19

With no one wishing to be heard, a Motion was made by Councilman Grabowski, seconded by Councilman Gibson and passed on roll call vote to close the public hearing.

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 Grabowski, seconded by Councilwoman Gibson and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 9 Restricted Handicapped Spaces)

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

O. Adoption of Ordinance 7543-19

P. Public Hearing on Ordinance 7543-19

The Mayor opened the floor to the public with regard to the Ordinance 7543-19

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilwoman Murphy and passed on roll call vote to close the public hearing.

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

An Ordinance to Amend, Revise and Supplement Chapter 349 of the Code of the City of Clifton, Entitled "Permit Parking on Residential Streets and Municipal Lots", Article I, Entitled "Residential Streets", More Particularly Section 349-2 Thereof, Entitled "Restricted Streets" (Adds West First Street)

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

Q. Adoption of Ordinance 7544-19

R. Public Hearing on Ordinance 7544-19

The Mayor opened the floor to the public with regard to the Ordinance 7544-19

With no one wishing to be heard, a Motion was made by Councilman Eagler, seconded by Councilman Gibson and passed on roll call vote to close the public hearing.

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 Councilwoman Gibson and carried by roll call vote.

Bond Ordinance Rescinding Bond Ordinance No. 7534-19 Providing for Various 2019 Capital Improvements, by and in the City of Clifton, in the County of Passaic, State of New Jersey; Appropriating \$4,432,000 Therefor and Authorizing the Issuance of \$4,220,000 Bonds or Notes of the City to Finance Part of the Cost Thereof

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

ORDINANCES – FIRST READING

A. Introduction of Ordinance 7545-19

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 Councilwoman Murphy, and carried by roll call vote with the following amendments:

Legal fees shall not exceed the sum of \$1300 (amended from \$1200) for Municipal Court appearances and the sum of \$8,500 (amended from \$8,000) in any other action or court proceeding, exclusive of appeals from courts.

In no event shall the fee for legal services for any matter exceed \$17,000 (amended from \$16,000), exclusive of court costs, without the approval of the Municipal Council.

An Ordinance to Amend, Revise and Supplement Chapter 31 of the Code of the City of Clifton, Entitled "Defense and Indemnification" More Particularly Article I Thereof, Entitled "Legal Expenses of Officers, Officials and Employees", Section 31-1 Thereof, Entitled "City to Defray Expenses; Guidelines"

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, September 17, 2019 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

CITY MANAGER PRIVILEGE

Nothing to report

FLOOR TO MEMBERS OF THE PUBLIC

Adele Gimon, 129 Rutherford Blvd., thanked the Fire Department for their assistance in a recent home lock out. She announced the Avenue of Flags will be displayed on September 11th. Ms. Gimon reached out to the public for donations for Clifton Cares to provide supplies to deployed military.

Steve Goldberg, 124 Charles St., spoke about a recent trip he took to Israel. He discussed a recent holiday gathering at a city park where he felt religious intolerance was being practiced.

Edward Pasino, 109 Adams Terr., and Gerald Zecker, 55 McCosh Rd., discussed a recent court decision which prevented Montclair State College from creating a street exit onto Valley Road.

Frank Gaccione, 88 Virginia Ave., thanked everyone who helped make the recent Veterans Food Truck Festival a success.

Faith Webb, 23 Strangeway Terr., stated the handicapped door at City Hall is locked. She discussed lighting at the Clifton Boulevard train station and a warehouse illegally selling appliances to the public.

Tamara Brooks, 253 Burgess Pl, discussed a recent sewer back up at 253 Burgess Place.

Ellen DeLosh, 547 Clifton Ave., read an excerpt from a letter she received from Liberty Guard.

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

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

City Manager, Dominick Villano, addressed public speaker Tamara Brooks regarding a recent sewer back up at 253 Burgess Place. He stated a the tort claim was filed and an offer of payment was made. He suggested she hire an attorney to appeal the decision of she did not agree with the offer.

City Manager, Dominick Villano addressed public speaker Faith Webb. He stated he did not know why the front handicapped door was locked but would investigate. Mr. Villano announced that the situation with the appliance warehouse selling illegally is presently in court and could not comment at this time.

City Manager, Dominick Villano, addressed public speaker Steve Goldberg. He spoke about the gathering in Main Memorial park and stated the situation Mr. Goldberg felt was improper falls under the laws of free speech.

COUNCIL PRIVILEGE

Councilwoman Murphy

Councilwoman Murphy announced Recreation Department news. She spoke about a fundraiser for Saint Peter's Haven and said the recent Food Truck Festival was a wonderful event. In closing Councilwoman Murphy stated donations are needed due to a recent fire at Straight and Narrow Rehabilitation Center in Paterson.

Councilwoman Sadrakula

Councilwoman Sadrakula discussed a recent holiday gathering in Main Memorial park and accusations regarding religious intolerance. She asked administration to provide a list of city businesses which are open 24 hours and a 3 and 5 year sewer plan. Councilwoman Sadrakula spoke about the condition of some city parks, investigation of military deployment pay and military pay audit. She thanked public speaker, Edward Pasino, for his dedication toward stopping Montclair State from building an unsafe street exit onto Valley Road. Councilwoman Sadrakula urged all residents to attend an upcoming 9/11 Memorial Service at City Hall.

Councilwoman Pino

Councilwoman Pino was absent

Councilman Grabowski

Councilman Grabowski spoke about the sewer the sewer back up on 253 Burgess Place and the court decision prohibiting Montclair State University from constructing an exit street onto Valley Road. He thanked Adele Gimon for collecting donations for the deployed military. Councilman Grabowski announced the upcoming Van Houten Avenue Street Fair and Car Show at the Atrium on Brighton Road. In closing, Councilman Gibson stated that the flu shots will start in October.

Councilman Gibson

Councilman Gibson stated he would participate in erecting the flags on 9/11. He expressed his sorrow to public speaker, Steve Goldberg, regarding an incident at a recent holiday gathering where an accusation was made about religious intolerance. He thanked Edward Pasino for his help which resulted in a favorable court decision for the City of Clifton vs Montclair State University. Councilman Gibson announced the following upcoming events: John Samra Run/Walk, 911 Memorial Service and St. Peter's Haven fundraiser at Applebees. He spoke about the success of the Backpack Outreach which collected backpacks for students.

A Motion was made by Councilman Gibson, seconded by Councilwoman Sadrakula to present a proclamation to CASA.

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

Councilman Gibson discussed the condition of City parks. In closing he sent prayers to the victims of Hurricane Dorian.

Councilman Eagler

Councilman Eagler discussed the number of streets being repaired after the PSE&G upgrade program. He asked City Manager, Dominick Villano, if Neglia Engineering is on top of the list and making sure all the repairs get done timely and properly. Mr. Villano responded that Neglia is coordinating the work. He announced the upcoming car show at the Allwood Atrium and the St. John Kanty Church picnic. Councilman Eagler discussed the court decision regarding the road proposed by Montclair State University. He thanked everyone who offered their condolences in reference to the passing of his mother, Olga Eagler.

Mayor Anzaldi

Mayor Anzaldi asked administration to file an OPRA request to determine the amount of money Montclair State University spent on the lawsuit against the City to allow them to build an exit road which would merge into Valley Road in Clifton. He thanked Edward Pasino and Gerald Zucker on their efforts to have this court decision rule favorably for the City. Mayor Anzaldi expressed his condolences to the LaMendola family on the passing of Carmen LaMendola. Mayor Anzaldi stated the recent Food Truck Festival was a wonderful event. He urged all residents to donate to Clifton Cares. Mayor Anzaldi made the following announcements: Veggie Mobile at City Hall on Tuesdays, Passaic County tire recycling at Boys and Girls Club of Clifton, Car Show at Allwood Atrium, St. John Kanty church picnic and the 911 Memorial Ceremony. He announced that Councilman Eagler would be reading all the 911 victims names at City Hall on September 10th. Mayor Anzaldi stated that Clifton was ranked in the top 10 places for middle class in Passaic County according to simplethriftyliving.com.

RESOLUTIONS VOTED ON SEPERATELY

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

(5-0-1-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, and Councilwoman Sadrakula voted aye. Mayor Anzaldi abstained and Councilwoman Pino was absent.

A Motion was made by Councilman Gibson, seconded by Councilman Grabowski and passed on roll call to vote on the following exception:

Page 10, Item 3421

(5-0-1-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, and Councilwoman Sadrakula voted aye. Mayor Anzaldi abstained and Councilwoman Pino was absent.

R417-19 Resolution: Approve Claims List Resolution for the August 20, 2019 City Council Meeting

RESOLUTION TO APPROVE CLAIMS TO BE PAID MEETING OF SEPTEMBER 3, 2019

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

Current Fund	\$11,825,244.18
Grant Fund	\$ 147,936.50
General Capital Fund	\$ 131,892.55
Sewer Utility -Operating	\$ 342.50
Sewer Utility-Capital	\$ 111,262.23
Developers Escrow	\$ 13,889.74
Dog Trust	\$ 1,141.83
Police Extra Duty	
Trust Other	\$ 112,032.50
Section 8 Public Housing	\$ 86,474.92
Community Development	\$ 120,507.46
COAH	\$ 22,301.00
Self Insurance	\$ 2,049,340.19
Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	
Unemployment Trust Fund	
Library	\$ 430,267.99
General Liability Trust	\$ 34,091.71
Workers Compensation Trust	\$ 36,078.23
TOTAL CLAIMS	\$15,122,803.53

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

(5-1-0-1) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy and Mayor Anzaldi voted aye. Councilwoman Sadrakula voted nay and Councilwoman Pino was absent.

R418-19 Resolution: Corrective Action Plan For The Annual Audit Ending December 31, 2018

CORRECTIVE ACTION PLAN FOR THE ANNUAL AUDIT ENDING DECEMBER 31, 2018

WHEREAS, the annual Audit Report for the year ending December 31, 2018 was delivered to the City Clerk's Office on July 26, 2019; and,

WHEREAS, the annual Audit Report for the year ending December 31, 2018 was received by the Governing Body of the City of Clifton on August 7, 2019; 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, 2018.

R420-19 Resolution Authorizing Renewal for Payroll Processing, Human Resource Management and Time and Labor Management Services to Primepoint - Option Year 1 - 11/1/2019 - 10/31/2020

**RESOLUTION AUTHORIZING RENEWAL FOR PAYROLL PROCESSING,
HUMAN RESOURCE MANAGEMENT AND TIME & LABOR MANAGEMENT
SERVICES TO PRIMEPOINT – OPTION YEAR 1 - 11/01/2019 - 10/31/2020**

WHEREAS, the City of Clifton solicited proposals through the competitive contracting process for Payroll Processing, Human Resource Management and Time & Labor Management Services in accordance with N.J.S.A. 40A:11-4.1 et seq.; and

WHEREAS, Resolution 477-16 was approved by the governing body on September 6, 2016 for the initial three-year contract term of November 1, 2016 through October 31, 2019; and

WHEREAS, the City has the option to renew said contract for two one year options in accordance with the competitive proposals received on July 28, 2016; and

NOW, THEREFORE, BE IT RESOLVED, that a contract for Payroll Processing, Human Resource Management and Time & Labor Management Services be extended for option year 1 from November 1, 2019 – October 31, 2020 to Primepoint, 2 Springside Road, Mt. Holly, NJ 08060 at \$93,023.00; and

BE IT FURTHER RESOLVED, that this resolution be kept on file and available for public inspection in the Office of the City Clerk; and

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

RESOLUTIONS

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

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

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF SEPTEMBER 3, 2019**

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

Current Fund	\$11,825,244.18
Grant Fund	\$ 147,936.50
General Capital Fund	\$ 131,892.55
Sewer Utility -Operating	\$ 342.50
Sewer Utility-Capital	\$ 111,262.23
Developers Escrow	\$ 13,889.74
Dog Trust	\$ 1,141.83
Police Extra Duty	
Trust Other	\$ 112,032.50
Section 8 Public Housing	\$ 86,474.92
Community Development	\$ 120,507.46
COAH	\$ 22,301.00
Self Insurance	\$ 2,049,340.19

Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	
Unemployment Trust Fund	
Library	\$ 430,267.99
General Liability Trust	\$ 34,091.71
Workers Compensation Trust	\$ 36,078.23
TOTAL CLAIMS	\$15,122,803.53

R419-19 Resolution Authorizing Permission to Bid for Emergency Generator at Fire Station 4

**RESOLUTION AUTHORIZING PERMSISION TO BID FOR
EMERGENCY GENERATOR AT FIRE STATION 4**

WHEREAS, the City of Clifton shall incur no expense exceeding \$17,500, except where either authorized by law or waived by the Municipal Council up to the State of New Jersey bid threshold; and,

WHEREAS, the City of Clifton seeks construction services estimated to cost in excess of \$17,500 without waiver; and

WHEREAS, the City Engineer of the City of Clifton has prepared Bid Specifications, Notice to Bidders, Proposals and Specifications for said improvements in anticipation of the public bidding for same and finds same to be acceptable for public bidding; and,

NOW THEREFORE BE IT RESOLVED by the Mayor and Municipal Council of the city of Clifton that the Purchasing Agent is authorized to advertise a Notice to Bidders and to receive public bids for the services described therein; and,

BE IT FURTHER RESOLVED, that the Notice to Bidders shall be published once in a legal newspaper of the City of Clifton no later than the next Municipal Council meeting, in accordance with N.J.S.A. 40A:11-1 et seq.

R421-19 Resolution Authorizing Entertainment License for Serelem, Inc./Juan Melendres t/a J. Aldo's Bar & Pizzeria

**RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR SERELEM,
INC./JUAN MELENDRES T/A J ALDO’S BAR & PIZZERIA**

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Serelem, Inc./Juan Melendres, t/a J Aldo’s Bar & Pizzeria, of 40 Highland Avenue, Clifton, New Jersey (B-C Zone), is approved, and entertainment is authorized for the period from July 1, 2019 through June 30, 2020, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week: Thursday, Friday and Saturday
Hours: 7:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year’s Eve

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 8:00 p.m. to 1:00 a.m.

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

DJ music or Karaoke

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2019 through June 30, 2020

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.

R422-19 Resolution Appointing Members to the Action Clifton Committee

**RESOLUTION FOR APPOINTMENT TO THE
ACTION CLIFTON COMMITTEE**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an Application from Dorothy Adlon to become an Alternate Member of the Action Clifton Committee (Delawanna Section); and

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an Application from Colleen Murray to become an Alternate Member of the Action Clifton Committee (Botany Section);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Dorothy Adlon is hereby appointed as an Alternate Member of the Action Clifton Committee (Delawanna Section); and

BE IT FURTHER RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Colleen Murray is hereby appointed as an Alternate Member of the Action Clifton Committee (Botany Section).

R423-19 Resolution for Reappointment to Hazardous Materials Control Board (HAZMAT)

**RESOLUTION FOR RE-APPOINTMENT TO
HAZARDOUS MATERIALS CONTROL BOARD (HAZMAT)**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a reappointment form from Victoria Kaufman, Secretary of the Hazardous Materials Control Board (HAZMAT); and

WHEREAS, said form indicates that the term of three members of the Hazardous Materials Control Board (HAZMAT) expired on August 31, 2019;

WHEREAS, Dean DeGhetto, Bradley Chupick and Deborah Hoffman wish to continue as members of the Hazardous Materials Control Board (HAZMAT);

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic and State of New Jersey that Dean DeGhetto, Bradley Chupick and Deborah Hoffman are hereby re-appointed to the Hazardous Materials Control Board (HAZMAT) for a three-year term, commencing on September 3, 2019 through August 31, 2022.

R424-19 Resolution for Reappointment of Members to the Clifton Advisory Board of Health

**RESOLUTION FOR RE-APPOINTMENT OF
MEMBERS TO THE CLIFTON ADVISORY BOARD OF HEALTH**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a re-appointment form from the secretary of the Clifton Advisory Board of Health recommending re-appointment of Al Greco, Thomas Garretson and Dan Neczepir; and

WHEREAS, said members' term will expire on September 30, 2019; and

WHEREAS, said members are being re-appointed to said committee for a term of three years commencing October 1, 2019 through September 30, 2022;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that the above-mentioned members of the Clifton Advisory Board of Health be and are hereby re-appointed for a three year term, commencing on October 1, 2019 through September 30, 2022.

R425-19 Resolution Authorizing Renewal of Limousine License - Starlane

RESOLUTION AUTHORIZING RENEWAL OF LIMOUSINE LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Renewal of Limousine License Application from Fuad Salameh, Starlane Car Service, LLC 15 Evergreen Drive #60, Clifton, NJ 07014; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that approval of a Renewal of Limousine License to Starlane Car Service, LLC, 15 Evergreen Drive #60, Clifton, NJ 07014 be and is hereby granted.

Company name:

Starlane Car Service, LLC

Owner:

Fuad Salameh

Approved Operator:

Fuad Salameh

Approved Vehicles:

2015 Lincoln Navigator 5LMJJ3JT6FEJ02080

Approved Parking Location:

15 Evergreen Drive #60, Clifton, NJ 07014

R426-19 Resolution Approving the Clifton Public Housing Agency Emergency Transfer Plan in Compliance with the Violence Against Womens Reauthorization Act of 2013

**RESOLUTION APPROVING THE CLIFTON PUBLIC HOUSING AGENCY
EMERGENCY TRANSFER PLAN IN COMPLIANCE WITH THE VIOLENCE
AGAINST WOMEN REAUTHORIZATION ACT OF 2013**

WHEREAS, the VAWA (Violence Against Women’s Act) requires all public housing agencies to adopt an Emergency Transfer Plan; and

WHEREAS, HUD published its Final Rule on the VAWA Reauthorization Act including the provision of a template for housing authorities to use in developing their Emergency Transfer Plan; and

WHEREAS, the Clifton Public Housing Agency provides rights to victims in all recertification’s and lease up packages; and

WHEREAS, the Clifton Public Housing Agency will provide the opportunity to move to a safe location to any resident that would qualify under the VAWA Act;

NOW, THEREFORE, BE IT RESOLVED that the Clifton Public Housing Agency’s Emergency Transfer Plan for Victims of Domestic Violence, Dating Violence, Sexual Assault, or stalking, hereto attached be adopted.

R427-19 Resolution Authorizing the Cancellation and Refund of the 2019 3rd Quarter Taxes for the Property Known as Block 32.10, Lot 10, 510 Valley Road Owned by a Disabled Veteran

**RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF THE
2019 3RD QUARTER TAXES FOR THE PROPERTY KNOWN AS BLOCK 32.10
LOT 10, 510 VALLEY ROAD OWNED BY A DISABLED VETERAN.**

WHEREAS, the Tax Assessor has confirmed that Fernando Casacuberta, the owner of the single-family residence located at Block 32.10, Lot 10, 510 Valley Road, has been declared 100% disabled by the US Department of Veteran Affairs as of February 27, 2018 and, therefore, qualifies for the 100% disabled veteran tax exemption as of the date of his acquisition of the property on June 10, 2019; and

WHEREAS, Fernando Casacuberta has made application to the Tax Assessor of the City of Clifton for a property tax exemption in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Fernando Casacuberta is entitled to the cancellation and refund of the 2019 3rd Quarter taxes in the amount of \$2,093.90; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, grants the application and approves the cancellation of the 2019 3rd quarter taxes and the issuance of a refund of the 2019 3rd quarter taxes on the subject property in the amount of \$2,093.90;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the Tax Collector and/or City Treasurer are here authorized and directed:

1. To cancel the balance of the 2019 property taxes subsequent to June 10, 2019, and refund the 2019 3rd quarter taxes already paid on the subject property in the amount of \$2,093.90; and

2. To keep said property tax exempt for the totally disabled veteran for as long as the veteran qualifies for the disabled veteran exemption and for so long as the exemption is authorized by law.

R428-19 Resolution Authorizing the Cancellation and a Partial Refund of the 2019 3rd Quarter Taxes for the Property Known as Block 67.09, Lot 31, 63 Windsor Road Owned by a Disabled Veteran

**RESOLUTION AUTHORIZING THE CANCELLATION AND A PARTIAL
REFUND OF THE 2019 3RD QUARTER TAXES FOR THE PROPERTY
KNOWN AS BLOCK 67.09 LOT 31, 63 WINDSOR ROAD OWNED BY A
DISABLED VETERAN.**

WHEREAS, the Tax Assessor has confirmed that Mario O. Diaz, the owner of the single-family residence located at Block 67.09, Lot 10, 63 Windsor Road, has been declared 100% disabled by the US Department of Veteran Affairs as of June 1, 2012 and, therefore, qualifies for the 100% disabled veteran tax exemption as of the date of his acquisition of the property on July 12, 2019; and

WHEREAS, Mario O. Diaz has made application to the Tax Assessor of the City of Clifton for a property tax exemption in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Mario O. Diaz is entitled to the cancellation and a partial refund of the 2019 3rd Quarter taxes in the amount of \$1,962.56 from date of he acquired ownership of the subject property on July 12, 2019; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, grants the application and approves the cancellation of the 2019 3rd quarter taxes and the issuance of a partial refund of the 2019 3rd quarter taxes on the subject property in the amount of \$1,962.56;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the Tax Collector and/or City Treasurer are here authorized and directed:

1. To cancel the balance of the 2019 property taxes subsequent to July 12, 2019, and refund a portion of the 2019 3rd quarter taxes already paid on the subject property in the amount of \$1,962.56; and

2. To keep said property tax exempt for the totally disabled veteran for as long as the veteran qualifies for the disabled veteran exemption and for so long as the exemption is authorized by law.

R429-19 Resolution Authorizing the Cancellation of 50% of the Taxes and a Refund of 50% of the 2019 First, Second and Third Quarter Taxes and a 50% Retroactive Tax Refund for 2014, 2015, 2016, 2017 and 2018 for Block 35.09, Lot 2, 29 Kenyon Street, Owned by Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF THE 2019 3RD QUARTER TAXES FOR THE PROPERTY KNOWN AS BLOCK 32.10 LOT 10, 510 VALLEY ROAD OWNED BY A DISABLED VETERAN.

WHEREAS, the Tax Assessor has confirmed that Fernando Casacuberta, the owner of the single-family residence located at Block 32.10, Lot 10, 510 Valley Road, has been declared 100% disabled by the US Department of Veteran Affairs as of February 27, 2018 and, therefore, qualifies for the 100% disabled veteran tax exemption as of the date of his acquisition of the property on June 10, 2019; and

WHEREAS, Fernando Casacuberta has made application to the Tax Assessor of the City of Clifton for a property tax exemption in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Fernando Casacuberta is entitled to the cancellation and refund of the 2019 3rd Quarter taxes in the amount of \$2,093.90; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, grants the application and approves the cancellation of the 2019 3rd quarter taxes and the issuance of a refund of the 2019 3rd quarter taxes on the subject property in the amount of \$2,093.90;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the Tax Collector and/or City Treasurer are here authorized and directed:

1. To cancel the balance of the 2019 property taxes subsequent to June 10, 2019, and refund the 2019 3rd quarter taxes already paid on the subject property in the amount of \$2,093.90; and

2. To keep said property tax exempt for the totally disabled veteran for as long as the veteran qualifies for the disabled veteran exemption and for so long as the exemption is authorized by law.

R430-19 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 Sutton v. Hoffman LaRoche, et al: Environmental Counsel Renewal and Status Report
- CON-2 Disabled Veteran Tax Exemption - 29 Kenyon St. - Legal Opinion
- CON-3 Proposed Shared Services Agreement with PCIA for Property Registration

CON-4 Legal Opinion Regarding Political Speech at a Public Event and Public
Park

CON-5 Montclair State University v. County of Passaic and City of Clifton

NOW, THEREFORE, BE IT RESOLVED that the public shall be excused and excluded from that portion of the Council's meeting to be held on September 3, 2019 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 ZEN BUSINESS, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

For: ZEN Business, LLC

T/A: The One Dollar Zone

ADDRESS: 1016 Main Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Grocery/Milk - New

FORMERLY OR NEW: New

ZONE: BC/RB2

PERMITTED: Yes

VARIANCE REQUIRED: No

L-2 BNKN, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

For: BNKN, LLC

T/A: Rainbow Liquors & Deli

ADDRESS: 292 Lakeview Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Caterer/Grocery/Milk – Continued Use

FORMERLY OR NEW: Rainbow Liquors and Deli

ZONE: B-C

PERMITTED: Yes

VARIANCE REQUIRED: No

L-3 HI GOOD STUFF, LLC

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Hi Good Stuff, LLC t/a Hi Good Stuff for permission to conduct a Caterer – Continued Use for a period ending January 31, 2020 on the premises known as: 603 Van Houten Ave., Clifton, NJ 07013

Be and the same is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police Department and Zoning Officer.

L-4 RANCHO CARIEBENO JUICE BAR & RESTARUANT, LLC

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Rancho Cariebeno Juice Bar & Restaurant, LLC t/a Rancho Caribeno Juice Bar & Restaurant for permission to conduct a Restaurant – Continued Use for a period ending January 31, 2020 on the premises known as: 1159 Main 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-5 AULONA, LLC

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Aulona, LLC t/a Alaeddin’s Pizza for permission to conduct a Restaurant – Continued Use for a period ending January 31, 2020 on the premises known as: 600 Getty 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-6 AAA DELI & GROCERY, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

For: AAA Deli & Grocery, LLC

T/A: AAA Deli & Grocery

ADDRESS: 555 Lexington Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Caterer/Grocery/Milk – Continued Use

FORMERLY OR NEW: Food & More

ZONE: B-C

PERMITTED: Yes

VARIANCE REQUIRED: No

ADJOURNMENT

Upon motion made by Councilman Gibson, seconded by Councilwoman Murphy and passed on roll call vote, the meeting was adjourned at 9:40 p.m.

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

Respectfully Submitted,

Nancy Ferrigno
City Clerk

James Anzaldi, Mayor