

**CITY OF CLIFTON
CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES OF SEPTEMBER 17, 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)
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

Pastor Daisy Kirchofer - Crossroads Free Methodist

PLEDGE TO THE FLAG

APPROVAL OF MINUTES

A Motion was made by Councilman Eagler seconded by Councilman Gibson and passed on roll call vote to approve the Minutes of the Regular, Workshop and Executive Session of September 3, 2019.

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

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Nicholas Gencarelli Fire Prevention Specialist Public Safety hired effective 09/03/2019 at \$17.00 hourly and 28 hours weekly.

C-2 Christina Ploch Keyboarding Clerk 2 D.P.W., lateral title change to Clerk 2 at \$51,465.31 annually, effective 09/01/2019.

C-3 Pamela Speer Provisional Legal Stenographer Legal Department hired 09/03/2019 at \$51,000.00 annually.

C-4 Robert Mascuch School Traffic Guard Public Safety, resigned his position effective 09/04/2019.

C-5 Ilia Kristo Laborer 1 D.P.W. Public Safety on Disability Retirement effective 01/01/2019.

COMMUNICATIONS – MEETING MINUTES

C-6 Minutes of Historical Commission of June 6, 2019

C-7 Minutes of Board of Adjustment of September 4, 2019

C-8 Minutes of Alcoholic Beverage Control Board of August 14, 2019

ORDINANCES – SECOND READING

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Gibson and passed on roll call vote to table Ordinance 7537-19 pending further information from the Planning Board.

A. Adoption of Ordinance 7545-19

B. Public Hearing on Ordinance 7545-19

The Mayor opened the floor to the public with regard to the Ordinance 7545-19

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 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"

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

CITY MANAGER PRIVILEGE

Nothing to report

FLOOR TO MEMBERS OF THE PUBLIC

Wassim Abedrabbo, 86 Arlington Ave., introduced himself as the Director for the American Muslims Palestine Association. He discussed the purpose of the organization and announced he was available to the public for anyone who has questions.

Tom Whittles, 20 Kulick St., discussed the recent events exposing the dangers of vaping. He announced an upcoming meeting with the Clifton Health Department to discuss banning vaping in Clifton.

Bharat Rana, 126 Alfred St., campaigned for a seat in the NJ State Assembly District #34.

Ellen DeLosh, 547 Clifton Ave., read an excerpt from a letter she received from the Congressional Prayer Caucus Foundation.

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

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

COUNCIL PRIVILEGE

Councilman Eagler

Councilman Eagler discussed the dangers of vaping. He asked City Attorney, Matthew Priore, if the City has the legal right to ban vaping by Ordinance. Mr. Priore stated a vaping ban is currently pending State Legislation. Councilman Eagler announced the 20th Anniversary of Hurricane Floyd. He discussed the recent court decision banning Montclair State University from constructing an exit road from the University onto Valley Road. Councilman Eagler asked administration to find out from the State Legislature or DOT when the construction of the fly over to Montclair State University will be completed. He discussed a construction site on Clifton Avenue that has not been locking the gate around the site at night. Councilman Eagler wished the Jewish Community Happy Holy Days and announced the Polish flag raising taking place on October 5th.

A Motion was made by Councilman Eagler, seconded by Councilwoman Sadrakula and passed on roll call vote to provide a proclamation for Pulaski Day.

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

Councilman Gibson

Councilman Gibson asked public speaker, Wassim Abedrabbo, for his contact information to pass on to the public. He spoke about the dangers of vaping and that October is Drug Prevention month. Councilman Gibson wished Bharat Rana good luck in his run for assembly. He congratulated Ed and Emily Kovacs on their recent Vivere Christus Award from the Diocese of Paterson. He also congratulated the recent Police Academy Recruits who will be graduating in October. Councilman Gibson announced that the City shred day will be this Saturday, October 21st.

Councilman Grabowski

Councilman Grabowski stated the Health Department has issued many summonses to businesses selling vaping equipment to minors. He announced that a dedication ceremony to Anthony Saffioti will take place at the Arts Center Garden on October 12th. He thanked everyone who helped make the Van Houten Ave. Street Fair a success. Councilman Grabowski wished Bharat Rana good luck in his run for NJ assembly. In closing Councilman Grabowski, addressed public speaker, Wassim Abedrabbo, to state all people should be respected.

Councilwoman Murphy

Councilwoman Murphy discussed the Botany Village, Disabilities and Recreation Committee meetings. She announced that sign up for fall classes is open. Councilwoman Murphy gave accolades to the organizers of the Veterans concert. She stated she will try to attend the meeting to discuss the banning of vaping in Clifton. Councilwoman Murphy asked Wassim Abedrabbo to contact her so she could attend the American Muslims from Palestine Association meetings.

Councilwoman Pino

Councilwoman Pino wished Bharat Rana good luck in his run for State Assembly. She mentioned that the Van Houten Ave. Street Fair and the Veterans Concert were excellent. Councilwoman Pino thanked Tom Whittles for all his hard work involving CASA. She thanked everyone who reached out to her regarding a recent car accident she was involved in.

Councilwoman Sadrakula

Councilwoman Sadrakula stated she is still waiting for a list of incidents that might have taken place at establishments which operate 24 hours a day. She inquired about a recent Facebook post

which said the Skate Park will be opening and why the Council was not notified. City Manager, Dominick Villano, said the Facebook post was misleading and stated that the park opened for the purpose of training personnel and that a Grand Opening will be taking place at a later date. Councilwoman Sadrakula spoke about a potential fee being charged to use the Skate Park. She stated she received complaints regarding an untrimmed tree and a wall that needs repair in Richardson Scale Park. Councilwoman Sadrakula discussed Little League organizations paying for electric in ball fields. She asked for a list of parks and leagues that currently pay for electric.

A Motion was made by Councilwoman Sadrakula to direct the City to pay for all electric bills for leagues that use City parks.

There was no second to the motion and the same failed.

City Manager, Dominick Villano, spoke about individuals prematurely posting information on Facebook prior to it being brought before Council for a discussion and resolution.

Mayor Anzaldi

Mayor Anzaldi congratulated the Athenia Business Association on the great job they did putting together the Van Houten Avenue Street Fair. He wished the recent Police Academy graduates good luck. He asked City Manager, Dominick Villano, when the next group of police officers would be hired. Mr. Villano stated a new group will be hired in October. Mayor Anzaldi stated the Veterans Concert was a wonderful event. He thanked Tom Whittles for his fast response to the recent vaping crises and gave kudos to New York Mayor Cuomo on banning vape flavors. He discussed the arrangements made with the Little League organizations regarding the payment of the electric bills at the ball fields. He stated many of the Leagues were given field houses by the City and in turn, agreed to pay the electric. In closing, Mayor Anzaldi thanked City Manager, Dominick Villano, for his comments regarding Facebook postings and said discussions regarding City policies and procedures should take place at the Council meetings and not on Facebook.

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.

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

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

Page 10, Item 5367

Page 7, Item 3421

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

R431-19 Resolution: Approve Claims List Resolution for the September 17, 2019 City Council Meeting

RESOLUTION TO APPROVE CLAIMS TO BE PAID MEETING OF SEPTEMBER 17, 2019

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

Current Fund	\$ 8,776,069.84
Grant Fund	\$ 124,989.96
General Capital Fund	\$ 296,521.78

Sewer Utility -Operating	\$	39,646.90
Sewer Utility-Capital	\$	381,164.27
Developers Escrow	\$	9,099.03
Dog Trust	\$	9,891.96
Police Extra Duty		
Trust Other	\$	45,730.58
Section 8 Public Housing	\$	222,217.90
Community Development	\$	83,513.45
COAH		
Self Insurance	\$	733,245.14
Fire Dedicated Penalties		
Revolving Loan Fund		
Tax Title Lien Redemption		
Unemployment Trust Fund		
Library	\$	2,826.16
General Liability Trust	\$	161,589.00
Workers Compensation Trust	\$	36,123.44
TOTAL CLAIMS		\$10,922,629.41

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

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

R447-19 Resolution of the City of Clifton Mayor and Municipal Council Approving and Adopting the Section 8 Management Assessment Program (SEMAP) Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development

**RESOLUTION OF THE CITY OF CLIFTON MAYOR AND MUNICIPAL COUNCIL
APPROVING AND ADOPTING THE SECTION 8 MANAGEMENT ASSESSMENT
PROGRAM (SEMAP) CORRECTIVE ACTION PLAN (CAP) WITH THE U.S.
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) measures the Public Housing Agency’s performance of their administration of the Section 8 Housing Choice Voucher Program through Section 8 Management Assessment Program (SEMAP); and

WHEREAS, Housing Agencies are required to submit SEMAP certifications to HUD, and under SEMAP, HUD evaluates the Housing Authority’s performance based on various indicators and routinely conducts onsite SEMAP Confirmatory reviews; and

WHEREAS, HUD’s review for Fiscal Year ending December 31, 2018 SEMAP’s score was at 59%; and

WHEREAS, the Clifton Public Housing Agency (CPHA) has addressed the two areas of concern ie., the reporting rate of 88% and the percentage of late reexaminations of 9%; and

WHEREAS, the CPHA received a 93 % reporting rate for the first 8 indicators and HUD mandates a 95% reporting rate, indicators 9-12 and 14 in the SEMAP module cannot be calculated into the overall percentage; and

WHEREAS, the Clifton Public Housing Agency recognized the reduction in reporting through HUD’s submission system. The Clifton Public Housing Agency contracted with Tenmast Software based in Lexington, KY to perform a PIC cleanup to bring the system to acceptable reporting percentage levels (97/98%) for the reporting rate and the late reexamination rate; and

WHEREAS, due to the SEMAP review arriving at 93% for Indicators 1-8 where 95% is required, Indicators 9-12 and 14 received zero points bringing the overall reporting rate to 88%, therefore, requiring a corrective action plan; and

WHEREAS, the Housing Agency completed a Draft Corrective Action Plan (CAP) and submitted it to HUD for their review. HUD reviewed the Draft CAP on May 13, 2019 and has accepted the PHA's Corrective Action Plan and finds that the Clifton Public Housing Agency has performed the necessary steps toward the next annual SEMAP Certification review for submission; and

WHEREAS, HUD's finds the tasks outlined in the SEMAP CAP are designed to improve the Housing Agency's Section 8 Housing Choice Voucher Program Administration and increase the Housing Agency's SEMAP performance rating for the upcoming year; and

WHEREAS, the Housing Agency's staff is committed to working with HUD and successfully accomplishing all of the tasks to ensure the highest rating possible through the SEMAP certification;

NOW, THEREFORE, BE IT RESOLVED by the Clifton Mayor and Municipal Council that the Section 8 Management Assessment Program (SEMAP) Corrective Action Plan (CAP) with the U.S. Department of Housing and Urban Development is approved and adopted and the Executive Director is hereby further authorized to take all actions necessary to implement the foregoing resolution.

RESOLUTIONS

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

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

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF SEPTEMBER 17, 2019**

R431-19 Resolution: Approve Claims List Resolution for the September 17, 2019 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	\$ 8,776,069.84
Grant Fund	\$ 124,989.96
General Capital Fund	\$ 296,521.78
Sewer Utility -Operating	\$ 39,646.90
Sewer Utility-Capital	\$ 381,164.27
Developers Escrow	\$ 9,099.03
Dog Trust	\$ 9,891.96
Police Extra Duty	
Trust Other	\$ 45,730.58
Section 8 Public Housing	\$ 222,217.90
Community Development	\$ 83,513.45
COAH	
Self Insurance	\$ 733,245.14
Fire Dedicated Penalties	
Revolving Loan Fund	
Tax Title Lien Redemption	
Unemployment Trust Fund	
Library	\$ 2,826.16
General Liability Trust	\$ 161,589.00
Workers Compensation Trust	\$ 36,123.44
TOTAL CLAIMS	\$10,922,629.41

R432-19 Resolution Canceling Grant Fund Account Balances

**RESOLUTION CANCELING
GRANT FUND ACCOUNT BALANCES**

WHEREAS, the following grant projects with in the Current Fund and the Grant Fund of the City of Clifton budget balances remain unexpended or have been reduced:

Account Name	Cancel Amount
2008 - NJEDA - Athenia Steel Remediation	\$ 53,542.00
2009 - NJEDA - Athenia Steel Remediation	\$ 32,654.00

WHEREAS, it is necessary to formally cancel said balances so that the Grant program may be closed out and removed from the open balances, and

WHEREAS, it may be necessary to refund any excess funds received from the Grant Agency if the City of Clifton receives funding in excess of the requirement of the program.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that the above listed Grant Fund Project balances be canceled and any excess funds received returned to the appropriate Grant Agency.

R433-19 Chapter 159 Resolution Amending the 2019 City Budget for Additional Revenue and Appropriations - FEMA Hazmat Training for the Fire Department - \$22,443.38

**CHAPTER 159 RESOLUTION
AMENDING THE 2019 CITY BUDGET FOR
ADDITIONAL REVENUE AND APPROPRIATION**

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

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

WHEREAS, the City of Clifton has received \$22,443.38 from the State of New Jersey, Division of State Police for a Haz Mat Training Subgrant Number FY18 HMEP Sub-award Program for the City of Clifton Fire Department and wishes to amend the 2019 Municipal Budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$22,443.38

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the
Division of Local Government Services:
State and Federal Revenues Off-set with

Appropriations:

Haz Mat Training Grant – N.J. Division of State Police - \$22,443.38

BE IT FURTHER RESOLVED, that the like sum of \$22,443.38 be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-set by

Revenues:

Haz Mat Training Grant – N.J. Division of State Police - \$22,443.38

BE IT FURTHER RESOLVED, that this Resolution be forwarded to the Director of Local Government Services for approval.

R434-19 Chapter 159 Resolution Amending the 2019 City Budget for the Additional Revenue and Appropriation - FY2018 Assistance to Firefighters Grant - \$291,050.00

**CHAPTER 159 RESOLUTION
AMENDING THE 2019 CITY BUDGET FOR
ADDITIONAL REVENUE AND APPROPRIATION**

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

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

WHEREAS, the City of Clifton has received \$264,590.90 from the U. S. Department of Homeland Security, FY2018 Assistance to Firefighters Grant (AFG) for a Source Capture Exhaust Systems for the Fire Stations and wishes to amend the 2019 Municipal Budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$264590.90

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated

With Prior Written Consent of the Director of the

Division of Local Government Services:

State and Federal Revenues Off-set with

Appropriations:

FY2018 Assistance to Firefighters Grant - \$264,590.90

BE IT FURTHER RESOLVED, that the like sum of \$291,050.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS

State and Federal Programs Off-set by

Revenues:

FY2018 Assistance to Firefighters Grant - \$264,590.90

Local Match for Grant (01-201-46-880-323) - \$26,459.10

BE IT FURTHER RESOLVED, that this Resolution be forwarded to the Director of Local Government Services for approval.

R435-19 Resolution Authorizing the Issuance of Change Order No. 1 - Main Avenue Streetscape - Crooks Avenue to Parkway Covino and Sons Contracting

**RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 1
MAIN AVENUE STREETSCAPE – CROOKS AVENUE TO PARKWAY
COVINO AND SONS CONTRACTING**

WHEREAS, on September 19, 2018, the City of Clifton adopted Resolution R-414-18 awarding a contract to COVINO AND SONS CONTRACTING of ROCHELLE PARK, NEW JERSEY, for the performance of certain public work and the furnishing of material, labor and equipment for the MAIN AVENUE STREETSCAPE – CROOKS AVENUE TO PARKWAY in the amount of \$381,120.00; 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 COVINO AND SONS CONTRACTING in the amount of \$29,097.00 a 7.63% 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 \$29,097.00 a 7.63% INCREASE; and

WHEREAS, the total contract amount is now \$410,217.00:

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.

R436-19 Resolution Awarding Contract for Addition and Alterations for Fire Station Number 5

**RESOLUTION AWARDING CONTRACT FOR
ADDITION AND ALTERATIONS FOR FIRE STATION NO. 5**

BE IT RESOLVED: that the contract for the ADDITION AND ALTERATIONS FOR FIRE STATION NO. 5 be and the same is hereby awarded to WEST END KB LLC of Oceanport, New Jersey, the low bidder meeting the specifications at a grand total bid price of \$459,000.00, in accordance with bids received on September 4, 2019, and recommended by communication dated September 12, 2019 to the Mayor and Council; and

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

BE IT FURTHER RESOLVED: that the required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.

R437-19 Resolution Releasing Guarantees for Site Improvements: Clifton Plaza Phase II; Blink Fitness; 1010 Route 46 West, Block 39.10, Lot 23

**RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
CLIFTON PLAZA PHASE II; BLINK FITNESS; 1010 ROUTE 46 WEST
BLOCK 39.10, LOT 23**

WHEREAS, LEVIN MANAGEMENT CORPORATION (the Developer) originally posted with the City of Clifton a Performance Bond in the amount of \$371,558.34 which was reduced to \$111,467.50; and a Cash Guarantee in the amount of \$41,284.26 which was reduced to \$12,385.28 for site improvements at their facility located at 1010 Route 46 West, designated as Block 39.10, Lot 23; 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, the duration of time since the date of completion has since elapsed the two-year maintenance period and therefore, the Maintenance Bond is waived; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements for the Clifton Plaza Phase II; Blink Fitness., 1010 Route 46 West, New Jersey, Block 39.10, Lot 23 are accepted, the City Engineer is hereby directed to return the Performance Bond and all escrow funds to Levin Management Corporation.

R438-19 Resolution Rejecting Bids for Access Control/Surveillance CCTV System Installation and Maintenance and Authorizing Advertisement for New Bids

**RESOLUTION REJECTING BIDS FOR
ACCESS CONTROL/SURVEILLANCE CCTV SYSTEM
INSTALLATION AND MAINTENANCE
AND AUTHORIZING ADVERTISEMENT FOR NEW BIDS**

WHEREAS, the Mayor and Council of the City of Clifton authorized bids to be solicited for Access Control/Surveillance CCTV System Installation and Maintenance, via resolution R363-19; and

WHEREAS, four (4) bids were received and publicly opened on August 22, 2019, pursuant to the above; and,

WHEREAS, upon review of the submitted bids, substantial changes were deemed as necessary in order to require more specificity in the requirements for the proposed equipment, and to more fully set forth integration requirements, as well as separating the larger project component (Part A) from the time and materials contract portion (Part B); and,

NOW THEREFORE BE IT RESOLVED, that the bids received for Access Control/Surveillance CCTV System Installation and Maintenance are rejected in order to substantially revise the specifications, and bifurcate Part A and Part B, and issue two new bids.

BE IT FURTHER RESOLVED, that the City Clerk is authorized and directed hereby to return the bid bonds placed on deposit with said bids; and

BE IT FURTHER RESOLVED, that the Purchasing Agent is hereby authorized and directed to advertise and seek new bids for the Access Control/Surveillance CCTV System Installation and Maintenance.

R439-19 Resolution to Amend Resolution R262-19, Titled Award National Contract to Rent 25 Ton Voyager DX, a 460 Volt Air Conditioning Unit to Trane Rental Services, Through US Communities/Omnia Partners National Co-Operative Agreement for the Finance, Health and MIS Departments for the City of Clifton

**RESOLUTION TO AMEND RESOLUTION R262-19, TITLED AWARD
NATIONAL CONTRACT TO RENT 25 TON VOYAGER DX, A 460 VOLT AIR
CONDITIONING UNIT TO TRANE RENTAL SERVICES, THROUGH US
COMMUNITIES/OMNIA PARTNERS NATIONAL CO-OPERATIVE
AGREEMENT FOR THE FINANCE, HEALTH AND MIS DEPARTMENT FOR
THE CITY OF CLIFTON**

WHEREAS, on May 21, 2019 the Governing Body adopted Resolution Number R262-19 to award a contract under the US Communities/ Omnia Partners National Cooperative Agreement with Trane U.S., Inc., for HVAC Products, Installation, Services and Related Products and Services”, via contract #USC 15-JLP-023, under the Trane Rental Services Division, for the rental of a 25 Ton Voyager DX, a 460 Volt Air Conditioning Unit, through to October 15, 2019, for a not to exceed amount of \$37,876.02; and,

WHEREAS, Trane U.S., Inc., was awarded contract #USC 15-JLP-023 for HVAC Products, Installation, Services and Related Products and Services, inclusive of rental units, as well as repairs and maintenance work for Trane equipment, for a term of October 1, 2018 – September 30, 2022; and

WHEREAS, the Department of Public Works requires certain immediate repair and maintenance work on City of Clifton Trane equipment; and,

WHEREAS, via the U.S. Communities/Omnia Partners the above referenced contract, #USC 15-JLP-023, Trane U.S., Inc., 19 Chapin Road, Bldg. B, Suite 200, Pine Brook, NJ 07058, does provide repairs and maintenance work on Trane HVAC equipment and immediate peripherals; and,

WHEREAS, with the amending of the above resolution, R262-19, pursuant to Contract #USC 15-JLP-023, the as-needed services may be implemented, in compliance with P.L. 2011 c139 (the “Law” or “Chapter 139”), which allows local contracting units to utilize national cooperative contracts as a method of procurement; and,

WHEREAS, in order to provide the DPW Trane equipment HVAC repair and maintenance, the recommendation of the Purchasing Agent is to Amend Resolution 262-19, and extend the term from October 15, 2019 through to December 31, 2019, and increase the award amount by an additional \$35,000; 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 amendment to the purchase and delegate the power to make the same to the following named official: James J Jorgensen, 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. Resolution R262-19 is amended as set forth herein.
2. The City of Clifton is authorized to amend the contract award with Trane U.S., Inc., 19 Chapin Road, Bldg. B, Suite 200, Pine Brook, NJ 07058, via the US Communities/Omnia Partners contract #USC 15- JLP – 023, for an additional not to exceed amount of \$35,000.

3. The new total contract amount with Trane U.S., Inc., 19 Chapin Road, Bldg. B, Suite 200, Pine Brook, NJ 07058 shall not exceed \$72,876.02.

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

R440-19 Resolution Accepting Donation of Camera from County of Passaic and Authorizing Execution of Memorandum of Understanding

RESOLUTION ACCEPTING DONATION OF CAMERA FROM COUNTY OF PASSIC AND AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING

RESOLUTION ACCEPTING DONATION OF CAMERA FROM COUNTY OF PASSAIC AND AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING

BE IT RESOLVED, by the Mayor and Council of the City of Clifton that it hereby accepts the donation of a Q-Star Solar-powered FlashCam portable camera from the County of Passaic; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the proposed Memorandum of Understanding in connection therewith on behalf of the City of Clifton.

R441-19 Resolution Appointing Municipal Housing Liaison

RESOLUTION APPOINTING MUNICIPAL HOUSING LIAISON

BE IT RESOLVED, that Donna Sidoti, be and hereby is appointed as the Municipal Housing Liaison for the City of Clifton, commencing immediately, pursuant to Art II, entitled “Affordable Housing Administration,” of Chapter 7, entitled “Affordable Housing,” of the Code of the City of Clifton, to be paid out of the COAH Developer Fee Trust Account for performing the duties of this position at the same hourly rate as established by her annual salary ; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to and filed with the Council on Affordable Housing (COAH) so that their records can be updated in accordance with the within resolution.

R442-19 Resolution Awarding Professional Consultant Services Contract for Fire Department Communications System to Allegiant Wireless, LLC

RESOLUTION AWARDING PROFESSIONAL CONSULTANT SERVICES CONTRACT FOR FIRE DEPARTMENT COMMUNICATIONS SYSTEM TO ALLEGIANT WIRELESS, LLC

WHEREAS, the City of Clifton requires professional engineering consultant services for the Fire Department Communications System; and

WHEREAS, the City Manager has solicited a proposal from Allegiant Wireless, LLC for the provision of said services, and has received a response thereto; and

WHEREAS, after reviewing the proposal, the City Manager recommends the award of a contract to Allegiant Wireless, LLC for the provision of said services, in accordance with the proposal dated September 4, 2019; and

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

WHEREAS, the value of the contract is determined to exceed \$17,500, and the term of the contract is until the completion of the services, not to exceed one (1) year; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that a professional consultant services contract for the Fire Department Communications System is hereby awarded to Allegiant Wireless, LLC of Jackson, NJ, for an amount not to exceed \$28,800.00, in accordance with its proposal dated September 4, 2019; and

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

BE IT FURTHER RESOLVED, that no services and/or goods shall commence prior to execution of a contract prepared by the Law Department.

R443-19 Resolution Authorizing Entertainment License for Athenia Veterans Post, Inc.

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR ATHENIA VETERANS POST, INC.

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of the Athenia Veterans Post, Inc., of 147 Huron Avenue, Clifton, New Jersey (RB1 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:

Two (2) nights per week: Tuesday and Thursday
Tuesday: 8:00 p.m. to 10:00 p.m.
Thursday: 8:00 p.m. to 12:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

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

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

Karaoke and Open Mic Night (Local Bands not to Exceed Four Instruments and One Singer at Any One Time)

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2019 through June 30, 2020

5. SECURITY/PARKING REQUIREMENTS:

Not Applicable.

6. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

7. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

8. REQUIREMENTS/RESTRICTIONS:

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

R444-19 Resolution Re-Appointing Thomas F. Brunt as Municipal Court Judge for a Period of Three Years Commencing October 25, 2019

**RESOLUTION RE-APPOINTING THOMAS F. BRUNT AS MUNICIPAL
COURT JUDGE FOR A PERIOD OF THREE YEARS COMMENCING
OCTOBER 25, 2019**

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that Thomas F. Brunt is hereby re-appointed Judge of the Municipal Court in and for the City of Clifton, for a full three-year term, commencing October 25, 2019.

R445-19 Resolution Amending Resolution R603-18, Entitled "Award National Contract to Pierce Manufacturing, Inc., Through Sourcewell National Cooperative Agreement for the Purchase of Firefighting Apparatus, with the Related Equipment, Accessories and Supplies"

**RESOLUTION AMENDING RESOLUTION R603-18, TITLED "AWARD
NATIONAL CONTRACT TO PIERCE MANUFACTURING INC., THROUGH
SOURCEWELL NATIONAL COOPERATIVE AGREEMENT FOR THE
PURCHASE OF FIREFIGHTING APPARATUS, WITH THE RELATED
EQUIPMENT, ACCESSORIES, AND SUPPLIES"**

WHEREAS, on December 18, 2018, the Mayor and Council approved R603-18 titled "Award National Contract to Pierce Manufacturing Inc., through Sourcewell National Cooperative Agreement for the Purchase of Firefighting Apparatus, with the Related Equipment, Accessories, And Supplies" in an amount not to exceed \$578,713.31; and,

WHEREAS, during an inspection visit, it was determined by the Clifton Fire Department that a change be made regarding the apparatus' lube system, for which the vendor

recommended an additional City of Clifton Fire Department inspection committee member be authorized to attend the subsequent inspection to ensure compliance; and,3

WHEREAS, to date, the requested change order for the above adds an additional \$2,750.00, bringing the total contract price to \$581,463.31; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby approve an increase of funds for the above referenced contract in the amount of \$2,750.00 pursuant to the aforementioned change order request, which brings the total amount of the contract to \$581,463.31, thereby amending Resolution R603-18. Funds are available in the original account number 04-215-55-959-302.

R446-19 Resolution Authorizing Animal Shelter & Pound License Renewal

**RESOLUTION AUTHORIZING ANIMAL SHELTER & POUND LICENSE
RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an Animal Shelter & Pound License Renewal from Barking Barney’s Doggie Daycare, 657 Lexington Ave., Clifton, New Jersey; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of an Animal Shelter License to Barking Barney’s Doggie Daycare, 657 Lexington Ave., Clifton New Jersey is hereby granted.

R448-19 Resolution Authorizing the Clifton Public Housing Agency to Appoint Members to the Residents Advisory Board

**RESOLUTION AUTHORIZING THE CLIFTON PUBLIC HOUSING AGENCY
TO APPOINT MEMBERS TO THE RESIDENTS ADVISORY BOARD**

WHEREAS, ON April 6, 1976, the Mayor and Municipal Council of the City of Clifton, pursuant to Section 8 of the United States Housing Act of 1937, as amended, (42 USC 1437 F), adopted a resolution establishing the Clifton Public Housing Agency; and

WHEREAS, the purpose of this Agency is to make available certain federal funds to aid the housing needs of certain extremely low, low- and moderate-income citizens of the City of Clifton; and

WHEREAS, the Clifton Public Housing Agency administers the Section 8 Housing Choice Voucher Program; and

WHEREAS, the Clifton Public Housing Agency administers only Housing Choice Vouchers and does not own any public housing buildings; and

WHEREAS, the Clifton Public Housing Agency is required to establish a Residents Advisory Board (RAB) as part of the PHA Plan Process in accordance with 24 CFR 964.100 - Role of resident council: The role of a resident council is to improve the quality of life and resident satisfaction and participate in self-help initiatives to enable residents to create a positive living environment for families living in public housing. Resident councils may actively participate through a working partnership with the HA to advise and assist in all aspects of public housing operations; and

WHEREAS, the Clifton Public Housing Agency has appointed the following Voucher Assisted Residents to the RAB: Beatrice Jeffries, Janice Arroyo and Emily Denike; and

WHEREAS, in accordance with U.S. Department of Housing and Urban Development (H.U.D.) regulations, these regulations and policy changes should be updated in the Clifton Public Housing Agency’s annual and administrative plan;

NOW, THEREFORE, BE IT RESOLVED that the aforesaid amendments and changes to the annual and administrative plan shall become effective immediately upon adoption of this resolution.

R449-19 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 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
52 Valley Road Blk 14.01, Lot 12	\$ 300.00	\$ 100.00	\$400.00
388 Washington Ave Blk 19.11, Lot 10	\$ 250.00	\$ 100.00	\$350.00
354 Grove St. Blk 39.04, Lot 15	\$ 250.00	\$ 100.00	\$250.00
28 Samuel Ave Blk 42.02, Lot 21	\$ 175.00	\$ 100.00	\$275.00
110 Vincent Drive Blk 63.01, Lot 24.01	\$ 700.00	\$ 100.00	\$800.00

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.

R450-19 Late - Resolution Awarding Contract for Fencing to Absolute Fence, Inc.,
Through the Bergen County Cooperative

**RESOLUTION AWARDING CONTRACT FOR
FENCING TO ABSOLUTE FENCE, INC.,
THROUGH THE BERGEN COUNTY COOPERATIVE**

WHEREAS, the City of Clifton, Recreation Department is required to maintain fencing around City parks and related recreation facilities; and

WHEREAS, to provide the above fencing services, the Recreation Director has requested an as-needed contract be awarded to Absolute Fencing Inc., via the Bergen County Cooperative contract number 17-20.1, in a not to exceed amount of \$189,000.00; and,

WHEREAS, by resolution #262-16, adopted May 3, 2016, the City was authorized to participate in the Bergen County Cooperative (#CK04-Bergen); 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 purchases and delegate the power to make the same to the following named official: James J. Jorgensen, Purchasing Agent upon the terms and conditions hereafter stated; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council do hereby approve and authorize procurement of the as-needed services from Absolute Fencing Inc., 535 Ryerson Road, Lincoln Park, NJ 07035, at the rates proposed pursuant to Bergen County Cooperative contract 17-20.1, for a total not to exceed amount \$189,000.00.

BE IT FURTHER RESOLVED, that no services and/or goods shall commence prior to issuance of a Purchase Order by the Finance Department.
R451-19 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 Proposed Shared Services Agreement with PCIA for Property
Registration

CON-2 Bid Addition & Alterations for Fire Station No. 5 - Legal Opinion

CON-3 IBEW Contract Negotiations

CON-4 PBA and FMBA Issues Regarding Inactive Duty Training Pay

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 17, 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 EL GALLO, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

For: El Gallo, LLC

T/A: El Gallo Mexican Restaurant

ADDRESS: 314 Clifton Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use

FORMERLY OR NEW: Meson Barcelona

ZONE: B-C

PERMITTED: Yes

VARIANCE REQUIRED: No

L-2 BARRELES II GROCERY, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

For: Barrales II Grocery, LLC

T/A: Barrales II Grocery

ADDRESS: 1051 Main Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Grocery – Continued Use

FORMERLY OR NEW: Barrales Grocery

ZONE: B-C

PERMITTED: Yes

VARIANCE REQUIRED: No

ADJOURNMENT

Upon motion made by Councilwoman Murphy, seconded by Councilman Grabowski and passed on roll call vote, the meeting was adjourned at 8:56 p.m.

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

Respectfully Submitted,

Nancy Ferrigno
City Clerk

James Anzaldi, Mayor