

**CITY OF CLIFTON
CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES JUNE 16, 2020**

The Regular Meeting of the Municipal Council of the City of Clifton was held by telecom due to the Coronavirus emergency.

6:30 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 2020 which was published as legal advertisements in the Herald News on December 18, 2019 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 and City Clerk, Nancy Ferrigno.

INVOCATION

Nancy Ferrigno – City Clerk

PLEDGE TO THE FLAG

PUBLIC HEARING

Public Hearing - Amendment to CDBG Program - Amendment B-19-MC-34-0103 6-16-2020 meeting

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.

APPROVAL OF MINUTES

A Motion was made by Councilman Eagler seconded by Councilman Grabowski and passed on roll call vote to approve the Minutes of the Regular and Workshop Meetings of June 3, 2020.

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

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Thomas Rinaldi Police Captain Public Safety, promoted to Police Chief, effective 06/01/2020, at \$208,217.25 annually.

C-2 Mark Centurione, Police Chief Public Safety, retired his position effective 03/01/2020.

COMMUNICATIONS – MEETING MINUTES

C-3 Minutes of Board of Adjustment of June 3, 2020

C-4 Minutes of Alcoholic Beverage Control Board of May 13, 2020

SECOND READING ORDINANCES

A. Adoption of Ordinance 7556-19

B. Public Hearing on Ordinance 7556-19

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Murphy and passed on roll call vote to table Ordinance 7556-19.

An Ordinance of the City of Clifton, County of Passaic, State of New Jersey, Approving and Adopting the Black Prince Distillery Redevelopment Plan

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

C. Adoption of Ordinance 7587-20

D. Public Hearing on Ordinance 7587-20

The Mayor opened the floor to the public with regard to the Ordinance 7587-20

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilman Eagler 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 Eagler 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" (Deletes 29 Restricted Handicapped Spaces)

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

E. Adoption of Ordinance 7588-20

F. Public Hearing on Ordinance 7588-20

The Mayor opened the floor to the public with regard to the Ordinance 7588-20

With no one wishing to be heard, a Motion was made by Councilman Grabowski, 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 Grabowski, seconded by Councilwoman Murphy 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 14 Handicapped Spaces)

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

CITY MANAGER PRIVILEGE

City Manager, Dominick Villano, read a report from the Health Officer regarding COVID-19. He also spoke regarding outdoor dining.

FLOOR TO MEMBERS OF THE PUBLIC

The following persons spoke with regard to racial inequality, defunding the police and Black Lives Matter:

Santiago Duran, Barnsdale Road
Leah, E. 4th Street
Allison Proszowski, 7 Hillcrest Avenue
Alex Carter, 12 Sewall Avenue
Hector Selen de Jesus, 91 E. 3rd Street
Jose Lamarque, 12 Jerome Drive
Alex Moncada, Scoles Avenue
Rob Thaker, 417 Rutherford Boulevard
Alaa Khalil, E. 7th Street
Caitlyn Velasquez, 52 Summit Road
Stephanie Oviedo, 163 Colfax Avenue

Faith Webb, 23 Strangeway Terrace, spoke with regard to supporting the police.

With no one else 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.

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

Mayor Anzaldi, answered questions regarding the police budget and how the money is being used.

COUNCIL PRIVILEGE

Councilwoman Sadrakula

Councilwoman Sadrakula spoke about the budget and budget cuts. She discussed eliminating medical benefits for part-time employees and curbing the hiring of outside counsel. Councilwoman Sadrakula announced that the police contract is in arbitration. She highlighted the dedication of the police and fire personnel during the COVID-19 pandemic. Councilwoman Sadrakula discussed diversity, racism, the death of George Floyd, the City's current settlement agreement with the NAACP and her protest of the promotion of a former employee to Deputy

June 16, 2020

Fire Chief who she feels is a racist. She expressed her disapproval of police defunding, and spoke about signs at a recent Black Lives Matters protest that she found offensive. Councilwoman Sadrakula suggested a meeting of the City Council, Police Chief, Fire Chief and any other officials who would want to convene to discuss any issues that need to be addressed.

Councilwoman Pino

Councilwoman Pino thanked all the residents that spoke at tonight's meeting. She spoke about racism and the need to continue the battle against racism until changes occur. She remarked that not all minorities are bad people and not all police officers are violent. Councilwoman Pino spoke about past racial profiling in the City's Police Department and the recent improvement in regard to racial profiling. She spoke about police and education reform that she feels is needed within the City. Councilwoman Pino urged all residents to vote. She asked that her associates on council give their thoughts on police mobile cameras, diversity training, community policing, supervision within the police department, and police starting salary.

Councilwoman Murphy

Councilwoman Murphy urged all residents to vote in the upcoming Primary Election. She announced that a ballot box, with camera surveillance, has been set up in front of City Hall for mail-in ballots. Councilwoman Murphy discussed the Black Lives Matters movement. She stated she will not support the defunding of the police department. Councilwoman Murphy remarked that funds cannot be taken from the Municipal budget to benefit schools.

Councilman Grabowski

Councilman Grabowski expressed that he would not support defunding of the police department. He discussed many items that the budget covers to keep the police department functional. Councilman Grabowski cautioned residents not to become complacent in dealing with the Coronavirus now that businesses are beginning to reopen.

Councilman Gibson

Councilman Gibson discussed police defunding and police training. He explained the steps that are involved when a complaint against a police officer is received by the Internal Affairs department. He remarked on the numerous checks and balances under the Attorney General's guidelines. Councilman Gibson congratulated Thomas Rinaldi on his promotion to Police Chief and supported his aim to bring back community policing. Councilman Gibson congratulated all the 2020 graduates. He inquired as to when the parks will reopen and if the Summer Concerts will be reinstated this summer. City Manager, Dominick Villano, remarked that the parks will open in stages as approved by Governor Murphy and discussions are taking place regarding whether the Summer Concerts can be reinstated safely in the midst of the pandemic.

Councilman Eagler

Councilman Eagler thanked everyone who volunteered to help during the current pandemic. He wished all fathers a happy Father's Day. Councilman Eagler expressed his support for the Black Lives Matters movement. He announced that he supports police reform, not defunding. Councilman Eagler suggested a meeting take place with the Police Committee in the next two weeks and supports the efforts to bring back community policing. He discussed the many programs that are funded by the budget and he also remarked on the current agreement the City has with the NAACP. Councilman Eagler announced that he does not received health benefits through the City. In closing, he stressed the importance of all members of the Council to work together and urged young people to attend the Council meetings and voice their opinions.

MAYOR ANZALDI

Mayor Anzaldi wished all fathers a happy Father's Day. He asked that everyone complete their Census form for the good of the City and its residents. He announced that the County, due to population, is receiving COVID-19 funding. Mayor Anzaldi addressed some complaints

regarding street cleaning. He spoke about his attendance at recent Black Lives Matters rallies. Mayor Anzaldi said he would support body cams and any other equipment the police department may require to maintain the safety of police and the public. He discussed health benefits for Council members. Mayor Anzaldi remarked on discord among members of the City Council and derogatory social media posts.

RESOLUTIONS VOTED ON SEPERATELY

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

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

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

Page 4, Item 308

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

RESOLUTION

TO APPROVE

Claims to be paid the meeting of June 16, 2020

Meeting of June 16, 2020

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

Current Fund	\$	2,787,741.54
Grant Fund	\$	178,682.80
General Capital Fund	\$	7,919.87
Sewer Utility -Operating	\$	27,580.67
Sewer Utility-Capital	\$	2,000.00
Developers Escrow	\$	10,677.30
Dog Trust	\$	977.70
Police Extra Duty	\$	3,185.00
Trust Other	\$	8,273.53
Section 8 Public Housing	\$	332,690.35
Community Development	\$	112,063.45
COAH		
Self Insurance	\$	594,679.23
Self Insurance 11		
Fire Dedicated Penalties		
Revolving Loan Fund		
Tax Title Lien Redemption		
Unemployment Trust Fund		
Library	\$	93,855.59
General Liability Trust	\$	2,540.00
Workers Compensation Trust	\$	9,055.83
Federal DOJ Forfeiture		
TOTAL CLAIMS	\$	4,171,922.86

June 16, 2020

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

R206-20 Resolution to Adopt 2020 Municipal Budget

**RESOLUTION TO ADOPT
2020 MUNICIPAL BUDGET**

WHEREAS, the 2020 City of Clifton Municipal Budget was introduced at the May 19, 2020 Meeting of the Mayor and City Council; and,

WHEREAS, the 2020 Municipal Budget was advertised for a Public Hearing and Adoption at the June 16, 2020 Meeting of the Mayor and City Council in the May 29, 2020 edition of The Herald News; and,

WHEREAS, the Public Hearing on the adoption of the Municipal Budget was held on June 16, 2020, as advertised, for the 2020 Municipal Budget, which includes the Sewer Utility Budget,

WHEREAS, the User Friendly Budget Document, as required by the State of New Jersey (NJSA 40A:4-10), was submitted to the State of New Jersey with the Introduced Budget and will again be submitted with the Adopted Budget; and

WHEREAS, the City Council waives the reading of the 2020 Municipal Budget in its entirety due to the fact that the 2020 Budget has been available in the City Clerk's Office as well as the Clifton Public Libraries;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Clifton that the following statements of Revenue and Appropriations attached hereto constitutes the local Budget of the City of Clifton, County of Passaic, State of New Jersey, for the Year 2020, as adopted by the Mayor and City Council, by no less than a majority of the full membership of the City Council (5);

BE IT FURTHER RESOLVED, that the City Clerk's Office files Certified Copies of the 2020 Municipal Budget with the State of New Jersey, Department of Community Affairs, and the Passaic County Tax Office.

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

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

R211-20 Resolution Authorizing Permission to Bid for Dwasline Road Sidewalk Improvements

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR DWASLINE
ROAD SIDEWALK IMPROVEMENTS**

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 scope of work includes sidewalk and accessibility improvements on Dwasline Road from Edgewood Avenue north to Virginia Avenue south; 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.*

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

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

R218-20 Late - Resolution Authorizing and Ratifying Sanitary Sewer Emergency Services at 126 West Fourth Street

**RESOLUTION AUTHORIZING AND RATIFYING SANITARY SEWER
EMERGENCY SERVICES AT 126 WEST FOURTH STREET**

WHEREAS, a report, dated June 14, 2020 has been submitted to the City Manager by City Engineer Michael J. Lardner, which summarized the need and execution of emergency work to the sanitary sewer at 126 West Fourth Street; and

WHEREAS, the report notes that the sewer crew were unable to break a sanitary sewer mainline stoppage and discovered a collapsed pipe; and

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

WHEREAS, the emergency was abated by the replacement of approximately 15' of pipe and restoration of the trench; and

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

NOW THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the emergency sanitary sewer work performed at 126 West Fourth Street by Montana Construction, Inc. is hereby approved and ratified, and an amount not to exceed \$20,000.00 is authorized to be allocated to this project.

R219-20 Late - Resolution Further Amending Resolution No. R173-19 Entitled "Resolution Approving Temporary Suspension of No Parking Restriction on Southerly Side of Hepburn Road"

**RESOLUTION FURTHER AMENDING RESOLUTION NO: R173-19 ENTITLED
"RESOLUTION APPROVING TEMPORARY SUSPENSION OF NO PARKING
RESTRICTION ON SOUTHERLY SIDE OF HEPBURN ROAD"**

WHEREAS, Country Club Towers has submitted a request to the Council for an extension of the suspension of the no parking regulations previously granted by the Council from June 22, 2020 through July 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, that, Resolution No: R173-19 is amended to provide that the no parking restriction on the southerly side of Hepburn Road be suspended, subject to the referenced emergency no parking restrictions, until the completion of the repairs to the parking garage at Country Club Towers, with the provision, however, that the suspension is not to extend beyond July 31, 2020, and in the event the project is not completed by July 31, 2020, Country Club Towers shall apply for another extension.

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

RESOLUTIONS

A Motion was made by Councilman Grabowski, seconded by Councilman Gibson 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.

R205-20 Resolution: Approve Claims List Resolution for the June 16, 2020 City Council Meeting

RESOLUTION

TO APPROVE

**Claims to be paid the meeting of June 16, 2020
Meeting of June 16, 2020**

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

Current Fund	\$	2,787,741.54
Grant Fund	\$	178,682.80
General Capital Fund	\$	7,919.87
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Tax Title Lien Redemption		
Unemployment Trust Fund		
Library	\$	93,855.59
General Liability Trust	\$	2,540.00
Workers Compensation Trust	\$	9,055.83
Federal DOJ Forfeiture		
TOTAL CLAIMS	\$	4,171,922.86

R207-20 Resolution for Reclassification of Payments

CITY OF CLIFTON
RESOLUTION
RECLASSIFICATION OF PAYMENTS

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

CHECK#	DATE	PAYEE	AMOUNT	FROM	TO
128679 (partial)	4/7/2020	PRECISION COMPUTER OF FORT LEE, INC	\$6,780.00	15-286-56-004-100	02-213-40-719-020
128740	4/21/2020	BELL'S SECURITY SALES, INC.	\$345.40	15-286-56-004-100	02-213-40-719-020
128753	4/21/2020	COMMERCIAL TECHNOLOGY CONTRACTORS I	\$2,945.98	15-286-56-004-100	02-213-40-719-020
128777 (partial)	4/21/2020	W.W. GRAINGER	\$171.66	15-286-56-004-100	02-213-40-719-020
128822	4/21/2020	THE TERRE COMPANY OF NJ, INC	\$290.91	15-286-56-004-100	02-213-40-719-020
128836	4/23/2020	BANK OF AMERICA, N.A.	\$99.97	15-286-56-004-100	02-213-40-719-020
128836 (partial)	4/23/2020	BANK OF AMERICA, N.A.	\$419.93	15-286-56-004-100	02-213-40-719-020
128836	4/23/2020	BANK OF AMERICA, N.A.	\$428.30	15-286-56-004-100	02-213-40-719-020
128836	4/23/2020	BANK OF AMERICA, N.A.	\$638.01	15-286-56-004-100	02-213-40-719-020
128837	4/23/2020	BANK OF AMERICA, N.A.	\$606.71	15-286-56-004-100	02-213-40-719-020
128838 (partial)	4/23/2020	BANK OF AMERICA, N.A.	\$209.60	15-286-56-004-100	02-213-40-719-020
128852	5/5/2020	BELL'S SECURITY SALES, INC.	\$1,058.41	15-286-56-004-100	02-213-40-719-020
128855	5/5/2020	C2 IMAGING LLC	\$5,175.00	15-286-56-004-100	02-213-40-719-020
128881 (partial)	5/5/2020	W.W. GRAINGER	\$4,030.78	15-286-56-004-100	02-213-40-719-020
128891	5/5/2020	JOHN BRUTOFSKY	\$4,245.00	15-286-56-004-100	02-213-40-719-020
128909 (partial)	5/5/2020	PRECISION COMPUTER OF FORT LEE, INC	\$16,192.83	15-286-56-004-100	02-213-40-719-020
128922	5/5/2020	SHEFCHIK, MELANIE	\$1,991.25	15-286-56-004-100	02-213-40-719-020
128949	5/19/2020	ACTION FIRE APPARATUS COMPANY, INC.	\$4,878.00	15-286-56-004-100	02-213-40-719-020
128956	5/19/2020	ATLANTIC BATTERY SYSTEMS	\$456.00	15-286-56-004-100	02-213-40-719-020
128966	5/19/2020	CASELLA, JEANNE	\$92.74	15-286-56-004-100	02-213-40-719-020
128970	5/19/2020	CIVICPLUS INC	\$320.00	15-286-56-004-100	02-213-40-719-020
128975	5/19/2020	CONNECTED SOLUTIONS GROUP LLC	\$803.73	15-286-56-004-100	02-213-40-719-020
128984 (partial)	5/19/2020	ECONOMY PAPER & RESTAURANT SUPPLY	\$3,225.28	15-286-56-004-100	02-213-40-719-020
128999 (partial)	5/19/2020	GANNETT, CO, INC	\$71.44	15-286-56-004-100	02-213-40-719-020
129001 (partial)	5/19/2020	W.W. GRAINGER	\$1,464.70	15-286-56-004-100	02-213-40-719-020
129002	5/19/2020	HOPKINS, CRAIG - FIRE DEPT.	\$19.25	15-286-56-004-100	02-213-40-719-020
129010	5/19/2020	JOHN BRUTOFSKY	\$1,200.00	15-286-56-004-100	02-213-40-719-020
129031 (partial)	5/19/2020	PRECISION COMPUTER OF FORT LEE, INC	\$6,171.90	15-286-56-004-100	02-213-40-719-020
129032	5/19/2020	PRECISION COMPUTER OF FORT LEE, INC	\$2,394.90	15-286-56-004-100	02-213-40-719-020
129033	5/19/2020	PRINT & MAIL COMMUNICATIONS LLC.	\$10,536.00	15-286-56-004-100	02-213-40-719-020
129037	5/19/2020	RK RESTORATION, LLC	\$5,500.00	15-286-56-004-100	02-213-40-719-020
129053	5/19/2020	TURN OUT UNIFORMS, INC.	\$499.94	15-286-56-004-100	02-213-40-719-020
129063 (partial)	5/21/2020	BANK OF AMERICA, N.A.	\$161.93	15-286-56-004-100	02-213-40-719-020
129064 (partial)	5/21/2020	BANK OF AMERICA, N.A.	\$938.98	15-286-56-004-100	02-213-40-719-020
129065	5/21/2020	BANK OF AMERICA, N.A.	\$219.88	01-201-20-110-226	02-213-40-719-020

June 16, 2020

R208-20 Resolution Authorizing the Issuance of Change Order No. 1 and Final - 2019 Road Resurfacing Program - Sidewalk Accessibility Improvements

**RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
CVS PHARMACY, 635 LEXINGTON AVENUE
BLOCK 2.12, LOTS 18 &19**

WHEREAS, New Jersey CVS Pharmacy, LLC (the Developer) originally posted with the City of Clifton Performance Bond No. 015054998 in the amount of \$461,494.80 and a cash bond in the amount of \$51,277.0 for site improvements at their facility located at 635 Lexington Avenue, designated as Block 2.12, Lots 18 and 19; and

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

WHEREAS, prior to the return of the Performance Guarantees, the Developer agrees to submit to the City of Clifton a Maintenance Bond in the amount of \$76,915.80; and

WHEREAS, the duration of time since the date of completion has since elapsed such that a Maintenance Bond with a one-year term will be required; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements for the CVS Pharmacy, 635 Lexington Avenue, New Jersey, Block 2.12, Lots 18 and 19 are accepted, the City Engineer is hereby directed to return the Performance Bond and all escrow funds to New Jersey CVS Pharmacy, LLC upon receipt of the aforementioned Maintenance Bond.

R209-20 Resolution Authorizing Final Payment - 2019 Road Resurfacing - Sidewalk Accessibility Improvements - AA Berms LLC

**RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE
ORDER NO. 1 AND FINAL 2019 ROAD RESURFACING
PROGRAM - SIDEWALK ACCESSIBILITY IMPROVEMENTS**

WHEREAS, on June 5, 2019, the City of Clifton adopted Resolution R292-19 awarding a contract to **AA BERMS LLC** of BELLEVILLE, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for **2019 ROAD RESURFACING PROGRAM - SIDEWALK ACCESSIBILITY IMPROVEMENTS** in the amount of \$673,956.00; 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 **AA BERMS LLC**, in the amount of \$24,071.72 a 3.57% 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 \$24,071.72 a 3.57% INCREASE;

WHEREAS, the total contract amount is now \$698,027.72

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.

R210-20 Resolution Releasing Guarantees for Site Improvements: CVS Pharmacy, 635 Lexington Avenue, Block 2.12, Lots 18 & 19

**RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
CVS PHARMACY, 635 LEXINGTON AVENUE
BLOCK 2.12, LOTS 18 & 19**

WHEREAS, New Jersey CVS Pharmacy, LLC (the Developer) originally posted with the City of Clifton Performance Bond No. 015054998 in the amount of \$461,494.80 and a cash bond in the amount of \$51,277.0 for site improvements at their facility located at 635 Lexington Avenue, designated as Block 2.12, Lots 18 and 19; and

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

WHEREAS, prior to the return of the Performance Guarantees, the Developer agrees to submit to the City of Clifton a Maintenance Bond in the amount of \$76,915.80; and

WHEREAS, the duration of time since the date of completion has since elapsed such that a Maintenance Bond with a one-year term will be required; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements for the CVS Pharmacy, 635 Lexington Avenue, New Jersey, Block 2.12, Lots 18 and 19 are accepted, the City Engineer is hereby directed to return the Performance Bond and all escrow funds to New Jersey CVS Pharmacy, LLC upon receipt of the aforementioned Maintenance Bond.

R212-20 Resolution Authorizing and Ratifying Filing of Counterclaim or Direct Appeal Before the Tax Court of New Jersey for Year 2020

**RESOLUTION AUTHORIZING AND RATIFYING FILING OF COUNTERCLAIM OR
DIRECT APPEAL BEFORE THE TAX COURT OF NEW JERSEY FOR YEAR 2020**

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that a counterclaim or direct appeal is hereby authorized to be filed with the Tax Court of New Jersey in connection with the following property for 2020:

<u>Block</u>	<u>Lot</u>	<u>Address</u>
71.01	70	201 Main Avenue

R213-20 Resolution Approving and Authorizing the Execution of a Jurisdictional Agreement by and Between the City of Clifton, The County of Passaic and PB Nutclif Master, LLC, Relating to the Completion of Certain Roadway Improvements on Bloomfield Avenue in the City of Clifton

RESOLUTION APPROVING, AND AUTHORIZING THE EXECUTION OF, A

**JURISDICTIONAL AGREEMENT BY AND BETWEEN THE CITY OF CLIFTON,
THE COUNTY OF PASSAIC AND PB NUTCLIF MASTER, LLC, RELATING TO THE
COMPLETION OF CERTAIN ROADWAY IMPROVEMENTS ON BLOOMFIELD
AVENUE IN THE CITY OF CLIFTON**

WHEREAS, the Municipal Council (the “**Municipal Council**”) of the City of Clifton (the “**City**”) identified certain properties in the City designated as Block 80.02, Lots 1 and 4 and Block 79.04, Lots 10 and 21 on the official Tax Map of the City (collectively, the “**Property**”), also known as the Hoffmann-La Roche site, to be considered for designation as a non-condemnation “area in need of redevelopment” under the Local Redevelopment and Housing Law, **N.J.S.A. 40A:12A-1 et seq.** (the “**LRHL**”); and

WHEREAS, by Resolution adopted November 5, 2014, the Municipal Council directed the Planning Board of the City of Clifton (the “**Planning Board**”) to conduct a preliminary investigation to determine whether the Property, or any portions thereof, constitute a non-condemnation “area in need of redevelopment” according to the criteria set forth in **N.J.S.A. 40A:12A-5**; and

WHEREAS, a preliminary investigation/report entitled “Redevelopment Study Area, Determination of Need, Hoffmann La Roche Site – Nutley/Clifton” dated February 5, 2015, was prepared and issued by Maser Consulting, P.A. (the “**Preliminary Investigation**”); and

WHEREAS, **N.J.S.A. 40A-12A-6(b)(4)-(5)** of the LRHL provides in pertinent part relative to the Planning Board’s public hearing on the Preliminary Investigation and whether the Property should be considered for designation as a non-condemnation “area in need of redevelopment”:

“(4) At the hearing, which may be adjourned from time to time, the planning board shall hear all persons who are interested in or would be affected by a determination that the delineated area is a redevelopment area. All objections to such a determination and evidence in support of those objections, given orally or in writing, shall be received and considered and made part of the public record.

(5) (a) After completing its hearing on this matter, the planning board shall recommend that the delineated area, or any part thereof, be determined, or not be determined, by the municipal governing body to be a redevelopment area.”; and

WHEREAS, on April 23, 2015, the Planning Board held a public hearing during which any persons interested in or affected by a determination that the Property is a redevelopment area were given the opportunity to be heard, and any objections to such a determination and evidence in support of those objections, were received and considered and made part of the public record; and

WHEREAS, the Planning Board concurred and agreed with the reasons stated in the Preliminary Investigation that the Property constitutes and meets the criteria under the LRHL supporting the recommendation that the Property be delineated as a non-condemnation “area in need of redevelopment”; and

WHEREAS, on April 23, 2015, the Planning Board adopted a Resolution recommending that the Property be determined by the Municipal Council to be a non-condemnation “area in need of redevelopment” under the LRHL; and

WHEREAS, the Municipal Council concurred and agreed with Planning Board’s recommendation, as supported by the reasons stated in the Preliminary Investigation, that the Property constitutes and meets the criteria under the LRHL and that the Property should be determined and declared a non-condemnation “area in need of redevelopment”; and

WHEREAS, on May 5, 2015, the Municipal Council adopted a Resolution declaring the Property a non-condemnation “area in need of redevelopment” under the LRHL; and

WHEREAS, on June 20, 2017, the Municipal Council, after conducting the requisite hearings therefor, approved ordinance O-7390-17, adopting a redevelopment plan entitled the “Revised Clifton Hoffmann-La Roche Redevelopment Plan – Phase II-A” (as may be amended and supplemented from time to time, the “**Revised Phase II-A Redevelopment Plan**”) in accordance with the Act for an approximately 12.39 acre portion of the Hoffmann-La Roche Redevelopment Area, specifically constituting the entirety of the area of Block 79.04, Lots 10 and 21 as defined in the Revised Phase II-A Redevelopment Plan (the “**Phase II-A Premises**”), in accordance with the provisions of the LRHL, which Revised Phase II-A Redevelopment Plan provides, inter alia, that, at the City’s discretion, the designated redeveloper of the Phase II-A Premises shall enter into a financial agreement with the City under the Exemption Law (as defined herein); and

WHEREAS, on August 21, 2018, the Municipal Council adopted Resolution 385-18, authorizing execution of a redevelopment agreement (the “**Phase II-A Redevelopment Agreement**”) by and between the Municipal Council of the City of Clifton, as a redevelopment entity, and PB Nutclif Master, LLC, for redevelopment of the Phase II-A Premises; and

WHEREAS, following execution of the Phase II-A Redevelopment Agreement, the City recognized PB Nutclif Master, LLC as Redeveloper of the Phase II-A Premises; and

WHEREAS, PB Nutclif Master, LLC subsequently transferred and assigned the Phase II-A Redevelopment Agreement to Isabella Street Urban Renewal, LLC as permitted by, and pursuant to, the terms of the approved and executed Phase II-A Redevelopment Agreement, and as a result of said transfer and assignment the City now recognizes Isabella Street Urban Renewal, LLC as Redeveloper of the Phase II-A Premises; and

WHEREAS, Isabella Street Urban Renewal, LLC is the fee owner of the Phase II-A Premises and PB Nutclif Master, LLC is the fee owner of the remaining portion of the Property; and

WHEREAS, completion of the redevelopment of the Phase II-A Premises pursuant to the Phase II-A Redevelopment Agreement will result in the construction of a 250,000 square foot state of the art diagnostic laboratory which will be occupied by approximately 1,400 employees of Quest Diagnostics Incorporated; and

WHEREAS, in connection with, and pursuant to, the approvals obtained for redevelopment of the Phase II-A Premises, PB Nutclif Master, LLC is required to construct certain roadway improvements, which improvements include the installation of two (2) traffic control signals in the City on Bloomfield Avenue, which is a County of Passaic road, with one (1) being installed at the intersection of Bloomfield Avenue and Isabella Street and one (1) being installed at the intersection of Bloomfield Avenue and Knollwood Terrace; and

WHEREAS, the conditional approvals granted by the County of Passaic for redevelopment of the Phase II-A Premises requires PB Nutclif Master, LLC to enter into an agreement (the “**Jurisdictional Agreement**”) with the County of Passaic and the City concerning the installation of the two (2) traffic control signals on Bloomfield Avenue and future maintenance of the two (2) traffic control signals for facilitating the flow of traffic in accordance with the traffic control signal plan entitled “Proposed Bloomfield Avenue Intersection Improvements” dated January 8, 2019, revised as of February 24, 2020 prepared by Stonefield Engineering & Design (the “**Traffic Control Signal Plan**”); and

WHEREAS, PB Nutclif Master, LLC has requested that the City execute the Jurisdictional Agreement, pursuant to which, among other things, PB Nutclif Master, LLC accepts full responsibility and obligation for all costs related to installation of the two (2) traffic control signals and other related improvements as depicted in the Traffic Control Signal Plan and pursuant to which the City, following installation, agrees to accept jurisdiction, ownership and maintenance of the two (2) traffic control signals; and

WHEREAS, the completion of the installation of the two (2) traffic control signals and related improvements is critical to, and necessary for, the completion of the redevelopment of the Phase II-A Premises; and

WHEREAS, the Municipal Council believes that execution of the Jurisdictional Agreement, allowing for the installation of the two (2) traffic control signals and related improvements, is in furtherance of the ongoing redevelopment of the Property, including the Phase II-A Premises, is in the vital and best interests of the community and promotes the health, safety, morals and welfare of the City’s residents and is in accord with the public purpose and provisions of the LRHL and all other applicable laws; and

WHEREAS, the Municipal Council of the City of Clifton desires to enter into the Jurisdictional Agreement with PB Nutclif Master, LLC and the County of Passaic.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Clifton, being the governing body thereof, as follows:

Section 1. The above “WHEREAS” paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

Section 2. The Jurisdictional Agreement by and between the City of Clifton, the County of Passaic and PB Nutclif Master, LLC, in the form attached hereto as **Exhibit A**, subject to any and all conditions contained therein and such revisions as deemed advisable by counsel to the City, is hereby authorized and approved and the Mayor and City Manager of the City shall be and are hereby severally authorized to execute the same.

Section 3. The City Clerk is hereby directed to publish and post notice of this resolution as required by applicable law.

Section 4. The executed copy of the agreement entered into by the City of Clifton as authorized hereby shall be certified and shall be filed with the Office of the Clerk of the City of Clifton.

Section 5. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the validity thereof shall not affect the remaining parts of this Resolution.

Section 6. All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

Section 7. This Resolution shall take effect at the time and in the manner provided by applicable law.

R214-20 Resolution Accepting Grant and Approving Letter of Agreement by the New Jersey Association of County and City Health Officials (NJACCHO) to the City of Clifton Health Department for COVID-19 Reimbursement

**RESOLUTION ACCEPTING GRANT AND APPROVING LETTER OF AGREEMENT
BY THE NEW JERSEY ASSOCIATION OF COUNTY AND CITY HEALTH
OFFICIALS (NJACCHO) TO THE CITY OF CLIFTON HEALTH DEPARTMENT FOR
COVID-19 REIMBURSEMENT**

BE IT RESOLVED, that a Letter of Agreement Reimbursement Grant by the New Jersey Association of County and City Health Officials (NJACCHO) be and hereby is accepted and the Letter of Agreement between the City of Clifton Health Department and the New Jersey Association of County and City Health Officials (NJACCHO), is hereby authorized and approved; and

BE IT FURTHER RESOLVED, that the Health Officer is hereby authorized and directed to execute said Letter of Agreement on behalf of the City of Clifton.

R215-20 Resolution Amending CDBG Yr. 45 Budget: Hazelview to Chaytor \$40,000;
Amending Yr. 45 CDBG Streets - Clifton Blvd. Transferred to Elm; Clifton Terrace;
and Forenelius Avenue - June 16, 2020 Council Meeting

**AMENDMENT OF CDBG YR. 45 ROAD PROJECTS BUDGET: HAZELVIEW TO
CHAYTOR \$40,000; AND CLIFTON BLVD. ROAD IMPROVEMENT TRANSFERRED
TO: ELM ST; CLIFTON TERRACE; AND FORNELIUS AVENUE.
JUNE 16, 2020 COUNCIL MEETING**

WHEREAS, the City of Clifton is an entitlement community under the Federal Community Development Block Grant Program; and

WHEREAS, the City of Clifton was awarded a contract by the United States Department of Housing and Urban Development (HUD) as proposed in budget applications for the year 2019; and

WHEREAS, the City of Clifton now finds a need to amend the budget to reflect changing needs in the community;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council of the City of Clifton hereby approve the said amendment as reflected on the attached schedule, and authorizes the City Manager to execute any approvals required by the local HUD office.

R216-20 Resolution Supporting Senate Bill No. 930 Providing for Animal Protection Orders and Assignment of Pet Custody in Divorces or Dissolution of a Civil Union and Assembly Bill No. 1909 "Brianna's Law" Which Amends and Supplements Title 4 of the Revised Statutes to Make the Transportation, for Sale or Slaughter of Pregnant Cows a Crime of the Fourth Degree

**RESOLUTION SUPPORTING SENATE BILL NO .930 PROVIDING FOR
ANIMAL PROTECTION ORDERS AND ASSIGNMENT OF PET
CUSTODY IN DIVORCES OR DISSOLUTION OF A CIVIL UNION AND
ASSEMBLY BILL NO. 1909 "BRIANNA'S LAW" WHICH AMENDS AND
SUPPLEMENTS TITLE 4 OF THE REVISED STATUTES TO MAKE
THE TRANSPORTATION, FOR SALE OR SLAUGHTER OF
PREGNANT COWS A CRIME OF THE FOURTH DEGREE**

WHEREAS, on January 27, 2020, Senate Bill No. 930 which provides for animal protection orders and assignment of pet custody in divorce cases or dissolution of civil union was introduced in the New Jersey State Senate; and

WHEREAS, when it comes to animals', human caregivers whose relationships end, those animals become relationship casualties, often being sent to a shelter or sometimes euthanized; and

WHEREAS, on January 14, 2020, Assembly Bill No. 1909 which makes it a crime of the fourth degree to transport a pregnant cow for its sale or slaughter during the gestational period was introduced in the New Jersey General Assembly; and

WHEREAS, currently there is no protection from the transportation for sale or slaughter of pregnant cows; and

WHEREAS, the City of Clifton understands the importance that animals play in the lives of its citizens and wishes to voice its support for the pending legislation;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that it urges support by the New

June 16, 2020

Jersey General Assembly on Assembly Bill No. 1909, New Jersey State Senate on Senate Bill No. 930 and Governor Phil Murphy for the passage and approval of both bills; and

BE IT FURTHER RESOLVED, THAT THE City Clerk is hereby authorized to send certified copies of this resolution to members of the New Jersey General Assembly, New Jersey State Senate, Governor Phil Murphy, New Jersey League of Municipalities and all Passaic County municipalities.

R217-20 Resolution Proclaiming June 19th as Juneteenth Day in the City of Clifton

**RESOLUTION PROCLAIMING JUNE 19th AS JUNETEENTH DAY
IN THE CITY OF CLIFTON**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are calling upon the residents of the City of Clifton to recognize the importance of Juneteenth to human freedom so cherished by the people of the United States; and

WHEREAS, Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery in the United States. Dating back to 1865, it was on June 19th that the Union soldiers, led by Major General Gordon Granger, landed at Galveston, Texas with news that the war had ended and that the enslaved were now free.

WHEREAS, Juneteenth celebrates the day, two-and-a-half years after President Lincoln issued the Emancipation Proclamation on January 1, 1863; and

WHEREAS, in 1979 Gov. William P. Clements signed a bill into law that made Juneteenth Emancipation Day a state holiday in Texas; and

WHEREAS, today Juneteenth commemorates African American freedom and emphasizes education and achievement.

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey that the 19th of June is hereby proclaimed as Juneteenth Day.

R220-20 Late - Resolution Authorizing Procurement of Panasonic Toughbook Hardware and Related Peripherals for the City Police Department Via New Jersey State Contract

**RESOLUTION AUTHORIZING PROCUREMENT OF PANASONIC TOUGHBOOK
HARDWARE AND RELATED PERIPHERALS FOR THE CITY POLICE
DEPARTMENT VIA NEW JERSEY STATE CONTRACT**

WHEREAS, pursuant to the memorandum from the City of Clifton Police Department, the Clifton Police Department (CPD) has need to replace obsolete Mobile Data Computers (MDCs) that are currently running Windows 7, which are at end of support; and,

WHEREAS, the CPD believes this to be a necessary upgrade due to COVID-19 precautions, as the Police Department has been required to utilize single-man cars to keep officers separate, which has required the CPD to put more vehicles on the street, including the addition of older vehicles, all of which are being used on a 24/7 basis due to the increased manpower; and,

WHEREAS, the City of Clifton Police Department is seeking to purchase thirty-five (35) Panasonic Toughbook tablets, one (1) Toughbook laptop, which will be mounted in City Police vehicles, the cost of which shall exceed the Local Public Contracts Law bid threshold; and,

WHEREAS, SHI International Corp., located at 290 Davidson Ave, Somerset, NJ 08873, is a proven Clifton vendor, which was awarded NJ State contract 89980, for Computer Equipment, Peripherals & Related Services; and,

WHEREAS, the proposed not to exceed amount for the furnishing and installing of the above equipment is \$129,132.73, via NJ State Contract 89980; and,

WHEREAS, the City Purchasing Agent has reviewed and verified the above NJ State contract provides the lights, equipment, and services; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from SHI International Corp., 290 Davidson Ave, Somerset, NJ 08873, off the New Jersey State Contract No. 89980, for a total not to exceed amount of \$129,132.73.

R221-20 Executive Session

RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

CON-1 Workers' Compensation Claim - NH (PD)
CON-2 Workers' Compensation Claim - MP (Fire)
CON-3 Workers' Compensation Claim - TS (DPW)
CON-4 Workers' Compensation Claim - MM (PD)
CON-5 Workers' Compensation Claim - NG (PD)
CON-6 Workers' Compensation Claim – HB (PD)
CON-7 DXC Technology v. City of Clifton – Litigation
CON-8 Parkway Iron and Metal Recycling Property – Easement Negotiations

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 June 16, 2020 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.

ADJOURNMENT

Upon motion made by Councilman Eagler, seconded by Councilman Grabowski and passed on roll call vote, the meeting was adjourned at 10:05 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