

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

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 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 Herald News 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, David Bruins; Jamie Placek, Esq. Kaufman Semeraro & Leibman, L.L.P.; Nancy Ferrigno, City Clerk and Deputy Clerk, Michele Butler

APPROVAL OF MINUTES

Minutes of Executive Session of October 6, 2020
Amended Minutes of Regular Meeting of October 20, 2020
Minutes of Workshop Meeting of November 2, 2020
Minutes of Executive Session of November 2, 2020
Minutes of Regular Meeting of November 2, 2020

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Pino and passed on roll call vote to table the Executive Session Minutes of October 6, 2020.

(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 Grabowski, seconded by Councilwoman Murphy and passed on roll call vote to approve the Amended Minutes of October 20, 2020, Workshop Meeting of November 2, 2020, Minutes of Executive Session of November 2, 2020 and Minutes of Regular Meeting of November 2, 2020.

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

COMMUNICATIONS FROM THE CITY MANAGER

- C-1 Danielle Stoll PST, Public Safety resigned her position effective 11/08/2020.
- C-2 Majer Biokua Police officer Public Safety, resigned his position effective 11/12/2020.

COMMUNICATIONS – MEETING MINUTES

- C-3 Minutes of North Jersey District Water Supply Commission of September 23, 2020
- C-4 Clifton Traffic Safety Council Minutes of October 15, 2020
- C-5 Minutes of Board of Adjustment of November 4, 2020

SECOND READING ORDINANCES

A. Adoption of Ordinance 7614-20

B. Public Hearing on Ordinance 7614-20

The Mayor opened the floor to the public with regard to the Ordinance 7614-20

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

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

An Ordinance to Amend, Revise and Supplement Chapter 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 3 Restricted Handicapped Spaces)

(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 7615-20

D. Public Hearing on Ordinance 7615-20

The Mayor opened the floor to the public with regard to the Ordinance 7615-20

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 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 1 Restricted Handicapped Space)

(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 7616-20

F. Public Hearing on Ordinance 7616-20

The Mayor opened the floor to the public with regard to the Ordinance 7616-20

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

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

An Ordinance to Amend, Revise and Supplement Chapter 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" (Amends Permit Number)

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

G. Adoption of Ordinance 7617-20

H. Public Hearing on Ordinance 7617-20

The Mayor opened the floor to the public with regard to the Ordinance 7617-20

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 439-13 Thereof, Entitled "Parking Prohibited at All Times on Certain Streets" (Adds Location - Portion of Highland Avenue)

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

I. Adoption of Ordinance 7618-20

J. Public Hearing on Ordinance 7618-20

The Mayor opened the floor to the public with regard to the Ordinance 7618-20

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-11 Thereof, Entitled "Parking Time Limited on Certain Streets" (Corrects the Time of Two Hour Parking Limitation on Main Avenue from Piaget Avenue to the Passaic City Line)

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

FIRST READING ORDINANCES

A. Introduction of Ordinance 7619-20

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman 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 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 5 Restricted Handicapped Spaces)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday December 1, 2020 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law

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

B. Introduction of Ordinance 7620-20

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, Entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Deletes 1 Restricted Handicapped Space)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, December 1, 2020 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law

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

C. Introduction of Ordinance 7621-20

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Gibson, seconded by 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 3 Handicapped Spaces)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, December 1, 2020 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

(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, wished everyone a Happy Thanksgiving.

FLOOR TO MEMBERS OF THE PUBLIC

Henry Cholewczynski, 37 Phyllis Place, spoke about sidewalks on Dwasline Road, Allwood Place, Hampton Road and the area around Latteri Park.

Mary Flynn, 14 Breen Court, discussed amending the City's tree ordinance.

Tony Wizner, Manager of Milano's Restaurant, 561 Van Houten Ave., discussed the permitting of entertainment and outdoor dining at establishments during the pandemic.

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

A Motion was made by Councilwoman Pino, seconded by Councilwoman Sadrakula, and passed on roll call vote to allow establishments with Entertainment Licenses to have entertainment during the pandemic limiting same to one performer, at no charge, until the pandemic is over.

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

Mayor Anzaldi asked Councilman Grabowski where the Beatification Committee was at with the revision of the Tree Ordinance. Councilman Grabowski remarked that the item is with the Legal Department for review.

City Manager, Dominick Villano, gave Mr. Tony Wizner, from Milano's restaurant, his cell phone number to discuss the summonses Milano's received regarding entertainment he had at the establishment.

COUNCIL PRIVILEGE

Councilman Eagler

Councilman Eagler thanked the Board of Education for the use of the High School auditorium for tonight's Council Meeting. He spoke about how Thanksgiving will be different this year due to the pandemic and discussed the first Thanksgiving. Councilman Eagler announced that Saint Peter's Haven and The Power of One are both having a Thanksgiving food drive. He asked for a breakdown of the Census results for Clifton.

Councilman Gibson

Councilman Gibson thanked his colleagues for voting to have entertainment to help restaurants retain business during the pandemic. He expressed his disappointment regarding the resignation of a valued member of the Traffic Safety Council. He discussed street cleaning and ways to reduce mileage and conserve time. Councilman Gibson wished all residents a happy Diwali and a happy Thanksgiving. Councilman Gibson discussed the cancellation of the Christmas Tree Lightings in 2020. Mayor Anzaldi suggested organizing some type of virtual celebration for the tree lightings.

Councilman Grabowski

Councilman Gibson announced that Governor Murphy signed a new Executive Order today due to the rise in Coronavirus cases. He discussed the need for everyone to cooperate with mask mandates. He thanked Health Officer, John Biegel, and the Health Department employees for their dedication and hard work in helping keep residents safe during the pandemic. Councilman Gibson wished all residents a happy Thanksgiving.

Councilwoman Murphy

Councilwoman Murphy spoke about the rising number of Coronavirus cases. She asked that everyone cooperate with Contact Tracers, wear masks, wash their hands frequently and social distance. She announced the locations of several Covid-19 testing sites. Councilwoman Murphy wished all residents an happy Thanksgiving.

Councilwoman Pino

Councilwoman Pino discussed Councilmembers switching their committee appointments with each other to provide a chance to serve on different committees. She spoke about Councilmembers asking for information and not receiving it and asked that the issue be put on the next Council Agenda for discussion. Councilwoman Pino announced a Christmas show being performed by the Clifton Theater League. She wished all residents a happy Thanksgiving.

Councilwoman Sadrakula

Councilwoman Sadrakula remarked that the Veterans' Day celebration and the swearing in ceremony for the new Police Chief were done nicely. She asked to obtain a list of Quality of Life summonses. She commented that Councilwoman Pino's idea of Councilmembers switching committees is a good idea and that these committees should have minutes taken. Councilwoman Sadrakula discussed City trees being ruined by the way PSE&G is trimming them and how unfortunate it is that a Tree Commission was voted down by Council. She questioned if asking for the locations Covid-19 hotspots in the City is a violation of HIPAA regulations. Councilwoman Sadrakula inquired as to the Governor's Executive Order as it pertains to the capacity limit for residential backyard tents and if the gatherings could be considered political or religious. Mayor Anzaldi commented that the current Executive Order for a residential gathering limits is ten people. Councilwoman Sadrakula discussed harassment and attempts to silence her at Council meetings. She wished all residents a happy Thanksgiving and hopes for an end to the pandemic.

Mayor Anzaldi

Mayor Anzaldi wished all residents a Happy Diwali. He discussed how this Thanksgiving is going to be different due to the pandemic. Mayor Anzaldi thanked the Avenue of Flags for erecting the new KIA monument on City Hall grounds. He thanked everyone involved with setting up the Veterans' Day celebration. Mayor Anzaldi discussed bullying and harassment of Councilmembers and City employees. He remarked that everyone should work together to make Clifton a great place and that people should be treated kindly.

RESOLUTIONS VOTED ON SEPERATELY

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

R410-20 Resolution: Approve Claims List Resolution for the City Council Meeting of November 16, 2020.

**RESOLUTION
TO APPROVE CLAIMS TO BE PAID
MEETING OF NOVEMBER 16, 2020**

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

Current Fund	\$	23,662,168.60
Grant Fund	\$	389,447.14
General Capital Fund	\$	33,524.65
Sewer Utility - Operating	\$	844,577.88
Sewer Utility - Capital	\$	20,604.00
Developers Escrow	\$	3,190.00
Dog Trust	\$	3,868.92
Police Extra Duty	\$	172,628.75
Trust Other	\$	97,748.16
Section 8 Public Housing	\$	233,988.74
Community Development	\$	13,396.99
COAH	\$	
Self Insurance	\$	834,666.27
Fire Dedicated Penalties	\$	700.00
Revolving Loan Fund	\$	
Tax Title Lien Redemption	\$	
Unemployment Trust Fund	\$	11,357.33
Library	\$	78,640.21
General Liability Trust	\$	28,878.55
Workers Compensation Trust	\$	58,907.78
TOTAL CLAIMS	\$	24,488,293.97

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

R413-20 Resolution for Reclassification of Payments

**RESOLUTION
RECLASSIFICATION OF PAYMENTS**

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

<u>CHECK#</u>	<u>DATE</u>	<u>PAYEE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
130162 (partial)	9/1/2020	Decotiis, Fitzpatrick, Cole & Giblin	\$582.50	01-201-20-105-263	02-213-40-719-020
130806	10/20/2020	BLUE 360 MEDIA, LLC	\$3,105.00	01-201-25-240-204	02-213-40-719-020
130968 (partial)	10/20/2020	W. B. MASON CO, INC.	\$2,333.25	01-201-25-265-217	02-213-40-719-020

130267 (partial)	9/1/2020	W. B. MASON CO, INC.	\$54.99	02-213-40-719-020	01-201-27-330-226
130695 (partial)	10/6/2020	NEW JERSEY SHADE TREE FEDERATION	\$355.00	02-213-40-706-004	01-201-28-300-328

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

R414-20 Resolution: 2020 Municipal Budget Appropriation Transfer in the City Budget

**RESOLUTION TO TRANSFER
2020 BUDGET APPROPRIATIONS
CURRENT FUND**

WHEREAS, transfers between budget appropriations are permitted by N.J.S.A. 40A:4-58 during the last two months of the fiscal year; and

WHEREAS, certain 2020 City Budget Appropriations are expected to be insufficient to meet the expenditure requirements through the end of the fiscal year, and certain 2020 budget appropriations are expected to have funds available to offset these expenditure requirements;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, (not less than two-thirds thereof affirmatively concurring) that the transfers as listed between 2020 City Budget Appropriations be made in the Current Fund:

<u>Department</u>	<u>Account Number</u>	<u>Amount – From:</u>	<u>Amount – To:</u>
Tax Assessor S & W	01-201-20-145-101		\$ 5,000.00
Tax Collector S & W	01-201-20-150-101	\$ 5,000.00	
Engineering OE	01-201-20-165-320	\$50,000.00	
Housing S & W	01-201-21-190-101		\$ 10,000.00
Zoning/Planning S & W	01-201-21-180-101	\$10,000.00	
Construction Code S & W	01-201-22-195-101		\$ 25,000.00
Construction Code OE	01-201-22-195-503	\$25,000.00	
Police Dept OE	01-201-25-240-212		\$ 35,000.00
Buildings (DPW) S & W	01-201-26-290-101		\$ 35,000.00
Buildings (DPW) OE	01-201-26-290-911		\$100,000.00
Roads S & W	01-201-26-292-101	\$80,000.00	
Maint. Of Parks S & W	01-201-28-375-101		\$ 35,000.00
Animal Control S & W	01-201-27-240-101		\$ 10,000.00
Telephone Services	01-201-31-440-269		\$ 15,000.00
Sanitation OE	01-201-32-465-503	\$25,000.00	
Municipal Court S & W	01-201-43-490-308	\$50,000.00	
Public Defender S & W	01-201-43-495-102	\$25,000.00	
Total Transfer Amount:		<u>\$270,000.00</u>	<u>\$270,000.00</u>

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

R425-20 Resolution Appointing Legal Counsel to Handle Independent Investigation in Connection with False Statements and Breach of Confidentiality of Closed Session Discussions

**RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE
INDEPENDENT INVESTIGATION IN CONNECTION WITH FALSE
STATEMENTS AND BREACH OF CONFIDENTIALITY OF CLOSED
SESSION DISCUSSIONS**

WHEREAS, the City of Clifton requires the services of outside legal counsel in connection with the above; and

WHEREAS, Ralph L. DeLuccia, Esq. is a retired Superior Court Judge and the City seeks his appointment as independent investigation counsel as such services are required, at the rate of \$200.00 per hour, not to exceed \$17,500.00 for the term of the contract; and

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

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

WHEREAS, the estimated value of the contract may be in excess of \$17,500.00, and the duration of the contract may be continued through the conclusion of each investigation being handled; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that:

1. An agreement for professional legal services for outside counsel to conduct an independent investigation in connection with false statements and breach of confidentiality of closed session discussions, at the rate to be paid for said services is \$200.00 per hour, not to exceed \$17,500.00 for the term of the contract, which shall be until completion of the services not to exceed one year.
2. The required Certificate of Availability of Funds, for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
3. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
4. The original of this resolution and the contract in question shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.
5. The following short notice be printed once in a legal newspaper of the City of Clifton:

CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED

The City of Clifton has awarded a professional services contract without competitive bidding as a professional service pursuant to N.J.S.A. 40:11-5(1)(a). The contract and the resolution authorizing it are available for public inspection in the Office of the City Clerk.

Awarded to: Ralph L. DeLuccia, Esq.
Services: Independent investigation
Project: In connection with false statements and breach of confidentiality of closed session discussions
Cost: \$200.00 per hour; total not to exceed \$17,500 for term of contract
Duration: Until completion of services not to exceed one year

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

RESOLUTIONS

A Motion was made by Councilman Eagler, seconded by Councilman Grabowski and passed on roll call 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. Councilwoman Sadrakula voted nay on R410-20.

R410-20 Resolution: Approve Claims List Resolution for the City Council Meeting of November 16, 2020.

RESOLUTION
TO APPROVE CLAIMS TO BE PAID
MEETING OF NOVEMBER 16, 2020

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

Current Fund	\$	23,662,168.60
Grant Fund	\$	389,447.14
General Capital Fund	\$	33,524.65
Sewer Utility - Operating	\$	844,577.88
Sewer Utility - Capital	\$	20,604.00
Developers Escrow	\$	3,190.00
Dog Trust	\$	3,868.92
Police Extra Duty	\$	172,628.75
Trust Other	\$	97,748.16
Section 8 Public Housing	\$	233,988.74
Community Development	\$	13,396.99
COAH	\$	
Self Insurance	\$	834,666.27
Fire Dedicated Penalties	\$	700.00
Revolving Loan Fund	\$	
Tax Title Lien Redemption	\$	
Unemployment Trust Fund	\$	11,357.33
Library	\$	78,640.21
General Liability Trust	\$	28,878.55
Workers Compensation Trust	\$	58,907.78
TOTAL CLAIMS	\$	24,488,293.97

411-20 CFO Recommends Approval of Chapter 159 Budget Amendment Resolution on Agenda - Alcohol Ed Rehab Enforcement Fund - \$5,084.59

**CHAPTER 159 RESOLUTION
AMENDING THE 2020 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 notice of an award of \$5,084.59 from the New Jersey Courts, Administrative Office of the Courts Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund and wishes to amend the 2020 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 2020 in the sum of \$5,084.59

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:
Alcohol Education, Rehabilitation and Enforcement Fund \$5,084.59

BE IT FURTHER RESOLVED, that the like sum of \$5,084.59

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:

Alcohol Education, Rehabilitation and Enforcement Fund 2020
Other Expenses \$5,084.59

BE IT FURTHER RESOLVED, that the City forward to the Director of Local Government Services for approval

R412-20 Chief Financial Officer Recommends Approval of Chapter 159 Budget Amendment Resolution on Agenda - FY2021 Sustained Enforcement Grant

**CHAPTER 159 RESOLUTION
AMENDING THE 2020 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,

November 16, 2020

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 \$80,000.00 from the State of New Jersey for the FY2021 City of Clifton Sustained Enforcement Grant for the Clifton Police Department and wishes to amend the 2020 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 2020 in the sum of \$80,000.00

Which is now available as a revenue from:

Miscellaneous Revenues:

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

State of New Jersey Sustained Enforcement Grant - \$80,000.00

BE IT FURTHER RESOLVED, that the like sum of \$80,000.00 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:

State of New Jersey Sustained Enforcement Grant - \$80,000.00

BE IT FURTHER RESOLVED, that the City forward to the Director of Local Government Services for approval.

R415-20 Resolution Authorizing the Issuance of Change Order No. 1 and Final
2019 Roadway Resurfacing Program

**RESOLUTION AUTHORIZING THE ISSUANCE OF CHANGE ORDER NO. 1
AND FINAL
2019 ROADWAY RESURFACING PROGRAM**

WHEREAS, on August 7, 2019, the City of Clifton adopted Resolution R384-19 awarding a contract to SMITH SONDY ASPHALT CONSTRUCTION of WALLINGTON, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for 2019 ROADWAY RESURFACING PROGRAM in the amount of \$3,751,685.20; 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 SMITH SONDY ASPHALT CONSTRUCTION, in the amount of \$209,467.99 a 5.58% 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 \$209,467.99 a 5.58% INCREASE;

WHEREAS, the total contract amount is now \$3,961,153.19.

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.

R416-20 Resolution Authorizing Final Payment 2019 Roadway Resurfacing Program Smith Soudy Asphalt Construction

RESOLUTION AUTHORIZING FINAL PAYMENT 2019 ROADWAY RESURFACING PROGRAM SMITH SONDY ASPHALT CONSTRUCTION

WHEREAS, SMITH SONDY ASPHALT CONSTRUCTION of Wallington, New Jersey, did complete 2019 ROADWAY RESURFACING PROGRAM project in and for the City of Clifton for the total amount of \$3,961,153.19

And previous payments on account of said total have been paid in the amount of. \$3,750,282.76

Leaving this FINAL PAYMENT of \$ 210,870.43

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

WHEREAS, the Contractor has posted a Maintenance Bond, for a period of two years, in the amount of \$396,115.32; and

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

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

NOW BE IT FURTHER RESOLVED that the Chief Financial Officer be and he is authorized and directed to include the said claim totaling \$210,870.43 on the claim list.

R417-20 Resolution Awarding Professional Engineering Services Contract to Boswell Engineering for the Weasel Brook Section 8 Culvert Rehabilitation

RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES CONTRACT TO BOSWELL ENGINEERING FOR THE WEASEL BROOK SECTION 8 CULVERT REHABILITATION

November 16, 2020

WHEREAS, the City of Clifton is in need of professional engineering design services contract for the Weasel Brook Section 8 Culvert Rehabilitation project; and

WHEREAS, Boswell Engineering was previously awarded a professional engineering contract for the pilot portion of this project, is familiar with the project, and has submitted a proposal dated January 29, 2020 for professional engineering design services in the amount of not to exceed \$30,000; and

WHEREAS, the City Engineer recommends the award of a professional engineering services contract as aforesaid to Boswell Engineering of South Hackensack, NJ, at a total fee of not to exceed \$30,000; and

WHEREAS, after reviewing the Engineer's recommendation and the proposal, the Municipal Council wishes to award a professional services contract as aforesaid to Boswell Engineering; and

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

WHEREAS, this award is of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5, and, therefore, the Business Entity Disclosure Certification has been received and is incorporated into the contract awarded hereby, with the determination of value; and

WHEREAS, the value of the contract has been determined to be not to exceed \$30,000, and the duration of the contract is until completion; and

WHEREAS, there are funds available for the payment of the aforesaid engineering services, and the Chief Financial Officer has endorsed same hereon;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that a professional engineering contract for design services for the Weasel Brook Section 8 Culvert Rehabilitation is hereby awarded to Boswell Engineering, in accordance with its submitted proposal, dated January 29, 2020 in the amount not to exceed \$30,000; and

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

BE IT FURTHER RESOLVED, that the original of this resolution and the contract above referred to be placed on file and made available for public inspection at the Office of the City Clerk of the City of Clifton.

R418-20 Resolution Awarding On-Call Professional Engineering Services Contract to Neglia Engineering Associates on an As-Needed Basis

RESOLUTION AWARDING ON-CALL PROFESSIONAL ENGINEERING SERVICES CONTRACT TO NEGLIA ENGINEERING ASSOCIATES ON AN AS-NEEDED BASIS

WHEREAS, the City requires professional engineering consultant services in an on-going manner, for various engineering-based projects throughout the City; and

WHEREAS, the City Manager has solicited a proposal from Neglia Engineering Associates, 34 Park Avenue, Lyndhurst, New Jersey 07071, who has provided satisfactory professional engineering services to the City on various projects; and

WHEREAS, the City Engineer recommends that a contract for said services be awarded to Neglia Engineering Associates, in accordance with its submitted proposal, in the total amount not to exceed \$65,000.00; and

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

WHEREAS, this award is of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20.5, and, therefore, the Business Entity Disclosure Certification has been received from the Neglia Engineering Associates, and incorporated into the contract awarded hereby, along with the Determination of Value; and

WHEREAS, the value of the contract is determined to be not to exceed \$65,000.00, and the duration of the contract is for one year from date of award; and

NOW THEREFORE, BE IT RESOLVED, that an on-call professional engineering services contract as aforesaid be awarded to Neglia Engineering Associates, in accordance with its proposal dated October 28, 2020 at a price not to exceed \$65,000.00 for the time period of January 1, 2021 through December 31, 2021; and

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

BE IT FURTHER RESOLVED, that the following short notice be printed once in a legal newspaper of the City of Clifton.

CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED

The City of Clifton has awarded a contract without competitive bidding as a professional service pursuant to N.J.S.A. 40:11-5(1)(a). The contract and the resolution authorizing it are available for public inspection in the Office of the City Clerk.

Awarded to:	Neglia Engineering Associates, Lyndhurst NJ
Services:	On-Call Professional Engineering Services
Project:	Various projects As-Needed
Cost:	Not to exceed \$65,000.00
Duration:	January 1, 2021 through December 31, 2021

R419-20 Resolution Awarding Contract for Foaming Root Control Services to Duke's Root Control, Inc. for 2020

**RESOLUTION AWARDING CONTRACT FOR FOAMING ROOT CONTROL
SERVICES TO DUKES ROOT CONTROL, INC. FOR 2020**

WHEREAS, the City of Clifton is in need of chemical treatment of sanitary sewer lines; and

WHEREAS, this service can be performed by injecting a foam root control product approved by both the US Environmental Protection Agency and the NJ Department of Environmental Protection; and

November 16, 2020

WHEREAS, the City Engineer has sought proposals for said services, and in response has received a proposal from Dukes Root Control, Inc. Of Syracuse, New York, the only commercial licensed applicator certified by both referenced agencies, estimating that the cost of said services in accordance with its submitted proposal, in the total amount not to exceed \$43,699.32; and

WHEREAS, the City Engineer recommends that a contract for said services be awarded to Duke's Root Control, Inc.; and

WHEREAS, the contract is within the bidding threshold and may be awarded without public advertising for bids and bidding under N.J.S.A. 40A: 11-5 et seq; and

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

WHEREAS, the value of the contract is in excess of \$17,500.00, and the duration of the contract is until the services are completed but not to exceed one year; and

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

WHEREAS, there are funds available for the payment of the services, and the Chief Financial Officer has certified the availability of funds hereon; and

NOW THEREFORE BE IT RESOLVED, that a contract for the City of Clifton 2020 Foaming Root Control Services is hereby awarded to DUKE'S ROOT CONTROL, INC., of Syracuse, NY, in accordance with its submitted proposal, in the total amount not to exceed \$43,699.21; and

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

BE IT FURTHER RESOLVED, that the original of this resolution and the contract referred to be placed on file and made available for public inspection at the Office of the City Clerk of the City of Clifton.

R420-20 Resolution Awarding Contract to W.E. Timmerman for One Elgin Broom Badger Street Sweeper

**RESOLUTION AWARDING CONTRACT TO
W. E. TIMMERMAN FOR ONE ELGIN BROOM BADGER STREET
SWEEPER
OFF OF EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY
(ESCNJ)**

WHEREAS, the Department of Public Works (DPW) has requested that the City procure a Street Sweeper to replace an apparatus that is no longer in service due to mechanical difficulties and overall service hours; and,

WHEREAS, W. E. Timmerman Co., Inc. has been awarded a contract under the Trucks - 26,000 lbs. GVW or Greater, Bid #ESCNJ 17/18-30 via the Educational Services Commission of New Jersey (ESCNJ); and,

WHEREAS, the above ESCNJ contract provides for the furnishing of an Elgin Broom Badger Street Sweeper, Dual Right Side Dump Truck, equipped to DPW specification, for a not to exceed amount of \$230,342.25; and,

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ), from which the above contract was awarded for a bid term of March 23, 2018, extended through March 22, 2021; and,

WHEREAS, pursuant to said Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., the Municipal Council wishes to authorize the aforesaid mentioned purchase and delegate the power to make the same to the following named official: James J. Jorgensen, Purchasing Agent; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned award of contract to W. E. Timmerman Co., Inc., 3554 Route 22 West, P.O. BOX 71, Whitehouse NJ 08888, based on the contract period and terms outlined in the Educational Services Commission of New Jersey contract in an amount not to exceed \$230,342.25 for one (1) Elgin Broom Badger Street Sweeper, Dual Right Side Dump Truck; and,

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

R421-20 Resolution Authorizing Purchase of One (1) 2021 Dodge Durango Citadel AWD off the Educational Services Commission Cooperative Contract Pursuant to N.J.S.A. 40A:11-1 et seq.

**RESOLUTION AUTHORIZING PURCHASE OF ONE (1) 2021 DODGE
DURANGO CITADEL AWD OFF THE EDUCATIONAL SERVICES
COMMISSION COOPERATIVE CONTRACT PURSUANT TO N.J.S.A. 40A:11-
1 ET SEQ.**

WHEREAS, the City of Clifton Police Department has a requested to purchase a mid-sized administrative utility vehicle; and

WHEREAS, Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960 has been awarded Educational Services Commission Contract No. ESCNJ 20/21-09 - Cars, Crossovers, Pickup Trucks, SUV's and Vans; and,

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ), from which the above contract was awarded for a bid term of September 1, 2019 through August 31, 2021; 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, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960, off the ESCNJ Contract No. 20/20-19, at a cost not to exceed \$45,115.00

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

R422-20 Resolution Authorizing Purchase of Seven (7) 2021 Dodge Durango SXT AWD off the Educational Services Commission Cooperative Contract Pursuant to N.J.S.A. 40A:11-1 et seq.

**RESOLUTION AUTHORIZING PURCHASE OF SEVEN (7) 2021 DODGE
DURANGO SXT AWD OFF THE EDUCATIONAL SERVICES COMMISSION
COOPERATIVE CONTRACT PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.**

WHEREAS, the City of Clifton Police Department has a requested to purchase seven (7) administrative fleet utility vehicles; and

WHEREAS, Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960 has been awarded Educational Services Commission Contract No. ESCNJ 20/21-09 - Cars, Crossovers, Pickup Trucks, SUV's and Vans; and,

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ), from which the above contract was awarded for a bid term of September 1, 2019 through August 31, 2021; 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, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960, off the ESCNJ Contract No. 20/20-19, for a price of \$28,181.66 each unit, and a total not to exceed amount of \$197,271.62

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

R423-20 Resolution Authorizing Purchase of Four (4) 2021 Jeep Grand Laredo E off the Educational Services Commission Cooperative Contract Pursuant to N.J.S.A. 40A:11-1 et seq.

**RESOLUTION AUTHORIZING PURCHASE OF FOUR (4) 2021 JEEP GRAND
LAREDO E OFF THE EDUCATIONAL SERVICES COMMISSION
COOPERATIVE CONTRACT PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.**

WHEREAS, the City of Clifton Police Department has a requested to purchase four (4) 2021 Jeep Grand Laredo E administrative fleet utility vehicles; and,

WHEREAS, Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960 has been awarded Educational Services Commission Contract No. ESCNJ 20/21-09 - Cars, Crossovers, Pickup Trucks, SUV's and Vans; and,

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ), from which the above contract was awarded for a bid term of September 1, 2019 through August 31, 2021; 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, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960, off the ESCNJ Contract No. 20/20-19, for a price of \$26,777.22 each unit, and a total not to exceed amount of \$107,110.88.

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

R424-20 Resolution Authorizing Purchase of Three (3) 2021 Dodge Charger SXT AWD off the Educational Services Commission Cooperative Contract Pursuant to N.J.S.A. 40A:11-1 et seq.

RESOLUTION AUTHORIZING PURCHASE OF THREE (3) 2021 DODGE CHARGER SXT AWD OFF THE EDUCATIONAL SERVICES COMMISSION COOPERATIVE CONTRACT PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.

WHEREAS, the City of Clifton Police Department has a requested to purchase three (3) Dodge Charger SXT AWD administrative fleet utility vehicles; and,

WHEREAS, Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960 has been awarded Educational Services Commission Contract No. ESCNJ 20/21-09 - Cars, Crossovers, Pickup Trucks, SUV's and Vans; and,

WHEREAS, the City is a member of the Educational Services Commission of New Jersey (ESCNJ), from which the above contract was awarded for a bid term of September 1, 2019 through August 31, 2021; 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, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Beyer of Morristown, 200 Ridgedale Avenue, Morristown NJ 07960, off the ESCNJ Contract No. 20/20-19, for a price of \$28,211.91 each unit, and a total not to exceed amount of \$84,635.73

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

R426-20 Resolution of Congratulations Upon Retirement - Police Lieutenant, Christopher M. Kelly

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
POLICE LIEUTENANT, CHRISTOPHER M. KELLY**

WHEREAS, November 1, 2020, Police Lieutenant, Christopher M. Kelly, officially retired from his position with the Clifton Police Department; and

WHEREAS, he was appointed as a Police Officer on September 11, 1995, and his retirement will conclude a twenty five year career in service to the public and the City of Clifton; and

WHEREAS, throughout his career, he has always displayed an attitude of professionalism and dedication to duty; and

WHEREAS, he has been a credit to both the Police Department and the City of Clifton during all this time, and this Governing Body wishes to acknowledge his long-time service to the City;

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

**POLICE LIEUTENANT
CHRISTOPHER M. KELLY**

their sincere congratulations and thanks for a job well done, as well as their best wishes for continued good health, peace and happiness in his retirement; and

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

R427-20 Resolution of Congratulations - Firefighter John S. Bisaccio

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
FIREFIGHTER JOHN S. BISACCIO**

WHEREAS, November 1, 2020, Firefighter, John S. Bisaccio, officially retired from his position with the Clifton Fire Department; and

WHEREAS, he was appointed as a Firefighter on October 23, 1995, and his retirement will conclude a twenty five year career in service to the public and the City of Clifton; and

WHEREAS, throughout his career, he has always displayed an attitude of professionalism and dedication to duty; and

WHEREAS, he has been a credit to both the Fire Department and the City of Clifton during all this time, and this Governing Body wishes to acknowledge his long-time service to the City;

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

**FIREFIGHTER
JOHN S. BISACCIO**

their sincere congratulations and thanks for a job well done, as well as their best wishes for continued good health, peace and happiness in his retirement; and

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

R428-20 Resolution Authorizing New Limousine License - RTS Express

RESOLUTION AUTHORIZING NEW LIMOUSINE LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a New Limousine License Application from Rachid Elachaby, RTS Express, LLC, 15 St. Andrews Boulevard, Clifton, NJ; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that approval of a New Limousine License to Rachid Elachaby, RTS Express, LLC, 15 St. Andrews Boulevard, Clifton, NJ be and is hereby granted.

Company name:
RTS Express, LLC
Owner:
Rachid Elachaby
Approved Operator:
Rachid Elachaby
Approved Vehicles:
2018 Lincoln MKT 2LMHJ5NK9JBL01955
Approved Parking Location:
15 St. Andrews Boulevard, Clifton NJ

R429-20 Resolution Authorizing Fred Dauth as a Transient Merchant

**RESOLUTION AUTHORIZING FRED DAUTH
AS A TRANSIENT MERCHANT**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an application from Fred Dauth of 194 Shore Road, Cape Neddick, ME for the sale of Christmas Trees as a Transient Merchant; and

WHEREAS, Fred Dauth has requested that said Christmas Tree sales will operate on the premises known as 875 Grove Street, Clifton, NJ 07013;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that authorization be given to Fred Dauth of 194 Shore Road, Cape Neddick, ME for the sale of Christmas Trees and to operate as a Transient Merchant at 875 Grove Street, Clifton, NJ 07013.

R430-20 Resolution Authorizing the Award to and the Execution of a Contract with Kotulak & Company PC for the Rendering of Accounting and Financial Services for the City of Clifton Community Development Block Grant Program from January 1, 2021 - December 31, 2021

**RESOLUTION AUTHORIZING THE AWARD TO AND THE EXECUTION OF
A CONTRACT WITH KOTULAK & COMPANY, PC FOR THE RENDERING
OF ACCOUNTING AND FINANCIAL SERVICES FOR THE CITY OF
CLIFTON COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FROM JANUARY 1, 2021– DECEMBER 31, 2021**

WHEREAS, the City of Clifton Community Development Department requires certain specialized accounting and financial services of an expert in connection with its operations, and further is required by Federal Law, Rules and Regulations to have such services (auditing, etc.) in order to obtain federal funds necessary for its 2021 operations; and

WHEREAS, such services constitute “Professional Services” within the ambit of N.J.S.A. 40A:11-5; and

WHEREAS, this award is of a non-fair and open contract in accordance with N.J.S.A. 19:44A-20-5; and

WHEREAS, the value of the contract is \$18,492.00, and the duration of the contract is one year, January 1, 2021 to December 1, 2021; and

WHEREAS, the Business Entity Disclosure Certification has been received from the contractor and is incorporated into the contract awarded hereby along with the determination of value;

NOW, THEREFORE, BE IT RESOLVED, that a contract for auditing services for the Community Development Block Grant Program from January 1, 2021 – December 31, 2021 is hereby awarded to Kotulak & Company, PC of Clifton, NJ, at a cost not to exceed \$18,492.00 and that the Mayor and the City Clerk be and they are hereby authorized and directed to execute a contract and the required copies in the form as approved by the Clifton Law Department; and

BE IT FURTHER RESOLVED, that the required Certificate of Availability of Funds for the above contract has been obtained and is endorsed hereon; and

BE IT FURTHER RESOLVED, that the original of this resolution and the contract above referred to be placed on file and made available for the public inspection at the Office of the City Clerk of the City of Clifton and that the City Clerk shall forward an executed copy of the said contract to the Clifton Community Development Department; and

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

BE IT FURTHER RESOLVED, that the following short notice be printed once in a legal newspaper of the City of Clifton;

CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED

The City of Clifton has awarded a contract without competitive bidding as a professional service pursuant to N.J.S.A. 40:11-5 (1)(a). The contract and the resolution authorizing it are available for public inspection in the Office of the City Clerk.

Awarded to: Kotulak & Company, PC, Clifton, NJ
Services: Accounting Services for Community Development Block Grant Program
Cost: \$18,492.00
Term: January 1, 2021 thru December 31, 2021

R431-20 Resolution Authorizing the Award to and the Execution of a Contract with Hymanson, Parnes & Giampaolo for the Rendering of Accounting and Financial Services for the Section 8 Housing Choice Voucher Program for the Clifton Public Housing Agency for the Year January 1, 2021 - December 31, 2021.

**RESOLUTION AUTHORIZING THE AWARD TO AND THE EXECUTION OF
CONTRACT WITH HYMANSON, PARNES & GIAMPAOLO FOR THE
RENDERING OF ACCOUNTING AND FINANCIAL SERVICES FOR THE
SECTION 8 HOUSING CHOICE VOUCHER PROGRAM FOR THE CLIFTON
PUBLIC HOUSING AGENCY FOR THE YEAR JANUARY 1, 2021 THROUGH
DECEMBER 31, 2021**

WHEREAS, the Clifton Housing Agency requires certain specialized accounting and financial services of an expert in connection with its operations, and further is required by Federal Law, Rules and Regulations to have such services (auditing, etc.) in order to obtain federal funds necessary for its 2021 operations; and

WHEREAS, Hymanson, Parnes & Giampaolo has been providing these services to the City of Clifton in a satisfactory manner for the past several years; and

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

WHEREAS, this award is of a non-fair and open contract in accordance with N.J.S.A 19:44-A-20.4 et seq.; and

WHEREAS, the Business Entity Disclosure Certification has been received from contractor and is incorporated in the contract awarded hereby; and

WHEREAS, the value of the contract is \$13,900.00, and the duration of the contract is for one year, January 1, 2021 to December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract is hereby awarded to Hymanson, Parnes & Giampaolo in accordance with its proposal dated October 30, 2020, in the amount of \$13,900.00, payable in quarterly installments of \$3,475.00, without the adoption of a supplemental resolution authorizing additional funding; 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 the public inspection at the Office of the City Clerk of the City of Clifton and that the City Clerk shall forward an executed copy of the said contract to the Clifton Housing Agency.

R432-20 Resolution Approving Appointment of Special Police Officers (Class II)

**RESOLUTION FOR APPOINTMENT OF
SPECIAL POLICE**

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the following Special Police Officers be and are hereby appointed for a term, this day through December 31, 2020:

Harold Van Winkle

R433-20 Late - Chapter 159 Resolution Amending the 2020 City Budget for
Additional Revenue and Appropriation

**CHAPTER 159 RESOLUTION
AMENDING THE 2020 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

November 16, 2020

by law and the amount thereof was not determined at the time of the adoption of the budget; and,

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

WHEREAS, the City of Clifton has received an additional \$680,000.00 from the County of Passaic for the CARES Act COVID-19 Pandemic and wishes to amend the 2020 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 2020 in the sum of \$680,000.00

Which is now available as a revenue from:

Miscellaneous Revenues:

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

FEMA Grant – CARES Act COVID-19 Grant - \$680,000.00

BE IT FURTHER RESOLVED, that the like sum of \$680,000.00 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:

FEMA Grant – CARES Act COVID-19 Grant - \$680,000.00

BE IT FURTHER RESOLVED, that the City forward to the Director of Local Government Services for approval.

R434-20 Late - Cancelling Chapter 159 Resolution R369-20 Adopted October 20,
2020

**CANCEL CHAPTER 159 RESOLUTION R369-20
ADOPTED OCTOBER 20, 2020**

WHEREAS, at the October 20, 2020 Council Meeting, the City Council adopted Resolution R369-20 for the New Jersey Green Acres Athenia Park 2 Grant, and

WHEREAS, upon further investigation the Finance Department noticed the grant was actually included in the adopted 2020 Municipal Budget,

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 cancel the approve and submitted Resolution R369-20 for the insertion of an item of revenue in the budget of the year 2020 in the sum of \$862,685.00

BE IT FURTHER RESOLVED, that the City forwards a copy of this Resolution to the Director of Local Government Services for approval.

R434-20 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 Health Department Satellite Lease Negotiations
CON-2 SOA and FMBA Contract Negotiations
CON-3 File Bank - Negotiations and Potential Litigation
CON-4 Arnowitz, et al. v. City of Clifton, et al.
CON-5 Late - Redevelopment (Hoffmann-LaRoche/On3 Site)

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 November 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.

LICENSES

L-1 Dollar Tree #8593

Resolution for Final Approval

BE IT RESOLVED, that the application of Dollar Tree Stores, Inc. t/a Dollar Tree #8593 for permission to conduct a Grocery/Milk – Continued Use for a period ending December 31, 2021 on the premises known as: 90 Lakeview Ave., Clifton, NJ 07011.

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

L-2 Burger +

Resolution for Preliminary Approval

For: Bostan's Food, LLC
T/A: Burger +
ADDRESS: 1216 Main Ave., Clifton, NJ 07011
TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use
FORMERLY OR NEW: New
ZONE:
PERMITTED: Yes
VARIANCE REQUIRED: No

Final Approval Will Be Issued Pending Approval Of This Resolution. Further Processing And Approval Of Various City Departments

L-3 Bitol

Resolution For Preliminary Approval

For: F&C Hospitality, LLC
T/A: Bitol
ADDRESS: 1061 Bloomfield Ave., Clifton, NJ 07012
TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant – Continued Use

November 16, 2020

FORMERLY OR NEW: New
ZONE:
PERMITTED: Yes
VARIANCE REQUIRED: No

Final Approval Will Be Issued Pending Approval Of This Resolution. Further Processing And Approval Of Various City Departments

A Motion was made by Councilman Eagler, seconded by Councilman Grabowski and passed on roll call to return to Executive Session.

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

ADJOURNMENT

Upon motion made by Councilman Grabowski, seconded by Councilwoman Murphy and passed on roll call vote, the meeting was adjourned at 11:34 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