CITY OF CLIFTON
CLIFTON, NEW JERSEY

REGULAR MEETING MINUTES OF JULY 19, 2016

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 2016 which was published as legal advertisements in the Herald News on December 9, 2015 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)
Councilman Hatala	(SH)
Councilman Kolodziej	(JK)
Councilwoman Murphy	(LM)
Mayor Anzaldi	(JA)

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

INVOCATION

Pastor Eric Farrar – Hope Reformed Church

PLEDGE TO THE FLAG

PUBLIC HEARING

Amendment - BC-14-15-MC-34-0103 Transfer of Funds from Year 41 General Administration to Year 40 General Administration

The Mayor opened the floor to the public.

With no one wishing to be heard, a Motion was made by Councilman Hatala, seconded by Councilman Kolodziej, and passed on roll call vote, to close Public Hearing.

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

APPROVAL OF MINUTES

Upon Motion made by Councilman Eagler, seconded by Councilman Kolodziej, and passed on roll call vote, the Minutes of the Workshop, and Executive Session of July 5, 2016 were approved.

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

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Klimek Stoch hired as temporary seasonal employee in the Department of Public Works at $12.00 per hour, not to exceed 35 hours weekly effective 07/05/2016.
C-2 Keith Huntley Laborer 1, D.P.W. on disability leave of absence effective 06/20/2016.
C-3 Donna Camp Tax Collector Office promoted from Keyboarding Clerk 1 to Keyboarding Clerk 2 provisionally, effective 07/01/2016 at $36,037.46 annually.
C-4 Carlos Lescano promoted from Mason's Helper to Mason for the D.P.W., effective 04/01/2016 at $56,436.67 annually.
C-5 Christy Moore, Municipal Court from Keyboarding Clerk 2 full-time to Keyboarding Clerk 2 part-time effective 07/06/2016.
C-6 Alan Fiorilla promoted from Police Sergeant to Police Lieutenant effective 07/06/2016, monetary compensation for this rank to take effect on or about 01/01/2017.
C-7 Gary V. Giardina promoted from Police Officer to Police Sergeant effective 07/06/2016, monetary compensation for the rank to take effect on or about 01/01/2017.
C-8 Suzanne McAvoy Public Safety promoted from PST Trainee to Public Safety Telecommunicator effective 05/05/16 at $39,369.39 annually.
C-9 Toni Miccio Public Safety promoted from PST Trainee to Public Safety Telecommunicator effective 05/05/16 at $36,026.54 annually.

COMMUNICATIONS – MEETING MINUTES

C-10 Minutes of Clifton Traffic Safety Council Meeting of June 16, 2016
C-11 Minutes of the Board of Adjustment of June 15, 2016
C-12 Minutes of Alcoholic Beverage Control Board of June 8 and 28, 2016

ORDINACES - SECOND READING

A. Adoption of Ordinance 7305-16

B. Public Hearing on Ordinance 7305-16

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Section 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Amends Permit Numbers for 19 Second St & 20 Harrison Pl)

The Mayor opened the floor to the public with regard to the Ordinance 7305-16

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

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

C. Adoption of Ordinance 7306-16

D. Public Hearing on Ordinance 7306-16

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Section 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Deletes One Designated Handicapped Parking Space)

The Mayor opened the floor to the public with regard to the Ordinance 7306-16

The following entitled ordinance had been introduced and having passed on first reading, which first reading was by title and said entitled ordinance having been published according to the law

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

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

E. Adoption of Ordinance 7307-16

F. Public Hearing on Ordinance 7307-16

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Sect. 439-38 Thereof, Entitled "Handicapped Parking on Streets for Private Residences" (Adds 4 Restricted Handicapped Spaces)

The Mayor opened the floor to the public with regard to the Ordinance 7307-16

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 Kolodziej, seconded by Councilman Eagler, and carried by roll call vote.

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

G. Adoption of Ordinance 7308-16

H. Public Hearing on Ordinance 7308-16

An Ordinance to Amend, Revise & Supplement C. 439 of the Code of the City of Clifton, Entitled "Vehicles & Traffic," More Particularly Section 439-37 Thereof, Entitled "Handicapped Parking on Streets" (Adds 90 Hudson St & 32 Sixth Ave)

The Mayor opened the floor to the public with regard to the Ordinance 7308-16

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

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

I. Adoption of Ordinance 7309-16

J. Public Hearing on Ordinance 7309-16

An Ordinance of the City of Clifton, County of Passaic, New Jersey, Approving and Adopting the Hoffmann-La Roche Redevelopment Plan - Phase I

The Mayor opened the floor to the public with regard to the Ordinance 7309-16

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

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

ORDINANCES – FIRST READING

A. Introduction of Ordinance 7310-16

An Ordinance to Amend, Revise & Supplement C. 327 of the Code of the City of Clifton, Entitled "Noise," More Particularly Sect. 327-7B Threof (mend Fine to $2,000 to Comply with Standards Promulgated by State of NJ)

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

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

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday , August 3, 2016 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

CITY MANAGER PRIVILEGE

City Manager, Dominick Villano, announced a change of the Bond Advisory Committee meeting from Friday, July 22, 2016 at 3:30pm to Thursday, July 21, 2016 at 3:30pm.

FLOOR TO MEMBERS OF THE PUBLIC

Ellen DeLosh, 547 Clifton Ave., read a letter she received from the Law Enforcement Action Network. She also asked the public to purchase bumper stickers from St. Philips Church to show support for law enforcement.

Joseph Sidor, 181 Highview Terrace, spoke about schools and property taxes. He urged residents not to support the transfer of Clifton students to the Passaic County Technical Institute. Mr. Sidor said the City should consider opening their own trade/vocational school and keep the students in Clifton. He also spoke about police workloads and violence against law enforcement.

Mary F. Simmons-Fallucca, 225 Pershing Road, thanked Councilman Hatala and Councilman Gibson for expediting the road painting in the Pershing Road area. She spoked about traffic safety and quality of life issues. Ms. Simmons stated that her concerns regarding the issues in the area of the new Mosque on Pershing Road are about safety and have nothing to do with religion.

Eric Farrar, 310 Burgess Place, stated that Clifton is a great city. He said the diversity and integration in the City is good for everyone. He feels that contrary to recent social media posts, that President Obama is not anti-police. He stated that he hopes Clifton and all other communities continue to move toward unity.

Liz Gagnon, 346 Mount Prospect Ave., wanted to thank everyone involved in the recent vigil held at City Hall for the fallen police officers in Dallas, Texas. She asked the Council to please send someone to the area she lives on Mount Prospect Ave., to inspect the trees and power lines. She stated they are dangerous and is concerned someone will get hurt.

With no one else wishing to be heard, a Motion was made by Councilman Hatala, seconded by Councilman Kolodziej, and passed on roll call vote, to close public session.

Mayor Anzaldi asked City Manager, Dominick Villano, about a report requested at the last meeting, from the police department showing how many traffic/parking tickets were issued in the Pershing Road area recently. Mr. Villano responded that he is not able to obtain that report since it cannot be automatically generated. Mayor Anzaldi asked City Manager, Dominick Villano, to coordinate tree trimming with the City, the County and PSE&G on Mount Prospect Avenue.

COUNCIL PRIVILEGE

Councilman Eagler

Councilman Eagler thanked Pastor Farrar for his kind words describing Clifton as a good place to live. He announced the following upcoming events:

National Night Out
Bus trip to Ellis Island
Centennial fund raisers
Avenue of the Flags BBQ

Councilman Eagler congratulated everyone involved in the recent vigil, held at City Hall, for the fallen police officers in Dallas, Texas. He asked if the organizers can please have another vigil for the police officers recently attacked in Baton Rouge, Louisiana. Councilman Eagler asked that all residents be vigilant in regard to standing water on their property to prevent mosquitos from breeding.

Councilman Gibson

Councilman Gibson thanked Pastor Farrar for his positive speech in regard to the City of Clifton. He thanked Ellen DeLosh, Joseph Sidor and Liz Gagnon for their support of the Police Department. Councilman Gibson announced that the Indo American Seniors' Association summer picnic will take place on July 24, 2016. He spoke about plans to replace the bridge on Route 46 and Piaget Avenue in July of 2018. Councilman Gibson congratulated the Clifton Senior Little League 16U baseball team for their championship game victory. He urged residents to donate to the league so they may attend the upcoming tournament. Councilman Gibson thanked everyone who participated in the July 15, 2016 vigil for the fallen Dallas police officers. He asked all residents to display a blue light in the front of their homes to support law enforcement. Councilman Gibson stated that he met with the principals of the mosque on Pershing Road to discuss traffic and quality of life issues in the area. He mentioned that the mosque leaders would like to hold a meeting with the neighbors in the area to discuss these issues in September of 2016. Councilman Gibson urged all residents to attend the free concerts in Botany Village.

Councilman Kolodziej asked City Manager, Dominick Villano, if the repairs on Route 46 at Piaget Avenue will be delayed due to the recent work stoppage put in place by Governor Christie. Mr. Villano said he would check to see if this project will be affected.

Councilman Hatala

Councilman Hatala voiced his appreciation for the positive comments made about the City of Clifton in tonight's meeting. He spoke about the moving ahead of the Hoffman LaRoche project and thanked the Council, past and present, and everyone else involved in getting the project off the ground. Councilman Hatala announced that the Bond Advisory and Economic Development meetings will be held shortly. He also mentioned that the Fire Committee meeting will be held sometime in August or September. Councilman Hatala spoke about current vacancies in the Athenia section along the Passaic border. He urged all residents to attend the free concerts in Botany Village. He also spoke about the fountain in Botany Square which is in need of repair.

Councilman Kolodziej

Councilman Kolodziej stated that he agreed with tonight's public speaker, Joseph Sidor, that Clifton should open a technical school in the city rather than transfer Clifton students to the

Passaic County Technical Institute. He thanked everyone who helped make the vigil for the fallen Dallas police officers possible. Councilman Kolodziej spoke about police officer to citizen ratios and feels the City needs more police officers. Councilman Kolodziej also discussed showing respect to each other and living in diverse communities.

Councilwoman Murphy

Councilwoman Murphy congratulated the U16 Little League baseball team on their recent state champion victory. She also made the following upcoming recreation department activities:

Night at the Jackals
Summer Concerts
Drive in Movies
Boys and Girls Club 45th annual golf tournament

Councilwoman Murphy thanked everyone who wished her a happy birthday. She announced that a 2K reward is being offered for any information leading to the arrest of the individual who threw a rock at a Clifton police officer. Councilwoman Murphy thanked all the volunteers who made the vigil for the Dallas police officers possible.

Mayor Anzaldi

Mayor Anzaldi announced that National Night Out will be held in Main Memorial Park on August 2, 2016 and that the next Council Meeting will be on Wednesday, August 3, 2016. He stated that the back to school outreach program is underway to help children obtain school supplies. Mayor Anzaldi congratulated the Little League U16 baseball team on their state champion victory. He asked all residents to donate to the little league to make it possible for them to attend the state tournament. Councilman Hatala suggested that the Council invite the team to a future Council Meeting. Mayor Anzaldi agreed. Mayor Anzaldi stated that our police are our first line of defense and all citizens should show respect to all police officers. He announced that there is a 2K reward for information leading to the arrest of the individual who threw a rock at a Clifton police officer.

RESOLUTIONS

Motion was made by Councilman Hatala and seconded by Councilwoman Murphy to move the group:

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

R403-16 Resolution to approve claims to be paid meeting of July 17, 2016

RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF JULY 17, 2016

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

Current Fund	$	12,382,802.11
Trust Escrow		
General Capital Fund	$	112,623.94
Dog Trust	$	342.69
Trust Other	$	338,287.07
Community Development	$	6,315.00
Grant Fund	$	23,056.81
Reserve for Housing		
Tax Title Lien Redemption	$	
Unemployment Trust Fund		
Revolving Loan Fund		
Section 8 Public Housing	$	236,516.00
Self Insurance	$	1,112,474.69
Police Extra Duty	$	

COAH	$	87,119.00
Fire Dedicated Penalties	$	
Sewer Utility – Operating	$	107,931.45
Sewer Utility – Capital	$	13,091.93
Library	$	
Developers Escrow	$	45,259.14
General Liability Trust	$	7,571.28
Worker's Compensation Trust	$	25,185.97
TOTAL CLAIMS	**$**	**14,498,577.08**

R404-16 Resolution Authorizing Permission to Solicit Bids for Two (2) Multi-Purpose Buckets by GEM

RESOLUTION AUTHORIZING PERMISSION TO SOLICIT BIDS FOR TWO (2) MULTI-PURPOSE BUCKETS BY GEM

WHEREAS, the City of Clifton shall incur no expense exceeding $12,000 except where either authorized by law or waived by the Municipal Council up to the State of New Jersey bid threshold; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that authorization is hereby given to solicit bids for two (2) Caterpillar Multi-Purpose Buckets by Gem and that the City Clerk and/or Purchasing Agent is authorized to advertise the Notice to Bidders when bid specs are completed.

R405-16 Resolution Awarding Contract for the Replacement of a Trane Compressor at City Hall Police Department to the Lowest Vendor

RESOLUTION AWARDING CONTRACT FOR THE REPLACEMENT OF A TRANE COMPRESSOR AT CITY HALL POLICE DEPARTMENT TO THE LOWEST VENDOR

WHEREAS, there is a need to replace the existing compressor in the Police Department; and

WHEREAS, quotations were solicited for the installation of a Trane Compressor and the following three (3) vendors submitted quotes:

1.	Garden State A/C & Heating	$11,400.00
2.	Gerald J. DeLuisi	$12,845.00
3.	Byram HVAC	$12,350.00

WHEREAS, DPW Director Sergio Panunzio recommends the award of contract to the lowest responsible vendor Garden State A/C & Heating, 11 Adams Street, Clifton, NJ 07011 in the amount of $11,400.00; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council that the contract for the installation of a Trane Compressor be and is hereby awarded to the lowest responsible vendor Garden State A/C & Heating, 11 Adams Street, Clifton, NJ 07011 in the amount of $11,400.00;

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed to execute such contract, upon approval by the Law Department; and

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

R406-16 Resolution Authorizing Increase of Funds on an Existing Purchase Order for Custom Bandag, Inc.

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

WHEREAS, on January 5, 2016 the governing body approved R014-16 titled "Resolution Authorizing Purchases through the New Jersey State Contract and through Cooperative Purchasing Contracts"; and

WHEREAS, the Director of Public Works requests the governing body's authorization to increase funds on Custom Bandag purchase order number 18981 in an amount not to exceed $27,000 for the purchase of parts and supplies for recapped tires off of NJ State Contract #82527; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body hereby authorizes the additional funds to be expended for said purchase in an amount not to exceed $27,000.

R407-16 Resolution Awarding Contract for Roof Repairs to Buildings A-2 and B-4

RESOLUTION AWARDING CONTRACT FOR ROOF REPAIRS TO BUILDINGS A-2 AND B4

WHEREAS, in an effort to ensure compliance with the Local Public Contracts Law N.J.S.A. 40A:11-6.1, the Department of Public Works solicited quotations for roof repairs at Buildings A-2 and B4; and

WHEREAS, the following contractors submitted quotes:

1.	R.F. Knapp Construction	$19,750
2.	WJ McGrotty	$20,800
3.	JMC Home Improvement	$21,200

WHEREAS, after a review of the submitted quotes, it appears that the quote received by R.F. Knapp Construction in the amount of $19,750 is the most responsible and advantageous (price and other factors considered) for the City of Clifton; and
NOW, THEREFORE, BE IT RESOLVED, that the contract for roof repairs at Buildings A2 and B4 is hereby awarded to R.F. Knapp Construction, 14 Pilgrim Drive Clifton, NJ 07013 in the amount of $19,750.00; and

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

R408-16 Resolution to Purchase Ballistic Vests Off of the NJ State Purchasing Program Pursuant to N.J.S.A. 40A:11-12a (Police Dept)

RESOLUTION TO PURCHASE BALLISTIC VESTS OFF OF THE NEW JERSEY STATE PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a (POLICE DEPARTMENT)

WHEREAS, the Clifton Police Department has a need to purchase 16 ballistic vests for officers whose vests have expired; and

WHEREAS, Atlantic Uniform Co. has been awarded NJ State Contract #A81348; and

WHEREAS, the City of Clifton, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

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: Robyn Esposito, Purchasing Agent; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase of 16 ballistic vests from Atlantic Uniform Co., 444 Washington Avenue, Belleville, NJ 07109 in an amount not to exceed $14,433.10 off of NJ State Contract #A81348; and

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

R409-16 Resolution Supporting Passage of S-1923 and A-925 - Seeking to Prohibit Investment of Pension and Annuity Funds by State in Companies Boycotting Israel or Israeli Businesses

RESOLUTION SUPPORTING PASSAGE OF S-1923 and A-925 - SEEKING TO PROHIBIT INVESTMENT OF PENSION AND ANNUITY FUNDS BY STATE IN COMPANIES BOYCOTTING ISRAEL OR ISRAELI BUSINESSES

WHEREAS, Senate Bill S-1923 and Assembly Bill A-925 seek to prohibit the investment of pension and annuity funds by the State in companies that boycott, divest from, or sanction Israel or Israeli businesses, or boycott companies operating in Israel or Israeli-controlled territory; and

WHEREAS, the Bills do not apply to the activities of any company providing humanitarian aid to the Palestinian people through either a governmental or non-governmental organization; and

WHEREAS, both Bills require the State Investment Council and the Director of the Division of Investment to take appropriate action to divest any investment held in violation of the prohibition and require progress reports by the division regarding these divestments; and

WHEREAS, the Illinois State Legislature recently passed similar legislation restricting investment of its pension fund in companies that boycott Israel; and

WHEREAS, this Governing Body wishes to voice its support of these Bills;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Members of the Municipal Council of the City of Clifton, in the County of Passaic, State of New Jersey, hereby go on record in support of Senate Bill S-1923 and Assembly Bill A-925, and urge the Legislature to approve and pass the Bills for the reasons expressed herein; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Chris Christie; to Senator Nia H. Gill; to Assemblywoman Sheila Oliver; to Assemblyman Thomas Giblin; to the Clerk of the New Jersey Senate; to the Clerk of the New Jersey Assembly; to the New Jersey State League of Municipalities; and to the New Jersey Conference of Mayors.

R410-16 Resolution Authorizing Entertainment License for Sportzone Bar & Grill, Inc. t/a Sportzone Bar & Grill, 593 Van Houten Ave

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR SPORTZONE BAR & GRILL, INC. T/A SPORTZONE BAR & GRILL

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Sportzone Bar & Grill, Inc. t/a Sportzone Bar & Grill, of 593 Van Houten Avenue, Clifton, New Jersey (B-C Zone), is approved, and entertainment is authorized for the period from July 1, 2016 through June 30, 2017, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week: Thursday, Friday and Saturday

Hours: 9:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year's Eve

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 9:00 p.m. to 1:00 a.m.

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

Thursday - Karaoke
Friday & Saturday - DJ Music

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2016 through June 30, 2017

6. SECURITY/PARKING REQUIREMENTS:

Not applicable

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

9. REQUIREMENTS/RESTRICTIONS:

A. An entertainment license is not required for private parties.

B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.

R411-16 Resolution Authorizing Entertainment License for Madin S. Bawwab/MRM Lebanese Cuisine, Inc. d/b/a Beirut Lebanese Cuisine at 1543 Main Ave

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR MADIN S. BAWWAB, MRM LEBANESE CUISINE, INC., D/B/A /BEIRUT LEBANESE CUISINE AT 1543 MAIN AVENUE

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Madin S. Bawwab, MRM Lebanese Cuisine, Inc., d/b/a /Beirut Lebanese Cuisine, of 1543 Main Avenue, Clifton, New Jersey (B-C Zone), is approved, and entertainment is authorized for the period from July 1, 2016 through June 30, 2017, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

One (1) night per week:
Saturday
Hours: 10:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year's Eve

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

Two-piece band

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

July 1, 2016 through June 30, 2017

5. SECURITY/PARKING REQUIREMENTS:

Not applicable.

6. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

7. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

8. REQUIREMENTS/RESTRICTIONS:

A. An entertainment license is not required for private parties.

B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.

R412-16 Resolution Authorizing Execution of Cancellation of Mortgage Between City of Clifton and Ysis Baez (Clifton Home Improvement Program)

RESOLUTION AUTHORIZING EXECUTION OF CANCELLATION OF MORTGAGE BETWEEN CITY OF CLIFTON AND YSIS BAEZ (CLIFTON HOME IMPROVEMENT PROGRAM)

WHEREAS, on February 28, 2012, in conjunction with a CHIP grant to Ysis Baez, a mortgage in the amount of $7,900.00 was given by the City of Clifton for property situated at 103 Ludington Avenue, Clifton, New Jersey (Block 18.09, Lot 5); and

WHEREAS, the Program Director of the Clifton Home Improvement Program has advised that the aforesaid mortgage has been repaid; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and the Municipal Council of the City of Clifton, that the Mayor and City Clerk be and they are hereby authorized to execute Cancellation of Mortgage in a form satisfactory to the Law Department.

R413-16 Resolution of the City of Clifton, County of Passaic, State of New Jersey, Making Application to the Local Finance Board Seeking Authorization for Not to Exceed $1,000,000 Redevelopment Area Bonds to Finance the Construction and Installation of Certain Improvements Within the Hoffman-La Roche Redevelopment Area Pursuant to N.J.S.A. 40A:12A-29(A)(3) and N.J.S.A. 40A:12A-67

RESOLUTION OF THE CITY OF CLIFTON, COUNTY OF PASSAIC, STATE OF NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD SEEKING AUTHORIZATION FOR NOT TO EXCEED $1,000,000 REDEVELOPMENT AREA BONDS TO FINANCE THE CONSTRUCTION AND INSTALLATION OF CERTAIN IMPROVEMENTS WITHIN THE HOFFMAN-LA ROCHE REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-29(A)(3) AND N.J.S.A. 40A:12A-67

WHEREAS, the City Council (the "Municipal Council") of the City of Clifton (the "City"), in the County of Passaic, State of New Jersey 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 "Study Area"), also known as the Hoffman-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 (the "Planning Board") to conduct a preliminary investigation to determine whether the Study Area, 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, Hoffman-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 Study Area 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 Study Area 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 Study Area constitutes and meets the criteria under the LRHL supporting the recommendation that the Study Area be determined a non-condemnation "area in need of redevelopment"; and

WHEREAS, on April 23, 2015, the Planning Board adopted a Resolution recommending that Block 80.02, Lots 1 and 4 and Block 79.04, Lots 10 and 21, as shown on the official Tax Map of the City (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 the date hereof, after conducting the requisite hearings therefor, the Municipal Council, pursuant to Ordinance #O-7309-16, adopted the redevelopment plan entitled "Clifton Hoffmann-La Roche Redevelopment Plan – Phase I (the "Phase I Redevelopment Plan") for a portion of the Property comprised of Block 80.02, Lot 4 as shown on the Proposed Subdivision (as defined herein) as more particularly described on Exhibit A attached to the hereinafter defined Redevelopment Agreement (collectively, the "Phase I Project Premises") in accordance with the provisions of the LRHL; and

WHEREAS, an application was submitted to the Planning Board seeking preliminary and final major subdivision approval for the Phase I Project Premises, together with related variances, as set forth on the plans and application materials annexed to the Redevelopment Agreement (the "Proposed Subdivision"), which Proposed Subdivision was granted approval by the Planning Board, which, inter alia (a) permitted the subdivision of the Phase I Project Premises, creating three (3) new separately identifiable lots, Lot 4.01, consisting of a 1.793 acre area, Lot 4.02, consisting of a 0.519 acre area, Lot 4.03, consisting of a 3.261 acre area, in addition to the one (1) remaining tax lot, consisting of the remaining 1,061,200 square feet (24.362 acre area) of Lot 4; (b) created aforementioned lot 4.01 on which will be located portions of the existing structures known as Building 123 and Building 123A, which consist of a six-story building (Building 123) containing approximately 412,092 gross square feet of building area, and a second six-story building (Building 123A) functioning as a wing of Building 123 containing approximately 65,059 gross square feet as shown on the Subdivision to be renovated by the Entity (collectively, the "Medical Campus Buildings"); (c) created aforementioned Lot 4.03 which is a vacant lot (except for portions of existing temporary surface parking improvements) on which will be located portions of a future parking structure (or structures) (the "Parking Structure"); and (d) created aforementioned Lot 4.02 which is a vacant lot (except for existing temporary surface parking improvements) (the "Vacant Lot") and together with the Medical Campus Buildings and the Parking Structure, collectively, the "Phase I Project"); and

WHEREAS, Kingsland was formed pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., as amended and supplemented (the "Exemption Law"), to redevelop the Phase I Project and occupy the Phase I Project Premises; and

WHEREAS, the Municipal Council (a) intends to designate Kingsland as the redeveloper of the Phase I Project Premises (the "Redeveloper"), and (b) authorized the City to enter into a redevelopment agreement with Redeveloper, subject to certain conditions stated in such resolution; and

WHEREAS, the City and the Redeveloper intend to enter into a redevelopment agreement (the "Redevelopment Agreement") which sets forth the terms and conditions by which Redeveloper will redevelop the Phase I Project Premises for the construction and operation of the Phase I Project (the "Phase I Redevelopment Agreement"); and

WHEREAS, pursuant to and in accordance with the provisions of the Redevelopment Area Bond Financing Law, constituting Chapter 310 of the Pamphlet Laws of 2001 of the State, and the acts amendatory thereof and supplemental thereto (the "Redevelopment Bond Law", as codified in N.J.S.A. 40A:12A-64 et seq., and together with the LRHL and the Exemption Law, the "Acts"), specifically N.J.S.A. 40A:12A-66(a), the City is authorized to provide for such tax exemption and payments in lieu of taxes in accordance with the Exemption Law, except that the provisions of the Exemption Law: (i) establishing a minimum or maximum annual service charge and requiring staged increases in annual service charges over the term of the exemption period, and (ii) permitting an urban renewal entity to relinquish its status under the Exemption Law, shall not apply to redevelopment projects financed with bonds issued in accordance with the Redevelopment Bond Law; and

WHEREAS, the Municipal Council plans to adopt an ordinance (the "Exemption Ordinance"), granting the long term tax exemption requested by Redeveloper and authorizing the execution of that certain Financial Agreement (the "Financial Agreement") and other applicable documents related to the issuance of the RAB Bonds (as defined herein); and

WHEREAS, those certain improvements enumerated at Exhibit C attached to the Special Assessment Agreement (as defined herein) and by this reference incorporated herein (the "Local Improvements") constitute a portion of the Phase I Project and also constitute qualified improvements under the Local Improvements Law, N.J.S.A. 40:56-1, et seq. (the "Local Improvements Law") and the Redevelopment Bond Law; and

WHEREAS, the City and the Redeveloper are presently negotiating the possibility of the City issuing bonds, notes or other obligations (collectively, the "RAB Bonds") pursuant to the Redevelopment Law, which RAB Bonds, if issued, shall be secured first pursuant to certain pledged PILOT payments to be made pursuant to the Financial Agreement (which pledged PILOT is further secured by a subordinate mortgage), and if the Financial Agreement is no longer in effect, for whatever reason, in the second instance pursuant to a special assessment

agreement (the "Special Assessment Agreement") to be negotiated and entered into by and between the City, the Redeveloper and PB NUTCLIF MED, LLC; and

WHEREAS, in addition to the documents securing the RAB Bonds, the Redeveloper and the City intend to enter into a redeveloper contribution agreement (the "Redeveloper Contribution Agreement") pursuant to which the Redeveloper shall pay to the City an amount equal to the unpledged portion of the Annual Service Charge (as defined in the Financial Agreement) under the Financial Agreement, subject to applicable credits, if any; and

WHEREAS, the City desires to make application to the Local Finance Board with respect to a proposed bond resolution authorizing the issuance of not to exceed $1,000,000 RAB Bonds, which RAB Bonds shall be used to finance the construction and installation of certain improvements within a portion of the Hoffman-La Roche Redevelopment Area; and

WHEREAS, any financial instrument such as the RAB Bonds proposed herein which are secured in whole or in part by payments of PILOT payments and special assessments shall be subject to the review and approval of the Local Finance Board within the New Jersey Department of Community Affairs (the "Board") pursuant to the Redevelopment Bond Law; and

WHEREAS, the City believes that:

(a) it is in the public interest to accomplish such purpose; and

(b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units; and

(c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and

(d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units; and

(e) the implementation of the Phase I Project is in the best interests of the City and its residents.

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

I. GENERAL

The above "**WHEREAS**" paragraphs are hereby incorporated herein by reference as though specifically set forth herein below.

II. APPLICATION TO LOCAL FINANCE BOARD APPROVED

(a) The application to the Local Finance Board is hereby approved, and the City's bond counsel, Wilentz, Goldman & Spitzer, P.A., along with other representatives of the City, are hereby authorized to prepare and submit the above-referenced application.

(b) The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as the same may be required by law.

III. SEVERABILITY

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.

IV. AVAILABILITY OF THE RESOLUTION

A copy of this Resolution shall be available for public inspection at the offices of the City.

V. EFFECTIVE DATE

This Resolution shall take effect upon final passage.

R414-16 Resolution Appointing Geraldine Azzolino to the 100th Anniversary Committee

RESOLUTION APPOINTING MEMBER
TO 100TH ANNIVERSARY COMMITTEE

BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey, that Geraldine Azzolino is hereby appointed to the 100th Anniversary Committee to celebrate the City of Clifton's 100th Anniversary in 2017.

R415-16 Resolution Approving Amendment to Community Development Block Grant Program Budget - Amendment B-14-15-MC-34-0103 ({Yrs. 40 &41} General Administration Yr. 41 to Yr. 40)

RESOLUTION APPROVING AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM BUDGET – AMENDMENT B-14-15-MC-34-0103 ({Yrs. 40 & 41} General Administration Yr. 41 to Yr. 40

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 of 2014 & 2015; 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.

R416-16 Late - Resolution Authorizing Exercise of First Option toRenew Contract for Marketing of Recyclables Between City of Clifton and Atlantic Coast Fibers, LLC for the Period June 1, 2016 Through May 31, 2017

RESOLUTION AUTHORIZING EXERCISE OF FIRST OPTION TO RENEW CONTRACT FOR MARKETING OF RECYCLABLES BETWEEN CITY OF CLIFTON AND ATLANTIC COAST FIBERS, LLC, FOR THE PERIOD JUNE 1, 2016 THRU MAY 31, 2017

BE IT RESOLVED, that authorization is hereby given to exercise the first option to renew the contract for Marketing of Recyclables between the City of Clifton and Atlantic Coast Fibers, LLC, for the period June 1, 2016 thru May 31, 2017.

R417-16 Executive Session

CITY OF CLIFTON
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 Settlement – HR (Police) D/L: 7/21/14
CON-2 Workers' Compensation Claim Settlement – IK (DPW) D/L: 5/18/13 & 10/24/13
CON-3 Retired Firefighter Tavarez: Personnel Issue
CON-4 Liability Claims Against City of Clifton 2015-2016.
CON-5 Special Environmental Counsel – Bautista et al. v. Hoffman-La Roche, Inc.: ESX-L-8724-14
CON-6 Workers' Compensation Claim Settlement – DK (Fire) D/L: 4/9/10
CON-7 SOA Negotiations
CON-8 Proposed Zoning Changes (RLUIPA)
CON-9 Roche PILOT 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 July 19, 2016 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 Masala Grill

RESOLUTION FOR PRELIMINARY APPROVAL

For: De grill, Inc.

T/A: Masala Grill

ADDRESS: 741 Broad St., Clifton, NJ 07013

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant-Continued Use

FORMERLY OR NEW: Red Chimney

ZONE: B-C

PERMITTED: Yes

VARIANCE REQUIRED: No

FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION. FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

L-2 Marcelli Formaggi

RESOLUTION FOR PRELIMINARY APPROVAL

For: Marcelli Formaggi.

T/A: Marcelli Formaggi

ADDRESS: 1 Entin Rd., Clifton, NJ 07012

TYPE OF FOR ESTABLISHMENT INTENDED: Caterer continued use

FORMERLY OR NEW: Office/Warehouse

ZONE: M2

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 Chahravad Restaurant, Inc.

RESOLUTION FOR PRELIMINARY APPROVAL

For: Chahravad Restauraunt, Inc.

T/A: Shahrazad Restaurant

ADDRESS: 485 Crooks Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant Continued Use

FORMERLY OR NEW: Shahrazad

ZONE: CCO Attached

PERMITTED: Yes

VARIANCE REQUIRED: No

FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION. FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

L-4 Viva Mejor

RESOLUTION FOR PRELIMINARY APPROVAL

For: Oscar Gonzalez

T/A: Viva Mejor

ADDRESS: 211 Ackerman Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Restaurant Continued Use

FORMERLY OR NEW: Same

ZONE: RB3

PERMITTED: Yes

VARIANCE REQUIRED: No

FINAL APPROVAL WILL BE ISSUED PENDING APPROVAL OF THIS RESOLUTION. FURTHER PROCESSING AND APPROVAL OF VARIOUS CITY DEPARTMENTS.

ADJOURNMENT

Upon motion made by Councilman Hatala, seconded by Councilman Eagler and unanimously passed on roll call vote, the meeting was adjourned at 9:20 pm.

Respectfully Submitted,

Nancy Ferrigno
City Clerk

_____
James Anzaldi, Mayor