CITY OF CLIFTON
CLIFTON, NEW JERSEY

REGULAR MEETING MINUTES OF AUGUST 3, 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 10, 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

Nancy Ferrigno – City Clerk

PLEDGE TO THE FLAG

APPROVAL OF MINUTES

Upon Motion made by Councilman Hatala, seconded by Councilwoman Murphy, and passed on roll call vote, the Minutes of the Regular Meeting of July 5, 2016 and the Workshop Meeting and the Regular meeting of July 19, 2016.

(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 Zakaria Bernardo, Michael Ferrigno, Matthew Geyer, Jessenia Levy, John Mescia, Garrell Middleton, Jack Pohlman, Michael Resciniti, Alexander Tredy and Thomas Trommelen hired as Police Officers effective 07/14/16 at $30,000.00 each, annually.

C-2 Guiseppe Mannina D.P.W., promoted provisionally to Supervisor Public Works at $70,795.75 annually, effective 06/01/2016..

C-3 Richard Smith III, Laborer 1 in the D.P.W. returned from disability leave of absence effective 07/18/2016.

C-4 Kathy Silber hired as temporary seasonal employee in the Tax Collectors Office at $61.1527 hourly, effective 07/01/2016.

COMMUNICATIONS – MEETING MINUTES

C-5 Minutes of Passaic Valley Water Commission of June 15, 2016
C-6 Minutes of North Jersey District Water Supply Commission of June 22, 2016

ORDINACES - SECOND READING

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

A. Adoption of Ordinance 7310-16

B. Public Hearing on Ordinance 7310-16

The Mayor opened the floor to the public with regard to the Ordinance 7310-16

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.

ORDINANCES – FIRST READING

A. Introduction of Ordinance 7311-16

BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS, BY AND IN THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $9,840,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $9,371,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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 Hatala, 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 Tuesday, August 16, 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.

B. Introduction of Ordinance 7312-16

BOND ORDINANCE PROVIDING FOR VARIOUS SEWER IMPROVEMENTS, BY AND IN THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY; APPROPRIATING $5,750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $5,476,190 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF

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 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.

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, August 16, 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.

C. Introduction of Ordinance 7313-16

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" (Amends Permit Number for 37 Fenner Ave)

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 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.

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, August 16, 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.

D. Introduction of Ordinance 7314-16

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

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 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.

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, August 16, 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.

E. Introduction of Ordinance 7315-16

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 6 Restricted Handicapped Spaces)

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 Councilman 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.

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, August 16, 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.

F. Introduction of Ordinance 7316-16

ORDINANCE OF THE CITY OF CLIFTON, COUNTY OF PASSAIC, NEW JERSEY, APPROVING THE APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE CITY OF CLIFTON TO ENTER INTO A FINANCIAL AGREEMENT WITH KINGSLAND STREET URBAN RENEWAL, L.L.C. AND GRANTING A TAX EXEMPTION

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 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.

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, August 16, 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.

G. Introduction of Ordinance 7317-16

AN ORDINANCE OF THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN IMPROVEMENTS ON BLOCK 80.02, LOT 4 WITHIN THE HOFFMANN-LA ROCHE REDEVELOPMENT AREA AND ESTABLISHING A MECHANISM FOR PAYMENT OF THE COST THEREOF AND APPROVING THE EXECUTION OF AGREEMENTS IN CONNECTION THEREWITH

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 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.

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, August 16, 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

Nothing to report.

FLOOR TO MEMBERS OF THE PUBLIC

Matthew Trella, 33 Tancin Lane, announced that he will be running for a seat on the Board of Education.

Ellen DeLosh, 547 Clifton Ave., spoke about a book titled Stolen Sovereignty by Daniel E. Horowitz.

Iris and Jonathan Nelson, 73 Hamilton Ave., spoke about conditions in Nash Park. They stated that the field lighting stays on too late. They complained about drinking, loud music, garbage left behind, and baseballs hitting cars and landing in yards. Mrs. Nelson stated that people are changing clothes in the park and that the portable sanitation units need to be moved away from the residential area due to the smell. Mr. Nelson asked if netting could be put up to prevent the baseballs going out of the park.

Bharat Rana, 106 Alfred St., asked the public to help celebrate India Independence Day and invited everyone to attend the upcoming flag raising.

Mayor Anzaldi asked City Manager, Dominick Villano, to please adopt a policy as to a time when the lights in Nash Park will be turned off for the night. He also asked Mr. Villano to have netting put up and to move the portable sanitary units in Nash Park. Mayor Anzaldi asked Mr. Villano to look into what would be needed to get the field house at Nash Park back in working order.

COUNCIL PRIVILEGE

Councilman Eagler

Councilman Eagler stated that several street drains are in need of repair. He mentioned that election day is 97 days away and appealed to all citizens to register to vote. Councilman Eagler announced that vacancies are open at the Board of Elections to become a poll worker. He congratulated everyone involved in National Night Out and announced the upcoming Polish Highlander Picnic.

Councilman Gibson

Councilman Gibson thanked everyone involved in National Night Out. He announced that the Polish Highlanders Picnic is on August 7 and the Clifton Veterans BBQ is on August 27.

Councilman Grabowksi

Councilman Grabowski thanked Mr. and Mrs. Nelson for bringing forward the quality of life issues at Nash Park. He spoke about the recent National Night Out in Clifton and welcomed Mr. Trella to the Board of Education campaign.

Councilman Hatala

Councilman Hatala spoke about the issues of noise, drinking and garbage in Nash Park. He suggested administration seek grants to repair the field house in the park. Councilman Hatala announced that the Council approved several capital projects, the Economic Development Committee met, the Fire Committee will meet in a few weeks and he called for a pre-budget meeting in September or October. Councilman Hatala urged all citizens to attend the free concerts in Botany Village. He advised all parents to be sure their children wear helmets when riding bicycles. He welcomed Mr. Trella to the election race for the board of education.

Councilman Kolodziej

Councilman Kolodziej thanked Mr. and Mrs. Nelson for bringing the issues at Nash Park to the attention of the Council. He spoke about capital bond ordinances and the budget. Councilman Kolodziej suggested that a pre-budget meeting take place between Council and administration to provide direction and long term planning.

Councilwoman Murphy

Councilwoman Murphy asked City Manager, Dominick Villano, to provide an update on the progress of the skate park. She congratulated everyone involved with the success of National Night Out. She addressed residents who are concerned with the quality of life issues near Nash Park. She announced that the Red Hat Angels will be holding their ice cream social on August 14. Councilwoman Murphy asked the public to get involved in the Back to School Outreach program which helps needy children obtain school supplies.

Mayor Anzaldi

Nothing to report.

RESOLUTIONS – VOTED SEPARATELY

Councilman Hatala made a Motion, seconded by Councilman Kolodziej and passed on roll call vote, to have Councilman Eagler chair.

Exceptions:

Page 3, Item 308
Resolution R444-16

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

(6-0-1-0) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilman Hatala, Councilman Kolodziej, Councilwoman Murphy voted aye; Mayor Anzaldi abstained.

R418-16 Resolution to approve claims to be paid meeting of August 3, 2016

RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF AUGUST 3, 2016

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

Current Fund	$	360,358.51
Trust Escrow		
General Capital Fund	$	468,713.36
Dog Trust	$	3,149.44
Trust Other	$	80,711.46
Community Development	$	8,289.60
Grant Fund	$	37,590.69
Reserve for Housing		
Tax Title Lien Redemption	$	
Unemployment Trust Fund		
Revolving Loan Fund		
Section 8 Public Housing	$	9,150.06
Self Insurance	$	526,141.48
Police Extra Duty	$	2,354.00
COAH	$	1,452.45
Fire Dedicated Penalties	$	
Sewer Utility – Operating	$	24,526.46
Sewer Utility – Capital	$	100,658.15
Library	$	140.00
Developers Escrow	$	
General Liability Trust	$	9,853.78
Workers Compensation Trust	$	76,832.91
TOTAL CLAIMS	**$**	**1,709,932.35**

R444-16 Late - Resolution Authorizing Renewal of New and Used Car Lot License

RESOLUTION AUTHORIZING RENEWAL
OF NEW AND USED CAR LOT LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of renewal of New and Used Car Lot License Application from Fadi Tafenken, owner of George's Auto Sales, 1260 Main Avenue in the City of Clifton; and

WHEREAS, all paperwork has been completed by the various applicants and all fees have been paid; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of New and Used Car Lot License to Fadi Tafenken, Owner of George's Auto Sales, 1260 Main Avenue, Clifton, New Jersey, be and is hereby granted.

A Motion was made by Councilman Eagler and seconded by Councilman Hatala 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.

RESOLUTIONS

R418-16 Resolution to approve claims to be paid meeting of August 3, 2016

RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF AUGUST 3, 2016

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

Current Fund	$	360,358.51
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Tax Title Lien Redemption		
Unemployment Trust Fund		
Revolving Loan Fund		
Section 8 Public Housing	$	9,150.06
Self Insurance	$	526,141.48
Police Extra Duty	$	2,354.00
COAH	$	1,452.45
Fire Dedicated Penalties	$	
Sewer Utility – Operating	$	24,526.46
Sewer Utility – Capital	$	100,658.15
Library	$	140.00
Developers Escrow	$	
General Liability Trust	$	9,853.78
Workers Compensation Trust	$	76,832.91
TOTAL CLAIMS	$	**1,709,932.35**

R419-16 Resolution Extending the Grace Period for Third Quarter 2016 Property Taxes

A RESOLUTION EXTENDING GRACE PERIOD FOR THIRD QUARTER 2016 PROPERTY TAX PAYMENTS

WHEREAS, the Third Quarter Property Tax Bills are statutorily due on August 1, 2016; and,

WHEREAS, the City of Clifton customarily offers a ten (10) day grace period for these payments to be submitted without penalty of interest; and,

WHEREAS, the State requires payments be due twenty-five (25) day after the mailing of the tax bills; and,

WHEREAS, the City mailed the complete tax bill, not an estimated tax bill, on Thursday, July 21, 2016;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton that the City of Clifton extends the grace period for the Third Quarter 2016 property taxes only to Monday, August 15, 2016; and

BE IT FURTHER RESOLVED that the Tax Collector's Office make arrangements to extend the Third Quarter 2016 tax bill grace period to Monday, August 15, 2016 with their software company.

R420-16 Resolution Closing and Canceling Outstanding Capital Project Account Balances

CITY OF CLIFTON
RESOLUTION CLOSING AND CANCELING
OUTSTANDING CAPITAL PROJECT ACCOUNT BALANCES

WHEREAS, there exists outstanding capital projects with in the Capital Fund of the City of Clifton; and

WHEREAS, the accounts indicated below are no longer utilized as capital projects and are now considered complete;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that these Capital Fund Projects be hereby closed and the remaining balance be zeroed and canceled to their respective accounts and balances:

Account Number and Name	Bond Ordinance	Cancel Amount
04-215-55-911-003 – Recreation Program Improvements	6818	$ 6.74
04-215-55-939-005 – Technology Upgrades	7039	$ 1.65
04-215-55-939-013 – Police Dept. Vehicle Equip.	7039	$ 52.00
04-215-55-945-405 – Fencing of Facilities	7107	$ 10.95
04-215-55-949-403 – Aerial Bucket Truck	7161	$ 150.00
Total Capital Improvements To Be Canceled:		$ 221.34

BE IT FURTHER RESOLVED, that the Finance Office is authorized to cancel said balances and correct the City's financial records for these cancellations.

R421-16 Resolution Authorizing the Issuance of Change Order No. 2 and Final 2013 Street Improvements, Phase 3, Smith Sondy Asphalt Construction Co., Inc.

RESOLUTION AUTHORIZING THE ISSUANCE OF
CHANGE ORDER NO. 2 AND FINAL
2013 STREET IMPROVEMENTS, PHASE 3
SMITH SONDY ASPHALT CONSTRUCTION CO., INC.

WHEREAS, on November 5, 2014, the City of Clifton adopted Resolution R504-14 awarding a contract to SMITH SONDY ASPHALT CONSTRUCTION CO., INC. of WALLINGTON, NJ, for the performance of certain public work and the furnishing of material, labor and equipment for 2013 STREET IMPROVEMENTS, PHASE 3 in the amount of $1,763,965.87; 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 CO., INC. in the amount of $73,672.39, a 4.18% 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 $73,672.39, a 4.18% INCREASE; and

WHEREAS, the total contract amount is now $1,961,976.51;

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.

R422-16 Resolution Authorizing Final Payment - 2013 Street Improvements, Phase 3 - Smith Sondy Asphalt Construction Co., Inc.

RESOLUTION AUTHORIZING FINAL PAYMENT
2013 STREET IMPROVEMENTS, PHASE 3
SMITH SONDY ASPHALT CONSTRUCTION CO. INC.

WHEREAS, SMITH SONDY ASPHALT CONSTRUCTION CO. INC. of Wallington, New Jersey, did complete 2013 STREET IMPROVEMENTS, PHASE 3 project in and for the City of Clifton for the total amount
of $1,961,976.51

And previous payments on account of said total have been paid
in the amount of. $1,854,302.19

Leaving this FINAL PAYMENT
of . . . . $ 107,674.32

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 $196,197.65; 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 $107,674.32 on the claim list.

R423-16 Resolution Awarding Contract for Maplewood Ave Sanitary Sewer Replacement

RESOLUTION AWARDING CONTRACT FOR
MAPLEWOOD AVENUE SANITARY SEWER REPLACEMENT

BE IT RESOLVED: that the contract for the MAPLEWOOD AVENUE SANITARY SEWER REPLACEMENT be and the same is hereby awarded to MONTANA CONSTRUCTION CORP., INC. of Lodi, New Jersey, the low bidder meeting the specifications at a grand total bid price of $86,007.90, in accordance with bids received on July 19, 2016, and recommended by communication dated July 21, 2016 to the Mayor and Council; and

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

BE IT FURTHER RESOLVED: that the required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton. The appropriation to be charged for this expenditure is:

R424-16 Resolution Authorizing Increase of Funds on an Existing Purchase Order for Buy Wise Auto Parts

RESOLUTION AUTHORIZING INCREASE OF FUNDS ON AN EXISTING PURCHASE ORDER FOR BUY WISE AUTO PARTS

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 Buy Wise Auto Parts purchase order number 18967 in an amount not to exceed $20,000 for the purchase of auto parts off of NJ State Contract #85992; 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 $20,000.

R425-16 Resolution Awarding Contract for Renewal of Police Department's Email and Application Suite Service Agreement

RESOLUTION AWARDING CONTRACT FOR RENEWAL OF POLICE DEPARTMENT'S EMAIL AND APPLICATION SUITE SERVICE AGREEMENT

WHEREAS, the City of Clifton's Police Department has a need to renew its agreement with Commercium Technology, Inc. for Email and Application Suite services; and
WHEREAS, the Police Department solicited quotes for 215 seats for Google Apps for Government and Google Vault and the following three (3) vendors responded:

1. SADA - $74.39 per user per year for both products ($74.39 x 215) $15,993.85 Total
2. Onix - $74.86 per user per year for both product ($74.86 x 215) $16,095.00 Total
3. CTI- $70.00 per user per year for both products ($70.00 x 215) $15,050.00 Total

WHEREAS, as per the Police Department's research the fixed price set by Google is $70.00 per user for Google apps – Government Edition; and

WHEREAS, the Police Department recommends that the contract be awarded to the lowest responsible vendor CTI (Commercium Technology, Inc.), 148 Avenue of Two Rivers, Rumson, NJ 07760 in the amount of $15,050.00; and

WHEREAS, as per the Municipal Council's Rules of Order the City Manager shall incur no expense exceeding $12,000 except where authorized by law or the Municipal Council; and

NOW, THEREFORE BE IT RESOLVED, that the contract (by way of a Purchase Order) for the renewal of Email and Application Suite Service Agreement for the City of Clifton's Police Department be awarded to Commercium Technology, Inc., 148 Avenue of Two Rivers, Rumson, NJ 07760 in an amount not to exceed $15,050. Term of service agreement shall commence on June 18, 2016 and end on June 18, 2017.

R426-16 Resolution to Purchase a Vehicle Attenuator Off of the NJ State Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

RESOLUTION TO PURCHASE A VEHICLE ATTENUATOR OFF OF THE NEW JERSEY STATE PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Sewer Utility seeks a Vehicle Attenuator for the safety of the employees; and

WHEREAS, the Sewer Utility plans to purchase said Attenuator off of NJ State Contract #A85193 from Traffic Safety Service, LLC (TSS) for the purchase amount of $19,491.20; 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 governing body 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 from TSS, 601 Hadley Road, South Plainfield, NJ 07080 off of NJ State Contract #A85193 in an amount not to exceed $19,491.20; and

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

R427-16 Resolution to Award Contract for Server and Switches Upgrade for the Police Department Computer System Off of NJ State Contract Pursuant to N.J.S.A. 40A:11-12a

RESOLUTION TO AWARD A CONTRACT FOR SERVER AND SWITCHES UPGRADE FOR THE POLICE DEPARTMENTS COMPUTER SYSTEM OFF OF NEW JERSEY STATE CONTRACT PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, there is a need to upgrade the Police Department’s server and switches to keep up with the demands of the CAD/RMS system; and

WHEREAS, the maintenance and warranty agreement for the servers and storage which power the Police Department’s computer systems (such as the CAD/RMS) expired on July 11, 2016; and

WHEREAS, at this time, the Police Department requests a server upgrade on their main equipment network servers as well as a replacement of all network switches; and

WHEREAS, the proposed upgrade will replace the Police Department’s three (3) servers and SAN (storage) with three (3) new servers and a new SAN; and

WHEREAS, the upgrade to the server and replacement of switches will offer more speed, reliability and server space; and

WHEREAS, the Police Department recommends the award of contract to Candoris Technologies, which is an authorized dealer for Dell, Inc. on the New Jersey NASPO/WSCA State Contract #M-0483 and NASPO State Contract #AR602 as follows:

1. Server Upgrade
- Purchase of Hardware: $53,841.83
- Installation: $ 8,700.72

Total Cost $62,542.55 (includes 3 year maintenance agreement)

2. Replacement of Switches
- Purchase of Hardware: $24,758.17
- Installation: $ 7,070.72

Total Cost $31,828.89

Grand Total Cost $94,371.44

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned award of contract to Candoris Technologies, 9 E. Main Street, Annville, PA 17003 off the New Jersey WSCA State Contract # M-0483 in an amount not to exceed $94,371.44; and

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.

R428-16 Resolution to Award Contract for Laundry Uniform Services for the Department of Public Works

RESOLUTION AWARDING CONTRACT FOR LAUNDRY UNIFORM SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, to ensure compliance with the IBEW's Collective Bargaining Agreement, quotations were solicited for Laundry Uniform Services for the employees of the Department of Public Works;

WHEREAS, the following quotations were received:

	COST x EMPLOYEE		TOTAL ANNUAL	
VENDOR				REFERENCES
	Per Week	Per Month	Based on 66 Empl.	
American Wear	$4.29	$ 291.14	$15,139.28	Very Good
Cintas	$4.31	$316.59	$16,642.68	Very Good
Royal	$5.00	$330.00	$21,780.00	Will supply upon request
Aramark	Did NOT submit quote as per the terms and conditions set by the City of Clifton			

WHEREAS, the contract for Laundry Uniform Services for the employees of the Department of Public Works shall be for 12 consecutive months (with the City's option to renew for one two-year extension or two one-year extensions) commencing with the date of the awarding of the contract; and

WHEREAS, following a review of the submitted quotes, the DPW Director recommends the award of contract to the lowest vendor American Wear Uniforms for an annual amount of $15,139.28; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council that the contract for the Laundry Uniform Services is hereby awarded to the lowest vendor American Wear Uniforms, 261 N. 18th Street, East Orange, NJ 07017 for an annual amount of $15,139.28; and

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.

R429-16 Resolution Authorizing Purchase of Two (2) Caterpillar Wheel Loaders off the Middlesex Regional Educational Services Commission #65 MCESCCPS

RESOLUTION AUTHORIZING PURCHASE OF TWO (2) CATERPILLAR WHEEL LOADERS OFF THE MIDDLESEX REGIONAL EDUCATIONAL SERVICES COMMISSION #65 MCESCCPS

WHEREAS, the City of Clifton Department of Public Works is in need of and wishes to purchase two (2) Caterpillar Wheel Loaders from Foley, Inc.; and

WHEREAS, the Mayor and Council approved said purchase in the 2015 Capital Budget; and

WHEREAS, the City of Clifton is a member of the Middlesex Regional Educational Services Commission (MRESC) and the DPW wishes to purchase two (2) Caterpillar Wheel Loaders from Foley, Inc. pursuant to Bid #65 MCESCCPS as follows:

1. Caterpillar Model: 938M HL Wheel Loader in the amount of $ 204,959.96
2. Caterpillar Model: 914K Compact Wheel Loader in the amount of $112,836.04

Total Amount of Purchase equals $317,796.00

WHEREAS, pursuant to said Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the Mayor and 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 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 from Foley, Inc., 855 Centennial Avenue, PO Box 1555, Piscataway, NJ 08855 pursuant to Bid #65 MCESCCPS at a cost not to exceed $317,796.00; and

BE IT FURTHER RESOLVED, no services and/or goods shall commence prior to issuance of a Purchase.

R430-16 Resolution of Thanks and Appreciation to Angela Veliky for Service on the Clifton CA-TV Committee

RESOLUTION OF THANKS AND APPRECIATION TO ANGELA VELIKY FOR SERVICE ON THE CLIFTON CA-TV COMMITTEE

BE IT RESOLVED, that the Mayor and Members of the Municipal Council of the City of Clifton, New Jersey, on behalf of the City and all its citizens, do hereby formally and officially extend to

ANGELA VELIKY

their sincere thanks and appreciation for her unselfish contribution of time and talent to the good and welfare of the City of Clifton through her dedicated service as a member of the CLIFTON CA-TV COMMITTEE; and

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

R431-16 Resolution Awarding Contract to DeCotiis, FitzPatrick & Cole, LLP, for Environmental Counsel Services for Period 8/6/16 - 8/5/17

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZPATRICK & COLE, LLP, FOR ENVIRONMENTAL COUNSEL SERVICES FOR PERIOD 8/6/16 - 8/5/17

WHEREAS, the City of Clifton requires the services of environmental counsel to perform certain legal services for the City of Clifton in connection with the Hoffman-La Roche Site; and

WHEREAS, De Cotiis, Fitzpatrick &Cole, LLP of Teaneck, NJ, have been providing legal services for the City of Clifton in connection with the redevelopment of the site in a satisfactory manner , and the Municipal Attorney recommends their appointment as environment counsel to provide said services, effective August 6, 2016 through August 5, 2017, at the rate of $175.00 per hour, however, not to exceed $120,000.00 for the term of the contract; and

WHEREAS, any fee in excess of $120,000.00 for the contract term shall require the approval of the Municipal Council and the adoption of a supplementary resolution; 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 19:44-A-20.5; and

WHEREAS, the estimated value of the contract is expected to be in excess of $17,500.00, and the duration of the contract is from August 6, 2016 through August 5, 2017; 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. A contract for professional environmental counsel services, in the form as approved by the Clifton Law Department, is awarded to De Cotiis, Fitzpatrick & Cole, LLP, effective August 6, 2016 through August 5, 2017, the rate to be paid for said services is $175.00 per hour, not to exceed $120,000.00 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

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 contact 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 pursuant to N.J.S.A. 40A:11-5(1)(a). This contact and the resolution authorizing it are available for public inspection in the Office of the City Clerk.

Awarded to:	De Cotiis, Fitzpatrick & Cole, LLP of Teaneck, NJ
Services:	Environmental Counsel Services
Project:	Hoffman-La Roche Site
Amount:	$175 per hour, not to exceed $120,000 for the contract term
Term:	8/6/16 - 8/5/17

R432-16 Resolution Extending Professional Engineering Services Contract to TRC Environmental Corporation (TRC) for Environmental Consulting Services for Athenia Park Phase II Improvements

RESOLUTION EXTENDING PROFESSIONAL ENGINEERING SERVICES CONTRACT TO TRC ENVIRONMENTAL CORPORATION (TRC) FOR ENVIRONMENTAL CONSULTING SERVICES FOR ATHENIA PARK PHASE II IMPROVEMENTS

WHEREAS, on September 2, 2014, the City of Clifton awarded a contract to TRC Environmental Corporation for professional environmental consulting services in connection with the Athenia Park Phase II Improvements project; and

WHEREAS, on November 4, 2015, Resolution #R-575-15 was adopted authorizing additional environmental work for an additional fee of $10,300, making the total fee for the contract $83,450.00; and

WHEREAS, on March 1, 2016, Resolution #R-133-16 was adopted authorizing additional environmental work for an additional fee of $9,300.00, making the total fee for the contract $92,750.00; and

WHEREAS, on May 17, 2016, Resolution #R-291-16 was adopted authorizing additional environmental work for an additional fee of $37,300.00, thereby making the total fee for the contract $130,050.00; and

WHEREAS, the City Engineer has reported that additional services are required in order to be compliant with the NJDEP's Site Remediation Reform Act (SRRA) and Green Acres regulations; and

WHEREAS, by letter dated March 25, 2016, TRC Environmental Corporation has requested an additional fee of $14,200.00 for the required additional services, thereby making the total fee for the contract $144,250.00; and

WHEREAS, after a review of the City Engineer's report and the request of TRC Environmental Corporation, the Municipal Council wishes to extend the contract with TRC for the provision of additional services; 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 engineer and is incorporated into the contract awarded hereby, along with the Determination of Value; and

WHEREAS, the value of the additional services is determined to be $14,200 .00, making the total contract $144,250.00, and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that the professional engineering services contract for environmental consulting services in connection with the Athenia Park Phase II Improvements Project previously awarded to TRC ENVIRONMENTAL CORPORATION be extended to provide for additional environmental services, for a total additional fee of $14,200.00, making the total fee under the contract $144,250.00; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute an extension of 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; and

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R433-16 Resolution Awarding Professional Engineering Services Contract to Boswell Engineering for Construction Management Services for the Storm and Sanitary Sewer Improvements at Various Locations Project

RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES CONTRACT TO BOSWELL ENGINEERING FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE STORM AND SANITARY SEWER IMPROVEMENTS AT VARIOUS LOCATIONS PROJECT

WHEREAS, the City of Clifton is in need of a professional engineer to provide construction management services to oversee the contractor during the Storm and Sanitary Sewer Improvements at Various Locations Project; and

WHEREAS, Boswell Engineering of South Hackensack, NJ has submitted a proposal for the provision of said services, and the City Engineer recommends the award of a professional engineering services contract to Boswell Engineering for a lump sum fee of $60,000 in accordance with the proposal; 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 from the contractor and is incorporated into the contract awarded hereby, along with the determination of value; and

WHEREAS, the value of the contract has been determined to be $60,000.00, 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 services contract for construction management services for the Storm and Sanitary Sewer Improvements at Various Locations Project is hereby awarded to Boswell Engineering, in accordance with its submitted proposal, dated July 25, 2016; 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.

R434-16 Resolution Authorizing Trane Air Handler Replacement and Control Integration Upgrade for Clifton City Hall

RESOLUTION AUTHORIZING TRANE AIR HANDLER REPLACEMENT AND CONTROL INTEGRATION UPGRADE FOR CLIFTON CITY HALL

BE IT RESOLVED, that, pursuant to the recommendation of the Clifton City Engineer, and based upon the Standard Certification Declaration for an Extraordinary Unspecifiable Service of the City Manager, both of which are attached hereto and incorporated herein by reference, and further based upon an emergent situation as more fully set forth in the City Engineer's memorandum, the Mayor and Municipal Council of the City of Clifton hereby authorize the award of a contract for the Trane Air Handler Replacement and Control Integration Upgrade for Clifton City Hall, at a cost of $47,000.00.

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

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized and directed to execute any and all required documents in connection with this matter 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

The City of Clifton has authorized the within award without competitive bidding as an emergent extraordinary unspecifiable service pursuant to N.J.S.A. 40:11-5(l)(a)(ii). The contract and authorizing resolution are available for public inspection in the Office of the City Clerk.

Awarded to:	Trane Company, Pine Brook, NJ
Services:	Air Handler Replacement and Controls Integration Upgrade for Clifton City Hall
Cost:	$47,000
Duration:	Until completion

R435-16 Resolution and Certification of 2015 Annual Audit

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the Annual Audit entitled “Comments and Recommendations”; and

WHEREAS, the members of the Governing Body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the Group Affidavit Form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the Annual Audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local Governing Body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Clifton hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required Affidavit to said Board to show evidence of said compliance.

Resolution R436-16 was pulled

R436-16 Resolution Approving the Application of a New & Used Car Lot License for George's Auto Sales

RESOLUTION AUTHORIZING NEW AND USED CAR LOT LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of New and Used Car Lot License Application from Fadi Tafenken, owner of George's Auto Sales, 1260 Main Avenue in the City of Clifton; and

WHEREAS, all paperwork has been completed by the various applicants and all fees have been paid; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the New and Used Car Lot License to Fadi Tafenken, Owner of George's Auto Sales, 1260 Main Avenue, Clifton, New Jersey, be and is hereby granted.

R437-16 Resolution Appointing Angela Montague as a Member of 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 Angela Montague is hereby appointed to the 100th Anniversary Committee to celebrate the City of Clifton's 100th Anniversary in 2017.

R438-16 Resolution to Appoint Lisa Zinis as a Member of the Senior Citizens Advisory Committee

RESOLUTION APPOINTING MEMBER TO SENIOR CITIZENS ADVISORY COMMITTEE

BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey, that Lisa Zinis, 168 Knollwood Terrace, Clifton, is hereby appointed as a Member of the Senior Citizens Advisory Committee commencing this day through December 31, 2019.

R439-16 Resolution Authorizing New Autocab License to Luxury Car Service & Limousine, LLC

RESOLUTION AUTHORIZING AUTOCAB LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a New Autocab License application from Jan Soliman of Luxury Car Service & Limousine LLC, 78 Van Riper Avenue, Clifton, NJ 07011; 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 Autocab License from Jan Soliman of Luxury Car Service & Limousine LLC, 78 Van Riper Avenue, Clifton, NJ 07011be and is hereby granted.

Company name:
Luxury Car Service & Limousine, LLC
Owner:

Jan Soliman
Approved Operator:
Jan Soliman
Approved Vehicles:
2015 Cadillac Escalade 1GYS4GKJ2FR200517

Approved Parking Location:
78 Van Riper Ave. – Clifton, NJ 07011

R440-16 Resolution of the City of Clifton, in the County of Passaic, State of New Jersey, Authorizing the Execution of Certain Agreements and Authorizing Other Necessary Action in Connection with Certain Improvements on Block 80.02, Lots 4.01, 4.02 and 4.03 Within the Hoffmann-La Roche Redevelopment Area

RESOLUTION OF THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF CERTAIN AGREEMENTS AND AUTHORIZING OTHER NECESSARY ACTION IN CONNECTION WITH CERTAIN IMPROVEMENTS ON BLOCK 80.02, LOTS 4.01, 4.02 AND 4.03 WITHIN THE HOFFMANN-LA ROCHE REDEVELOPMENT AREA

WHEREAS, the City Council (the “City 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 Hoffmann-La Roche site, to be considered for designation as a non-condemnation “area in need of redevelopment” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”); and

WHEREAS, by Resolution adopted November 5, 2014, the City 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, Hoffmann-La Roche Site – Nutley/Clifton,” dated February 5, 2015, was prepared and issued by Maser Consulting, P.A. (the “Preliminary Investigation”); and

WHEREAS, N.J.S.A. 40A-12A-6(b)(4)-(5) of the LRHL provides in pertinent part relative to the Planning Board’s public hearing on the Preliminary Investigation and whether the 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 City Council to be a non-condemnation “area in need of redevelopment” under the LRHL; and

WHEREAS, the City 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 City Council adopted a Resolution declaring the Property a non-condemnation “area in need of redevelopment” under the LRHL; and

WHEREAS, on July 19, 2016, the City Council, after conducting the requisite hearings therefor, approved an ordinance adopting a redevelopment plan entitled the “Clifton Hoffmann-La Roche Redevelopment Plan – Phase I” (as may be amended and supplemented from time to time, the “Phase I Redevelopment Plan”) in accordance with the Act for an approximately 5.573 acre portion of the Hoffmann-La Roche Redevelopment Area as defined in the Phase I Redevelopment Plan comprised of a portion of Block 80.02, Lot 4, to be subdivided into Block 80.02, Lots 4.01, 4.02 and 4.03 as shown on the Subdivision (as defined herein) (the “Phase I Premises”) ”) in accordance with the provisions of the LRHL, which Phase I Redevelopment Plan provides, inter alia, that, at the City’s discretion, the designated redeveloper of the Phase I Premises shall enter into a financial agreement with the City under the Long Term Tax Exemption Law; and

WHEREAS, in accordance with the Phase I Redevelopment Agreement and the Phase I Redevelopment Plan, on May 31, 2016, Hoffmann-La Roche Inc. submitted an application to the Planning Board to subdivide the Phase I Premises (the “Subdivision”), which Subdivision was approved by the Planning Board on June 23, 2016 and has been or is about to be perfected and which Subdivision, inter alia: (a) permits the subdivision of the Phase I 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; and 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) creates 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 “Existing Buildings”); (c) creates aforementioned Lot 4.03 which is a vacant lot (except for portions of existing temporary surface parking improvements) on which a future parking structure (or structures) with a commercial component is contemplated to be located (the “Parking Structure”); and (d) creates the aforementioned Lot 4.02 which is a vacant lot (except for existing temporary surface parking improvements for the Existing Buildings and/or the possible future redevelopment of same consistent and in accordance with the Phase I Redevelopment Plan) (the “Vacant Lot”, and the redevelopment of the Vacant Lot pursuant to the Phase I Redevelopment Plan shall be referred to as a “Future Phase I Project”); and

WHEREAS, Hoffmann-La Roche Inc. shall, simultaneous with the execution of the hereinafter defined Financial Agreement, transfer ownership of the Phase I Premises to PB Nutclif Med, LLC, a Delaware limited liability company, pursuant to a purchase and sale agreement by and between such parties (the “Purchase and Sale Agreement”); and

WHEREAS, upon acquisition of the Phase I Premises by PB Nutclif Med, LLC pursuant to the Purchase and Sale Agreement, a lease agreement by and between PB Nutclif Med, LLC and Kingsland Street Urban Renewal, LLC (the “Redeveloper”), which is an affiliate of each of Hackensack University Medical Center and Seton Hall University, shall become effective, pursuant to which Redeveloper shall lease the Phase I Premises; and

WHEREAS, Kingsland Street Urban Renewal, LLC (“Kingsland”) was formed as an urban renewal entity pursuant to and as defined under 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 Premises; and

WHEREAS, the City Council intends to adopt or has adopted a resolution to (a) designate Kingsland as the Redeveloper of the Phase I Premises, and (b) authorize the City, subject to certain conditions to be stated in such resolution, to enter into a redevelopment agreement with Kingsland (the "Phase I Redevelopment Agreement"), which shall set forth the terms and conditions by which Kingsland shall redevelop the Phase I Premises (the "Phase I Project"); and

WHEREAS, the Parties have also contemplated the grant of a long term tax exemption pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20A-1 et seq. (the "Exemption Law") to Kingsland, as well as the issuance of bonds pursuant to 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.) (the "Bonds"), where the proceeds of the Bonds shall finance a portion of the Phase I Project; and

WHEREAS, Kingsland applied to the City Council for a long term tax exemption under the Exemption Law with respect to the Phase I Project, by means of the application annexed to the Financial Agreement (the "Exemption Application"); and

WHEREAS, on the date hereof, the City Council introduced an ordinance (the "Exemption Ordinance"), granting the long term tax exemption requested by Kingsland subject to the terms and conditions of the financial agreement setting forth such tax exemption (the "Financial Agreement"), and such ordinance, if and when adopted, shall authorize the execution of such Financial Agreement; 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 for the imposition by the City of a special assessment on the Phase I Project; and

WHEREAS, in order to effect the mechanism for the payment of the special assessments (the "Special Assessment") of all or a portion of the costs of the Local Improvements, the City intends to adopt an ordinance (the "Assessment Ordinance") providing for same and authorizing the execution of the Special Assessment Agreement (the "Special Assessment Agreement") to be negotiated and entered into by and among the City, Kingsland and PB Nutclif Med, LLC; and

WHEREAS, it is the intent of the Parties that, so long as Kingsland makes payment of all amounts required under the Financial Agreement, Kingsland and PB Nutclif Med, LLC shall not be required to pay the Special Assessment under the Special Assessment Agreement; and

WHEREAS, in addition to the documents securing the Bonds, Kingsland and the City intend to enter into a redeveloper contribution agreement (the "Redeveloper Contribution Agreement") pursuant to which Kingsland shall agree to 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, provided that, so long as Kingsland makes payment of all amounts required under the Financial Agreement, Kingsland shall not be required to make any payments under the Redeveloper Contribution Agreement; and

WHEREAS, in connection with the issuance of the Bonds the following additional documents shall be executed (i) a project structure agreement setting forth the terms and conditions of the financing as well as the security for the Bonds (the "Project Structure Agreement") and (ii) a pledge and assignment agreement pledging the Pledged Annual Service Charge to the Trustee as security for the Bonds (the "Pledge Agreement" and together with the Project Structure Agreement and the Redeveloper Contribution Agreement , the "Phase I Additional Agreements).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLIFTON IN THE COUNTY OF PASSAIC, NEW JERSEY, BEING THE GOVERNING BODY THEREOF, AS FOLLOWS:

Section 1. Approval of Phase I Additional Agreements. The Phase I Additional Agreements heretofore prepared or to be prepared in connection with the Phase I Project, in the forms attached hereto as Exhibits A, B and C with such changes as may be recommended by counsel to the City, are hereby authorized and approved.

Section 2. Authorized Officers of the City Authorized to Act. The Mayor, the City Manager and the Chief Financial Officer/Treasurer of the of the City (including their designees, each an "Authorized Officer") are hereby severally authorized to undertake the following actions: (i) execution, delivery, and negotiation of the Phase I Additional Agreements, substantially in the forms attached hereto as Exhibits A, B and C, respectively, with such changes to the Phase I Additional Agreements from the attached forms as deemed by the Authorized Officer, in his or her sole discretion, to be necessary, desirable, convenient, or in the best interests of the City; and (ii) any and all actions deemed necessary, convenient, or desirable by such Authorized Officers, in their sole and reasonable discretion, to effectuate the foregoing and the transactions contemplated thereby, including but not limited to, execution of all such certificates, instruments or documents the Authorized Officer shall deem necessary, convenient or desirable for such purposes.

Section 3. Execution of Phase I Additional Agreements. The City Clerk of the City is hereby authorized to attest said signatures and to affix the seal of the City unto the same. The execution of the Phase I Additional Agreements by the Authorized Officers shall conclusively evidence the City's approval of the terms thereof and no further action shall be required.

Section 4. Ratification of Actions. All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Authorized Officers, the Clerk, other City officers and officials or by the City's professional advisors, in connection with the Phase I Project, and matters related thereto, and the issuance of Bonds by the City are hereby authorized, approved, ratified and confirmed. The authorization for execution of the Phase I Additional Agreements and the effectiveness of said Agreements is contingent upon the authorization, approval and execution of the Financial Agreement, the Owner's Consent and all other documents evidencing the subject transaction by all of the parties thereto, as well as the issuance by the City of the Bonds in accordance with the Redevelopment Bond Law and receipt of all due diligence materials requested by the City, to the satisfaction of the City.

Section 5. Authorization to Execute Documents. The Authorized Officers and the City Clerk of the City are each hereby authorized to execute such closing certificates and other documents and instruments as may be necessary or desirable for the issuance by the City of the Bonds and related to the financing of the Phase I Project and all matters related thereto.

Section 6. Severability. If any part of parts of this Resolution shall be deemed invalid, such part or parts shall be severed and the validity thereof shall not affect the remaining parts of this Resolution.

Section 7. Availability of the Resolution. A copy of this Resolution shall be available for public inspection at the offices of the City.

Section 8. Effective Date. This Resolution shall take effect upon final passage.

R441-16 Resolution of the City of Clifton, in the County of Passaic, New Jersey, Authorizing the Execution of a Phase I Redevelopment Agreement Between the City of Clifton and Kingsland Street Urban Renewal, LLC and Designating Kingsland Street Urban Renewal, LLC as Redeveloper

RESOLUTION OF THE CITY OF CLIFTON, IN THE COUNTY OF PASSAIC, NEW JERSEY, AUTHORIZING THE EXECUTION OF A PHASE I REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF CLIFTON AND KINGSLAND STREET URBAN RENEWAL, LLC AND DESIGNATING KINGSLAND STREET URBAN RENEWAL, LLC AS REDEVELOPER

WHEREAS, the City Council (the "City 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 Hoffmann-La Roche site, to be considered for designation as a non-condemnation "area in need of redevelopment" under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"); and

WHEREAS, by Resolution adopted November 5, 2014, the City 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, Hoffmann-La Roche Site – Nutley/Clifton," dated February 5, 2015, was prepared and issued by Maser Consulting, P.A. (the "Preliminary Investigation"); and

WHEREAS, N.J.S.A. 40A-12A-6(b)(4)-(5) of the LRHL provides in pertinent part relative to the Planning Board's public hearing on the Preliminary Investigation and whether the 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 City Council to be a non-condemnation "area in need of redevelopment" under the LRHL; and

WHEREAS, the City 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 City Council adopted a Resolution declaring the Property a non-condemnation "area in need of redevelopment" under the LRHL; and

WHEREAS, on July 19, 2016, after conducting the requisite hearings therefor, the City Council approved an ordinance adopting a redevelopment plan entitled the "Clifton Hoffmann-La Roche Redevelopment Plan – Phase I" (as may be amended and supplemented from time to time, the "Phase I Redevelopment Plan") in accordance with the Act for an approximately 5.573 acre portion of the Hoffmann-La Roche Redevelopment Area as defined in the Phase I Redevelopment Plan comprised of a portion of Block 80.02, Lot 4, to be subdivided into Block 80.02, Lots 4.01, 4.02 and 4.03 as shown on the Subdivision (as defined herein) (the "Phase I Premises") in accordance with the provisions of the LRHL, which Phase I Redevelopment Plan provides, inter alia, that, at the City's discretion, the designated redeveloper of the Phase I Premises shall enter into a financial agreement with the City under the Long Term Tax Exemption Law; and

WHEREAS, in accordance with the Phase I Redevelopment Agreement and the Phase I Redevelopment Plan, on May 31, 2016, Hoffmann-La Roche Inc. submitted an application to the Planning Board to subdivide the Phase I Premises (the "Subdivision"), which Subdivision was approved by the Planning Board on June 23, 2016 and has been or is about to be perfected and which Subdivision, inter alia: (a) permits the subdivision of the Phase I 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; and 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) creates 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 “Existing Buildings”); (c) creates aforementioned Lot 4.03 which is a vacant lot (except for portions of existing temporary surface parking improvements) on which a future parking structure (or structures) with a commercial component is contemplated to be located (the “Parking Structure”); and (d) creates the aforementioned Lot 4.02 which is a vacant lot (except for existing temporary surface parking improvements for the Existing Buildings and/or the possible future redevelopment of same consistent and in accordance with the Phase I Redevelopment Plan) (the “Vacant Lot”); and

WHEREAS, Hoffmann-La Roche Inc. shall, on or about the date of the execution of the hereinafter defined Financial Agreement, transfer ownership of the Phase I Premises to PB Nutclif Med, LLC, a Delaware limited liability company, pursuant to a purchase and sale agreement by and between such parties (the “Purchase and Sale Agreement”); and

WHEREAS, upon acquisition of the Phase I Premises by PB Nutclif Med, LLC pursuant to the Purchase and Sale Agreement, a lease agreement by and between PB Nutclif Med, LLC and Kingsland Street Urban Renewal, LLC (the “Redeveloper”), which is an affiliate of each of Hackensack University Medical Center and Seton Hall University, shall become effective, pursuant to which Redeveloper shall lease the Phase I Premises; and

WHEREAS, the Redeveloper was formed as an urban renewal entity pursuant to and as defined under 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 Premises; and

WHEREAS, the Redeveloper has requested that the City Council, as a redevelopment entity, enter into a Redevelopment Agreement between the City and the Redeveloper (together with any subsequent amendments thereto, the “Phase I Redevelopment Agreement”), setting forth the terms and conditions by which the Redeveloper will redevelop the Phase I Premises; and

WHEREAS, the Redeveloper submitted to the City conceptual architectural/construction and site plans and drawings (collectively, the “Concept Plans”), which Concept Plans depict and describe the scope and nature of the Redeveloper’s proposed redevelopment of a portion of the Phase I Premises as described in Section 2.04 of the Redevelopment Agreement, all in a manner consistent with the Phase I Redevelopment Plan, which includes, inter alia, the renovation, redevelopment and occupancy of the Existing Buildings and related Phase I Project Improvements (collectively the “Phase I Project”) and which also includes redevelopment within the Township of Nutley, to which the Phase I Premises is contiguous; and

WHEREAS, the Parties have contemplated the Redeveloper’s possible future development of the Vacant Lot, the design and entitlement and construction of which shall all be in a manner consistent with the Phase I Redevelopment Plan and the Phase I Redevelopment Agreement and which may be completed in one (1) or more phases (collectively, the “Future Phase I Project”), and which Future Phase I Project is not a required part of the Phase I Project; and

WHEREAS, the Parties have also contemplated the grant of a long term tax exemption pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20A-1 et seq. (the “Exemption Law”) to Redeveloper, as well as issuance of bonds pursuant to 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.) (the “Bonds”), where the proceeds of the Bonds shall finance a portion of the Phase I Project; and

WHEREAS, the Redeveloper has applied to the City Council for a long term tax exemption under the Exemption Law with respect to the Phase I Project, by means of the application annexed to the Financial Agreement (the "Exemption Application"); and

WHEREAS, on the date hereof, the City Council introduced an ordinance (the "Exemption Ordinance"), granting the long term tax exemption requested by the Redeveloper subject to the terms and conditions of the financial agreement setting forth such tax exemption (the "Financial Agreement"), and such ordinance, if and when adopted, shall authorize the execution of such Financial Agreement; and

WHEREAS, the City Council believes that the redevelopment of the Phase I Premises in the manner agreed to by the Parties herein is in the vital and best interests of the community and promotes the health, safety, morals and welfare of the City's residents and is in accord with the public purpose and provisions of the Redevelopment Law and all other applicable law; and

WHEREAS, the City Council desires to enter into the Phase I Redevelopment Agreement with the Redeveloper, and upon the full execution of such Phase I Redevelopment Agreement by the City of Clifton and the Redeveloper, recognize Kingsland Street Urban Renewal, LLC as redeveloper of the Property as provided for and in accordance with the provisions of the LRHL.

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

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

Section 2. The Phase I Redevelopment Agreement by and between the City of Clifton, as a redevelopment entity, and Kingsland Street Urban Renewal, LLC, concerning the Phase I Premises, heretofore prepared or to be prepared in connection with the Phase I Project, in the form attached hereto as Exhibit A, subject to any and all conditions contained therein and such revisions as deemed advisable by counsel to the City, is hereby authorized and approved.

Section 3. The Mayor, City Manager and the Chief Financial Officer/Treasurer of the of the City (including their designees, each an "Authorized Officer") are hereby severally authorized to execute the Phase I Redevelopment Agreement, substantially in the form attached hereto as Exhibit A, with such changes to the Phase I Redevelopment Agreement from the attached form as deemed desirable or necessary by the Authorized Officer on behalf of the City Council of the City of Clifton, acting as the redevelopment entity for the redevelopment of the Phase I Premises, or recommended by counsel to the City.

Section 4. The City of Clifton, upon the full execution of the Phase I Redevelopment Agreement by the City of Clifton and Kingsland Street Urban Renewal, LLC, the City will recognize Kingsland Street Urban Renewal, LLC as Redeveloper of the Phase I Premises, as provided for and in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law.

Section 5. Said recognition of Kingsland Street Urban Renewal, LLC as Redeveloper of the Phase I Premises is subject to and contingent upon Kingsland Street Urban Renewal, LLC satisfying any and all terms and conditions contained within the Phase I Redevelopment Agreement.

Section 6. The authorization for execution of the Phase I Redevelopment Agreement and the effectiveness of said Agreement is contingent upon the authorization, the approval and the execution of the Financial Agreement, the Owner's Consent and all other documents evidencing the subject transaction by all of the parties thereto, as well as the issuance by the City of the Bonds in accordance with the Redevelopment Bond Law and receipt of all due diligence materials requested by the City, to the satisfaction of the City.

Section 7. Upon the effective date of the Phase I Redevelopment Agreement, each Authorized Officer, in consultation with the City's consultants and internal staff, are each hereby authorized and directed to perform the obligations and exercise the rights of the City under the Phase I Redevelopment Agreement so executed in a manner consistent therewith and with the Redevelopment Law.

Section 8. The City Clerk is hereby directed to publish and post notice of this resolution as required by applicable law.

Section 9. The executed copy of the Phase I Redevelopment Agreement shall be certified and shall be filed with the Office of the Clerk of the City of Clifton.

Section 10. If any part(s) of this Resolution shall be deemed invalid, such part(s) shall be severed and the validity thereof shall not affect the remaining parts of this Resolution.

Section 11. All resolutions or parts thereof inconsistent with this Resolution are hereby rescinded.

Section 12. This Resolution shall take effect at the time and in the manner provided by applicable law.

R442-16 Late - Resolution Awarding Professional Services Contract to Crane Associates, PC, for Design for HVAC and Facility Upgrade at Clifton Arts Center

RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO CRANE ASSOCIATES, P. C., FOR DESIGN FOR HVAC AND FACILITY UPGRADE AT CLIFTON ARTS CENTER

WHEREAS, in connection with the facility upgrade and HVAC improvements proposed at the Clifton Arts Center, it will be necessary to have a professional consulting engineer to furnish design services for the work; and

WHEREAS, the City Engineer has solicited proposals for said services, and, after a review of the proposals received, recommends the awarding of a professional services contract to CRANE ASSOCIATES, P. C. of Somerville, NJ; 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. 19:44-A-20.5; therefore, the Business Entity Disclosure Certification has been received from the engineer and is incorporated in the contract awarded hereby, along with the Determination of Value; and

WHEREAS, the estimated value of the contract is expected to be in excess of $17,500.00, and the duration of the contract is until the services are completed; and

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

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract for design services in connection with the proposed facility upgrade and HVAC improvements at the Clifton Arts Center on the City Hall Complex as aforesaid, in the sum of $32,000.00, be and the same is hereby awarded to CRANE ASSOCIATES, P. C., in accordance with its proposal dated June 14, 2016; 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 public inspection at the Office of the City Clerk of the City of Clifton; 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

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R443-16 Late - Resolution Authorizing Sale of Abandoned Motor Vehicles M2016 Auction

Resolution Authorizing Sale of Abandoned
Motor Vehicles M2016 Auction

WHEREAS, the following motor vehicles have been abandoned, and,

WHEREAS, it is required that the sale of same be approved by the Governing Body of the Municipality,

NOW, THEREFORE, BE IT RESOLVED, that the following motor vehicles be authorized for sale in accordance with N.J.S.A. 40A : 14 - 157, N.J.S.A. 39 : 10A - 1 and N.J.S.A. 40A : 11 - 36 subject to the minimum bid of $10.00 plus starting bid price as per market value.

VITO'S TOWING 65 CLIFTON BLVD. (973) 773-2929

2002 FORD EXPLORER	1FMZU73E22UA85796

GAM'S MOTOR INC. 618 LEXINGTON AVE. (973) 253-0025

1996 NISSAN QUEST	4N2DN11W7TD806486
2002 CHEVY IMPALA	2G1WF55EX29135630
2013 CHEVY EQUINOX	3GNFL3EK3DS513391
1997 MAZDA 626	1YVGE22DXV5660787
2004 CHRYSLER PACIF	2C8GF68434R360669
1993 CHEVY FLEETLINE	1GCEC14H5PE113636
1998 ACURA TL	JH4UA3642WC003417
1999 HONDA CIVIC	1HGEJ6124XL034586
2002 CHRYSLER SEBR	1C3EL56RX2N287406
1999 VOLVO V70	YV1LW55A8X2585719
2000 HONDA CIVIC	2HGEJ6614YH531040

TELEP MOTOR'S 574 VAN HOUTEN AVE. (973) 779-0283

2003 FORD WINDSTAR	2FMDA51493BB84639
2012 HYUNDAI ACCENT	KMHCU4AE6CU115942
2002 FORD TAURUS	1FAFP53U92A160527
1998 LEXUS ES300	JT8BF28G3W5026963
1990 HONDA ACCORD	1HGCB7664LA168557

POLIZZI TOWING 99 WABASH AVE (973) 546-7993

1998 MERCEDES ML320	4JGAB54E0WA045360
1997 FORD RANGER	1FTCR14A7VTA66398
2003 KIA SEDONA	KNDUP131336476557
1992 NISSAN NX COUPE	JN1EB36CXNU101469
1997 HONDA CIVIC	1HGEJ6127VL025443
1996 FORD ECONOLINE	1FTEE14Y9THA21514
1996 VOLSWAGON GTI	3VWHD81H9TM081962
1997 TOYOTA CAMRY	4T1BG22K7VU773252
2009 YAMAHA JET SKI	JYARJ16E79A013070

R444-16 Late - Resolution Authorizing Renewal of New and Used Car Lot License

RESOLUTION AUTHORIZING RENEWAL
OF NEW AND USED CAR LOT LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of renewal of New and Used Car Lot License Application from Fadi Tafenken, owner of George’s Auto Sales, 1260 Main Avenue in the City of Clifton; and

WHEREAS, all paperwork has been completed by the various applicants and all fees have been paid; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of New and Used Car Lot License to Fadi Tafenken, Owner of George's Auto Sales, 1260 Main Avenue, Clifton, New Jersey, be and is hereby granted.

R445-16 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 - FE (Firefighter) D/L: 4/9/10
CON-2 Workers' Compensation Claim Settlement - FM (DPW) D/L: 5/5/15
CON-3 Workers' Compensation Claim Settlement - GK (Fire) D/L: 4/9/10
CON-4 Luis Tavarez - Personnel Issue
CON-5 Hoffman La Roche Redevelopment Plan
CON-6 SOA Negotiation
CON-7 IBEW Negotiation
CON-8 CSA Negotiation

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 August 3, 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 Jay & Kay's Dollar Zone, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

For: Jay & Kay's Dollar Zone, LLC

T/A: Jay & Kay's Dollar Zone

ADDRESS: 675 Van Houten Ave., Clifton, NJ 07013

TYPE OF FOR ESTABLISHMENT INTENDED: Grocery - New

FORMERLY OR NEW: Accounting Office

ZONE: BC

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 Simply Sushi, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

For: Simply Sushi, LLC

T/A: Simply Sushi

ADDRESS: 467 Allwood Rd., Clifton, NJ 07013 (Inside Seasons Supermarket)

TYPE OF FOR ESTABLISHMENT INTENDED: Caterer – Continued Use

FORMERLY OR NEW: ACME

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 Raskin's Fish Market

RESOLUTION FOR PRELIMINARY APPROVAL

For: Raskin's Fish Market, Inc.

T/A: Raskin's Fish Market

ADDRESS: 467 Allwood Rd., Clifton, NJ 07013 (Inside Seasons Supermarket)

TYPE OF FOR ESTABLISHMENT INTENDED: Meat Market – Continued Use

FORMERLY OR NEW: ACME

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-4 Main Ingredient

RESOLUTION FOR PRELIMINARY APPROVAL

For: Main Ingredient South, Inc.

T/A: Main Ingredient

ADDRESS: 467 Allwood Rd., Clifton, NJ 07012

TYPE OF FOR ESTABLISHMENT INTENDED: Meat Market – Continued Use

FORMERLY OR NEW: ACME

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-5 Nour Pharmacy

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Ynaam, LLC t/a Nour Pharmacy for permission to conduct a candy kitchen for a period ending January 31, 2017 on the premises known as:
1578 Main Ave., Clifton, NJ 07011
Be and the same is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police Department and Zoning Officer.

L-6 Dulcera

RESOLUTION FOR PRELIMINARY APPROVAL

For: Dulcera, LLC

T/A: Dulcera

ADDRESS: 313 Rutherford Blvd., Clifton, NJ 07014

TYPE OF FOR ESTABLISHMENT INTENDED: Caterer Continued Use

FORMERLY OR NEW: Deli

ZONE: R-B2

PERMITTED: Yes

VARIANCE REQUIRED: No

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

L-7 Ship Rite Wines & Spirits

RESOLUTION FOR PRELIMINARY APPROVAL

For: Shop Rite Liquors of Clifton, LLC

T/A: Shop Rite Wines and Spirits

ADDRESS: 895 Paulison Ave., Clifton, NJ 07011

TYPE OF FOR ESTABLISHMENT INTENDED: Grocery – Continued Use

FORMERLY OR NEW: Pathmark

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-8 M&L Liquors

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of M&L Spirits t/a Bottle Liquor for permission to conduct a candy kitchen for a period ending January 31, 2017 on the premises known as:
550 Lexington 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-9 Quality Glatt NJ Corp.

RESOLUTION FOR PRELIMINARY APPROVAL

For: Quality Glatt NJ Corp

T/A: Quality Glatt NJ

ADDRESS: 467 Allwood Rd., Clifton, NJ 07012 (Inside Seasons Supermarket)

TYPE OF FOR ESTABLISHMENT INTENDED: Meat Market – Continued Use

FORMERLY OR NEW: ACME

ZONE:

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 Gibson and unanimously passed on roll call vote, the meeting was adjourned at 8:55 pm.

Respectfully Submitted,

Nancy Ferrigno
City Clerk

____
James Anzaldi, Mayor