

**CITY OF CLIFTON
CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES DECEMBER 7, 2021**

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.

8:05 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 2021 which was published as legal advertisements in the Herald News on December 26, 2020 and was additionally advertised in the Record on December 27, 2020. Further notice of this meeting was given on Friday prior to the meeting to The Herald News and by posting of said notice on the bulletin board at City Hall and on the Clifton Website which notice stated that formal action may or may not be taken on matters to come before the Municipal Council.

Upon roll call, the following were noted present:

Councilman Eagler	(PE) (Via Zoom)
Councilman Gibson	(BG)
Councilman Grabowski	(RG)
Councilwoman Murphy	(LM)
Councilwoman Pino	(RP) 8:16 p.m.
Councilwoman Sadrakula	(MS)
Mayor Anzaldi	(JA)

Also present were City Manager, Dominick Villano; City Attorney, Matthew Priore (via Zoom); Assistant City Attorney, David Bruins (via Zoom); City Clerk, Nancy Ferrigno (via Zoom) and Deputy Clerk, Michele Butler (via Zoom).

CALL TO ORDER / ROLL CALL / INVOCATION / PLEDGE TO THE FLAG

Pastor Daisy Kirchofer - Crossroads Free Methodist

PUBLIC HEARING

- Public Hearing - Amendment B-16-MC-34-0103 Transfer of \$2176.40 from Drop Curb Project to Yr. 42 Administration for line item correction
- Public Hearing - Reallocate HUD Funds Redistributed Funds to Police Detail - Road Project 21-01
- Public Hearing - Amendment B-20-MW-34-0103 (CARES FUNDING)
- Public Hearing for the 2022 Downtown Clifton Economic Development Group, Inc. Special Improvement Budget

The Mayor opened the floor to the public on all four Public Hearings.

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

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

APPROVAL OF MINUTES

A Motion was made by Councilman Grabowski, seconded by Councilwoman Murphy and passed on roll call vote to approve the Regular, Workshop and Executive Session Minutes of November 15, 2021.

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

COMMUNICATIONS FROM THE CITY MANAGER

- C-1 Angelica Rodriguez Public Safety Telecommunicator Public Safety, resigned her position effective 11/15/2021.
- C-2 Vincent Beck Fire Prevention Specialist Public Safety resigned his position effective 11/15/2021.
- C-3 Ryan Montanez Police Officer Public Safety, resigned his position effective 11/25/2021.
- C-4 Yorleny Alvarez Public Safety Telecommunicator Trainee Public Safety, resigned her position effective 11/27/2021.
- C-5 Esly Panduro Police Officer Public Safety, retired from his position effective 12/01/2021.

COMMUNICATIONS MEETING MINUTES

- C-6 Minutes of Passaic Valley Water Commission of October 13, 2021
- C-7 Minutes of Historical Commission of October 7, 2021
- C-8 Minutes of North Jersey District Water Supply Commission of October 27, 2021
- C-9 Minutes of Clifton Arts Center of August 4, 2021
- C-10 Minutes of Board of Adjustment of November 17, 2021
- C-11 Minutes of Clifton Traffic Safety Council of November 18, 2021

SECOND READING ORDINANCES

A. Adoption of Ordinance 7682-21

B. Public Hearing on Ordinance 7682-21

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7682-21

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, entitled "Vehicles and Traffic" More Particularly Section 439-37 Thereof, entitled "Handicapped Parking on Streets" (Deletes 2 Handicapped Spaces)

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

C. Adoption of Ordinance 7683-21

D. Public Hearing on Ordinance 7683-21

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7683-21

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, entitled "Handicapped Parking on Streets for Private Residences" (Deletes 3 Restricted Handicapped Spaces)

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

E. Adoption of Ordinance 7684-21

F. Public Hearing on Ordinance 7684-21

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7684-21

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, entitled "Vehicles and Traffic", More Particularly Section 439-38 Thereof, entitled "Handicapped Parking on Streets for Private Residences" (Adds 2 Restricted Handicapped Spaces)

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

CITY MANAGER PRIVILEGE

City Manager, Dominick Villano, congratulated Clifton residents Hailey Mia on her appearance on NBC's "The Voice" and Rachel Zegler in the lead as Maria in the film "West Side Story".

December 7, 2021

FLOOR TO MEMBERS OF THE PUBLIC

Ray Lill, 59 Stevens Rd., thanked the Council for voting to ban all six classes of cannabis licenses in Clifton.

Kim Castellano, 59 Mahar Ave., gave an update regarding the efforts to get Hurricane Ida victims relocated or back into their homes.

Margie Pezo, 2 Ann St., announced a Toy Drive being held at A1 Affordable Construction at 164 Getty Avenue.

Lily Goodman D'Amato, 81 Merrill Rd., spoke about allowing cannabis licenses in Clifton.

Chris D'Amato, 81 Merrill Rd., spoke about allowing cannabis licenses in Clifton.

Robbin Gullino, CASA, discussed the Council's decision to ban cannabis licenses in Clifton.

Ray Robertello, 64 Woodlawn Ave., spoke about the proposed expansion of the Adult Opportunity Center, the historic preservation of City Hall property and the work being done, as a result of a grant, on the barn next to the City Hall main building.

Einarsson Einar, 30 Woodlawn Ave., spoke about recurrent flooding in the area of Woodlawn Ave.

Karen Pascucci, 87 Edwards Rd., spoke about recurrent flooding in the area of Edwards Road.

Sara Zelermyer Diaz, 77 Edwards Rd., spoke about recurrent flooding in the area of Edwards Road.

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

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

City Manager, Dominick Villano, stated that the City is currently waiting for bids to begin the work needed on the barn next to the main City Hall building.

Mr. Villano, announced that Hailey Mia, advanced to the finals on tonight's episode of NBC's "The Voice".

Direction was given to put a discussion item on the next agenda to speak about forming a Flood Committee.

Councilwoman Pino

Councilwoman Pino thanked the Cannabis Committee for all their hard work and expressed her disappointment in the Council for banning all classes of Cannabis licenses in Clifton.

Councilwoman Sadrakula

Councilwoman Sadrakula asked for a report of Fire Department overtime by rank and firehouse. She discussed the refurbishing of Firehouse #1 due to the recent flood. Councilwoman Sadrakula stated that two high school students made All State Cross Country. She stated she would provide their names and asked that resolutions be drawn up to congratulate them. She also congratulated Rachel Zegler and others who recently made headlines from their television and movie performances. Councilwoman Sadrakula spoke about the application of the Clifton Adult Opportunity Center to expand their existing premise. She discussed the flooding issue in the Pearl Brook area. Councilwoman Sadrakula spoke about the Cannabis presentation given by Councilwoman Pino.

Councilman Eagler

Councilman Eagler spoke about his support for a committee to discuss flooding issues that includes City Officials and residents. He thanked everyone who volunteered to help create many Christmas celebrations throughout the City. Councilman Eagler urged all residents to donate to Saint Peter's and the Power of One to help those less fortunate. He announced that the income eligibility for the Energy Assistance Program has been lowered. He asked City Manager, Dominick Villano, if a booster clinic is being offered at City Hall. Mr. Villano confirmed that the City is offering Covid boosters and flu shots. Councilman Eagler urged everyone to take advantage of these clinics. Councilman Eagler announced that December 21, 2021 will be the last Council meeting of 2021.

Councilman Gibson

Councilman Gibson thanked Gary Carino for his donation of socks to the homeless. He also thanked Kim Castellano for all her hard work through her organization, the Power of One. He announced that the Power of One is hosting a toy drive. Councilman Gibson spoke about the flooding in the Pearl Brook area. He congratulated Coach Cinque on a fabulous year as Coach to the High School Football Team. Councilman Gibson also congratulated Hailey Mia and Rachel Zegler on their recent television and movie performances. He asked that everyone honor those who served in Pearl Harbor and congratulated Police Officer, Esly Panduro, on his retirement.

Councilman Grabowski

Councilman Grabowski congratulated the High School Football Team on a successful year. He also congratulated Hailey Mia and Rachel Zegler on their recent television and movie performances. Councilman Grabowski discussed changes in certain Zoning Ordinances. City Manager, Dominick Villano, replied that the Legal Department is working on the Ordinance amendments. Councilman Grabowski discussed the Beautification Committee's intent to plant 105 trees for the City's 105th anniversary.

Councilwoman Murphy

Councilwoman Murphy discussed the recent flooding in the Pearl Brook area and asked to be a part of the flood committee. She spoke about the recent Menorah and Christmas Tree Lightings that took place around the City. Councilwoman Murphy urged all residents to take advantage of the City's Covid-19 Booster clinic. She announced that members of the Disabilities Committee recently attended a Christmas party for disabled children and announced that there was a write-up about the Disabilities Committee in the Clifton Merchant magazine.

Mayor Anzaldi

Mayor Anzaldi announced that the local Cable-TV station is hosting a program which will broadcast photos of holiday family traditions. He asked residents to provide pictures of their holidays to air through January. Mayor Anzaldi spoke about all the uplifting celebrations going on around the City.

RESOLUTIONS VOTED ON SEPARATELY

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

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

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

Item 308, Page 1

Item 5367, Page 14

December 7, 2021

R549-21 Resolution: Approve Claims List Resolution for the December 7, 2021 City Council Meeting

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF December 7, 2021**

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

Current Fund	\$ 20,657,783.67
Grant Fund	\$ 306,217.11
General Capital Fund	\$ 435,677.90
Sewer Utility -Operating	\$ 92,369.68
Sewer Utility-Capital	\$ 39,132.25
Developers Escrow	\$ 4,800.00
Dog Trust	\$ 5,368.69
Police Extra Duty	\$ 303,029.00
Trust Other	\$ 666,504.63
Section 8 Public Housing	\$ 11,897.54
Community Development	\$ 62,969.53
Payroll Agency	\$
COAH	\$
Self Insurance	\$ 1,148,722.95
Self Insurance 11	\$ 4,400.00
Fire Dedicated Penalties	\$
Revolving Loan Fund	\$
Tax Title Lien Redemption	\$
Unemployment Trust Fund	\$
Library	\$ 270,630.41
General Liability Trust	\$ 38,703.60
Workers Compensation Trust	\$ 33,820.47
Federal DOJ Forfeiture	

TOTAL CLAIMS \$ 24,082,027.43

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

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Pino and passed on roll call vote to table Resolution R607-21.

R607-21 Resolution Amending CDBG-CV (Community Development - COVID 19) Funds for City of Clifton - CDBG Program 2019 Year 45 Action Plan Amending Funding for Awards to Non Profits and Clifton Health Department

**RESOLUTION AMENDING CDBG-CV (Community Development – COVID 19) FUNDS
FOR THE CITY OF CLIFTON – CDBG PROGRAM 2019 YEAR 45 ACTION PLAN
AMENDING FUNDING FOR AWARDS TO NON PROFITS AND CLIFTON HEALTH
DEPARTMENT
12-7-2021 COUNCIL MEETING**

WHEREAS, the City of Clifton has been designated an Entitlement City under the current Community Development and Housing Act; and

WHEREAS, the City of Clifton has received Federal Funding from the Department of Housing and Urban Development (HUD) for the Community Development Block Grant Year 45; and

WHEREAS, the Department of Housing and Urban Development has notified the City of Clifton due to the Coronavirus Aid, Relief and Economic Security Act CARES Act) (Public Law, makes available \$5 billion in supplemental Community Development Block Grant (CDBG) funding for grants to prevent, prepare for, and respond to coronavirus (CDBG-CV grants); and

WHEREAS, the CARES Act provides CDBG grantees with flexibilities that make it easier to use CDBG-CV grants and fiscal years 2019 and 2020 CDBG Grants for coronavirus response and authorizes HUD to grant waivers and alternative requirements; and

WHEREAS, the Clifton Community Development Office has been notified by HUD that they would receive \$673,595 under CDBG-CV funding as an available resource which was applied to the CDBG Yr. 45 Action Plan; and

WHEREAS, the Clifton Community Development Office advertised this amendment in the Herald News on October 29, 2021; and

WHEREAS, the Clifton Community Development Office received a request from Power of One Christian Coaching and Outreach Ministries, Inc. for additional funding to continue their food distribution program to Seniors and Disabled Adults within Senior Citizen Buildings throughout the City of Clifton; Seniors at the drive thru at the Clifton Senior Center and shut in seniors and veterans; and

WHEREAS, the City finds the need to reallocate the funding amongst the line items originally established in order to serve the Community's needs in response to this Corona Virus Pandemic;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby approve and authorize the Mayor and/or City Manager as the Chief Executive Officer of the City of Clifton to implement and execute this Amendment to the City of Clifton's Consolidated 2019 Yr. 45 Action Plan.

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

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

R556-21 Resolution Authorizing Advertisement of Notice of Intent to Award Contract to Clearspan Fabric Structures, off of a Sourcewell National Cooperative Contract for Relocating Steel-Framed Fabric Structure to DPW Yard

**RESOLUTION AUTHORIZING ADVERTISEMENT OF NOTICE OF INTENT
TO AWARD CONTRACT TO CLEARSPAN FABRIC STRUCTURES, OFF OF A
SOURCEWELL NATIONAL COOPERATIVE CONTRACT FOR
RELOCATING STEEL-FRAMED FABRIC STRUCTURE TO DPW YARD**

WHEREAS, the City of Clifton is allowed to participate in inter-local purchasing systems per N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 which was enacted into law permitting agencies to utilize cooperative purchasing agreements with other states; and

WHEREAS, pursuant to resolution R274-18, adopted June 19, 2018, the City of Clifton is a member of Sourcewell, formerly known as National Joint Powers Alliance (NJPA), a national cooperative, in accordance with N.J.S.A. 52:34-6.2, and LFN 2012-10; and

WHEREAS, the City of Clifton seeks permission to advertise the City's interest in participating with the Sourcewell national cooperative for Steel-Framed Fabric Structure and peripheral equipment, under Sourcewell contract number # 091319-CSS, which was awarded to ClearSpan Fabric Structures; and

WHEREAS, information regarding the contract may be found on Sourcewell's website at <https://www.sourcewell-mn.gov/cooperative-purchasing/091319-css>; and

December 7, 2021

WHEREAS, the current contract term for Sourcewell contract #091319-CSS for Fabric Structures with Related Materials and Services expires on November 8, 2023; and

WHEREAS, barring comments to the contrary, it is the intent of the City of Clifton to award a contract to ClearSpan Fabric Structures, 1395 John Fitch Blvd, South Windsor, CT 06074, pursuant to the proposal submitted in response to Sourcewell's Notice to Bidders Titled "Fabric Structures with Related Materials and Services" and Contract Award #091319-CSS for Fabric Structures with Related Materials and Services; and

NOW, THEREFORE BE IT RESOLVED, that the City of Clifton authorizes the Purchasing Agent to advertise the Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement with a comment period ending December 26, 2021.

R571-21 Resolution Appointing Legal Counsel to Handle Independent Investigation Services in Connection with Complaints Brought Under the City's Policy Prohibiting Sexual Harassment and Discrimination Involving Employees of the City of Clifton (2022) (Mendola)

RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE INDEPENDENT INVESTIGATION SERVICES IN CONNECTION WITH COMPLAINTS BROUGHT UNDER THE CITY'S POLICY PROHIBITING SEXUAL HARASSMENT AND DISCRIMINATION INVOLVING EMPLOYEES OF THE CITY OF CLIFTON (2022)

WHEREAS, the City of Clifton requires the services of outside legal counsel to represent the City of Clifton in complaints brought under the City's policy prohibiting sexual harassment and discrimination involving employees of the City of Clifton; and

WHEREAS, Gina Mendola Longarzo, Esq. has been providing legal services for the City of Clifton in the past in a satisfactory manner, and the Municipal Attorney recommends the continuation of her appointment as independent investigation counsel for the year 2022 when such services are required, at the rate of \$125.00 per hour, not to exceed \$25,000.00 for the term of the contract; and

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

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

WHEREAS, the estimated value of the contract may be in excess of \$17,500.00, and the duration of the contract is for 2022 and may be continued through the conclusion of each claim being handled; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that:

An agreement for professional legal services for outside counsel to conduct independent investigations for complaints brought under the City's policy prohibiting sexual harassment and discrimination involving employees of the City of Clifton, effective January 1, 2022, the rate to be paid for said services is \$125.00 per hour, not to exceed \$25,000 for the term of the contract be and hereby is authorized.

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 Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.

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.

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: Gina Mendola Longarzo, Esq., Chatham, NJ
Services: Independent Investigations
Project: Claims involving employees under the City’s policy prohibiting sexual harassment and discrimination
Amount: \$125.00 per hour; not to exceed \$25,000 for term of contract
Term: 2022

R572-21 Resolution Appointing Legal Counsel to Handle Employment Litigation Claims Against the City of Clifton (2022) (Carmagnola)

**RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE EMPLOYMENT
LITIGATION CLAIMS AGAINST THE CITY OF CLIFTON (2022)**

WHEREAS, the City of Clifton requires the services of outside legal counsel to represent the City of Clifton in employment litigation claims filed against the City; and

WHEREAS, Dominick Carmagnola, Esq. of the firm Carmagnola & Ritardi, LLC of Morristown, NJ, have been providing legal services for the City of Clifton in the past in a satisfactory manner, and the City would like to continue the firm’s appointment as employment litigation counsel for the year 2022 when such services are required, at the rate of \$175.00 per hour for partners, and \$135.00 per hour for associates; 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 for 2022 and may be continued through the conclusion of each lawsuit being handled; and

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

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

December 7, 2021

NOW, THEREFORE, BE IT RESOLVED, that:

An agreement for professional legal services for outside counsel to represent the City of Clifton in employment litigations claims filed against the City is awarded to Carmagnola & Ritardi, LLC, effective January 1, 2022, the rate to be paid for said services is \$175.00 per hour for partners and \$135.00 per hour for associates.

The Mayor and City Clerk are authorized and directed to execute a contact on behalf of the City of Clifton.

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.

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: Carmagnola & Ritardi, LLC, Morristown, NJ
Services: Legal Counsel
Project: Employment Litigation Claims
Amount: \$175 per hour for partners; \$135 per hour for associates
Term: 2022

R573-21 Resolution Endorsing and Approving Amended Spending Plan Prepared by Triad Associates, Dated November 5, 2021

**RESOLUTION ENDORSING AND APPROVING AMENDED SPENDING PLAN
PREPARED BY TRIAD ASSOCIATES, DATED NOVEMBER 5, 2021**

WHEREAS, the Municipal Council, previously provided COAH funds for the Clifton Main Mews, II project, located at 1000 Main Avenue, Block 8.04, Lot 13, Clifton Main Mews I located at 988 Main Avenue, Block 8.04, Lot 13 and Clifton Senior Housing located at 714 Clifton Avenue, Block 29.02, Lot 20; and

WHEREAS, the Superior Court of New Jersey. on March 8, 2017, entered its Order Granting Substantive Certification and Judgment of Compliance and Repose, wherein the Housing Element and Fair Share Plan, dated January 5, 2016, was approved, which included the aforesaid funding; and

WHEREAS, due to damages sustained as a result of Hurricane Ida which rendered several units uninhabitable, the City wishes to amend its Spending Plan to reflect an additional commitment of funds to assist in restoring said units, consistent with the City's Housing Element and Fair Share Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council of the City of Clifton, do hereby endorse and approve the Amended Spending Plan prepared by Triad Advisory Services, Inc. t/a Triad Associates, dated November 5, 2021; and

BE IT FURTHER RESOLVED, that COAH counsel is hereby directed to transmit and seek approval of same by the Superior Court of New Jersey; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and they are hereby authorized to execute any and all documents required to effectuate the above.

R577-21 Resolution Awarding Contract to Lerch, Vinci & Higgins, LLP for Municipal Auditing Services for 2022 for Fiscal Year Ending December 31, 2022

**RESOLUTION AWARDING CONTRACT TO LERCH, VINCI & HIGGINS, LLP FOR
MUNICIPAL AUDITING SERVICES
FOR 2022 FOR FISCAL YEAR ENDING DECEMBER 31, 2021**

WHEREAS, under direction of the Chief Financial Officer, the Office the Purchasing Agent received one (1) proposal for 2022 professional auditing services of a Registered Municipal Accountant from Lerch, Vinci & Higgins, LLP, to perform certain professional auditing services as required by the Local Fiscal Affairs Law, N.J.S.A. 40A:5-1 et seq.; and,

WHEREAS, Lerch, Vinci & Higgins, LLP is an accounting firm authorized by law to conduct a practice as Certified Public Accountants and Registered Municipal Accountants, recognized professions, the practice of which are regulated by law; and,

WHEREAS, the Mayor and Municipal Council desire to award a contract for the required professional services for the City of Clifton to Lerch, Vinci & Higgins, LLP for 2022 for the fiscal year ending December 31, 2021; under the terms of the Federal Single Audit Act of 1984, at a fee not to exceed \$80,000.00; and,

WHEREAS, the cost associated with additional work as directed by the City will conform with its proposal dated November 23, 2021 and be paid accordingly; and,

WHEREAS, this award of a fair and open contract is in accordance with N.J.S.A. 40A:11-1 *et seq.*, and 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 until the services are completed; and

WHEREAS, the Business Entity Disclosure Certification has been received from the accountant and is incorporated in the contract awarded hereby, along with the Determination of Value; and
NOW, THEREFORE, BE IT RESOLVED, that a professional services contract for Auditing Services is hereby awarded to Lerch, Vinci & Higgins, 17-17 Route 208, Fair Lawn, NJ 07410 in accordance with its proposal dated November 23, 2021 at a fee not to exceed \$80,000 without the adoption of supplemental resolutions; and

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

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

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

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

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

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R583-21 Resolution Committing COAH Funds and Authorizing Execution of Presently Titled "Loan Agreement", "Mortgage Note", and "Mortgage", a Subordination Agreement, if Needed, Memorandum of Understanding and Redevelopment Agreement Amendment in Connection with 1000 Main Avenue, Block 8.04, Lot 13 (Clifton Main Mews II, LLC)

RESOLUTION COMMITTING COAH FUNDS AND AUTHORIZING EXECUTION OF PRESENTLY TITLED “LOAN AGREEMENT,” “MORTGAGE NOTE,” AND “MORTGAGE,” A SUBORDINATION AGREEMENT, IF NEEDED, MEMORANDUM OF UNDERSTANDING AND REDEVELOPMENT AGREEMENT AMENDMENT IN CONNECTION WITH 1000 MAIN AVENUE, BLOCK 8.04, LOT 13 (CLIFTON MAIN MEWS II, LLC)

WHEREAS, the Municipal Council previously approved the Phase II redevelopment of the property known as 1000 Main Avenue, Phase II, Block 8.04, Lot 13, by Clifton Main Mews II, LLC and the Clifton Housing Partnership, LLC, to provide affordable housing for the City of Clifton and provided \$715,000 from the City’s COAH Affordable Housing Developer Fee Trust Fund toward the completion of the project; and

WHEREAS, Hurricane Ida significantly damaged the premises rendering several units uninhabitable, now requiring repair and rehabilitation work on the project; and

WHEREAS, the Municipal Counsel wishes to commit an amount of up to an additional \$500,000 of COAH funds to this project from the City’s Affordable Housing Developer Fee Trust Fund; and

WHEREAS, in connection therewith, it will be necessary to execute certain documents to set forth the terms in connection with the commitment of the additional \$500,000 of funds and to secure financing from the State of New Jersey and/or other sources for funding;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of the Municipal Council of the City of Clifton, that the presently titled “Loan Agreement,” “Mortgage Note,” and “Mortgage,” a Subordination Agreement, if needed, Memorandum of Understanding and Redevelopment Agreement Amendment in connection with 1000 Main Avenue, Block 8.04, Lot 13, is hereby approved, and that authorization and direction is hereby given to the Mayor and City Clerk to execute the same on behalf of the City of Clifton; and

BE IT FURTHER RESOLVED, that up to \$500,000 of the City’s COAH Developer Fee Trust Fund be committed to this project, as such funds are available, which shall be subject to judicial approval of an Amended Spending Plan to include this additional allocation upon such terms acceptable to the City, including, but not limited to, that the loan shall be immediately repaid to the City in the event Developer is able to secure the within funding through an alternate source whether federal, state, private or other funding; and

BE IT FURTHER RESOLVED, that Developer shall record such further deed restrictions as may be required by the Council on Affordable Housing (COAH) if any. This transaction shall further be subject to any approvals as may be required by the Planning Board, Board of Adjustment and/or Construction Official; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and they are hereby authorized to execute any and all documents required to effectuate the above.

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

RESOLUTIONS

A Motion was made by Councilman Grabowski, seconded by Councilman Gibson and passed on roll call vote to move the group.

(7-0-0-0) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy, Councilwoman Pino, Councilwoman Sadrakula and Mayor Anzaldi voted aye.
R549-21 Resolution: Approve Claims List Resolution for the December 7, 2021 City Council Meeting

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF December 7, 2021**

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

Current Fund	\$ 20,657,783.67
Grant Fund	\$ 306,217.11
General Capital Fund	\$ 435,677.90
Sewer Utility -Operating	\$ 92,369.68
Sewer Utility-Capital	\$ 39,132.25
Developers Escrow	\$ 4,800.00
Dog Trust	\$ 5,368.69
Police Extra Duty	\$ 303,029.00
Trust Other	\$ 666,504.63
Section 8 Public Housing	\$ 11,897.54
Community Development	\$ 62,969.53
Payroll Agency	\$
COAH	\$
Self Insurance	\$ 1,148,722.95
Self Insurance 11	\$ 4,400.00
Fire Dedicated Penalties	\$
Revolving Loan Fund	\$
Tax Title Lien Redemption	\$
Unemployment Trust Fund	\$
Library	\$ 270,630.41
General Liability Trust	\$ 38,703.60
Workers Compensation Trust	\$ 33,820.47
Federal DOJ Forfeiture	
TOTAL CLAIMS	\$ 24,082,027.43

R550-21 Resolution - Chapter 159 Resolution Amending the 2021 Municipal Budget - CASA Grant

**CHAPTER 159 RESOLUTION
AMENDING THE 2021 CITY BUDGET FOR
ADDITIONAL REVENUE AND APPROPRIATION**

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

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

WHEREAS, the City of Clifton has received \$934.00 from the County of Passaic for the Clifton Against Substance Abuse (C.A.S.A.) and wishes to amend the 2021 Municipal Budget to include these amounts as revenue,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby requests the Director of the Division of

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Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$934.00

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the
Division of Local Government Services:
State and Federal Revenues Off-set with
Appropriations:
Clifton Against Substance Abuse Grant \$934.00

BE IT FURTHER RESOLVED, that the like sum of \$934.00

be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations Excluded from CAPS
State and Federal Programs Off-set by
Revenues:
Clifton Against Substance Abuse Grant \$934.00

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

R551-21 Resolution Rescinding Resolution R411-18 - Grant Fund

**RESOLUTION RESCINDING RESOLUTION R411-18
GRANT FUND ACCOUNT BALANCE**

WHEREAS, there exists Resolution Number R411-18 that canceled an outdated grant projects for the 2019 CASA Grant with in the Current Fund and the Grant Fund of the City of Clifton; and,

WHEREAS, the after analysis with the City, County and CASA records, it appears that this Resolution was approved by mistake and is valid in the Current Fund Budget and subsequent Grant Fund Ledger; and,

WHEREAS, the Finance Department has researched these balances to the best of their ability to confirm the validity of the Grant Receivables and Grant Appropriations;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, that this Resolution be approved and rescind Resolution # R411-18, and the Grant Fund Project balance be hereby reinstated:

<u>Account Name</u>	<u>Amount</u>
2019 – Clifton Against Substance Abuse (CASA)	\$ 9,870.00
TOTAL:	\$ 9,870.00

R552-21 Resolution Canceling Grant Fund Account Balances

**RESOLUTION CANCELING
GRANT FUND ACCOUNT BALANCES**

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

<u>Account Name</u>	<u>Cancel Amount</u>
2013 - NJ TDR Feasibility Grant	\$ 40,000.00
2015 - Byrne Memorial Justice Asst Grant	\$ 0.40
2016 - Partners for Health - Steps to a Healthier Clifton	\$ 3.21
2016 - Recycling Tonnage Grant	\$ 0.40
2016- FEMA GENERATORS HMGP-DR-4086-NJ-0582-R	\$ 31,545.80
2017 - Recycling Tonnage Grant	\$ 0.37
2018 - Drunk Driving Enforcement	\$ 0.54
2018 - Body Armor Replacement Grant	\$ 0.21
2018 - Community Health Assessment - PFHF	\$ 7.50
2018 - DOT Youth Corps' Urban Gateway EP	\$ 6,705.11
2018 - Pedestrian Safety (PS18 450106)	\$ 1,020.00
2018 - Recycling Tonnage Grant	\$ 0.47
2018- PCTF Case Mgmt Svcs Grant 18-05902	\$ 9,160.00
2019 - Body Armor Replacement Grant	\$ 0.26
2019 - Drive Sober or Get Pulled Over	\$ 1,760.00
2019 - Pedestrian Safety (PS19 45 01 06)	\$ 5,680.00
2020 - NJ Healthy Communities Network Grant	\$ 20,000.00
2020 - NJACCHO COVID-19 Response	\$ 2.47
2020 -Distracted Driving Enforcement	\$ 24,750.00
2021 - American Rescue Plan Act of 2021	\$ 0.50
2021 - Clean Communities	\$ 0.23

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

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

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

R553-21 Resolution Authorizing Reclassification of Payments

**RESOLUTION
RECLASSIFICATION OF PAYMENTS**

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

CHECK#	DATE	PAYEE	AMOUNT	FROM	TO
133437	6/01/2021	COLLIERS ENGINEERING & DESIGN, INC.	\$1,946.25	08-215-55-952-001	02-213-40-723-506
133800	7/7/2021	COLLIERS ENGINEERING & DESIGN, INC.	\$571.25	08-215-55-952-001	02-213-40-723-506
134142 (partial)	8/5/2021	COLLIERS ENGINEERING & DESIGN, INC.	\$24,635.00	08-215-55-952-001	02-213-40-723-506
134455	9/9/2021	COLLIERS ENGINEERING & DESIGN, INC.	\$18,500.00	08-215-55-952-001	02-213-40-723-506
ACH900282	10/6/2021	COLLIERS ENGINEERING & DESIGN, INC.	\$10,420.00	08-215-55-952-001	02-213-40-723-506
ACH900329	11/4/2021	COLLIERS ENGINEERING & DESIGN, INC.	\$23,632.50	08-215-55-952-001	02-213-40-723-506

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123352 (partial)	6/6/2019	MASTER DISTRIBUTORS, INC	\$161.70	01-203-27-370- 255	02-213-40-707- 096
120806 (partial)	8/8/2018	A. C. MOORE, INC.	\$16.15	15-286-56-005- 006	02-213-40-707- 096
122246	11/8/2018	THE FIBAR GROUP, LLC	\$4,078.00	01-203-27-370- 242	02-213-40-707- 096
134770	9/27/2021	NEW JERSEY SHADE TREE FEDERATION	\$1,560.00	02-213-40-706- 004	01-201-28-300- 328

R554-21 Resolution Authorizing the Execution of a Treatment Works Approval for the Rutherford Boulevard Sewer Improvements Project

**RESOLUTION AUTHORIZING THE EXECUTION OF A TREATMENT WORKS
APPROVAL FOR THE RUTHERFORD BOULEVARD SEWER
IMPROVEMENTS PROJECT**

WHEREAS, an application for a treatment works approval has been prepared by THE CITY OF CLIFTON, 900 CLIFTON AVENUE, CLIFTON, NJ 07013 for the extension of the sanitary sewer as part of a project to be known as THE RUTHERFORD BOULEVARD SEWER IMPROVEMENTS; and

WHEREAS, based on the scope of the proposed activities, the regulations of the New Jersey Department of Environmental Protection require a municipal endorsement of this project in order to properly process a treatment works approval; and

WHEREAS, the existing sewer is structurally sound with adequate capacity to accommodate the projected flow from the proposed construction; and

NOW, THEREFORE, BE IT RESOLVED that the City Engineer and the Mayor are hereby authorized and directed to execute a statement of consent on behalf of the City of Clifton and that a certified copy of this resolution be provided to the applicant.

R555-21 Resolution to Ratify the Award of Contract to Clearspan Fabric Structures, off of a Sourcewell National Cooperative Contract for Steel-Framed Fabric Structure for Administering Mass Vaccinations

**RESOLUTION TO RATIFY THE AWARD OF CONTRACT TO
CLEARSPAN FABRIC STRUCTURES, OFF OF A SOURCEWELL
NATIONAL COOPERATIVE CONTRACT FOR STEEL-FRAMED FABRIC
STRUCTURE FOR ADMINISTERING MASS VACCINATIONS**

WHEREAS, on December 15, 2020, the City of Clifton presented an Action Item memorandum to the Municipal Council which pertained to the above subject; and

WHEREAS, the City of Clifton is allowed to participate in inter-local purchasing systems per N.J.S.A. 52:34-6.2 (b) P.L. 2011, c.139 which was enacted into law permitting agencies to utilize cooperative purchasing agreements with other states; and

WHEREAS, pursuant to resolution R274-18, adopted June 19, 2018, the City of Clifton is a member of Sourcewell National Cooperative, in accordance with N.J.S.A. 52:34-6.2, and LFN 2012-10; and,

WHEREAS, pursuant to Resolution R441-20 of December 1, 2020, an advertisement was placed in the Herald News on December 4, 2020, to announce the City’s interest in utilizing the Sourcewell national cooperative for a Steel-Framed Fabric Structure, peripheral equipment and installation, for a total not to exceed amount of \$125,369.80 via Sourcewell contract number #091319-CSS, which was awarded to ClearSpan Fabric Structures, with goods and services to be furnished and delivered by the same; and,

WHEREAS, the current contract term for Sourcewell contract #091319-CSS for Titled “Fabric Structures with Related Materials and Services” expires on November 8, 2023; and,

WHEREAS, the award resolution inadvertently did not appear on the December 15, 2020 Council Agenda, although the corresponding Action Item did, which itself was approved by Council at said meeting; and,

WHEREAS, the City requests by this resolution that the governing body adopt a ratification of payment in the amount of \$120,312.00 to ClearSpan Fabric Structures, which was made at the time of the pandemic emergency during December, 2020 pursuant to said approval of the council; and

WHEREAS, the Purchasing Agent was and is satisfied that the procurement process conducted by Sourcewell, and the contract which was awarded to ClearSpan Fabric Structures, 1395 John Fitch Blvd, South Windsor, CT 06074, and the vendor' New Jersey State required documentation as submitted; and,

WHEREAS, the Purchasing Agent followed all applicable guidelines stipulated by the Department of Community Affairs, Division of Local Government Services as outlined in Local Finance Notice 2012-10, and finds all is in compliance with the guidance in LFN 2012-10, pursuant to the proposal submitted, and was and is in concurrence with the DPW Director to recommend award of the same; and,

WHEREAS, there were no alternative approaches and/or rejections made by any New Jersey contractors/vendors by the December 15, 2020 comment deadline, and no comments submitted; and

WHEREAS, pursuant to said Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., the Municipal Council wishes to ratify the payment of the aforesaid mentioned purchase; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, State of New Jersey as follows:

1. The award of said Steel-Framed Fabric Structure and peripheral equipment pursuant to Sourcewell contract number #091319-CSS be and hereby is approved and ratified; and
2. The payment made to ClearSpan Fabric Structures for the procurement of Steel-Framed Fabric Structure and peripheral equipment, in the amount of \$120,312.00 is hereby approved and ratified;
3. Funding certification – the funds were available for such purpose and paid from account no. 15-286-56-004-100.

R557-21 Resolution Authorizing Available 2022 Contract Extension for Vegetative Waste Disposal to RER Supply LLC

**AUTHORIZING AVAILABLE 2022 CONTRACT EXTENSION
FOR VEGATATIVE WASTE DISPOSAL TO RER SUPPLY LLC**

WHEREAS, pursuant to Resolution 229-18, the City of Clifton authorized a contract for Disposal of Vegetative Waste on June 6, 2018 to RER Supply, LLC; and

WHEREAS, the contract award to RER Supply, LLC, was for a period of two-years and seven-months, for a total contract amount of \$912,800.00, based on estimated annual amounts; and

WHEREAS, pursuant to Resolution 008-20, the City council authorized an additional \$50,200 for year 2019, due to unanticipated increased vegetative waste levels, which increased the initial not to exceed total contract award amount to \$963,000; and

WHEREAS, the above contract award to RER Supply, LLC, located at 4 South Corporate Drive, Riverdale NJ 07457, via Resolution 229-18, dated June 6, 2018, which provided for two (2) annual contract extensions; and

WHEREAS, the Director of Public Works has stated that RER Supply LLC has provided services satisfactorily, and has requested that the City Council authorize the 2022 extension, for a total not to exceed amount of \$331,225.00, as originally proposed and awarded; and

WHEREAS, James J. Jorgensen, the appointed Qualified Purchasing Agent, has reviewed and concurs with the Director of Public works that such an extension is in the best interest of the City of Clifton; and

THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve

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and authorize the extension of the above contract to RER Supply, LLC, through to December 31, 2022, for a total not to exceed annual amount of \$331,225.00.

CERTIFICATION OF FUNDS: Funds shall be made in account number 01-201-32-465-502 (solid waste recycling) subject to 2022 budget adoption.

R558-21 Resolution Awarding Professional Financial Advisory Services Contract to
Phoenix Advisors for 2022

**RESOLUTION AWARDING PROFESSIONAL FINANCIAL ADVISORY SERVICES
CONTRACT TO PHOENIX ADVISORS FOR 2022**

WHEREAS, under direction of the Chief Financial Officer, the Office the Purchasing Agent obtained proposals for Professional Financial Advisory Services for calendar year 2022; and,

WHEREAS, the Purchasing Agent received one (1) proposal from Phoenix Advisors, LLC, for the provision of said services; and

WHEREAS, after reviewing the proposal, the Chief Financial Officer wishes to award a contract to Phoenix Advisors LLCs of Bordentown, New Jersey for the provision of said services, based on their fee proposal of November 23, 2021, and proven track record with the City; and

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

WHEREAS, this award of a fair and open contract is in accordance with N.J.S.A. 19:44-A-20.5, and N.J.S.A. 40A:11-1 et seq.; 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, the Business Entity Disclosure Certification has been received from the accountant and is incorporated in the contract awarded hereby, along with the Determination of Value; and

WHEREAS, for all transactional services relating to the sale of Bonds or Notes (Option 1) , Phoenix Advisors proposes fees based on the par amount of Bonds or Notes issued according to the following schedule (unchanged from the prior year):

- a) Fee per Bond Sale: \$9,500.00 plus \$0.50 per \$1,000 issued
- b) Fee per BAN Sale: \$1,500.00 plus \$0.20 per \$1,000 issued

Term of the contract is for calendar year 2022; and

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract for financial advisory services is hereby awarded to Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, NJ 08505, in accordance with their proposal dated November 23, 2021 in the amount as listed above; and

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

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

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

R559-21 Resolution Authorizing Purchase of Tires and Re-Capped Tires as Needed off the
NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION AUTHORIZING PURCHASE OF TIRES AND RE-CAPPED TIRES
AS-NEEDED OFF THE NJ STATE CONTRACT PURCHASING PROGRAM
PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the City of Clifton has an ongoing need to purchase tires and re-capped tires, off of NJ State Contracts #19-FLEET-00708 and #20-FLEET-00948, respectively; and

WHEREAS, Custom Bandag Co., 401 East Linden Avenue, Linden, NJ 07036 has been awarded both NJ State Contracts No. 19-FLEET-00708 (expiring March 31, 2024), and Contract No. 20-FLEET-00948 (expiring March 31, 2024); and

WHEREAS, the above vendor, Custom Bandag, has been encumbered at an average of \$85,000 per year over the past four years, and the departmental need has not diminished due to the nature of the above given commodities; and

WHEREAS, the Purchasing Agent in seeking to maintain compliance with regard to aggregate commodity procurement is requesting authority to purchase off the above New Jersey State Contracts, as awarded to Custom Bandag Co., in an amount not to exceed \$85,000 for calendar year 2022 in aggregate; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned ability to purchase the above from Custom Bandag Co., 401 East Linden Avenue, Linden, NJ 07036, as-needed off the New Jersey State Contracts No. 19-FLEET-00708, and No. 20-FLEET-00948, at an aggregate cost not to exceed \$85,000 per year, through to December 31, 2022, pursuant to the above New Jersey State contracts.

CERTIFICATION OF FUNDS: funds shall be certified at the time of purchase, whereby a properly executed purchase order, processed as-needed, shall be the instrument of fund encumbrance for each department and division usage, annual budgetary adoption and appropriations considered.

R560-21 Resolution to Purchase Industrial Supplies and Equipment from W.W. Grainger for
the City of Clifton off of NJ State Contract Purchasing Program Pursuant to
N.J.S.A. 40A:11-12a

**RESOLUTION TO PURCHASE INDUSTRIAL SUPPLIES AND EQUIPMENT
FROM W.W. GRAINGER FOR THE CITY OF CLIFTON
OFF OF NJ STATE CONTRACT PURCHASING PROGRAM
PURSUANT TO N.J.S.A:40A:11-12a**

WHEREAS, the City of Clifton, Department of Public Works has need to purchase the Industrial Supplies and Equipment; and,

WHEREAS, W.W. Grainger was awarded New Jersey State Contract number 79875 for Industrial Supplies and Equipment, expiring June 30, 2023; and,

WHEREAS, the Department of Public Works recommends authorization to procure goods on an as-needed basis from W.W. Grainger, Grainger Industrial Supply Division, Government Call

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Center, 55 Jackson Drive, Cranford, NJ 07016-3582, pursuant to New Jersey State Contract number 79875; and

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

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the Purchasing Agent to procure goods as-needed from W.W. Grainger Grainger Industrial Supply Division, Government Call Center, 55 Jackson Drive, Cranford, NJ 07016-3582 via New Jersey State Contract number 79875, in an amount not to exceed \$85,000.00, for the period of January 1, 2022 through to December 31, 2022.

BE IT FURTHER RESOLVED, a properly executed purchase order, processed as-needed, shall be the instrument of fund encumbrance for each department and division usage, budgetary appropriations considered.

R561-21 Resolution Authorizing Purchase of Office Supplies from W.B. Mason off the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

**RESOLUTION AUTHORIZING PURCHASE OF OFFICE SUPPLIES FROM
W.B. MASON OFF THE NJ STATE CONTRACT PURCHASING PROGRAM
PURSUANT TO N.J.S.A. 40A:11-12a**

WHEREAS, the City of Clifton has a need to purchase office supplies for its departments and divisions; and,

WHEREAS, W.B. Mason Co Inc., 535 Secaucus Road, Secaucus, NJ 07094, was awarded New Jersey State Contract No. A-00003 to provide discounted pricing off their office supplies catalog, which the City is permitted to use cooperatively; and,

WHEREAS, the contract has been extended until May 6, 2022; and,

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

NOW, THEREFORE, BE IF RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchases above from W.B. Mason Co Inc., 535 Secaucus Road, Secaucus, NJ 07094, off the New Jersey State Contract No. A-00003, at a cost not to exceed \$60,000 from January 1, 2022 through May 6, 2022.

BE IT FURTHER RESOLVED, a properly executed purchase order, processed as-needed, shall be the instrument of fund encumbrance for each department and division usage, budgetary appropriations considered.

R562-21 Resolution Authorizing and Awarding Available 2022 Contract Renewal for Collection of Solid Waste, Collection of Bulk Waste, and Collection of Vegetative Waste Services to Suburban Disposal

**AUTHORIZING AND AWARDING AVAILABLE 2022 CONTRACT RENEWAL
FOR COLLECTION OF SOLID WASTE, COLLECTION OF BULK WASTE, AND
COLLECTION OF VEGETATIVE WASTE SERVICES TO SUBURBAN DISPOSAL**

WHEREAS, pursuant to Resolution 228-18, the City of Clifton authorized a contract for the Collection of Solid Waste, Collection of Bulk Waste, and Collection of Vegetative Waste Services on June 6, 2018 to Suburban Disposal, Inc.; and

WHEREAS, the contract award to Suburban Disposal, Inc., was for a period of two-years and seven-months, with two (2) one (1) year renewal options,

WHEREAS, the Director of Public Works has stated that Suburban Disposal, Inc. has provided services satisfactorily, and has requested that the City Council authorize the second optional contract renewal for 2022, for a total not to exceed amount of \$5,358,000.00, as originally proposed and awarded; and

WHEREAS, James J. Jorgensen, the appointed Qualified Purchasing Agent, has reviewed and concurs with the Director of Public works that such an extension was proposed and considered during the Council’s initial award, is in the best interest of the City of Clifton; and

THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the extension of the above contract to Suburban Disposal, Inc., from January 1, 2022 through December 31, 2022, for a total not to exceed amount of \$5,358,000.00, in accordance with Resolution 228-18 of June 6, 2018.

R563-21 Resolution Authorizing Purchase of Regular Unleaded Gasoline off the Bergen County Purchasing Program

**RESOLUTION AUTHORIZING PURCHASE OF REGULAR UNLEADED
GASOLINE OFF THE BERGEN COUNTY PURCHASING PROGRAM**

WHEREAS, the City of Clifton has a need to purchase regular unleaded gasoline for its vehicles; and

WHEREAS, the City of Clifton, via Resolution R262-16 authorized participation in the Bergen County Cooperative Pricing System (#CK04-BERGEN); and

WHEREAS, Rachles Michele Oil Company, 116 Kuller Road, Clifton, NJ 07011 has been awarded the Bergen County Contract No. BC-Bid-20-29 Fuel at a markup of \$0.0417 for both City Hall and the Department of Public Works; and

WHEREAS, Bergen County cooperative contract BC-Bid-20-29 has been awarded to Rachles Michele Oil Company for a term of March 3, 2021 through March 2, 2023; and

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

NOW, THEREFORE, BE IF RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Rachles Michele Oil Company, 116 Kuller Road, Clifton, NJ 07011, as-needed off the Bergen County cooperative contract BC-Bid-20-29, at a cost not to exceed \$350,000 per year, through to December 31, 2022, pursuant to the above Bergen County cooperative contract.

R564-21 Resolution Authorizing Permission to Advertise for Bids for Lumber, Tools and Building Supplies for the City of Clifton

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**RESOLUTION AUTHORIZING PERMISSION TO ADVERTISE FOR BIDS
FOR LUMBER, TOOLS, AND BUILDING SUPPLIES
FOR THE CITY OF CLIFTON**

WHEREAS, the City of Clifton Department of Public Works and the Clifton Fire Department have historically had need to procure Lumber, Tools, and Building Supplies, necessary for building maintenance, repairs, and new carpentry, for which the respective commodities often reach applicable thresholds and are not always available via New Jersey State Division of Local Government Services approved cooperative contracts; and

WHEREAS, the above lumber, tools, and building supplies commodities can be contracted via the public bidding process to help ensure Pay to Play and Local Public Contract Law compliance; and,

WHEREAS, the City Purchasing Agent requests permission to advertise for and receive bids for the providing of the above-mentioned goods; and,

NOW THEREFORE BE IT RESOLVED by the Mayor and Municipal Council of the City of Clifton that the Purchasing Agent is authorized to advertise a Notice to Bidders and to receive public bids for the goods and services described therein; and,

BE IT FURTHER RESOLVED that the Notice to Bidders shall be published once in a legal newspaper of the City of Clifton no later than the last Municipal Council meeting in February, 2022, in accordance with N.J.S.A. 40A:11-1 et seq.

R565-21 Resolution Authorizing Purchase of Regular Ultra Low Sulphur Diesel off the Somerset County Cooperative Pricing System #CC-0036-19 Pursuant to N.J.S.A. 40A:11-1 et seq.

**RESOLUTION AUTHORIZING PURCHASE OF REGULAR ULTRA LOW
SULPHUR DIESEL OFF THE SOMERSET COUNTY COOPERATIVE PRICING
SYSTEM #CC-0036-21 PURSUANT TO N.J.S.A. 40A:11-1 et seq.**

WHEREAS, the City of Clifton has a need to purchase Ultra Low Sulphur Diesel for its vehicles; and

WHEREAS, the City is an active member of the Somerset County Cooperative Pricing System; and,

WHEREAS, National Fuel Oil Inc., 175 Orange Street, Newark, NJ 07103, was awarded Somerset County Cooperative Pricing System Contract (#CC-0036-21) for Red-Dyed #2 Ultra Low Sulfur Diesel, and Red-Dyed Winter Blend Diesel for two (2) years through to November 8, 2023, at a markup of \$0.0649 and \$0.0649 respectively, for Somerset County cooperative members; and,

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

NOW, THEREFORE, BE IF RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from National Fuel Oil Inc., 175 Orange Street, Newark, NJ 07103, as-needed off the Somerset County Cooperative Pricing System Contract (#CC-0036-21), for a total as-needed not to exceed amount of \$350,000 for the term January 1, 2022 through December 31, 2022.

CERTIFICATION OF FUNDS: funds shall be certified at the time of purchase, whereby a properly executed purchase order, processed as-needed, shall be the instrument of fund encumbrance for each department and division usage, budgetary adoption and appropriations considered.

R566-21 Resolution Awarding Contract for Computer Components and Related Services to Precision Computer of Fort Lee

RESOLUTION AWARDING CONTRACT FOR COMPUTER COMPONENTS AND RELATED SERVICES TO PRECISION COMPUTER OF FORT LEE

WHEREAS, pursuant to resolution R501-21, adopted November 3, 2021, the Purchasing Agent advertised for bids for the providing of Computer Components and Related Services; and

WHEREAS, in keeping with the commodity purchase history, the bid specifications requested unit prices for each item listed within the pricing form, 155 items in all, with unit prices prevailing, and no minimum or maximum quantity promised, as well as hourly rates for related services; and

WHEREAS, one (1) bid for as-needed Computer Components and Related Services was received and opened on December 1, 2021 from Precision Computer, Precision Computer of Fort Lee, located at 2415 Lemoine Avenue, Fort Lee, New Jersey 07024; and

WHEREAS, the Purchasing Agent concurs with the Management Information Systems Coordinator to award an as-needed contract to Precision Computer of Fort Lee for the contract period of January 1, 2022 through December 31, 2023, in a not to exceed amount of \$275,000.00 per year, applicable to all departmental usage; and

NOW, THEREFORE, BE IT RESOLVED, that the contract for furnishing and delivering Computer Components to the various departments of the City of Clinton, on an as-needed basis, is awarded to the sole bidder, Precision Computer of Fort Lee, 2415 Lemoine Avenue, Fort Lee, New Jersey 07024. The contract shall be for twenty-four (24) consecutive months with the City's option to renew for one two-year extensions at the same price, terms, and conditions in accordance with bids received December 1, 2021, for the period of January 1, 2022 through December 31, 2023, in a not to exceed amount of \$275,000.00 per year, and a not to exceed contract total amount of \$550,000.00; and

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

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

R567-21 Resolution Authorizing Purchase of New Fountains for Main Memorial Pond

RESOLUTION AUTHORIZING THE PURCHASE OF NEW FOUNTAINS FOR MAIN MEMORIAL POND

WHEREAS, the Department of Public Works seeks the purchase of New Fountains for Main Memorial Pond; and,

WHEREAS, in an effort to ensure compliance with the Local Public Contracts Law N.J.S.A. 40A:11-6.1(a), quotes were solicited for the above commodity; and,

WHEREAS, the following two responses were obtained, submitted as follows:

- 1) Black Lagoon Pond Management, located at 56 US Highway 130 South Bordentown, New Jersey 08620, for a Total Cost of \$37,040.06

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2) The Pond and Lake Connection, located at 1112 Federal road Brookfield, Connecticut 06804, for a Total Cost \$46,107.00.

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: James J. Jorgensen, Purchasing Agent; and,

WHEREAS, the value of the contract is determined to exceed \$17,500.00 and the term of the contract is until completion and delivery; and,

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

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

NOW, THEREFORE, BE IT RESOLVED, that the governing body does hereby approve and authorize the aforementioned purchase from the vendor that submitted the lowest quote, Black Lagoon Pond Management, 56 US Highway 130 South Bordentown, New Jersey 08620, in the amount of \$37,040.06; 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.

R568-21 Resolution Authorizing Advertisement for Bid for Spanish Interpreting Services for the Clifton Municipal Court

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BID FOR
SPANISH INTERPRETING SERVICES FOR THE CLIFTON MUNICIPAL COURT**

WHEREAS, the Municipal Court have need of Spanish Interpreting Services; and

WHEREAS, the City of Clifton Municipal Court has requested the City Purchasing Agent advertise for and receive bids for the providing of the above-mentioned Spanish Interpreting Services as the current contract expires December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton that the Purchasing Agent is authorized to advertise a Notice to Bidders and to receive public bids for the goods and services described herein.

R569-21 Resolution Authorizing Tax Appeal Settlement (Block 76.01, Lot 15)

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT
(BLOCK 76.01, LOT 15)**

Block: **76.01**
Lot: **15**
Street Addresses: **1401 Broad Street**
Owner: **Clifton-Broad North LLC**

WHEREAS, appeals of the tax assessment for the years 2019, 2020 and 2021 have been filed for the above-noted properties; and

WHEREAS, an adjustment(s) in the assessed value has been recommended by the City’s Expert, Jonathan Fischer, MAI, CTA of Hannoch Appraisal Company, as reflected on Schedule A attached hereto, and as these adjustment(s) will cause the assessment to reflect the actual fair market value of said property as reflected by comparable sales and/or income and expense data;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clifton, that the tax assessment adjustment(s) for the above-referenced property is approved for the years as reflected on Schedule A, and the City’s designated attorney is authorized to execute an appropriate Stipulation of Settlement agreeing to the entry of a judgment reflecting these adjustment(s).

R570-21 Authorization for Tax Collector to Lien Properties and Bill Property Owners for Reimbursement of Expenditures for Emergency Order Clean-Ups

**RESOLUTION AUTHORIZING TAX COLLECTOR TO LIEN PROPERTIES
AND BILL PROPERTY OWNERS AND COLLECT FOR
REIMBURSEMENT OF EXPENDITURES MADE BY CITY OF CLIFTON
FOR EMERGENCY ORDER CLEAN-UPS**

WHEREAS, numerous code violations and an emergent health situation existed at the following premises for a long period of time, and despite countless letters, warnings, notices and citations issued to the property owners, the violations and health conditions continued unabated; and

WHEREAS, the City of Clifton took emergency clean-up action on the properties and expended funds from its revolving lien account, inclusive of \$100 Administrative Fee, as follows:

Address	Service Fee	Administrative Fee	Total Lien
10 Washington Ave. Blk 11.12, Lot 20	\$ 425.00	\$ 100.00	\$ 525.00
94 Center Street Blk 4.06, Lot 18	\$ 125.00	\$ 100.00	\$ 225.00
26 Stanley Street Blk 23.05, Lot 24	\$ 300.00	\$ 100.00	\$ 400.00
1 Mount Washington Blk 32.04, Lot 12	\$ 125.00	\$ 100.00	\$ 225.00
88 Haddenfield Rd. Blk 63.05, Lot 12	\$ 325.00	\$ 100.00	\$ 425.00
82 Rutherford Blvd. Blk 60.10, Lot 17	\$ 200.00	\$ 100.00	\$ 300.00
648 Van Houten Ave. Blk 37.01, Lot 20	\$ 125.00	\$ 100.00	\$ 225.00
180 Rowland Ave. Blk 49.07, Lot 26	\$ 150.00	\$ 100.00	\$ 250.00
32 Homestead St. Blk 27.07, Lot 20	\$ 300.00	\$ 100.00	\$ 400.00
202 Main Ave. Blk 72.06, Lot 36	\$ 275.00	\$ 100.00	\$ 375.00
26 Mt. Side Terr.	\$ 425.00	\$ 100.00	\$ 525.00

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Blk 22.20, Lot 19

10 Lincoln Ave. Blk 18.12, Lot 14	\$ 250.00	\$ 100.00	\$ 350.00
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23 Elm Hill Road Blk 39.01, Lot 39	\$ 250.00	\$ 100.00	\$ 350.00
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369 Delawanna Ave. Blk 72.01, Lot 8	\$ 225.00	\$ 100.00	\$ 325.00
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22 Mt. Side Terr. Blk 22.20, Lot 18	\$ 200.00	\$ 100.00	\$ 300.00
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930 Clifton Ave. Blk 41.02, Lot 4	\$ 150.00	\$ 100.00	\$ 250.00
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WHEREAS, it is necessary to place a lien on each property in order to seek reimbursement from each property owner for the funds expended by the City of Clifton; and

WHEREAS, it may be necessary for the City of Clifton to expend funds in the future for the aforesaid properties;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to lien the properties as set forth above, and to take whatever action is necessary to accomplish reimbursement from the property owners for the current expenditures and any expenditures incurred in the future.

R574-21 Resolution Authorizing Renewal of Contracts for Prosecution of Disciplinary Matters Against Employees of the City of Clifton (1/1/22-12/31/22)

RESOLUTION AUTHORIZING RENEWAL OF CONTRACTS FOR PROSECUTION OF DISCIPLINARY MATTERS AGAINST EMPLOYEES OF THE CITY OF CLIFTON (1/1/22 - 12/31/22)

WHEREAS, the Council wishes to authorize contracts to the attorneys listed below to have them available to assist on an as-needed basis with the prosecution of disciplinary matters against employees of the City of Clifton for 2022; and

WHEREAS, the contracts for 2022 shall be at the fees as set forth below:

<u>Firm</u>	<u>Fees</u>
Michael Montanari, Esq. Montanari Law Group, LLC	\$150 per hour
Charles Festa, Esq. Law Offices of Charles C. Festa, III	\$150 per hour
Richard A. Gantner, Esq. Cleary, Giacobbe	\$150 per hour

WHEREAS, it would be in the best interest of the City to continue to have the aforesaid attorneys available to prosecute the disciplinary charges;

NOW, THEREFORE, BE IT RESOLVED, that the renewal of professional services contracts as stated above is authorized; and

BE IT FURTHER RESOLVED, that the retention and renewal of the aforesaid professionals shall not exceed \$5,000.00 per annum without the approval of the Municipal Attorney, and shall not exceed \$10,000 per annum without the adoption of a supplemental resolution by the Municipal Council and the aforesaid fees shall be subject to the provisions of Section 31-1 of the Code of the City of Clifton; and

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

BE IT FURTHER RESOLVED, that the original of this resolution and any resulting contacts shall be placed on file and made available for public inspection in the City Clerk’s Office of the City of Clifton.

R575-21 Resolution Authorizing Renewal of Contract for Hearing of Disciplinary Matters Against Employees of the City of Clifton (1/1/2022-12/31/2022) (Scancarella)

**RESOLUTION AUTHORIZING RENEWAL OF CONTRACT FOR HEARING OF DISCIPLINARY MATTERS AGAINST EMPLOYEES OF THE CITY OF CLIFTON
(1/1/2022 - 12/31/2022)**

WHEREAS, the Council has previously authorized the renewal of a contract to the attorney listed below to have him available to assist on an as-needed basis with the hearing of disciplinary matters against employees of the City of Clifton; and

WHEREAS, this contract has again expired and needs to be renewed for 2022 at the fee as set forth below:

<u>Firm</u>	<u>Fees</u>
Hon. Joseph F. Scancarella, JSC (Ret)	\$175 per hour

WHEREAS, it would be in the best interest of the City to continue to have the aforesaid attorney available to hear the disciplinary charges;

NOW, THEREFORE, BE IT RESOLVED, that the renewal of professional services contract as stated above is authorized; and

BE IT FURTHER RESOLVED, that the aforesaid fee for services for each of the aforesaid professional shall not exceed \$5,000.00 per annum without the approval of the Municipal Attorney, and shall not exceed \$10,000 per annum without the adoption of a supplemental resolution by the Municipal Council; and

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

BE IT FURTHER RESOLVED, that the original of this resolution and any resulting contact shall be placed on file and made available for public inspection in the City Clerk’s Office of the City of Clifton.

R576-21 Resolution Awarding Professional Bond Counsel Services Contract to Wilentz, Goldman & Spitzer for 2022

**RESOLUTION AWARDING PROFESSIONAL BOND COUNSEL SERVICES
CONTRACT TO WILENTZ, GOLDMAN & SPITZER FOR 2022**

WHEREAS, under direction of the Chief Financial Officer, the Office the Purchasing Agent received one (1) proposal from Wilentz, Goldman & Spitzer for the provision of said services;

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and,

WHEREAS, after reviewing the proposals, the Chief Financial Officer wishes to award a contract to Wilentz, Goldman & Spitzer for the provision of said services, in accordance with its proposal dated November 23, 2021; and,

WHEREAS, the subject matter is professional services and may be awarded without public advertising for bids and bidding therefore 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,

WHEREAS, the value of the contract is expected to be in excess of \$17,500.00 and the term of the contract is for calendar year 2022; and,

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

WHEREAS, the proposed fees from Wilentz, Goldman & Spitzer are as follows:

- Fee Per Bond Ordinance Preparation \$300.00 for single purpose issue or \$400.00 for Multipurpose issue
- Fee Per Bond Sale \$2,000.00 plus \$1.00 per \$1,000.00 Issued
- Fee Per BAN Sale \$0.60 per \$1,000.00 Issued
- Tax Anticipation Notes \$0.75 per \$1,000.00 Issued
- Hourly Rate for the Services \$100.00 to \$150.00 per hour

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract for bond Counsel services is hereby awarded to Wilentz, Goldman & Spitzer, 90 Woodbridge Center Drive, P.O. Box 110, Suite 900, Woodbridge, NJ 07095 in accordance with its proposal dated November 23, 2021; and,

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

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

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

R578-21 Resolution Appointing Public Agency Compliance Officer (P.A.C.O.) for the City of Clifton for 2022

**RESOLUTION APPOINTING PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.)
FOR THE CITY OF CLIFTON FOR 2022**

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that James J. Jorgensen is hereby appointed and designated as the Public Agency Compliance Officer (P.A.C.O.) for the City of Clifton for the year 2022, in accordance with the provisions of N.J.A.C. 17:27-3.2.

R579-21 Resolution Authorizing Health Benefit Rates to be Charged to Retired Employees Commencing January 1, 2022

**RESOLUTION AUTHORIZING HEALTH BENEFIT RATES TO BE CHARGED TO
RETIRED EMPLOYEES COMMENCING JANUARY 1, 2022**

BE IT RESOLVED, that the Mayor and Municipal Council of the City of Clifton do hereby authorize the following monthly rates for health benefits and monthly administrative charges to be billed to retired employees, effective January 1, 2022:

BILLED RETIREES

	Single	Family	Husb/Wife	Parent/Child
PPO/Direct Access Under 65	960.61	2,452.05	1,813.84	1,841.04
PPO/Direct Access One 65	483.20	2,010.73	1,205.24	1,223.32
PPO/Direct Access Both 65	483.20	1,682.56	960.61	1,223.32
Prescription	391.44	937.75	858.19	689.52
Dental	43.25	43.25	43.25	43.25
Administrative Fee	4.95	4.95	4.95	4.95

R580-21 Resolution Authorizng Contracts/Renewals of Contracts for Special Tax Appeal
Counsel Services (1/1/22-12/31/22)

**RESOLUTION AUTHORIZING CONTRACTS/RENEWALS OF CONTRACTS FOR
SPECIAL TAX APPEAL COUNSEL SERVICES (1/1/22 - 12/31/22)**

WHEREAS, the Council previously awarded contracts to have attorneys available to assist on an as-needed basis with the complex tax appeal litigation in the Tax Court of New Jersey; and

WHEREAS, contracts/renewals of contracts are required for 2022 at the fees as set forth below:

<u>Firm</u>	<u>Fees</u>
DeCotiis, FitzPatrick Cole & Giblin, LLP Douglas M. Sandriff	\$150 per hour \$150 per hour
Bittiger, Elias & Triolo, PC	\$150 per hour
Dorsey & Semrau	\$150 per hour

WHEREAS, it would be in the best interest of the City to have the aforesaid attorneys available to assist the City as needed according to their differing areas of expertise and the complexity of various pending appeals;

NOW, THEREFORE, BE IT RESOLVED, that a list of the aforesaid professionals be maintained to assist the City with tax appeals according to their respective areas of expertise, on an as-needed basis; and

BE IT FURTHER RESOLVED, that aforesaid fees for services for each of the aforesaid professionals shall not exceed \$10,000 per annum without the approval of the Municipal Attorney and the fees for all of the aforesaid professionals shall not exceed \$90,000 in the aggregate, without the adoption of a supplemental resolution by the Municipal Council; and

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

BE IT FURTHER RESOLVED, that the original of this resolution and any resulting contracts shall be placed on file and made available for public inspection in the City Clerk's Office of the City of Clifton.

R581-21 Resolution Awarding Contract to DeCotiis, Fitzpatrick, Cole & Giblin, LLP, for Special Counsel Services in Connection with Affordable Housing Litigation for 2022

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN LLP, FOR SPECIAL COUNSEL SERVICES IN CONNECTION WITH AFFORDABLE HOUSING LITIGATION FOR 2022

WHEREAS, the City of Clifton requires the services of special counsel to perform certain legal services for the City of Clifton in connection with Affordable Housing; and

WHEREAS, DeCotiis, FitzPatrick, Cole & Giblin LLP of Paramus, NJ, has previously handled the declaratory judgment action as required by the decision of the New Jersey Supreme Court and also previously handled the action to approve the City's spending plan as well as other services in connection with Affordable Housing; and

WHEREAS, their services are again required for 2022; and

WHEREAS, the services shall be rendered at the same rate of \$175.00 per hour and not to exceed \$10,000.00 for the contract term without 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 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:

- I. A contract for professional special counsel services in connection with Affordable Housing, in the form as approved by the Clifton Law Department, is awarded to DeCotiis, FitzPatrick, Cole & Giblin LLP, for 2022 and the rate to be paid for said services is \$175.00 per hour, not to exceed \$10,000.00 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.
- II. The required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.
- III. The Mayor and City Clerk are authorized and directed to execute a contract on behalf of the City of Clifton.
- IV. 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.

R584-21 Resolution Awarding Economic Development Consultant Services Contract to Allan Ryff, DBA Allan Ryff Consulting for Calendar Year 2022

RESOLUTION AWARDING ECONOMIC DEVELOPMENT CONSULTANT SERVICES CONTRACT TO ALLAN RYFF, DBA ALLAN RYFF CONSULTING FOR CALENDAR YEAR 2022

WHEREAS, the City of Clifton requires consultant services for economic development for calendar year 2022; and

WHEREAS, the City Manager desires to renew the agreement for another year; and

WHEREAS, with consideration of the satisfactory services previously provided to the City by Allan Ryff, the City Manager wishes to award a renewal contract to Allan Ryff dba Allan Ryff Consulting for the provision of said services, in accordance with his proposal received January 19, 2019; and

WHEREAS, the total proposed cost shall not exceed the bid threshold and may be awarded without public advertising for bids and bidding therefore under N.J.S.A. 40A:11-5 *et seq.*; and

WHEREAS, the value of the contract is determined to exceed \$17,500.00 and the term of the contract is for calendar year 2022; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that a consulting services contract for Economic Development is hereby awarded to Allan Ryff dba Allan Ryff Consulting, in an amount not to exceed \$43,999.00, in accordance with the same terms set forth in the original proposal received on January 19, 2019;

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

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

R585-21 Resolution for Reappointment of Members of the Clifton Beautification Committee

RESOLUTION FOR REAPPOINTMENT OF MEMBERS OF THE CLIFTON BEAUTIFICATION COMMITTEE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a reappointment form from the secretary of the Clifton Beautification Committee recommending reappointment of the following members:

Barbara Watterston
Alessia Eramo
Bill Epstein

WHEREAS, said members' term will expire on December 31, 2021; and

WHEREAS, said members are being reappointed to the Clifton Beautification Committee for a term of three years commencing on January 1, 2022 through December 31, 2024; and

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WHEREAS, the Mayor and Council are in receipt of a letter of resignation from Ebru Kuscan Aguirre as of November 15, 2021; and

WHEREAS, the Mayor and Council wish to move Alternate #1 to the Member position leaving the Alternate #1 and Alternate #2 positions vacant;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that the above-mentioned members of the Clifton Beautification Committee be and are hereby re-appointed for a three-year term, commencing on January 1, 2022 through December 31, 2024;

BE IT FURTHER RESOLVED, that Alternate #1 be and is hereby appointed as a Member of said Beautification Committee.

R586-21 Resolution Moving Positions on Advisory Board of Recreation

**RESOLUTION MOVING POSITIONS ON
ADVISORY BOARD OF RECREATION**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are aware of the fact that there is a Member vacancy on the Advisory Board of Recreation; and

WHEREAS, there are currently three Alternate positions on this Board;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Susan Zwiazek (Alternate #1) be moved to the Member position, Malvin Frias (Alternate #2) be moved to the Alternate #1 position and Mohamed Khalil (Alternate #3) be moved to the Alternate #2 position leaving the Alternate #3 position vacant.

R587-21 Resolution for Reappointment of Members of the Historical Commission

**RESOLUTION FOR RE-APPOINTMENT OF
MEMBERS OF THE HISTORICAL COMMISSION**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a reappointment form from the secretary of the Historical Commission recommending reappointment of the following members:

Susan Polito
Daron D. Vasquez

WHEREAS, said members' terms will expire on December 31, 2021;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that the above-mentioned members of the Historical Commission be and are hereby reappointed for a four-year term, commencing on January 1, 2022 through December 31, 2025.

R588-21 Resolution for Reappointment of Members of the Clifton CA-TV Committee

**RESOLUTION FOR REAPPOINTMENT OF
MEMBERS OF THE CLIFTON CA-TV COMMITTEE**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a reappointment form from the secretary of the Clifton CA-TV Committee recommending reappointment of the following members and alternates:

George Silva- Member
Justine Paitchell - Member
Christine Lyszner - Member
Kim Oeffler - Alt. #1

WHEREAS, said members’ terms expire on December 31, 2021; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that the above-mentioned members and alternates of the Clifton CA-TV Committee be and are hereby reappointed for a three-year term, commencing on January 1, 2022 through December 31, 2024.

R589-21 Resolution Declaring Inactive Alcoholic Beverage Plenary Retail
Consumption Licensed Lapsed and no Longer in Existence (Shree at Clifton)

**RESOLUTION DECLARING INACTIVE ALCOHOLIC BEVERAGE PLENARY
RETAIL CONSUMPTION LICENSE LAPSED AND NO LONGER IN EXISTENCE,
(SHREE AT CLIFTON, LLC)**

WHEREAS, the following listed inactive liquor license has lapsed due to the fact that the licensee has failed to timely renew or otherwise act for the license terms July 1, 2015 through June 30, 2016; and July 1, 2016 through June 30, 2017; and July 1, 2017 through June 30, 2018.

<u>LICENSE #</u>	<u>HOLDER OF RECORD</u>
#1602-33-056-005	SHREE AT CLIFTON, LLC

WHEREAS, the Commissioners of the Clifton Board of Alcoholic Beverage Control, after due consideration, have requested this Governing Body to declare said license void and invalid;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Members of the Municipal Council of the City of Clifton hereby declare that the following inactive Plenary Retail Consumption license has lapsed and ceases to exist:

<u>LICENSE #</u>	<u>HOLDER OF RECORD</u>
#1602-33-056-005	SHREE AT CLIFTON, LLC

BE IT FURTHER RESOLVED that refund of fees paid, if any is to be processed by the City Clerk of the City of Clifton in accordance with the law.

R590-21 Resolution of Thanks and Appreciation to Rosemary Trinkle Baran for Service on
the Clifton Advisory Board of Recreation

**RESOLUTION OF THANKS AND APPRECIATION TO
ROSEMARY TRINKLE BARAN FOR SERVICE ON THE CLIFTON ADVISORY
BOARD OF RECREATION**

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

ROSEMARY TRINKLE BARAN

December 7, 2021

their sincere thanks and appreciation for her contribution of time and talent to the good and welfare of the City of Clifton through her years of dedicated service on the **CLIFTON ADVISORY BOARD OF RECREATION**; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to **ROSEMARY TRINKLE BARAN**.

R591-21 Resolution of Thanks and Appreciation to Ebru Kuscan Aguirre for Service on the Clifton Advisory Beautification Committee

**RESOLUTION OF THANKS AND APPRECIATION TO
EBRU KUSCAN AGUIRRE FOR SERVICE ON THE CLIFTON ADVISORY
BEAUTIFICATION 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

EBRU KUSCAN AGUIRRE

their sincere thanks and appreciation for her contribution of time and talent to the good and welfare of the City of Clifton through her years of dedicated service on the **CLIFTON ADVISORY BEAUTIFICATION COMMITTEE**; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to **EBRU KUSCAN AGUIRRE**.

R592-21 Resolution Authorizing Renewal of Transient Merchant & Pawnbroker License - Corbo Jewelers

**RESOLUTION AUTHORIZING TRANSIENT MERCHANT AND
PAWNBROKER SHOP LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Transient Merchant and Pawnbroker Shop License Renewal from Corbo Jewelers, 1055 Bloomfield Avenue, Clifton; and

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

WHEREAS, all inspections have been completed by the Police Department;

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 Transient Merchants and Pawnbrokers License for Corbo Jewelers be and is hereby granted.

R593-21 Resolution Authorizing Renewal of Transient Merchant & Pawnbroker License - Unique Gold & Diamonds

**RESOLUTION AUTHORIZING TRANSIENT MERCHANT AND
PAWNBROKER SHOP LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Transient Merchant and Pawnbroker Shop License Renewal from Unique Gold and Diamonds, 613 Van Houten Avenue, Clifton; and

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

WHEREAS, all inspections have been completed by the Police Department;

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 Transient Merchants and Pawnbrokers License for Unique Gold and Diamonds be and is hereby granted.

R594-21 Resolution Authorizing Renewal of Junk Peddler License – Kaminski

RESOLUTION AUTHORIZING JUNK PEDDLER LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Junk Peddler License Renewal from Bruce J. Kaminski, 29 Creekview Road, Kunkletown, PA; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, and State of New Jersey that approval for the renewal of a Junk Peddler License to Bruce J. Kaminski, 29 Creekview Road, Kunkletown, PA is hereby granted.

R595-21 Resolution Authorizing Renewal of New & Used Car Lot Licenses

RESOLUTION AUTHORIZING NEW AND USED CAR LOT LICENSE RENEWALS

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a New and Used Car Lot License Renewal from various businesses listed below; and

WHEREAS, all paperwork has been completed by the applicant 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 a New and Used Car Lot Licenses to the businesses listed below be and are hereby granted:

Apex Imports	1007 Paulison Ave.
Fette Ford	1137 Route 46
Wieggers, Inc.	181 Fornelius Ave.
Clifton Colfax Auto Mall	800 Clifton Ave.
New Trimble Auto Body	214 Trimble Ave.

R596-21 Resolution Authorizing Renewal of Florist Licenses

December 7, 2021

RESOLUTION AUTHORIZING FLORIST LICENSE RENEWALS

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Florist License Renewals from various businesses 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 Florist Licenses to the licensees listed below be and is hereby granted.

Costco Wholesale #306	20 Bridewell Place
Bartlett Greenhouse & Florist	814 Grove Street

R597-21 Resolution Authorizing Renewal of Pet Shop Licenses

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Pet Shop License Renewal from various businesses 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 a Pet Shop License to the businesses listed below be and are hereby granted:

Absolutely Fish, Inc.	1080 Route 46 West
Allwood Pet	656 Allwood Road
Homeless Animal Adoption League	236 Delawanna Avenue.

R598-21 Resolution Authorizing Vending Machine License Renewals

RESOLUTION AUTHORIZING VENDING MACHINE LICENSE RENEWALS

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Vending Machine License Renewals from various businesses; 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, 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 renewal of a Vending Machine Licenses to businesses listed below be and are hereby granted:

Compass Group (Canteen Vending)	190 Homestead Ave., Avenel
Fette Ford	1137 Route 46
Thirst Quenchers Vending	23 Robert Street, Nutley
Wopena Archers	39 Harding Avenue

R599-21 Resolution Authorizing Renewal of Limousine License – ASAP

RESOLUTION AUTHORIZING LIMOUSINE LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Limousine License renewal application from Gideon Terer owner of ASAP Limousine Company, 832 Clifton Avenue in the City of Clifton; 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; and

WHEREAS, the applicant should only be approved under the provision that 832 Clifton Avenue can only be used for office purposes only, not a parking location;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that approval for renewal of a Limousine License renewal application of Gideon Terer, owner of ASAP Limousine Company, 832 Clifton Ave., Clifton be and is hereby granted.

Company name:

ASAP Limousine Company

Owner:

Gideon Terer

Approved Operator:

Gideon Terer

Approved Vehicles:

2013 Lincoln MKT – Black – Vin#2LMHJ5NKXDBL57570

Parking Location:

115 Hamilton Avenue, Lodi, NJ 07644

R600-21 Resolution Authorizing Renewal of Limousine License - Clifton Taxi

RESOLUTION AUTHORIZING RENEWAL OF LIMOUSINE LICENSE

WHEREAS, the Mayor and Council of the City of Clifton, county of Passaic, State of New Jersey are in receipt of a Renewal of Limousine License Application from Said Y. Saleh, Clifton Taxi, Limo & Car Service, 76 E. Emerson Street, Clifton, NJ 07013; 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 renewal of a limousine License to Said Y. Saleh, Clifton Taxi, Limo & Car Service, 76 E. Emerson Street, Clifton, NJ 07013 be and is hereby granted.

December 7, 2021

Company Name

Clifton Taxi, Limo & Car Service

Owner:

Said Y. Saleh

Approved Operator:

Said Y. Saleh

Approved Vehicle:

2016 GMC Yukon 1GKS2GKC5GR129154

Approved Parking Location:

76 Emerson Street, Clifton, NJ 07013

R601-21 Resolution Authorizing Renewal of Helicopter Pad License - PB Nutclif Master

**RESOLUTION AUTHORIZING HELICOPTER LANDING LICENSE
RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Helicopter Landing License Renewal from PB Nutclif Master, LLC, 310 Kingsland Street, Nutley, NJ 07110; and

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

WHEREAS, all inspections have been completed by the Fire, Engineering 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 Helicopter Landing License to PB Nutclif Master, LLC be and is hereby granted.

R602-21 Resolution Authorizing Renewal of Transient Merchant & Pawnbroker License -
Morre Lyons Jewelers

**RESOLUTION AUTHORIZING TRANSIENT MERCHANT AND
PAWNBROKER SHOP LICENSE RENEWAL**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Transient Merchant and Pawnbroker Shop License Renewal from Morre Lyons Jewelers, 1354 Clifton Avenue, Clifton; and

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

WHEREAS, all inspections have been completed by the Police Department;

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 Transient Merchants and Pawnbrokers License for Morre Lyons Jewelers be and is hereby granted.

R603-21 Resolution of Congratulations Upon Retirement - Police Officer - Esly A. Panduro

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
POLICE OFFICER – ESLY A. PANDURO**

WHEREAS, December 1, 2021, Police Officer, Esly A. Panduro, officially retired from his position with the Clifton Police Department; and

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

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

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

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

**POLICE OFFICER
ESLY A. PANDURO**

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

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to **ESLY A. PANDURO**

R604-21 Resolution Approving Amendment to Community Development Block Grant Program Budget - Amendment B-17-MC-34-0103 (Reallocation of Funds from Year 43 - Botany SID from HUD Activity 641 Voucher 6131935 to Police Detail - Road Project 21-01)

**RESOLUTION APPROVING AMENDMENTS TO COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM BUDGET
AMENDMENT NO. B-16-MC-34-0103 TRANSFER OF FUNDS FROM YEAR 42 CDBG
DROP CURB PROJECT TO YEAR 42 ADMINISTRATION**

WHEREAS, the City of Clifton is an entitlement community under the Federal Community Development Block Grant Program; and
Whereas, as the city council previously adopted resolutions approving the Community Development Block Grant Program for various prior years; and

WHEREAS, the City of Clifton now finds a need to transfer funds from Year 42 (2016-2017 Funds) to CDBG Administration Year 42;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Clifton that the said amendments as reflected on the attached schedule be and hereby are approved and authorizes the Mayor and/or City Manager to execute any documents required by the local HUD Office.

Certification/Transfer of Funds from: 17-201-20-109-026
To: 17-201-20-109-007

R605-21 Resolution to Introduce 2022 Budget for Downtown Clifton Economic Development Group, Inc. Special Improvement District

December 7, 2021

**RESOLUTION TO INTRODUCE
2022 BUDGET FOR DOWNTOWN
CLIFTON ECONOMIC DEVELOPMENT GROUP, INC.
SPECIAL IMPROVEMENT DISTRICT**

BE IT RESOLVED that the statements of revenues and appropriations attached hereto constitute the Budget for the Downtown Clifton Economic Development Group, Inc. Special Improvement District for the Fiscal Year 2022, as introduced by the Mayor and Municipal Council; and

BE IT FURTHER RESOLVED, that the following notice was published in the Herald and News on October 30, 2021, and that a public hearing on the budget be held on December 7, 2021 at the City of Clifton Municipal Building.

**FISCAL YEAR 2022 BUDGET FOR THE
DOWNTOWN CLIFTON ECONOMIC DEVELOPMENT GROUP, INC.
SPECIAL IMPROVEMENT DISTRICT**

Sponsorships: **\$ 7,000.00**
 SID Assessments: \$ 114,900.00
 Total Work Plan Budget: \$ 121,900.00

Notice is hereby given that the 2022 Budget for Downtown Clifton Economic Development Group, Inc., Special Improvement District was approved by the Mayor and Municipal Council of the City of Clifton, County of Passaic on October 19, 2021. A hearing on the 2022 Budget for Downtown Clifton Economic Development Group Special Improvement District is held at Clifton City Hall, 900 Clifton Avenue, Clifton, NJ on December 7, 2021, at 8:00 p.m. at which place and time objections to said 2022 Budget for Downtown Clifton Economic Development Group Special Improvement District may be presented by taxpayers or other interested persons. Copies of the budget are available by email request at: DSidoti@Cliftonnj.org

R608-21 Resolution to Transfer Tax Sale Certificate Premiums from Trust Account to Current Account

**RESOLUTION TO TRANSFER TAX SALE CERTIFICATE PREMIUMS FROM
TRUST ACCOUNT TO CURRENT ACCOUNT**

WHEREAS, pursuant to N.J.S.A. 54:5-33, premiums paid by purchasers of Tax Sale Certificates are escheated to the Municipality if a period of five (5) years passes without the Tax Sale Certificate being redeemed and:

WHEREAS, the Tax Collector's office has identified the following two Tax Sale Certificates that have not been redeemed after five (5) years, for which premiums have been paid:

Tax Sale Certificate 2016-178
Purchased November 29, 2016
Premium paid \$1,400.00
Block 12.18, Lot 154

Tax Sale Certificate 2016-311
Purchased November 29, 2016
Premium paid \$800.00
Block 28.02, Lot 1.01, Qualifier C0038

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey that the aforesaid premiums shall be transferred from the Trust Account and place into the Current Account.

R609-21 Resolution Authorizing the Cancellation and Refund of a Portion of the 2021 Third Quarter Taxes and Fourth Quarter Taxes for Block 25.01, Lot 1, Qualifier C007B, 59 Skyview Terrace Owned by a Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF A PORTION OF THE 2021 THIRD QUARTER TAXES AND FOURTH QUARTER TAXES FOR BLOCK 25.01, LOT 1, QUALIFIER C007B, 59 SKYVIEW TERRACE OWNED BY A DISABLED VETERAN

WHEREAS, the Tax Assessor has confirmed that Cierra Woodson, the owner of a residence located at Block 25.01, Lot 1, Qualifier C007B, 59 Skyview Terrace has been declared by the United States Department of Veteran Affairs to be 100% disabled as of November 28, 2019; and

WHEREAS, Cierra Woodson became a resident of the City of Clifton on August 24, 2021; and

WHEREAS, Cierra Woodson has made application to the Tax Assessor of the City of Clifton for a property tax exemption on the subject property in accordance with the law; and

WHEREAS, by virtue of her disabled veteran exemption, Cierra Woodson is entitled to the cancellation and partial refund of the 2021 third quarter property and the cancellation and refund of the 2021 fourth quarter property taxes on the subject property; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to grant the application and hereby approves the tax exemption on the subject property as of August 24, 2021, and hereby authorizes the cancellation and partial refund of the 2021 third quarter property taxes and fourth quarter property taxes in the total amount of \$3,492.13; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that for the reasons aforesaid, the Tax Collector and/or City Treasurer are hereby authorized and directed:

1. To cancel and refund a pro-rated portion of the 2021 third quarter taxes and fourth quarter taxes in the total amount of \$3,492.13; and
2. To keep the subject property tax exempt for the totally disabled veteran for so long as he shall qualify for the exemption and for so long as the exemption is authorized by law.

R610-21 Resolution Authorizing Cancellation and Refund of a Portion of the 2021 Fourth Quarter Taxes for Block 51.03, Lot 24, 64 Normandy Road Owned by a Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF A PORTION OF THE 2021 FOURTH QUARTER TAXES FOR BLOCK 51.03, LOT 24, 64 NORMANDY ROAD OWNED BY A DISABLED VETERAN

WHEREAS, the Tax Assessor has confirmed that Frank R. Blenman, the owner of a residence located at Block 51.03, Lot 24, 64 Normandy Road has been declared by the United States Department of Veteran Affairs to be 100% disabled as of February 1,2021; and

WHEREAS, Frank R. Blenman became a resident of the City of Clifton on October 1, 2021; and

WHEREAS, Frank R. Blenman has made application to the Tax Assessor of the City of Clifton for a property tax exemption on the subject property in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Frank R. Blenman is entitled to the cancellation and partial refund of the 2021 fourth quarter property taxes on the subject property; and

December 7, 2021

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to grant the application and hereby approves the tax exemption on the subject property as of October 1, 2021, and hereby authorizes the cancellation and partial refund of the 2021 fourth quarter property taxes in the total amount of \$3,739.13; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that for the reasons aforesaid, the Tax Collector and/or City Treasurer are hereby authorized and directed:

1. To cancel and refund a pro-rated portion of the 2021 fourth quarter taxes in the total amount of \$3,739.13; and
2. To keep the subject property tax exempt for the totally disabled veteran for so long as he shall qualify for the exemption and for so long as the exemption is authorized by law.

R611-21 Resolution Authorizing the Cancellation and Refund of a Portion of the 2020 Fourth Quarter Taxes and Cancellation of the 2021 Taxes for Block 57.05, Lot 13, 60 Ravona Street Owned by a Disabled Veteran

**RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF A
PORTION OF THE 2020 FOURTH QUARTER TAXES AND CANCELLATION OF
THE 2021 TAXES FOR BLOCK 57.05, LOT 13, 60 RAVONA STREET OWNED BY A
DISABLED VETERAN**

WHEREAS, the Tax Assessor has confirmed that Dennis J. Telischak, the owner of a residence located at Block 57.05, Lot 13, 60 Ravona Street has been declared by the United States Department of Veteran Affairs to be 100% disabled as of November 2, 2020; and

WHEREAS, Dennis J. Telischak has made application to the Tax Assessor of the City of Clifton for a property tax exemption on the subject property in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Dennis J. Telischak is entitled to the cancellation and partial refund of the 2020 fourth quarter property taxes and a cancellation of the 2021 property taxes on the subject property; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to grant the application and hereby approves the tax exemption on the subject property as of November 2, 2020, and hereby authorizes the cancellation and partial refund of the 2020 fourth quarter property taxes in the total amount of \$2,365.11 and the cancellation of the 2021 property taxes; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that for the reasons aforesaid, the Tax Collector and/or City Treasurer are hereby authorized and directed:

1. To cancel and refund a pro-rated portion of the 2020 fourth quarter taxes in the amount of \$2,365.11 and to cancel all of the 2021 taxes;
2. To keep the subject property tax exempt for the totally disabled veteran for so long as he shall qualify for the exemption and for so long as the exemption is authorized by law.

R612-21 Executive Session

A Motion was made by Councilman Eagler, seconded by Councilwoman Murphy and passed on roll call vote to enter into Closed Session.

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

RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

- CON-1 Confidential Employees Salary Increases
- CON-2 Zigarelli v. City of Clifton, et al - Litigation
- CON-3 Occidental Chemical Corp. v. 21st Century Fox America, Inc., et al - Litigation
- CON-4 Fire Chief Request for Salary Increase
- CON-5 COAH and City Housing Loan Negotiations (R582-R583)
- CON-6 Police Overtime Discussion
- CON-7 National Prescription Opiate Litigation

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 December 7, 2021 at which time, said subject(s) shall be discussed.

LICENSES

L-1 Clifton Bagels

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of The Levain, LLC t/a Clifton Bagels, 106 Kingsland Rd., Clifton, NJ 07014 for a Caterer/Grocery/Milk – Continued use, for a period ending December 31, 2021, is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

L-2 Roma Pizzeria and Restaurant

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, that the application of Gallery House Pub, LLC t/a Roma Pizzeria & Restaurant, 312 Clifton Ave., Clifton, NJ 07011, for a Restaurant – Continued use, for a period ending December 31, 2021, is hereby approved and licenses so issued in the compliance with the approval of the Board of Health, Fire Department, Police and Zoning Officer.

L-3 In & Out Mart

RESOLUTION FOR PRELIMINARY APPROVAL

Blaze Smoke Shop, LLC t/a Blaze Smoke Shop
675 Van Houten Ave., Clifton, NJ 07013
Grocery – Continued Use
Permitted – Yes
Variance Required – No

Final Approval will be Issued Pending Approval of this Resolution. Further Processing and Approval of Various City Departments.

Council returned from Executive Session at 10:15 p.m.

December 7, 2021

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

R582-21 Resolution Authorizing Loans to Clifton Main Mews, LLC and Clifton Main Mews II, LLC for the Repair/Rehabilitation of Affordable Housing Units Damaged and Rendered Uninhabitable by Hurricane Ida

**RESOLUTION AUTHORIZING LOANS TO CLIFTON MAIN MEWS, LLC AND
CLIFTON MAIN MEWS II, LLC FOR THE REPAIR/REHABILITATION OF
AFFORDABLE HOUSING UNITS DAMAGED AND RENDERED UNINHABITABLE
BY HURRICANE IDA**

WHEREAS, the City has maintained an old affordable housing fund for decades consisting of former UDAG “recycled” Funds; and

WHEREAS, the current balance of the fund exceeds \$1 million; and

WHEREAS, Clifton Main Mews, LLC and Clifton Main Mews II, LLC own and operate several COAH housing projects within the City of Clifton which suffered devastating damages as a result of Hurricane Ida; and

WHEREAS, the Council is desirous of assisting Clifton Main Mews, LLC and Clifton Main Mews II, LLC with funding some of the repair/rehabilitation of the units rendered uninhabitable so as to help ensure the continued viability of these COAH units and to ensure the City maintains its COAH credits for affordable housing created by these units;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of Clifton that the award of interest free loans in the aggregate amount of \$1 million to Clifton Main Mews, LLC and Clifton Main Mews II, LLC with thirty (30) year terms, for the repair/rehabilitation of their units damaged and rendered uninhabitable and associated work as a result of Hurricane Ida, upon such terms and conditions more fully set forth in the loan agreement(s), as well as subordination agreement(s), if required, be and hereby are approved;

BE IT FURTHER RESOLVED, that the Mayor and Clerk be and are hereby authorized to execute loan agreement(s), subordination agreement(s), if required, and any associated documentation on behalf of the City all in such form to be approved by the City’s legal counsel.

(5-2-0-0) Councilman Eagler, Councilman Gibson, Councilman Grabowski, Councilwoman Murphy and Mayor Anzaldi voted aye. Councilwoman Pino and Councilwoman Sadrakula voted nay.

ADJOURNMENT

Upon motion made by Councilman Grabowski seconded by Councilwoman Murphy and passed on roll call vote, the meeting was adjourned at 10:20 p.m.

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

Respectfully Submitted,

James Anzaldi, Mayor

Nancy Ferrigno
City Clerk