

November 21, 2023

**CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES NOVEMBER 21, 2023**

The Regular Meeting of the Municipal Council of the City of Clifton was held in the Municipal Conference Room of Clifton City Hall, 900 Clifton Avenue, Clifton, New Jersey.

8:00 P.M. CALL OF ROLL

Mayor Grabowski 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 2023 which was published as legal advertisements in the Herald News on December 12, 2022 and was additionally advertised in the Record on December 12, 2022. 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 Gibson	(BG)
Councilman Kolodziej	(JK) (8:15 p.m.)
Councilman Latona	(AL)
Councilwoman Murphy	(LM) (Absent)
Councilwoman Pino	(RP) (Absent)
Councilwoman Sadrakula	(MS)
Mayor Grabowski	(RG)

Also present were City Manager, Dominick Villano; City Attorney, Matthew Priore ; Assistant City Attorney, Thomas Egan, and Deputy City Clerk, Michele Butler.

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

Father Oleksii - Holy Ascension

PRESENTATION

APPROVAL OF MINUTES

A Motion was made by Councilman Gibson, seconded by Councilwoman Sadrakula and passed on roll call vote to approve the Workshop Session, Executive Session, Regular Session Meeting Minutes of November 8, 2023.

(4-0-0-3) Councilman Gibson, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilman Kolodziej, Councilwoman Murphy and Councilwoman Pino was absent.

COMMUNICATIONS FROM THE CITY MANAGER

- C-1 Jake Marchione - Clerk 1 has advanced from temporary to permanent part time status with the Health Dept. effective 11/16/2023 at \$22/hourly.
- C- 2 Erika Shyroky - Field Representative- Health Education has advanced from temporary to permanent status with the Health Dept. effective 11/16/23 at \$45,000/annually.

COMMUNICATIONS MEETING MINUTES

- C-3 Minutes of Civil Rights Committee of October 23, 2023
- C-4 Minutes of Clifton Planning Board of November 1, 2023

- C-5 Minutes of Planning Board of November 9, 2023
- C-6 Minutes of Board of Adjustment of November 1, 2023
- C-7 Minutes of Alcoholic Beverage Control Board of October 11, 2023

SECOND READING ORDINANCES

A. Adoption of Ordinance 7861-23

B. Public Hearing on Ordinance 7861-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7861-23.

Bart Ciervo, 306 Delawanna Ave., discussed the costs that would be attached to amending the Visitor's Permit Parking fee.

With no one else wishing to be heard, the public session was closed and a Motion was made by Councilman Latona, seconded by Councilman Gibson and failed on roll call vote to revise Chapter 349 amending visitor parking fee.

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, failed by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 349 of the Code of the City of Clifton, Entitled "Parking on Residential Streets and Municipal Lots", More Particularly Section 349-7 Thereof, Entitled "Application for Permit; Fee; Term of Permits" (Amends Visitor Parking Fee)

(6-0-0-1) Councilman Gibson, Councilman Kolodziej and Mayor Grabowski voted aye. Councilman Latona and Councilwoman Sadrakula voted nay. Councilwoman Murphy and Councilwoman Pino were absent.

C. Adoption of Ordinance 7866-23

D. Public Hearing on Ordinance 7866-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7866-23.

Henry Cholewczynski, 37 Phyllis Place, questioned why this Ordinance was put back on the agenda since there was no second to Councilman Kolodziej's Motion to approve at the last meeting.

With no one else wishing to be heard, the public session was closed and a Motion was made by Councilman Latona, seconded by Councilman Gibson and failed on roll call vote to create title and compensation for Chief Municipal Attorney.

An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton Entitled "Salaries and Benefits", More Particularly Article VI Thereof, Entitled "Confidential Officials and Employees", and More Particularly Section 99-34 Thereof, Entitled "Minimum and Maximum Salaries Fixed" (Creates Title and Compensation for Chief Municipal Attorney)

(2-3-0-2) Councilman Gibson and Mayor Grabowski voted aye. Councilman Latona, Councilman Kolodziej, and Councilwoman Sadrakula voted nay. Councilwoman Murphy and Councilwoman Pino were absent.

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E. Adoption of Ordinance 7868-23

F. Public Hearing on Ordinance 7868-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7868-23.

Henry Cholewczynski, 37 Phyllis Place, asked why this item was placed back on the agenda since the Motion received no second. He stated that the amount of police officers this Ordinance is asking the City to fund is unreasonable.

With no one else wishing to be heard, the public session was closed and a Motion was made by Councilman Latona, to amend the Table of Organization in Police Department. With no second to the motion, no action was taken.

An Ordinance to Amend, Revise and Supplement Chapter 77 of the Code of the City of Clifton, Entitled "Police Department" (Amends Table of Organization in Police Department)

(0-0-0-0) There was no second to the Motion, no vote was taken.

G. Adoption of Ordinance 7870-23

H. Public Hearing on Ordinance 7870-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7870-23.

With no one wishing to be heard, a Motion was made by Councilman Latona 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 Councilman Latona, 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" (Deletes 8 Restricted Handicapped Spaces No Longer in Use)

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

I. Adoption of Ordinance 7871-23

J. Public Hearing on Ordinance 7871-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7871-23.

With no one wishing to be heard, a Motion was made by Councilman Latona, 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 Latona, 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 6 Restricted Handicapped Spaces)

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

K. Adoption of Ordinance 7872-23

L. Public Hearing on Ordinance 7872-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7872-23.

With no one wishing to be heard, a Motion was made by Councilman Latona, 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 Councilman Latona, 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" (Amends Handicapped Parking Placard Number)

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

FIRST READING ORDINANCES

A. Introduction of Ordinance 7873-23

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

An Ordinance to Amend, Revise and Supplement Chapter 99 of the Code of the City of Clifton, Entitled "Salaries and Compensation", More Particularly Article VI Thereof, Entitled "Confidential Officials and Employees", and More Particularly Section 99-34 Thereof Entitled "Minimum and Maximum Salaries Fixed" (Adds Title and Compensation for Communications Manager)

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

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B. Introduction of Ordinance 7874-23

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

An Ordinance to Add a New Chapter 12 to the Code of the City of Clifton Entitled "Open Space Trust Fund Advisory Committee"

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

FLOOR TO THE MEMBERS OF THE PUBLIC

Donna Popowich, 57 Dalewood Rd., thanked the Council for having a sign removed on Van Houten Ave. She remarked that the proposed salary for the Communications Manager is too high, discussed public input at Council meetings, crosswalk painting, hiring interns, moving the 5K Stampede next year, a proposed dog park in Weasel Brook park and upgrading the Christmas decorations at City Hall

Cameron Hebron, 61 George Russell Way, spoke about diversity. He spoke about the history of the Lenni Lanape Indian tribe. Mr. Hebron thanked everyone who supported him in his campaign for a seat on the Board of Education.

Bart Ciervo, 306 Delawanna Ave., spoke about the way children are being dropped off by parents at School 8 is going to result in someone getting hurt. He spoke about a project taking place on Main Avenue and asked if plans were available for the public to view. He asked why the City was picking up garbage at a private school. Mr. Ciervo expressed his displeasure regarding the proposed ten dollar parking fee.

Henry Cholewczynski, 37 Phyllis Pl., spoke about recycling enforcement.

Margaret Kardasz, President, Botany SID, announced a Tree Lighting ceremony on December 1, 2023 in Sullivan Square. She stated that volunteers are needed.

Kim Castellano, 59 Mahar Ave., thanked everyone who has helped her with her organization, The Power of One, over the years. She announced several upcoming programs The Power of One will be presenting.

Matt Ward, 1 Sewall Ave., spoke about traffic safety and the need to have a public hearing for a project on Allwood Road being proposed by Passaic County. He spoke about the need for a traffic light at the intersection of Ward and Passaic Ave.

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

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

CITY MANAGER PRIVILEGE/RESPONSE TO RESIDENTS

Donna Popowich – City Manager, Dominick Villano, stated to contact his office with any issues around the City that needs attention, he remarked that the County is planning a Dog Park in Weasel Brook Park and that there is parking at Nash Park on the Auto Body shop side. Mr. Villano commented that some of the crosswalks are not painted because the roads will be ripped up shortly for utility work.

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Bart Ciervo - City Manager, Dominick Villano, said the traffic safety issue at School #8 is already being looked at. He stated that the plans for the School on Main Avenue are available to view at the Zoning Office. Mr. Villano said he would check with the Health Officer and the DPW to see if picking up garbage for a private school is allowed. He stated that the parking permit fee is a legal issue.

Henry Cholewczynski - City Manager, Dominick Villano responded that garbage and recycling are handled by the Health Officer and DPW, not Quality of Life Officers. Mr. Villano stated that if someone is reported for mixing recyclables with garbage, a City representative goes to the residence and explains what needs to be recycled and gives them a recycling guide. Mr. Villano commented that he is looking into hiring an enforcement officer for recycling. He stated the State of NJ privacy law does not allow anyone to open up and look in someone's garbage.

Margaret Kardasz – City Manager, Dominick Villano, commented that he would attend the Tree Lighting Ceremony.

Kim Castellano – City Manager, Dominick Villano, thanked Kim Castellano for all she does for the City and the residents.

Matt Ward, City Manager, Dominick Villano, announced that he will reach out to the County to be sure a public hearing will be held for Passaic County's proposed changes to Allwood Road. He stated that he will also reach out to the County to check the status of the traffic light for Ward and Passaic Ave.

City Manager, Dominick Villano, stated that he was contacted by a resident who would like to have City residents light the Menorah each night of Hanukkah.

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Kolodziej and passed on roll call vote to allow residents to light the Menorah.

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

COUNCIL PRIVILEGE

Councilwoman Sadrakula

Councilwoman Sadrakula commented that the 5K Stampede Run needs to be moved to avoid residents not being able to leave the area during the race and asked to add it as a discussion item on the next agenda. She commented on updating zoning ordinances, meeting with the residents of the Third River area regarding flooding, recycling and the need to watch every penny in the upcoming budget. Councilwoman Sadrakula asked why the application for Entertainment License for Agave Cantina was not before Council at tonight's meeting. She was told it was still in the approval process. She remarked that this is not the right time for a property tax revaluation. She thanked the Boy Scout Troop who attended tonight's meeting and urged them to get involved in local politics.

Councilman Gibson

Councilman Gibson announced a program at Agami's Deli and George's Coffee Shop where gift certificates are paid for by patrons and left at the deli for the needy to receive a meal.

Councilwoman Sadrakula left the dais at 9:20 p.m.

He announced the upcoming Botany Village Christmas Tree Lighting. Councilman Gibson wished Fire Chief, Frank Prezioso, good luck in his retirement.

Councilwoman Sadrakula returned to the dais at 9:22 p.m.

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Councilman Gibson wished all a Happy Thanksgiving and Happy Dawali. He spoke about recurring complaints he has been receiving regarding overgrown bushes. Councilman Gibson announced the anniversary of Clifton Police Officer John Samra's death. He spoke about recycling, the need for public input regarding the County's proposal for changes on Allwood Road and thanked Kim Castellano and the Power of One for all they do for the City. Councilman Gibson announced the Clifton Community Band Holiday Show, Recreation Department news and a fund raiser being held at Pizza Uno.

Councilman Kolodziej

Councilman Kolodziej reported news from the Passaic Valley Water Commission. He spoke about surplus and how it is good because the funds go back to the taxpayers. Councilman Kolodziej commented that property revaluations even out taxes so everyone pays their fair share. He explained how the revaluation process works. Councilman Kolodziej asked that the proposed Allwood Road project be put on the next meeting for discussion. He asked Administration to research the process for rescinding the use of parking permits. He thanked the Boy Scout Troop that attended tonight's meeting and hope they got to see how a government body works. Councilman Kolodziej announced a digital photo contest being held by the Clifton Arts Center.

Councilman Latona

Councilman Latona commented that the Veteran's Dinner was a good event. He announced several City events and remarked that the 5K run route should be changed for next year so resident's egress doesn't get blocked. Councilman Latona announced the upcoming Town Hall meeting regarding the flooding issue near the Third River. He mentioned that he attended classes at the recent New Jersey League of Municipalities Convention which were very informative. Councilman Latona commented that the Disabilities Committee met and they are looking to create a snow-shoveling program for those in need. He asked that an item be put on the next meeting to discuss the City's plan in the event of a recession. Councilman Latona spoke about the changes Council has made since the beginning of the year. He mentioned that if the County's plans to install a Dog Park in Weasel Brook park does not work out, Anzaldi Park area would be a good fit. He spoke about the Council working as a team, thanked the Power of One for all they do for the City, he remarked on the unrest in the Middle East and wished all a Happy Thanksgiving.

City Manager, Dominick Villano, commented that the County has a snow shoveling program for anyone who needs help.

Councilwoman Murphy

Councilwoman Murphy was absent.

Councilwoman Pino

Councilwoman Pino was absent.

Mayor Grabowski

Mayor Grabowski spoke about the traffic issues during the 5K Stampede. He announced the Congressman Pascrell has granted \$750,000.00 to the City of Clifton to hire six new Police Officers. Mayor Grabowski thanked the Boy Scout Troop for attending tonight's meeting and wished all a Happy Thanksgiving.

RESOLUTIONS VOTED ON SEPERATELY

A Motion was made by Councilman Kolodziej, seconded by Councilman Latona and passed on roll call to authorize and ratifying payment to Smith-Sondy Asphalt Construction for traffic related police extra duty for 2021 resurfacing program.

R552-23 Resolution Authorizing and Ratifying Payment to Smith-Sondy Asphalt Construction for the Traffic Related Police Extra Duty for 2021 Road Resurfacing Program

**RESOLUTION AUTHORIZING AND RATIFYING PAYMENT TO
SMITH-SONDY ASPHALT CONSTRUCTION FOR THE TRAFFIC RELATED
POLICE EXTRA DUTY FOR 2021 ROAD RESURFACING PROGRAM**

WHEREAS, pursuant to resolution R487-21, adopted by Council October 19,2021, Smith-Sondy Asphalt Construction was awarded a contract in the amount of \$4,288,018.60 for 2021 Road Resurfacing Program; and

WHEREAS, subsequent commencement of work, police related extra duties were necessary for traffic related duties to maintain and manage traffic; and

WHEREAS, Boswell Engineering was in-charge of the Construction Management and Inspection Services for the project; and

WHEREAS, Smith-Sondy Asphalt Construction Co. Inc., 150 Anderson Ave, Wallington, NJ 07057, inadvertently has provided the above work to the City instead of informing the City Engineer; and

WHEREAS, the City hereby requests the Governing Body ratify the total expended amount of \$79,686.70 to Smith-Sondy Asphalt Construction Co. Inc., and this Governing Body wishes to approve and ratify the same and the expenditure of funds; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that the services performed by Smith- Sondy Asphalt Construction Co Inc, and a total not to exceed amount of \$79,686.70 is hereby ratified.

(4-0-1-2) Councilman Latona, Councilman Kolodziej, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilman Gibson abstained. Councilwoman Murphy and Councilwoman Pino were absent.

Not Motion was made on Resolution R555-23

R555-23 Resolution Awarding Professional Services Contract to Neglia Engineering Associates for Construction Management Services to Oversee the City of Clifton's 2023 Road Resurfacing Project

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO NEGLIA
ENGINEERING ASSOCIATES FOR CONSTRUCTION MANAGEMENT SERVICES
TO OVERSEE THE CITY OF CLIFTON’S 2023 ROAD RESURFACING PROJECT**

WHEREAS, the City of Clifton requires professional Construction Management Services; and

WHEREAS, the City Engineer recommends that a contract be awarded to Neglia Engineering Associates in accordance with its submitted proposal, dated November 7, 2023, in an amount not to exceed \$208,900.00; and

WHEREAS, after reviewing the proposal and the recommendation of the City Engineer, the Municipal Council wishes to award a contract to Neglia Engineering Services for the provision of said services, in an amount not to exceed \$208,900.00; and

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

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract is hereby awarded to **NEGLIA ENGINEERING ASSOCIATES** to oversee the City of Clifton’s 2023 Road Resurfacing project in accordance with its proposal dated November 7, 2023, in the amount not to exceed \$208,900.00, without the adoption of a supplemental resolution authorizing additional funding; and

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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.

There was no Motion made on Resolution R556-23

R556-23 Resolution Awarding Professional Services Contract to Boswell Engineering for Survey and Data Collection and Conduct Preliminary Engineering for the Rehabilitation or Replacement of Corrugated Metal (CMP) Storm Infrastructure Throughout the Athenia Section of the City of Clifton

**RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO BOSWELL
ENGINEERING FOR SURVEY AND DATA COLLECTION AND CONDUCT
PRELIMINARY ENGINEERING FOR THE REHABILITATION OR REPLACEMENT
OF CORRUGATED METAL (CMP) STORM INFRASTRUCTURE THROUGHOUT
THE ATHENIA SECTION OF THE CITY OF CLIFTON**

WHEREAS, the City of Clifton requires survey and data collection and conduct preliminary engineering for the rehabilitation or replacement of corrugated metal (CMP) storm infrastructure throughout the Athenia Section of the City of Clifton; and

WHEREAS, the City Engineer recommends that a contract be awarded to Boswell Engineering Associates in accordance with its submitted proposal, dated October 12, 2023, in an amount not to exceed \$69,700.00; and

WHEREAS, after reviewing the proposal and the recommendation of the City Engineer, the Municipal Council wishes to award a contract to Boswell Engineering for the provision of said services, in an amount not to exceed \$69,700.00; and

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

NOW, THEREFORE, BE IT RESOLVED, that a professional services contract is hereby awarded to **BOSWELL ENGINEERING** to perform survey and data collection and conduct preliminary engineering for the rehabilitation or replacement of corrugated metal (CMP) storm infrastructure through the Athenia section of the City; 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.

There was no Motion made on Resolution R561-23

R561-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin, LLP for General Environmental Counsel Services for 2024

**RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZPATRICK, COLE &
GIBLIN, LLP, FOR GENERAL ENVIRONMENTAL COUNSEL SERVICES FOR 2024**

WHEREAS, the City of Clifton requires the services of environmental counsel to perform certain legal services for the City of Clifton in connection with various matters to assist the City's Licensed Site Remediation Professional (LSRP); and

WHEREAS, De Cotiis, Fitzpatrick, Cole & Giblin, LLP of Paramus, NJ, have been providing legal services for the City of Clifton in a satisfactory manner.

WHEREAS, the De Cotiis firm is agreeable to providing said general environmental counsel services for 2024 at the rate of \$175.00 per hour, not to exceed \$12,000 for the term of the contract, without a supplemental resolution; and

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

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

WHEREAS, the estimated value of the contract (in combination with other matters) is expected to be in excess of \$17,500.00, and the duration of the contract is from January 1, 2024 to December 31, 2024; 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:

A contract for professional general environmental counsel services, in the form as approved by the Clifton Law Department, is awarded to De Cotiis, Fitzpatrick, Cole & Giblin, LLP, effective January 1, 2024 through December 31, 2024, the rate to be paid for said services is \$175.00 per hour, not to exceed \$12,000 for the term of the contract without the express approval of the Municipal Council and adoption of a supplementary resolution.

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 contract 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.

There was no Motion made on Resolution R562-23

R562-23 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 – 2024

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 (2024)

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. and Richard Gantern, Esq. have providing legal services for the City of Clifton in the past in a satisfactory manner, and the Municipal Attorney

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recommends the continuation of her appointment as independent investigation counsel for the year 2024 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 2024 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, 2024, 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.

There was no Motion made on Resolution R563-23

R563-23 Resolution Appointing Legal Counsel to Handle Employment Litigation Claims Against the City of Clifton (2024)

**RESOLUTION APPOINTING LEGAL COUNSEL TO HANDLE EMPLOYMENT
LITIGATION CLAIMS AGAINST THE CITY OF CLIFTON (2024)**

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 2024 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 2024 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;

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, 2024, the rate to be paid for said services is \$175.00 per hour for partners and \$135.00 per hour for associates.

There was no Motion made on Resolution R564-23

R564-23 Resolution Authorizing Renewal of Contracts for Prosecution of Disciplinary Matters Against Employees of the City of Clifton - 1/1/24-12/31/24

**RESOLUTION AUTHORIZING RENEWAL OF CONTRACTS FOR PROSECUTION OF DISCIPLINARY MATTERS AGAINST EMPLOYEES OF THE CITY OF CLIFTON
(1/1/24 - 12/31/24)**

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 2024; and

WHEREAS, the contracts for 2024 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, Giaccobbe	\$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.

November 21, 2023

A Motion was made by Councilman Gibson, seconded by Councilman Kolodziej and failed on roll call vote on Resolution R565-23.

R565-23 Resolution Awarding Contract to DeCotiis, FitzPatrick, Cole & Giblin LLP, for Special Counsel Services in Connection with Affordable Housing Litigation for 2024

RESOLUTION AWARDING CONTRACT TO DE COTIIS, FITZ PATRICK, COLE & GIBLIN LLP, FOR SPECIAL COUNSEL SERVICES IN CONNECTION WITH AFFORDABLE HOUSING LITIGATION FOR 2024

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 2024; 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 estimated value of the contract (in combination with other matters) is expected to be in excess of \$17,500.00, and the duration of the contract is from January 1, 2024 to December 31, 2024; 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 2024 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 contact 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.

(2-3-0-2) Councilman Gibson and Mayor Grabowski voted aye. Councilman Kolodziej, Councilman Latona and Councilwoman Sadrakula voted nay. Councilwoman Murphy and Councilwoman Pino were absent.

A Motion was made by Councilman Gibson, seconded by Councilman Kolodziej and failed on roll call vote on Resolution R566-23

R566-23 Resolution Authorizing Contracts/Renewals of Contracts for Special Tax Appeal Counsel Services - 1/1/24-12/31/24

RESOLUTION AUTHORIZING RENEWAL OF CONTRACTS FOR PROSECUTION OF DISCIPLINARY MATTERS AGAINST EMPLOYEES OF THE CITY OF CLIFTON (1/1/24 - 12/31/24)

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 2024; and

WHEREAS, the contracts for 2024 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.

(2-3-0-2) Councilman Gibson and Mayor Grabowski voted aye. Councilman Kolodziej, Councilman Latona and Councilwoman Sadrakula voted nay. Councilwoman Murphy and Councilwoman Pino were absent.

A Motion was made by Councilman Gibson, Seconded by Councilman Kolodziej and failed on roll call vote on Resolution R567-23

**RESOLUTION AUTHORIZING RENEWAL OF CONTRACT FOR HEARING OF
DISCIPLINARY MATTERS AGAINST EMPLOYEES OF THE CITY OF CLIFTON
(1/1/2024 - 12/31/2024)**

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 2024 at the fee as set forth below:

<u>Firm</u>	<u>Fees</u>
Hon. Joseph F. Scancarella, JSC (Ret)	\$175 per hour
Hon. Phillip Mizzone, J.S.C. (Ret)	\$175 per hour
Hon. Thomas F. Brogan, P.J.S.C. (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 a 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.

(2-3-0-2) Councilman Gibson and Mayor Grabowski voted aye. Councilman Kolodziej, Councilman Latona and Councilwoman Sadrakula voted nay. Councilwoman Murphy and Councilwoman Pino were absent.

RESOLUTIONS

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to move the group.

(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

**RESOLUTION
TO APPROVE
Claims to be paid the
Meeting of November 21, 2023**

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

Current Fund			\$ 10,639,579.20
Grant Fund			\$ 190,681.12
General Capital Fund			\$ 5,255.35
Sewer Utility -Operating			\$ 158,122.37
Sewer Utility-Capital			\$ -
Developers Escrow			\$ 29,361.95
Dog Trust			\$ 3,953.96
Revolving Loan Fund			\$ -
Police Extra Duty			\$ 184,575.00
Trust Other			\$ 39,901.59
Section 8 Public Housing			\$ 230,543.50
Reserve for Housing			\$ -
Community Development			\$ 5,155.41
Payroll Agency			\$ -
Tax Title Lien Redemption			\$ -
Affordable Housing			\$ -
			\$ -
Self Insurance			\$ 1,326,653.00
Fire Dedicated Penalties			\$ -
Revolving Loan Fund			\$ -
Tax Title Lien Redemption			\$ -
Unemployment Trust Fund			\$ 6,218.34
Library			\$ 240,230.03
General Liability Trust			\$ 69,067.09
Workers Compensation Trust			\$ 19,560.53
Trust Escrow			\$ -
Reserve for Housing			\$ -
Federal DOJ Forfeiture			\$ -
TOTAL CLAIMS			\$ 13,148,858.44

R549-23 Resolution - Chapter 159 Resolution to Amend the 2023 Municipal Budget to Include Grant - 2024 Childhood LEAD Grant \$259,942.00

CITY OF CLIFTON
CHAPTER 159 RESOLUTION
AMENDING THE 2023 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 \$259,942.00 from the County of Passaic, Department of Health for 2024 Childhood Lead Grant and wishes to amend the 2023 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

November 21, 2023

Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$259,942.00,

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:

Childhood Lead 2024 Grant - \$259,942.00

BE IT FURTHER RESOLVED, that the like sum of \$259,942.00 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:

Childhood Lead 2024 Grant - \$259,942.00

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

R550-23 Resolution - Chapter 159 Resolution to Amend the 2023 Municipal Budget to Include Grant - USDOJ Cops Hiring Program \$750,000.00

**CHAPTER 159 RESOLUTION
AMENDING THE 2023 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 \$750,000.00 from the FY2023 USDOJ Cops Hiring Program (CHP) to fund six police officers and wishes to amend the 2023 Municipal Budget to include this amount as revenue;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$750,000.00

Which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with

Appropriations:

FY2023 USDOJ Cops Hiring Grant - \$750,000.00

BE IT FURTHER RESOLVED, that the like sum of \$750,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

- (a) Operations Excluded from CAPS
State and Federal Programs Off-set by
Revenues:
FY2023 USDOJ Cops Hiring Grant - \$750,000.00

BE IT FURTHER RESOLVED, that this Resolution be forwarded to the Director of Local Government Services for approval.

R551-23 Resolution - Chapter 159 Resolution to Amend the 2023 Municipal Budget to Include Grant - NJDOT 2024 Municipal Aid \$339,500.00

**CHAPTER 159 RESOLUTION
AMENDING THE 2023 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 \$339,500.00 from the New Jersey Department of Transportation, Fiscal Year 2024 Municipal Aid Program for the Third Street Pedestrian Safety Improvements Project and wishes to amend the 2023 Municipal Budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$339,500.00
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:
NJDOT Fiscal Year 2024 Municipal Aid Program - \$339,500.00

BE IT FURTHER RESOLVED, that the like sum of \$339,500.00
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:
NJDOT Fiscal Year 2024 Municipal Aid Program \$339,500.00

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

R553-23 Resolution Authorizing Permission to Bid for Shafto Street, Getty Avenue and Van Winkle Avenue Sanitary Sewer Replacement

November 21, 2023

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR
SHAFTO STREET, GETTY AVENUE AND VAN WINKLE AVENUE SANITARY
SEWER REPLACEMENT**

WHEREAS, the City of Clifton shall incur no expense exceeding \$17,500, except where either authorized by law or waived by the Municipal Council up to the State of New Jersey bid threshold; and,

WHEREAS, the City of Clifton seeks construction services estimated to cost in excess of \$17,500 without waiver; and

WHEREAS, the scope of work includes the in-kind replacement of 710 linear feet of sanitary sewer of varying sizes and pavement restoration on Shafto Street, Getty Avenue and Van Winkle Avenue; and

WHEREAS, the City Engineer of the City of Clifton has prepared Bid Specifications, Notice to Bidders, Proposals and Specifications for said improvements in anticipation of the public bidding for same and finds same to be acceptable for public bidding; and,

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

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

R554-23 Resolution Releasing Guarantees for Site Improvements: PSE&G Harvey Substation, 121 St. Andrews Boulevard, Block 41.07, Lot 2 and Block 47.12, Lot 3

**RESOLUTION RELEASING GUARANTEES FOR SITE IMPROVEMENTS:
PSE&G HARVEY SUBSTATION, 121 ST. ANDREWS BOULEVARD
BLOCK 41.07, LOT 2 AND BLOCK 47.12, LOT 3**

WHEREAS, PSE&G (the Developer) originally posted with the City of Clifton Federal Insurance Company Bond No. K15484615 in the amount of \$54,200.40 for public improvements and privately-owned buffer landscaping and a \$5,000 Safety and Stabilization Guarantee for the facility located at 121 St. Andrews Boulevard, designated as Block 41.07, Lot 2 and Block 47.12, Lot 3; and

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

WHEREAS, prior to the return of the Performance Guarantees, the Developer agrees to submit to the City of Clifton a Maintenance Bond in the amount of \$30,538.26; and

NOW, THEREFORE, BE IT RESOLVED, that the site improvements at 121 St. Andrews Boulevard, Clifton, New Jersey, Block 41.07, Lot 2 and Block 47.12, Lot 3 are accepted, the City Engineer is hereby directed to return the Performance Bonds and all escrow funds to PSE&G upon receipt of the aforementioned Maintenance Bond.

R557-23 Resolution Authorizing Use of Passaic County Cooperative Contract with GovDeals, Inc. for Online Auction Services for the Disposal of Obsolete Vehicles and Equipment

**RESOLUTION AUTHORIZING USE OF PASSAIC COUNTY COOPERATIVE
CONTRACT WITH GOVDEALS, INC FOR ONLINE AUCTION SERVICES FOR THE
DISPOSAL OF OBSOLETE VEHICLES AND EQUIPMENT**

WHEREAS, the City of Clifton is the owner of certain surplus property, which is no longer needed for public use, the list of which is attached as 2023 EXHIBIT A; and

WHEREAS, the City has historically utilized an Online Auction Service in order to sell and dispose of obsolete equipment and vehicles; and

WHEREAS, on April 13, 2021, the County of Passaic, via County Resolution R20210329 awarded a cooperative contract to GovDeals, Inc., in accordance with N.J.S.A. 40A:11-4.1 et seq. for Online Auction Services in accordance with “Fair and Open” procedures as established in the “Pay-to-Play” Law, N.J.S.A. 19:44A-20.4, et seq.; and

WHEREAS, the County cooperative contract with GovDeals, Inc. has been extended through to March 31, 2024, in accordance with Passaic County’s RFP 21-001; and

WHEREAS, the above Passaic County cooperative contract with GovDeals, Inc. was proposed and awarded at no cost to the municipal client, whereby GovDeals, Inc. charges the buyer a percentage premium above the net auction bid amount which is payable to the municipality; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, in the county of Passaic, State of New Jersey that the list of vehicles as attached on 2023 Exhibit A, shall be sold via online public auction services, as provided by the City’s contracted vendor, GovDeals, Inc., 5907 Carmichael Place, Montgomery, AL 36117; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and Council hereby authorize the Qualified Purchasing Agent to initiate and advertise the above online auction.

R558-23 Resolution Renewing Contract for Form Printing & Stationery Printing Services
(Year 2024-2025)

**RESOLUTION RENEWING CONTRACT FOR
FORM PRINTING & STATIONERY PRINTING SERVICES
(YEAR 2024-2025)**

WHEREAS, the current contracts for Form Printing & Stationery will expire on December 31,2023; and

WHEREAS, bids for Form Printing were received and opened on November 10, 2021; and

- WHEREAS**, four (4) bids were received:
- 1. Envelopes and Printed Products, Inc.
 - 2. Concept Printing, LLC
 - 3. A & P Printing (non-responsive: failed to acknowledge addenda issuance)
 - 4. Ridgewood Press (non-responsive: failed to sign Statement of Ownership); and

WHEREAS, Concept Printing, LLC had submitted the lowest pricing for items 2, 24-26, 28-31, 34-64, 65 (at 5 and 10 units), 66, 67, 68 (20 units), 70, and 71; and

WHEREAS, Envelopes and Printed Products, Inc. had submitted the lowest pricing for items 1, 3-23, 27 (10 boxes), 32, 33, 65 (1 unit), 68 (10 units), and 69; and

WHEREAS, the term of said contracts will be renewed and will commence on January 1, 2024 and end on December 31, 2025; and

NOW, THEREFORE, BE IT RESOLVED, that open-ended contracts for furnishing and delivering Form Printing & Stationery to the various departments of the City of Clifton, as needed,

November 21, 2023
is hereby awarded as follows in accordance with bids received November 10, 2021:

Category A: Business Cards, Envelopes and Letterhead
Item 1 - Business Cards

Item 2 - Double-Sided Business Cards (Health)

Item 3 - Envelopes #10 (As Needed All Departments)

Item 4 - Envelopes #10 (City Manager/Clerk/CDBG/Engineering/Fire/Legal/Zoning)

Item 5 - Envelopes #10 (Health)

Item 6 - Envelopes #10 (Police)

Item 7 - Envelopes #10 (Housing)

Item 8 - Envelopes #10 (Housing/Focus Group)

Item 9 - Envelopes Windows#10 (As needed All Departments)

Envelopes and Printed Products		
Qty	Unit	Unit Price
1	Box	\$39.00
2	Boxes	\$29.00
Concept Printing		
1	Box	\$45.50
2	Boxes	\$41.50
Envelopes and Printed Products		
1	Box	\$44.00
2	Boxes	\$26.00
5	Boxes	\$22.00
10	Boxes	\$21.00
1	Box	\$59.00
2	Boxes	\$36.00
5	Boxes	\$32.00
10	Boxes	\$31.00
Envelopes and Printed Products		
1	Box	\$64.00
2	Boxes	\$41.00
5	Boxes	\$37.00
10	Boxes	\$36.00

Envelopes and Printed Products		
1	Box	\$44.00
2	Boxes	\$26.00
5	Boxes	\$22.00
10	Boxes	\$21.00
1	Box	\$44.00
2	Boxes	\$26.00
5	Boxes	\$22.00
10	Boxes	\$21.00
1	Box	\$59.00
2	Boxes	\$36.00
5	Boxes	\$32.00
10	Boxes	\$31.00
1	Box	\$46.00
2	Boxes	\$28.00
5	Boxes	\$24.00

		November 21, 2023
Item 10 - Security Tinted Envelopes Windows#10(Finance /Police)	10	Boxes \$23.00
	1	Box \$50.00
	2	Boxes \$32.00
	5	Boxes \$28.00
	10	Boxes \$27.00
Item 11- Envelopes #10 (Hazardous Materials Control Bd (HMCB)		
	1	Box \$59.00
	2	Boxes \$36.00
	5	Boxes \$32.00
	10	Boxes \$31.00
Item 12 - Envelopes #9 (Fire Dept)	1	Box \$69.00
	2	Boxes \$46.00
	5	Boxes \$42.00
	10	Boxes \$41.00
Item 13 - Envelopes #9(Health Dept)	1	Box \$69.00
	2	Boxes \$46.00
	5	Boxes \$42.00
	10	Boxes \$41.00
Item 14 - Envelopes #11(Fire Dept)	1	Box \$69.00
	2	Boxes \$51.00
	5	Boxes \$47.00
	10	Boxes \$46.00
Item 15- Envelope #12 (Health Dept)	1	Box \$69.00
	2	Boxes \$51.00
	5	Boxes \$47.00
	10	Boxes \$46.00

Envelopes and Printed Products		
Item 16 - Cut-in-cards Envelope (Building)	1	Box \$69.00
	2	Boxes \$51.00
	5	Boxes \$47.00
	10	Boxes \$46.00
Item 17 - Brown Craft Envelope (Fire Dept.)	1	Box \$139.00
	2	Boxes \$98.00
	5	Boxes \$89.00
	10	Boxes \$84.00
Item 18 - Letterhead (As needed all Departments)	1	Box \$69.00
	2	Boxes \$49.00
	5	Boxes \$46.00
	10	Boxes \$42.00
Item 19 - Letterhead (Police Dept)	1	Box \$69.00
	2	Boxes \$49.00

November 21, 2023

Item 20 - Letterhead (Health Dept)

Item 21 - Letterhead (HUD)

Item 22 - Letterhead (CDBG/FOCUS)

Item 23 - Letterhead (Art Center)

Category B: License Books

Item 24 - Cash Bail Receipt Book (Court/PD)

Item 25 - Cash Bail Receipt Book (Court)

Item 26 - Receipt Book (Finance)

Category C: One-sided Forms

Item 27 – Dog License

Category C: One-sided Forms

Item 28 - Establishment License

Item 29 - Sanitary Inspection Placard "Satisfactory"

Category C: One-sided Forms

Item 30 - Sanitary Inspection Placard "Conditionally Satisfactory"

5	Boxes	\$46.00
10	Boxes	\$42.00
1	Box	\$74.00
2	Boxes	\$54.00
5	Boxes	\$51.00
10	Boxes	\$47.00
1	Box	\$64.00
2	Boxes	\$44.00
5	Boxes	\$41.00
10	Boxes	\$37.00
1	Box	\$69.00
2	Boxes	\$49.00
5	Boxes	\$46.00
10	Boxes	\$42.00
1	Box	\$74.00
2	Boxes	\$54.00
5	Boxes	\$51.00
10	Boxes	\$47.00

Concept Printing		
Qty	Unit	Unit Price
20	Books	\$16.95
40	Books	\$11.50
100	Books	\$7.95
20	Books	\$11.50
40	Books	\$7.95
100	Books	\$5.95
7	Books	\$47.00
14	Books	\$29.50

Envelopes and Printed Products		
Qty	Unit	Unit Price
10	Box	\$24.00
Concept Printing		
1	Box	\$75.00
1	Box	\$95.00

Concept Printing		
Qty	Unit	Unit Price
1	Box	\$95.00

Item 31 - Survey (Older Adult Services)

Item 32 - UCC Form F255 (Stop Construction Placard)

Item 33 - UCC Form (Danger)

Category D: Two-sided Forms

Item 34 - UCC Form F180 (Construction Permit Notice)

Item 35 - Inspection Record (Building)

Item 36 - Towed Vehicle Notification (Police)

Item 37- ACH Form

Category E: Two(2) Part Forms

Item 38 - Sanitary Inspection Report (Continuation Sheet)

Item 39 - Warrant to Discharge Prisoner (Court)

Item 40 - Summons - Subpoena (Court)

Item 41 - Notification of Penalties DWI (Court)

Item 42 - Order Payment of Fines and Costs

Item 43 - Authorization to apply bail against fines (Court)

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1	Box	\$75.00
Envelopes and Printed Products		
500	Box	\$89.00
1	M	\$129.00
5	M	\$119.00
500	Ea	\$89.00
1	M	\$129.00
5	M	\$119.00

Concept Printing		
Qty	Unit	Unit Price
500	Ea	\$190.00
1	M	\$255.00
5	M	\$125.00
500	Ea	\$185.00
1	M	\$250.00
5	M	\$120.00
500	Ea	\$90.00
1	M	\$65.00
5	M	\$90.00
500	Ea	\$160.00
1	M	\$185.00
5	M	\$85.00

Concept Printing		
Qty	Unit	Unit Price
1	Box	\$215.00
2	Boxes	\$155.00
500	Ea	\$77.50
1	M	\$105.00
5	M	\$80.50
Concept Printing		
500	Ea	\$77.50
1	M	\$105.00
5	M	\$80.50
500	Ea	\$77.50
1	M	\$115.00
500	Ea	\$77.50
1	M	\$115.00
5	M	\$95.00
500	Ea	\$75.50
1	M	\$105.00

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Item 45- Notice of Violation (Health)

1	M	\$315.00
5	M	\$185.00
500	Ea	\$70.00
1	M	\$95.50
500	Ea	75.50
1	M	105.00
500	Ea	\$75.50
1	M	\$115.00

Item 46 - Private Swimming Pool License Renewal (Bldg.)

Item 47 - Inspection Failure (Bldg.)

Item 48 - Carbon Monoxide Detector Activation (Fire Dept)

Category F: Three (3) Part Forms

Item 49 – Cut-in-Card (Bldg.)

Item 50 - Employee Warning Notice (Fire Dept)

Item 51 – Case Management Order (Court)

Item 52 - Commitment to Jail (Court)

Item 53 -Reinspection Fee(Health)

Item 54 - Subpoena to Testify (Court)

Item 55 - Request to Dismiss or Void Complaint (Court)

Item 56 - Subpoena to Testify- Form 98 (Court)

Concept Printing		
Qty	Unit	Unit Price
500	Ea	\$61.00
1	M	\$113.00 /m
500	Ea	\$70.00
1	M	\$95.00
500	Ea	\$70.00
1	M	\$95.00
500	Ea	\$95.00
1	M	\$75.00
1	M	\$280.00
2	M	\$455.00
1	M	\$125.00
2	M	\$97.50
1	M	\$172.50
2	M	\$142.50
1	M	\$185.00
2	M	\$145.00

Category G: Four(4) Part Forms

Item 57 – Order and Certification, Intoxicated Driving and Related Offenses (Court)

Concept Printing		
Qty	Unit	Unit Price
500	M	\$125.00
1	M	\$210.00

Category H: Five Part Forms

Item 58 - Municipal Court Order

Item 59 - NJ Bail Recognizance (Court)

Concept Printing		
Qty	Unit	Unit Price
1	M	\$430.00
2	M	\$285.00
5	M	\$170.00

Category I: Stickers

Item 60 - UCC Form F-230B (Not Approved)

Item 61 - UCC Form F-224A (Approval for Fire Protection)

Item 62 - UCC Form F-223 (Approval for Plumbing)

Item 63 - UCC Form F-222A (Approval for Electrical)

Item 64 - UCC Form F-221 (Approval for Building)

Concept Printing		
Qty	Unit	Unit Price
1	M	\$79.50
5	M	\$65.00
1	M	\$69.50
5	M	\$55.00
1	M	\$69.50
5	M	\$55.00
1	M	\$69.50
5	M	\$55.00
1	M	\$69.50
5	M	\$55.00

Category J: Folders

Item 65 - UCC Form F-100-1 Construction Permit Application-Folded Jacket

Item 65 - UCC Form F-100-1 Construction Permit Application

Envelopes and Printed Products		
Qty	Unit	Unit Price
1	M	475
Concept Printing		
5	M	\$195.00
10	M	\$175.00

Category K: Pads & Other Items

Item 66 - Plea Agreement Pads (Court)

Item 67 – Euthanasia Record Card (Health)

Concept Printing		
Qty	Unit	Unit Price
200	pads	\$2.75

Qty	Unit	Unit Price
20	boxes	\$62.00

Item 68 - Uniform Traffic Tickets (Court)

Item 69 - Special Form of Complaint & Summons (Court)

Item 70 – Door Knockers (Animal Control)

Item 71- Door Knockers (Health Dept)

Envelopes and Printed Products		
Qty	Unit	Unit Price
10	M	\$195.00
Concept Printing		
20	M	\$120.00

Envelopes and Printed Products		
1	M	\$975.00
2	M	\$695.00
Concept Printing		
1	M	\$135.00
2	M	\$115.00
250	M	\$135.00
500	M	\$115.00

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NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed hereby to execute *open-ended* contracts, no purchase from which shall individually exceed \$17,500.

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

CERTIFICATION OF FUNDS, funds are available and will be charged accordingly as expenses occur.

R559-23 Resolution Amending Resolution R258-23, Entitled "Resolution Awarding Contract to Jen Electric Off of Morris County Co-Operative Pricing Contract #37 for Emergency Traffic Signal Repairs, Signal Modifications and Upgrades as Needed - July 1, 2023 Through June 30, 2025"

**ESOLUTION AMENDING RESOLUTION R258-23, TITLED “RESOLUTION
AWARDING CONTRACT TO JEN ELECTRIC OFFOF MORRIS COUNTY CO-
OPERATIVE PRICING CONTRACT #37 FOR EMERGENCY TRAFFIC SIGNAL
REPAIRS, SIGNAL MODIFICATIONS AND UPGRADES AS NEEDED JULY 1, 2023
THROUGH JUNE 30, 2025”**

WHEREAS, on June 07,2023, the Mayor and Council approved R258-23 titled “Resolution Awarding Contract to Jen Electric off of Morris County Co-Operative Pricing Contract #37 For Emergency Traffic Signal Repairs, Signal Modifications and Upgrades As Needed July 1,2023 Through June 30,2025” in an amount not to exceed \$100,000; and

WHEREAS, due to certain unpredictable wear and tear in the traffic signal controller, signal heads, vehicle detectors or error related to signals design and engineering calls for a repair technician; and

WHEREAS, the City has outstanding invoices for the same; and

WHEREAS, to date, the requested change order for the above adds an additional \$25,000.00, bringing the total contract price to \$125,000.00; and,

NOW, THERFORE, BE IT RESOLVED, that the Mayor and Council hereby approve an increase of funds for the above referenced contract in the amount of \$25,000.00 for the remainder

of 2023, which brings the total amount of the contract to \$125,000.00 thereby amending Resolution R258-23; and

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

R560-23 Resolution Dedication by Rider for Open Space Trust Fund Required by N.J.S.A. 40:12-15.2

**DEDICATION BY RIDER FOR
OPEN SPACE TRUST FUND
REQUIRED BY N.J.S.A. 40:12-15.2**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40:12-15.2 provides for receipt of open space tax revenue by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Open Space Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Clifton, County of Passaic, State of New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Open Space Trust Fund, pursuant to N.J.S.A. 40:12-15.2.
2. The Clerk of the City of Clifton, County of Passaic is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

R568-23 Resolution Moving Alternate #1 to Member, Alternate #2 to Alternate #1 Position and Appointing New Alternate #2 to the Beautification Committee

RESOLUTION MOVING ALTERNATE #1 TO MEMBER, ALTERNATE #2 TO ALTERNATE #1 POSITION AND APPOINTING NEW ALTERNATE #2 TO THE BEAUTIFICATION COMMITTEE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are aware of a member vacancy on the Clifton Beautification Committee commencing January 1, 2024; and

WHEREAS, currently, Drea DeLuca holds the position of Alternate #1, Joseph Siano holds the position of Alternate #2 and an application was received by Patty Roennau to serve on this committee;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Drea DeLuca be moved from Alternate #1 to Member of the Beautification Committee; and

BE IT FURTHER RESOLVED, that Joseph Siano be moved from Alternate #2 to Alternate #1 on said committee; and

BE IT FURTHER RESOLVED, that Patty Roennau be appointed as Alternate #2 commencing January 1, 2024 through December 31, 2026.

R569-23 Resolution Appointing Clifton Public Library Liaison to the Clifton Arts Center & Sculpture Committee

RESOLUTION APPOINTING CLIFTON PUBLIC SCHOOLS LIAISON TO THE CLIFTON ARTS CENTER & SCULPTURE COMMITTEE

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey is aware an Ordinance was adopted at the November 8, 2023 Council Meeting adding a liaison from Clifton Public Library to the Clifton Arts Center & Sculpture Committee; and

WHEREAS, an application to fill this position was received from Richard Ruggiero;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Richard Ruggiero be and is hereby appointed as Clifton Public Library Liaison to the Clifton Arts Center & Sculpture Committee.

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R570-23 Resolution Authorizing Renewal of Theater License – AMC

RESOLUTION AUTHORIZING THEATER LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of a Theater License Renewal from AMC Theaters Clifton Commons, 405 Route 3, 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 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 renewal of a Theater License to AMC Theaters Clifton Commons, 405 Route 3 in the City of Clifton be and is hereby granted.

R571-23 Resolution Authorizing Renewal of Pet Shop License – Petco

RESOLUTION AUTHORIZING PET 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 Pet Shop License Renewal from Petco #1865, 780 Route 3 West, Clifton, NJ; 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 Pet Shop License to Petco #1865 be and is hereby approved.

R572-23 Resolution Authorizing Renewal of New & Used Car Lot License - New Trimble Auto Body

RESOLUTION AUTHORIZING NEW AND USED CAR LOT LICENSE RENEWAL

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 New Trimble Auto Body, 214 Trimble Avenue, Clifton, NJ; 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 License to New Trimble Auto Body be and is hereby granted.

R573-23 Resolution Authorizing Renewal of Games of Skill Operator License – Breaker Billiards

**RESOLUTION AUTHORIZING GAMES OF SKILL OPERATOR
LICENSE RENEWALS**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Games of Skill Operator License Renewals from Breaker Billiards, 1142 Route 46 West, Clifton 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 Zoning 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 Games of Skill Operator Licenses to Breaker Billiards be and is hereby granted.

R574-23 Resolution Authorizing Renewal of Billiards License - Breaker Billiards

RESOLUTION AUTHORIZING BILLIARD ROOM LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Billiard Room License Renewal from Breaker Billiards, 1142 Route 46 West 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 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 Billiard Room License to Breaker Billiards be and is hereby granted.

R575-23 Resolution Authorizing Renewal of Florist Licenses

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 the businesses listed below; 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 businesses listed below be and are hereby granted.

Bartlett Greenhouse & Florist	814 Grove Street
Home Depot #0908	955 Bloomfield Avenue
Richfield Farms	1139 Van Houten Avenue

R576-23 Resolution Authorizing Renewal of Vending Machine License - Breaker Billiards

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RESOLUTION AUTHORIZING VENDING MACHINE LICENSE RENEWAL

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of Vending Machine License Renewal from Breaker Billiards 1142 Route 46 West, 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, 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 License to Breaker Billiards be and is hereby granted.

R577-23 Resolution in Support of Assembly Bill No. 4536/Senate Bill No. S304

**RESOLUTION IN SUPPORT OF
ASSEMBLY BILL NO. 4536/SENATE BILL NO. S304**

WHEREAS, [Assembly Bill No. 4536/Senate Bill No. S304](#) would establish minimum registered professional nurse staffing standards for hospitals and ambulatory surgery facilities and certain DHS facilities;

WHEREAS, because of recent changes in the health care delivery system, patients in general and special hospitals and ambulatory surgery facilities in the State, and in State developmental centers and psychiatric hospitals, generally have higher acuity levels than in the past;

WHEREAS, recent studies demonstrate the link between adequate registered professional nurse staffing and improved mortality rates and quality of care among patients in health care facilities.

WHEREAS, inadequate nurse staffing can result in dangerous medical errors, patient infections, and increased injuries to patients and caregivers.

WHEREAS, inadequate and poorly monitored nurse staffing practices jeopardize the delivery of health care services and adversely impact the health of patients.

WHEREAS, the establishment of staffing standards for registered professional nurses in hospitals, ambulatory surgery facilities, and State developmental centers and psychiatric hospitals should not be construed as justifying understaffing with respect to other critical health care workers; safe staffing practices recognize the importance of all health care workers in providing quality patient care because the availability of these other health care workers enables registered professional nurses to focus on the nursing care functions that only these nurses, by law, are permitted to perform; and

WHEREAS, understaffing at hospitals, ambulatory surgery facilities, and State developmental centers and psychiatric hospitals has been demonstrated to be an underlying cause of the current nursing shortage, because higher patient assignments create higher levels of job dissatisfaction, burnout, and turnover rates among nurses.

WHEREAS, in addition to staffing requirements provided by law or regulation on the effective date of this act, the Commissioner of Health shall adopt regulations that provide minimum direct care registered professional nurse-to-patient staffing ratios for all patient units in general and special hospitals, State psychiatric hospitals, and ambulatory surgical facilities in accordance with the requirements of this act. The regulations shall not decrease any nurse-to-patient staffing ratios in effect on the effective date of this act.

WHEREAS, the regulations adopted pursuant to this section shall, at a minimum, provide for the following nurse-to-patient ratios:

- (1) one registered professional nurse for every five patients on a medical/surgical unit;
- (2) one registered professional nurse for every four patients in a step down, telemetry, or intermediate care unit;
- (3) one registered professional nurse for every four patients in an emergency department, one registered professional nurse for every two patients in a critical care service of an emergency department, and one registered professional nurse for every patient in a trauma service of an emergency department;
- (4) one registered professional nurse for every five patients in a behavioral health or psychiatric unit;
- (5) one registered professional nurse for every two patients in a critical care, intensive care, neonatal, or burn unit;
- (6) one registered professional nurse for every patient under anesthesia in an operating room, and one registered professional nurse for every two post-anesthesia patients in a recovery room or post-anesthesia care unit;
- (7) one registered professional nurse for every two patients in a labor and delivery unit; one registered professional nurse for every four patients, including infants, in a postpartum unit in which the mother and infant share the same room; and one registered professional nurse for every six patients in a mothers-only unit; and
- (8) one registered professional nurse for every four patients in a pediatric or intermediate care nursery unit, and one registered professional nurse for every six patients in a well-baby nursery.

WHEREAS, the City of Clifton wishes to urge State lawmakers to adopt Assembly Bill No. 4536/Senate Bill No. S304, which would establish minimum registered professional nurse staffing standards for hospitals and ambulatory surgery facilities and certain DHS facilities.

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

- 1. The City of Clifton hereby urges its elected representatives in the New Jersey State Legislature to adopt and cosponsor Assembly Bill No. 4536/Senate Bill No. S304.
- 2. The City of Clifton thanks Senator Nia Gill and Assemblywoman Mila Jasey for currently being co-sponsors.
- 3. A copy of this Resolution upon its adoption shall be furnished to current Clifton Assemblywoman Britnee Timberlake, Assemblyman Thomas Giblin and Senator Nia Gill.
- 4. A copy of this Resolution upon its adoption shall be furnished to future Clifton Senator-elect John McKeon, Assemblywoman elect Alixon Collazos-Gill and Assemblywoman elect Rosy Bagolie.
- 5. A copy of this Resolution upon its adoption shall also be furnished to the Governor of the State of New Jersey

R578-23 Resolution Authorizing the Cancellation and Refund of the Portion of the 2023, 3rd Quarter Taxes and the 2023 4th Quarter Taxes on Property Known as Block 68.11, Lot 7, 28 Orchard Drive, Owned by a Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF THE PORTION OF THE 2023 3rd QUARTER TAXES AND THE 2023 4th QUARTER TAXES ON PROPERTY KNOWN AS BLOCK 68.11, LOT 7, 28 ORCHARD DRIVE, OWNED BY A DISABLED VETERAN

WHEREAS, the Tax Assessor has confirmed that Justin Ruiz is the owner of the property know as Block 68.11, Lot 7, 28 Orchard Drive and has been declared 100% disabled by the US Department of Veteran Affairs as of October 10, 2017; and

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WHEREAS, Justin Ruiz became a New Jersey resident of the property located at Block 68.11, Lot 7, on 28 Orchard Drive on or about August 17, 2023; and

WHEREAS, Justin Ruiz has made application to the Tax Assessor of the City of Clifton for a property tax exemption in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Justin Ruiz is entitled to the cancellation and partial refund of the 2023 third quarter property taxes in the amount of \$1,532.02 and cancellation and refund of the 2023 fourth quarter property taxes in the amount of \$3,109.11 on the subject property for a total refund in the amount of \$4,641.13; 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 17, 2023, and hereby authorizes the cancellation and partial refund of the 2023 third quarter property taxes in the amount of \$1,532.02 and cancellation and refund of the 2023 fourth quarter property taxes on the subject property in the amount of \$3,109.11 for a total refund of \$4,641.13;

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 Tax Collector and/or City Treasurer are hereby authorized and directed:

1. To refund the pro-rated portion of the 2023 third quarter tax payments in the amount of \$1,532.02 and refund the 2023 fourth quarter tax payments in the amount of \$3,109.11 for a total refund in the amount of \$4,641.13; and:
2. To keep said subject property tax exempt for the totally disabled veteran for as long as he shall qualify for the exemption and for so long as the exemption is authorized by law based upon the facts and circumstances of this matter.

R579-23 Resolution Authorizing the Cancellation and Refund of a Portion of the 2022 3rd Quarter Taxes, the 2022 4th Quarter Taxes and the 2023 1st, 2nd, 3rd and 4th Quarter Taxes on Property Known as Block 78.07, Lot 6, 107 Birchwood Terrace, Owned by a Disabled Veteran (Amends Resolution R545-23 to Correct the Amount of the Refund Due for the 4th Quarter 2023)

RESOLUTION AUTHORIZING THE CANCELLATION AND REFUND OF A PORTION OF THE 2022 3rd QUARTER TAXES, THE 2022 4TH QUARTER TAXES AND THE 2023 1ST, 2ND, 3RD AND 4TH QUARTER TAXES ON PROPERTY KNOWN AS BLOCK 78.07 LOT 6, 107 BIRCHWOOD TERRACE, OWNED BY A DISABLED VETERAN (AMENDS RESOLUTION R545-23 TO CORRECT THE AMOUNT OF THE REFUND DUE FOR THE 4TH QUARTER 2023)

WHEREAS, the Tax Assessor has confirmed that Eric L. Babula, the owner of the property known as Block 78.07, Lot 6, 107 Birchwood Terrace has been declared 100% disabled by the US Department of Veteran Affairs as of September 16, 2022; and,

WHEREAS, on November 8, 2023, the Council adopted R545-23 refunding a pro-rated portion of the 2022 third quarter property taxes in the amount of \$407.34, the cancellation and refund of the 2022 fourth quarter property taxes in the amount of \$3,305.68 and the cancellation and refund of the 2023 first, second, third and fourth quarter property taxes on the subject property in the amount of \$10,994.87 for a total refund of \$14,657.89; and,

WHEREAS, it was subsequently determined that Eric L. Babula had paid only a portion of the 2023 fourth quarter property taxes in the amount of \$964.35 and not the full 2023 4th quarter property taxes in the amount of \$2,775.89 resulting in an overpayment of \$1,811.53 of the refund for the 2023 fourth quarter property taxes in R545-23; and

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WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, wishes to amend R545-23 to reduce the amount of refund covering the fourth quarter 2023 property taxes from \$2,775.89 to \$964.35 for a total refund of \$12,846.36.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey, that R545-23 be hereby amended and that the Tax Collector and/or City Treasurer are hereby authorized and directed:

- I. To cancel and refund the pro-rated portion of the 2022 third quarter tax payments in the amount of \$407.34, the 2022 fourth quarter tax payments in the amount of \$3,305.68, and the 2023 first, second, third and fourth quarter taxes in the amount of \$9,133.34 for a total refund in the amount of \$12,846.36; and,
- II. To keep said subject property tax exempt for the totally disabled veteran for as long as he shall qualify for the exemption and for so long as the exemption is authorized by law based upon the facts and circumstances of this matter.

R547-23 Executive Session

RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

- CON-1 Clifton Supervisors Association (CSA) - Contract Negotiations - 2023-2026
- CON-2 PBA - Contract Negotiations
- CON-3 Workers' Compensation Claim - BM – DPW
- CON-4 IBEW/DPW Contract Negotiations
- CON-5 Payment for Traffic Related Extra Duty – Potential Litigation
- CON-6 Tax Revaluation – Possible 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 November 21, 2023 at which time, said subject(s) shall be discussed; and

BE IT FURTHER RESOLVED, that the discussion held at such closed session can be disclosed to the public on or about the time the matter is concluded.

LICENSES

L-1 Claire's #6764

For Claire’s Boutiques, Inc.
T/A Claire’s #6764
Address: 358 Route 3 West, Clifton, NJ 07014
Type of food establishment intended - Grocery
Formerly or New - New
Zone PCD
Permitted Yes
Variance required No
Final approval will be issued pending approval of this resolution.
Further processing and approval of various city departments.

ADJOURNMENT

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona to adjourn the meeting at 9:58 p.m.

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(5-0-0-2) Councilman Gibson, Councilman Kolodziej, Councilman Latona, Councilwoman Sadrakula and Mayor Grabowski voted aye. Councilwoman Murphy and Councilwoman Pino were absent.

Respectfully Submitted,

Michele Butler
Deputy City Clerk

Raymond Grabowski, Mayor