

**CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES OCTOBER 3, 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.

8:10 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) |
| Councilman Latona | (AL) (via Zoom) (8:10 p.m.) |
| Councilwoman Murphy | (LM) (via Zoom) |
| Councilwoman Pino | (RP) |
| Councilwoman Sadrakula | (MS) |
| Mayor Grabowski | (RG) |

Also present were City Manager, Dominick Villano; City Attorney, Matthew Priore ; Assistant City Attorney, Andrew Oddo, City Clerk, Nancy Ferrigno and Deputy City Clerk, Michele Butler.

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

Nancy Ferrigno – City Clerk

PUBLIC HEARING

Clifton Public Housing Agency - Public Hearing - Annual Plan 2024 (R468)

The Mayor opened the floor to the public.

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

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

PRESENTATION

Beautification Awards

APPROVAL OF MINUTES

A Motion was made by Councilman Kolodziej, seconded by Councilman Gibson and passed on roll call vote to approve the Workshop Session, Executive Session, Regular Session Meeting

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Minutes of September 19, 2023 and the Special Executive and Special Regular Meetings of September 26, 2023.

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

COMMUNICATIONS FROM THE CITY MANAGER

- C-1 Brittanina Mythen Keyboarding Clerk I -Clifton Police Dept. starting effective 09/18/2023 at \$32,500.00/annually.
- C-2 Frank Agresta Keyboarding Clerk I -Clifton Police Dept. starting effective 09/18/2023 at \$32,500.00/annually.

COMMUNICATIONS MEETING MINUTES

- C-3 Minutes of the Alcohol Beverage Control Board of August 9, 2023
- C-4 Minutes of Advisory Committee for Individuals with Disabilities of September 18, 2023
- C-5 Minutes of Clifton Arts Center of August 28, 2023
- C-6 Minutes of Board of Adjustment of September 20, 2023
- C-7 Minutes of Senior Advisory Committee of June 22, 2023 & September 28, 2023
- C-8 Minutes of Planning Board of August 24, 2023

SECOND READING ORDINANCES

A. Adoption of Ordinance 7853-23

B. Public Hearing on Ordinance 7853-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7853-23.

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, 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 Kolodziej, seconded by Councilwoman Murphy and carried 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", More Particularly Section 349-2 Thereof, Entitled "Restricted Streets" (Establishes Permit Parking on Both Sides of Norwood Avenue)

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

FIRST READING ORDINANCES

A. Introduction of Ordinance 7854-23

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

An Ordinance to Amend, Revise and Supplement Chapter 303 of the Code of the City of Clifton Entitled "Licensed Businesses" to Add Article IV Entitled "Hearings for Retailers that are Convicted of Unlawfully Selling or Distributing Vapor Products"

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, October 17, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

B. Introduction of Ordinance 7855-23

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Kolodziej, 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 III Thereof, Entitled "Supervisory Officials and Employees", Section 99-10, Entitled "Minimum and Maximum Salaries Fixed" (Creates Title and Compensation for Chief Clerk)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, October 17, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

C. Introduction of Ordinance 7856-23

The entitled ordinance was introduced and read by the City Clerk, as first reading, which reading was by title, passed upon motion made by Councilman Gibson, seconded by Councilman Kolodziej and carried 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", More Particularly Section 349-2 Thereof, Entitled "Restricted Streets" (Establishes Permit Parking on Both Sides of Norwood Avenue)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Tuesday, October 17, 2023 at 8:00 p.m. and that the City Clerk be authorized to publish said ordinance together with statutory notice as required by law.

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

FLOOR TO MEMBERS OF THE PUBLIC

Chris D'Amato, 81 Merrill Rd., remarked that the City is in crisis mode and things are not getting done. Council is not listening to residents and not demonstrating leadership. He emphasized the importance of City employee evaluations and all employees clocking in and out. Mr. D'Amato stated the public needs the budget to be adopted in a timely manner and no one should use privilege to attack anyone.

Lily D'Amato, 81 Merrill Rd., spoke about the City budget, taxes, services, transparency and the need for Council to pay more attention to the residents who experienced flooding from the Third River. She asked the Council to provide her with their mission and goals for the City. Ms.

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D'Amato suggested no wage increase for City employees, establishing employee performance reviews and scaling back to one full-time attorney. She remarked on installing sidewalks and traffic safety. Ms. D'Amato expressed her displeasure toward the Council's decision to approve an Entertainment License for Made in Miami Bar and Restaurant due to a shooting and noise complaints. She asked for Council to draft a resolution to support the Jewish Community.

Micki Gaudet, 28 Bergen Ave., pointed out that her name was spelled wrong on two meeting minutes. She also pointed out that the terms "Private Schools" were used instead of "Charter Schools" and stated that Charter Schools are public schools. Ms. Gaudet also cited NJSA 10:4-14 referring to meeting minutes to be posted promptly and the minutes of the September 19, 2023 were not posted on the City website as of a few hours prior to tonight's meeting. She remarked on traffic safety and crosswalks.

Laura Perrius, 58 Rosedale Ave., spoke about the lack of trees in areas of the Richfield section.

Mark Brunciak, 23 Holly St., thanked the Latino Leaders of Clifton for hosting a recent carnival. He spoke about negative social media comments in regards to the carnival.

Adele Gimon, 129 Rutherford Blvd., announced that an emergency alert, to cell phones, from FEMA and the FCC will take place on October 4, 2023 at 2:20 EST. She spoke about a program called "Wreaths Across America" which residents can purchase wreaths to be put on veteran's graves.

Damien Michalosky, 36 Yearance Ave., discussed parking problems on Yearance Ave. and individuals dealing drugs on the corner of Highland and Lexington Avenues.

Gabriel Garcia, 5 Concord St., remarked about communication problems from City Hall to the public. He stated that the City social media account is not updated. Mr. Garcia discussed the lack of seating, water fountains and bathrooms in City parks. He asked Council what they stand for and who will replace Councilwoman Pino's chair if she wins the seat of County Clerk.

Ms. Fernandez, Piaget Ave. thanked Councilwoman Pino for representing the Latino community. She spoke about illegal parking, overcrowded rentals, bike gangs and illegal social media pages advertising illegal businesses.

Raquel Amador, 91 E 4th St., spoke about the Latino Leaders carnival that was held in Main Memorial Park. She spoke about racism and showed her support for Councilwoman Pino.

Barbara James, 7 Rosedale Ave., remarked that Council members usage of cell phones at the dais must stop.

Leona Gronka, 30 Portland Ave., discussed quality of life, permit parking and illegal attic and basement apartments.

Xavier Sanchez, 18 Fountain St., spoke about flooding in the area of Fountain Street.

Dorothy Gilmore, 565 Grove St., expressed her displeasure for the recent tax increase. She spoke about the importance of updating the Master Plan and asking the County for more funding. Ms. Gilmore remarked on what she feels is childish behavior from Councilmembers. She suggested limiting the Mayor to two terms.

Francesco Muoio, J5 The Meadows, explained that government is getting expensive and the City needs to work on a Master Plan for the business community. He spoke about economic development and the need to develop a campaign to attract more businesses.

David Joseph, 217 Cambridge Ct., announced that he received a cease and desist letter from Councilwoman Pino's attorney. He remarked that the letter holds no legal merit and that Councilwoman Pino is trying to quiet people who have important things to say and he will not be intimidated.

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Kim Castellano, 59 Mahar Ave., stated that the Beautification Award program is wonderful. She spoke about the importance of all organizations and citizens to obey rules. She explained that her organization, The Power of One, is a support group that helps with stress, grief, child care and helping people come together. She announced upcoming events sponsored by The Power of One.

Gerard Scorziello, 131 Pershing Rd., stressed the importance of the City Council to focus on the needs of the City and work together.

Jacklyn Nelson, 42 Adams St., stated that as a 19 year old entering the work force, she has been taken advantage of through employers not offering breaks and wage theft.

Faith Webb, 23 Strangeway Terr., discussed the need for a call in option for the City Council meetings and stopping the use of cell phones by Council members at the dais.

Michelle Stroble, 116 W 4th St., stressed the need to respect one another and come together.

Rosemary Trinkle Baran, 7 Englewood Rd., commented that Dorothy Gilmore, who spoke earlier at tonight's meeting, did a wonderful job speaking for the Senior Citizen Community. She spoke of lack of unity on the City Council. Ms. Trinkle Baran stated that election reports need to be filed by all candidates and one person on the Council has not filed their reports for 2022.

Joanne MacBeth, 11 Wheeler St., asked City Manager, Dominick Villano, to look into a sink hole on Main Avenue across from Ridgelawn Cemetery. She mentioned that Councilwoman Pino has not filed her election paperwork for 2022 and that her campaign is in violation.

Councilwoman Murphy left the meeting at 9:39 p.m.

Councilwoman Murphy returned to the meeting at 9:40 p.m.

Ryan Yacco, 119 Orono St., stated that the campaign signs Councilwoman Pino erected in Main Memorial Park during the recent carnival her organization sponsored were in violation since campaigning is prohibited on public property. He commented that Councilwoman Pino's organization, Latino Leaders of Clifton, does not appear on the IRS search as a 501C4 organization. He mentioned that one sponsor of the Latino Leaders carnival was recently approved for an Entertainment License and another sponsor is a current Clifton Municipal Judge. Mr. Yacco spoke about accountability.

Cameron Hebron, 61 George Russell Way, spoke about crosswalks, deforestation in Clifton and working together. He spoke about his candidacy for a seat on the Board of Education.

Ann Schnakenberg, 268 Washington Ave., spoke about the need of remote access to Council meetings. She suggested a formal study by done for Weasel Brook flooding. Ms. Schnakenberg asked that further information on the plan to place a firehouse near Main Memorial Park be provided for review.

Judy Bassford, 92 Mountainview Dr., discussed the application process for carnivals. She announced that the Latino Leaders carnival did not apply for a gaming license and it became a political rally. She asked if a bond was received, if fines were issued and if an insurance policy was submitted to cover the damage to the park. Ms. Bassford spoke about the need to change Council by-laws and amend Ordinances. She remarked on selective discrimination and suggested Councilwoman Pino step down from the Civil Rights Committee.

Donna Popowich, 57 Dalewood Rd., explained that City residents feel forgotten and the Council is not meeting the needs of its citizens. She spoke about traffic issues when the City hosts their annual 5K run.

Bart Ciervo, 306 Delawanna Ave., spoke about accountability by the Council. He announced that he received a cease and desist letter from Councilwoman Pino's attorney which does not scare him. He asked that Councilwoman Pino and City Manager, Dominick Villano, step down from their seats.

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At this time a physical altercation took place at the Council meeting between two of Councilwoman Pino's family members and Bart Ciervo. A recess was called by the Mayor.

Joseph Saino, 102 Trenton Ave., commented on the segregation in the Council chambers between citizens and the supporters of Councilwoman Pino. He stated that Mr. Ciervo should not have been attacked, he did nothing wrong.

T.D. Desai, 105 Speer Ave., spoke about the physical altercation that took place at tonight's Council meeting. She read the remainder of Judy Bassford's address:

Council members should look to gain public trust, not personal gain and should be completely transparent to the public. Council members using their position to receive unwarranted gains is unethical.

Keith Bassford, 92 Mountainview Dr., expressed his disapproval of the physical confrontation that took place at the Council meeting tonight. He commented that he was going to invite the media to tonight's meeting, but was glad he didn't because it would not have been good for the City's image. He voiced his concerns regarding the anger people are showing. He spoke about the cease and desist letters that Councilwoman Pino has sent to several City residents and Councilmembers. Mr. Bassford asked the Council to explain what their mission is.

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

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

CITY MANAGER PRIVILEGE/RESPONSE TO RESIDENTS

Lily D'Amato – City Manager, Dominick Villano, stated that he visits all locations that are prone to flooding when heavy rain is expected.

Dorothy Gilmore – You can file for a tax appeal.

Xavier Sanchez – The Engineering Department is in the process of installing a valve in the area to alleviate flooding.

Faith Webb – The City's current phone system is not capable of setting up a call in option for Council meetings, however a Zoom platform can be used.

Damien Michalosky – Will have Police look into parking situation on Yearance Avenue.

Micki Gaudet – Crosswalks are still being worked on.

COUNCIL PRIVILEGE

Councilman Gibson

Councilman Gibson thanked the Beautification Committee for establishing the Beautification Awards program. He replied to the public speakers who asked who would be next on Council if Councilwoman Pino wins the County Clerk election. He responded that Chris D'Amato would be next in line. Councilman Gibson asked residents to report any crosswalks in need of painting. He agreed that Urma Avenue, in the Richfield Section, has some areas that could use more trees. Councilman Gibson discussed the vandalism that has destroyed City park restrooms. He spoke about cell phone use at the dais and suggested a check list be drawn up when applying for a carnival, bazaar, etc.

Councilman Kolodziej

Councilman Kolodziej announced that the Cable TV Advisory and the Holiday Spirit Committees recently met. He stated a discussion took place at the Holiday Spirit Committee to have our annual Santa float install a GPS that residents can follow on the internet. Councilman Kolodziej gave a synopsis of the recent Passaic Valley Water Commission meeting. He announced that St. Peter's Haven is hosting a tricky tray. Councilman Kolodziej addressed the suggestion to reorganize the Legal Department and eliminate positions. He remarked that production will be lost and calculated the extra cost to be \$180k. He spoke about his goals as a Councilman which included serving in a professional manner, adding police officers, increase recreation programs, establish an open space trust fund, plant more trees, fund a museum, apply for grants and enforce quality of life infractions. Councilman Kolodziej explained that the idea of doing more with less has its consequences and the City needs to invest in itself to become better.

Councilman Latona

Councilman Latona announced local events and celebrations. He commented that he had the pleasure of attending a Council meeting in Italy during his visit. Councilman Latona suggested that City council meetings begin at 6pm rather than 6:30pm. He suggested getting professional services quotes from local Clifton businesses. Councilman Latona remarked that there are resolutions on the agenda with no corresponding Action Item or Council Mail. He remarked that City Department Heads and Administration Personnel should lead by example. Councilman Latona gave accolades to the "Wreaths Across America" program. He spoke about illegal housing, getting our fair share of funding from the County, revising the Master Plan and overdevelopment. Councilman Latona disagrees that the Council does not work together.

Councilwoman Murphy

Councilwoman Murphy asked for the information to purchase a wreath from the "Wreath Across America" organization.

Councilwoman Pino

Councilwoman Pino apologized for the behavior of her family members who were involved in a physical altercation at the Council meeting. She stated that a social media post about her has upset her family. She announced that if anyone feels she has broken any laws when she hosted the Latino carnival, that they should report it to the proper authorities. She remarked that the Latino Leaders of Clifton is, in fact, a 501C4 organization. Councilwoman Pino stated that the application she had to file for the carnival was longer than other applicants' and her organization was being attacked from the beginning. She pointed out that Councilwoman Sadrakula was involved in two RLUIPA lawsuits and that Councilwoman Murphy asked for the Latino Leaders of Clifton's EIN Number when it was not required of other organizations.

Councilwoman Sadrakula

Councilwoman Sadrakula asked that discussion item for an Anti-Semitism resolution be put on the next Council meeting. She spoke about the need for a call in option for residents who cannot attend the Council meetings. Councilwoman Sadrakula urged all residents to report illegal dwellings and asked when the Third River Study will be on the agenda. She discussed the hiring of a Communications Manager and she asked for a list of crosswalks that have been painted and the ones that still need to be done. Councilwoman Sadrakula announced that the Museum Committee met and urged residents to join the committee. She spoke about obtaining Weasel Brook flood study. Councilwoman Sadrakula said she will be submitting OPRA requests pertaining to the Latino Leaders of Clifton. She remarked that transparency is a major goal for her and to stop going back to the tax payers with tax increases. She commented on the decision to add 25 new Police Officers to the Table of Organization and stated the Police Chief is having trouble filling the Table of Organization presently. Councilwoman Sadrakula spoke about having more trees in the City and that the proposal to build a fire house on the library property is not a good idea, many trees will be uprooted. Councilwoman Sadrakula inquired as to the application of the Latino Leaders of Clifton carnival. She asked if a raffle license was obtained and if a bond

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was issued for clean-up and potential damage. City Clerk, Nancy Ferrigno, answered no to these two questions. Councilwoman Sadrakula also asked in the political signs at the carnival were removed and were fines issued. City Manager, Dominick Villano, said the signs were removed, the Council was emailed and told the signs were removed. He explained that he left it up to Council if they wanted to issue fines to the carnival's organization.

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Murphy to remove Councilwoman Pino from the Civil Rights Committee.

The Mayor ruled that the Motion was out of order because the item was not on the agenda.

Councilwoman Sadrakula appealed the ruling of the Chair.

Direction was given to place the item on the next meeting agenda of October 17, 2023 as a discussion item.

Mayor Grabowski

Mayor Grabowski announced that the Planning Board has started updating the Master Plan. He stated that everyone has a right to speak at public Council meetings but it needs to be kept civil..

RESOLUTIONS VOTED ON SEPERATELY

A Motion was made by Councilman Kolodziej, seconded by Councilman Gibson and passed on roll call to vote on the following Resolution separately.

R466-23 Resolution of the Governing Body Certification of the Annual Audit

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

WHEREAS, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

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

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

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

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

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

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

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

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

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

RESOLUTIONS

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

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

R430-23 Resolution – Claims List

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

**RESOLUTION
TO APPROVE
Claims to be paid the
Meeting of September 19, 2023**

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

Current Fund	\$6,188,817.43
Grant Fund	\$ 324,782.69
General Capital Fund	\$ 18,471.61
Sewer Utility -Operating	\$ 649,003.09
Sewer Utility-Capital	\$ 284,457.96
Developers Escrow	\$-
Dog Trust	\$ 5,335.00
Revolving Loan Fund	\$-
Police Extra Duty	\$ 183,710.00
Trust Other	\$ 46,024.61
Section 8 Public Housing	\$ 2,418.67
Reserve for Housing	\$-
Community Development	\$ 23,498.40
Payroll Agency	\$-
Tax Title Lien Redemption	\$-
Affordable Housing	\$-
	\$-
Self Insurance	\$ 1,162,639.82
Fire Dedicated Penalties	\$-
Revolving Loan Fund	\$-
Tax Title Lien Redemption	\$-

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Unemployment Trust Fund	\$ 5,620.98
Library	\$ 176,829.23
General Liability Trust	\$ 46,089.13
Workers Compensation Trust	\$ 42,013.85
Trust Escrow	\$-
Reserve for Housing	\$-
Federal DOJ Forfeiture	\$-
TOTAL CLAIMS	\$ 9,159,712.47

R450-23 Resolution - Dedication By Rider - Lead Inspections

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR LEAD-BASED PAINT INSPECTIONS

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, the State of New Jersey passed The Lead-Based Paint Inspection Law, P.L. 2021, c. 182 that will be effective July 21, 2022, and,

WHEREAS, the Mayor and City Council desire to provide a mechanism to maintain the City’s Trust Funds, namely the Lead-Based Paint Inspections as a Dedication by Rider; and,

WHEREAS, as a new State Mandated Program, the Clifton Health Department prepared to be ready for the implementation of this new law and needs a mechanism to track fees and costs that are all unknown at the time of a budget adoption; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Lead-Based Paint Inspections in our Trust Fund and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council, of the City of Clifton, County of Passaic, State of New Jersey as follows (passage requires passage by a majority of the full membership (4)):

1. The City Council does hereby request permission of the Director of the Local Government Services to pay expenditures of the Lead-Based Paint Inspections under N.J.S.A. 40A:4-39
2. The State of New Jersey requires the Lead-Based Paint Inspection Law by P.L. 2021, c. 182, and allows the municipality to set up a Trust Account.
3. The City Clerk of the City of Clifton, County of Passaic, State of New Jersey is hereby directed to forward two certified copies of this resolution, with the votes indicated, to the Director of the Division Local Government Services for approval.

R451-23 Resolution - Dedication By Rider - National Opiate Settlement Fund

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR NATIONAL OPIATE SETTLEMENT FUNDS

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, the State of New Jersey City of Clifton receive funds from the National Opiate Class Action Suit Settlement; and

WHEREAS, the Mayor and City Council desire to provide a mechanism to maintain the City’s Trust Funds, namely the National Opiate Settlement Funds as a Dedication by Rider; and

WHEREAS, the Court Settlement requires these funds remain in an escrow account to be utilized as approved by the State of New Jersey; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the National Opiate Settlement Funds in our Trust Fund and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirements:

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council, of the City of Clifton, County of Passaic, State of New Jersey as follows (passage requires passage by a majority of the full membership (4)):

1. The City Council does hereby request permission of the Director of the Local Government Services to pay expenditures of the National Opiate Settlement Funds under N.J.S.A. 40A:4-39
2. The State of New Jersey and Court Settlements requires the National Opiate Settlement Funds mandated the municipality to set up a Trust Account.
3. The City Clerk of the City of Clifton, County of Passaic, State of New Jersey is hereby directed to forward two certified copies of this resolution, with the votes indicated, to the Director of the Division Local Government Services for approval.

R452-23 Resolution Awarding Professional Engineering Services Contract to Boswell Engineering for Survey, Inspection and Preliminary Engineering Services in Connection with the Plog Brook Culvert Rehabilitation

**RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES
CONTRACT TO BOSWELL ENGINEERING FOR SURVEY, INSPECTION AND
PRELIMINARY ENGINEERING SERVICES IN CONNECTION WITH THE PLOG
BROOK CULVERT REHABILITATION**

WHEREAS, the City of Clifton requires professional engineering services for survey, inspection and preliminary engineering in connection with the Plog Brook Culvert rehabilitation; and

WHEREAS, the City Engineer recommends that a contract for engineering for survey, inspection and preliminary engineering be awarded to Boswell Engineering in accordance with its submitted proposal, dated August 29, 2023, in the amount not to exceed \$113,000.00; and

WHEREAS, after reviewing the proposal and upon the recommendation of the City Engineer, the Municipal Council wishes to award a contract to Boswell Engineering for the provision of said services, in the amount not to exceed \$113,000.00; and

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

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

October 3, 2023

WHEREAS, the value of the contract is determined to be not to exceed \$113,000.00, and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that a professional engineering services contract for survey, inspection and preliminary engineering services in connection with the Plog Brook Rehabilitation, is hereby awarded to **BOSWELL ENGINEERING**, in accordance with its proposal dated August 29, 2023, in the amount not to exceed \$113,000.00, and shall not exceed that amount except upon the adoption of a supplemental resolution authorizing additional funding; and

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

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

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Boswell Engineering, South Hackensack, NJ
Services: Services for survey, inspection and preliminary engineering
Project: Plog Brook Culvert Rehabilitation
Cost: Not to exceed \$113,000.00
Term: Until completion

R453-23 Resolution Awarding Professional Engineering Services Contract to Boswell Engineering for Passaic Avenue and Allwood Road Sanitary Sewer Improvements for Design and Preparation of Bid Documents

**RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES
CONTRACT TO BOSWELL ENGINEERING FOR PASSAIC AVENUE AND
ALLWOOD ROAD SANITARY SEWER IMPROVEMENTS FOR DESIGN AND
PREPARATION OF BID DOCUMENTS**

WHEREAS, the City of Clifton requires professional engineering services for sanitary sewer improvements, design and preparation of bid documents in connection with Passaic Avenue and Allwood Road; and

WHEREAS, the City Engineer recommends that a contract for sanitary sewer improvements, design and preparation of bid documents be awarded to Boswell Engineering in accordance with its submitted proposal, dated September 8, 2023 in the amount not to exceed \$42,000.00; and

WHEREAS, after reviewing the proposal and upon the recommendation of the City Engineer, the Municipal Council wishes to award a contract to Boswell Engineering for the provision of said services, in the amount not to exceed \$42,000.00; and

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

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

Value; and

WHEREAS, the value of the contract is determined to be not to exceed \$42,000.00, and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that a professional engineering services contract for sanitary sewer improvements, design and preparation of bid documents in connection with Passaic Avenue and Allwood Road is hereby awarded to **BOSWELL ENGINEERING**, in accordance with its proposal dated September 8, 2023, in the amount not to exceed \$42,000.00, and shall not exceed that amount except upon the adoption of a supplemental resolution authorizing additional funding; and

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

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

**CITY OF CLIFTON
NOTICE OF CONTRACT AWARDED**

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

Awarded to: Boswell Engineering, South Hackensack, NJ
Services: Sanitary Sewer Improvements, Design & Preparation of Bid Documents
Project: Passaic Avenue and Allwood Road
Cost: Not to exceed \$42,000.00
Term: Until completion

R454-23 Resolution Authorizing Permission to Bid for 2023 NJDOT Sidewalk and Curb Improvements

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR
2023 NJDOT SIDEWALK AND CURB IMPROVEMENTS**

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 ADA upgrades and the replacement of curbs and sidewalks on Abbe Lane, Bart Place, Bender Drive, Brannon Court, Breen Court, Coppola Court, Ferris Drive, Homestead Street, Kashey Street, Layton Drive, Mountain View Drive, Ravine Court, Ridge Terrace, Rodgers Place, Rutgers Place, Trella Terrace, Tufts Road and View Place; 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

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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.*

R455-23 Resolution Authorizing Permission to Bid for 2023 Road Resurfacing Program (HUD-CD)

**RESOLUTION AUTHORIZING PERMISSION TO BID FOR
2023 ROAD RESURFACING PROGRAM (HUD-CD)**

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 milling and paving various roadways throughout the City of Clifton; 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.*

R456-23 Resolution Awarding Renewal of Contract for Municipal Court Spanish Interpreting Services Morning and Evening Sessions

**RESOLUTION AWARDING RENEWAL OF CONTRACT FOR MUNICIPAL COURT
SPANISH INTERPRETING SERVICES MORNING AND EVENING SESSIONS**

WHEREAS, pursuant to resolution R568-21, the City advertised for bids for the above Municipal Court Interpreter Spanish Morning and Evening Sessions; and

WHEREAS, On January 2022 the Mayor and Council adopted Resolution R006-22, titled "Resolution Award of Contract for Municipal Court Interpreter Spanish for Morning and Evening Sessions; and

WHEREAS, the current contract with Fernandez Translating Services, 43 Myron Street, Clifton, NJ 07014 for Spanish Interpreting Services will expire on December 31,2023; and

WHEREAS, the City of Clifton has the option to renew the said contract for one two (2) year extension at the same price, terms and conditions, in accordance with bids received on December 21,2021; and

NOW, THEREFORE, BE IT RESOLVED, that the contract for the providing of Municipal Court Interpreter Spanish Morning and Evening Sessions, on an as-needed basis, is hereby renewed for one year to Fernandez Translating Services, located at 43 Myron Street, Clifton, NJ 07013. The contract shall be renewed for twelve (12) months with the City's option to renew for

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one more year extension at the same price, terms, and conditions in accordance with bids received December 1, 2021, for the period of January 1, 2024 through December 31, 2024, in a not to exceed amount of \$71,050.00 per year; and

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

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

R457-23 Resolution to Purchase Educational Software Solutions and Services for Vendor Management and Fraud Protection from Carahsoft Technology Corporation for the City of Clifton off of NJ State Contract Purchasing Program Pursuant to N.J.S.A.40A:11-12a

RESOLUTION TO PURCHASE EDUCATIONAL SOFTWARE SOLUTIONS AND SERVICES FOR VENDOR MANGEMENT AND FRAUD PROTECTION FROM CARAHSOFT TECHNOLOGY CORPORATION 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, has need to purchase the Educational Software Solutions and Services for the Vendor Management and Fraud Protection Services related to Direct Deposits Payments; and

WHEREAS, Carahsoft Technology Corporation was awarded New Jersey State Contract number 19-COMP-00601 under Master M4002 NASPO Value Point Cloud Solutions for Educational Software Solutions and Services for Vendor Management and Fraud Protection, expiring September 15, 2026; and

WHEREAS, the Finance Department recommends authorization to procure software solutions from Carahsoft Technology Corporation-Payment Works, 11493 Sunset Hill Road Suite 100, Reston Virginia 20190, pursuant to New Jersey State Contract number 19-COMP-00601; 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: **Amisha J. Jariwala, 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 Carahsoft Technology Corporation, 11493 Sunset Hill Road Suite 100, Reston Virginia 20190 via New Jersey State Contract number 19-COMP-00601, in a total amount not to exceed \$120,540.00, for the period of October 15, 2023 through to September 15, 2026; and

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

Year 1: Usage Fee \$35,280.00 +One time Implementation Service Fee (\$14,700.00)
Year 2: Usage Fee \$35,280.00
Year 3: Usage Fee \$35,280.00

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R458-23 Resolution Authorizing Purchase of Uniforms and Other Law Enforcement Equipment and Supplies from Atlantic Uniform Co., Inc. off of the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a for Clifton Police Department

RESOLUTION AUTHORIZING PURCHASE OF UNIFORMS AND OTHER LAW ENFORCEMENT EQUIPMENT AND SUPPLIES FROM ATLANTIC UNIFORM CO. INC OFF OF THE NJ STATE CONTRACT PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a FOR CLIFTON POLICE DEPARTMENT

WHEREAS, the City of Clifton Police Department has a requested to purchase uniforms and other law enforcement supplies from Atlantic Uniform Co Inc; and
WHEREAS, Atlantic Uniform Co. Inc., 468 Washington Ave Belleville NJ 07109, has been assigned NJ State Contract No. T0106/17-FLEET-00763 – Law Enforcement Firearms Equipment and Supplies; 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: **Amisha J. Jariwala, Purchasing Agent** upon the terms and conditions hereafter stated; and
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Atlantic Uniform Co. Inc., 468 Washington Ave Belleville NJ 07109, which has been assigned NJ State Contract No. T0106/17-FLEET-00763, at a cost not to exceed \$80,000.00.

R459-23 Resolution Authorizing Purchase of Personal Protective Equipment from Action Fire Apparatus Company off of the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a for Clifton Fire Department

RESOLUTION AUTHORIZING PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FROM ACTION FIRE APPARATUS COMPANY OFF OF THE NJ STATE CONTRACT PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a FOR CLIFTON FIRE DEPARTMENT

WHEREAS, the City of Clifton Fire Department has a requested to purchase personal protective equipment including clothing and equipment from Action Fire Apparatus Company; and
WHEREAS, Action Fire Apparatus Company Inc., 119-131 Route 22 East, Green Brook, NJ 08812, has been assigned NJ State Contract No. T0790/17-FLEET-00811 - Firefighter Protective Clothing and Equipment; 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: **Amisha J. Jariwala, Purchasing Agent** upon the terms and conditions hereafter stated; and
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Council do hereby approve and authorize the aforementioned purchase above from Action Fire Apparatus Company Inc., 119-131 Route 22 East, Green Brook, NJ 08812, which has been assigned NJ State Contract No. T0790/17-FLEET-00811, at a cost not to exceed \$38,838.25.

R460-23 Resolution Authorizing Advertisement of Notice of Intent for Procurement of Ford OEM Automotive Parts and Supplies for the City of Clifton Via Sourcewell National Cooperative Contract

RESOLUTION AUTHORIZING ADVERTISEMENT OF NOTICE OF INTENT FOR PROCUREMENT OF FORD OEM AUTOMOTIVE PARTS AND SUPPLIES FOR CITY OF CLIFTON VIA SOURCEWELL NATIONAL COOPERATIVE CONTRACT

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 OEM Automotive Parts and Supplies, which was awarded to Route 23 Automall LLC, 1301 Route 23 Butler NJ 07405; and

WHEREAS, information regarding the contract may be found on Sourcewell’s website at <https://www.sourcewell-mn.gov/cooperative-purchasing/101520-fmc> ; and

WHEREAS, the current contract term for Sourcewell contract #101520-FMC, for Ford Automotive Parts and Supplies which expires on December 14,2024; and

WHEREAS, barring comments to the contrary, it is the intent of the City of Clifton to award a contract to Route 23 Automall LLC, 1301 Route 23 Butler NJ 07405, pursuant to the proposal submitted in response to Sourcewell’s Notice to Bidders Titled “Ford Automotive Parts and Supplies#101520-fmc for Ford OEM Automotive Parts and Supplies; 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 October 20, 2023.

Comment Period ends: October 20, 2023

R461-23 Resolution Authorizing Entertainment License for Saloon 103, LLC t/a Bogey's Sports Pub & Restaurant

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR SALOON 103, LLC T/A BOGEY’S SPORTS PUB & RESTAURANT

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Saloon 103, LLC t/a Bogey’s Sports Pub & Restaurant, of 103 Valley Road, Clifton, New Jersey (B-B Zone), is approved, and entertainment is authorized for the period from July 1, 2023 through June 30, 2024, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Four (4) nights per week: Wednesday, Thursday Friday and Saturday
Hours: 9:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS:

New Year’s Eve

3. OPTIONAL ENTERTAINMENT HOURS:

Hours: 8:00 p.m. to 1:00 a.m.

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

DJ Music and up to 4 Piece Band

5. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

October 3, 2023

July 1, 2023 through June 30, 2024

6. SECURITY/PARKING REQUIREMENTS:

Not applicable

7. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

8. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

9. REQUIREMENTS/RESTRICTIONS:

- A. An entertainment license is not required for private parties. A private party is defined as a gathering or celebration that is by invitation only and is not advertised or open to any members of the general public and in which no admission fee is charged to guests, whether in advance or at the door. Any party or event that is advertised in any media, including but not limited to newspapers, magazines, internet, radio or television shall not be considered a private party. Any party or event in which an admission fee is charged to guests, whether in advance or at the door, shall not be considered a private party.
- B. There will be no loud or offensive music, no go-go or exotic dancers; no dancing or other entertainment of a lewd, licentious or lascivious manner; no topless, bottomless or indecently exposed entertainers or service employees; no entertainers under eighteen (18) years of age.
- C. No establishment that is licensed to serve alcoholic beverages shall advertise, promote or hold a "teen night" for individuals under the age of 18. When holding a private party in which individuals under the age of 21 are invited, no alcoholic beverages may be served to individuals under the age of 21.

R462-23 Resolution of Congratulations Upon Retirement - Police Officer - Robert W. Tillie

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
POLICE OFFICER - ROBERT W. TILLIE**

WHEREAS, September 1, 2023, Police Officer, Robert W. Tillie, officially retired from his position with the City of Clifton; and

WHEREAS, he was appointed as a Police Officer on August 25, 1998, and his retirement will conclude a twenty-five year career in service to the public and the City of Clifton; and

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

WHEREAS, he has been a credit to 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
ROBERT W. TILLIE**

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

October 3, 2023

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to **ROBERT W. TILLIE**.

R463-23 Resolution for Appointment of Municipal Prosecutor for the City of Clifton

**CITY OF CLIFTON
RESOLUTION FOR APPOINTMENT OF CHIEF
MUNICIPAL PROSECUTOR FOR THE CITY OF CLIFTON**

WHEREAS, Daniel Brown, former Prosecutor for the City of Clifton, resigned his position on June 16, 2023; and

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey held a Special Meeting to interview prospective applicants to fill the position of Chief Municipal Prosecutor, on September 26, 2023;

BE IT RESOLVED, that Elsbeth Crusius is hereby appointed as Chief Municipal Prosecutor of the City of Clifton, in accordance with N.J.S.A. 2B:25-4, effective October 3, 2023.

R464-23 Resolution for Appointment to the Advisory Committee for Individuals with Disabilities

**RESOLUTION FOR APPOINTMENT TO THE
ADVISORY COMMITTEE FOR INDIVIDUALS WITH DISABILITIES**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of an application from Pamela Berglund to become a Member of the Advisory Committee for Individuals with Disabilities;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Pamela Berglund is hereby appointed as a Member of the Advisory Committee for Individuals with Disabilities for a four-year term commencing this date through December 31, 2026.

R465-23 Resolution Declaring October as Breast Cancer Awareness Month

**RESOLUTION DECLARING OCTOBER
BREAST CANCER AWARENESS MONTH**

WHEREAS, the City of Clifton is committed to raising awareness about breast cancer and the impact it has on our loved ones, friends, colleagues and community members; and

WHEREAS, thousands of women and men in our country are diagnosed with breast cancer each year; and

WHEREAS, screening and early detection can help people to overcome breast cancer;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of Clifton, County of Passaic and State of New Jersey that we hereby we acknowledge the importance of raising awareness of breast cancer in order to support survivors, those currently battling breast cancer, and those who might detect it in its early stages;

BE IT FURTHER RESOLVED that the Mayor and Council of the City of Clifton hereby proclaim the month of October as Breast Cancer Awareness Month.

October 3, 2023

R467-23 Resolution for Appointment of Assistant Municipal Prosecutor for the City of Clifton

**RESOLUTION FOR APPOINTMENT OF
MUNICIPAL PROSECUTOR FOR THE CITY OF CLIFTON**

BE IT RESOLVED, that the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey hereby appoint James V. Pomaco as Municipal Prosecutor of the City of Clifton effective October 3, 2023.

R468-23 Resolution to Approve the Clifton Public Housing Agency's 2024 Annual PHA Plan for Submission to HUD and Approve the PHA Certification of Compliance with the PHA Plans and Related Regulations

**RESOLUTION TO APPROVE THE CLIFTON PUBLIC HOUSING AGENCY'S
2024 ANNUAL PHA PLAN FOR SUBMISSION TO HUD AND APPROVE THE PHA
CERTIFICATION OF COMPLIANCE WITH THE
PHA PLANS AND RELATED REGULATIONS**

WHEREAS, the United States Congress passed the Quality Housing and Work Responsibility Act (QHWRA) of 1998 on October 21, 1998; and

WHEREAS, the QHWRA requires the Mayor and Municipal Council of the City of Clifton to approve the Clifton Public Housing Agency's PHA Plan for submission to HUD; and

WHEREAS, a Public Hearing was held on October 3, 2023 before the Mayor and Municipal Council to receive public comments and at which time no public comments were received; and

WHEREAS, the PHA Plan establishes the basic goals, objectives and policies of the Clifton Public Housing Agency; and

WHEREAS, HUD requires the Clifton Public Housing Agency approve the attached "PHA Certification of Compliance with the PHA Plans and Related Regulations."

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the City of Clifton hereby approves the Clifton Public Housing Agency 2024 Annual PHA Plan for submission to HUD and approves the required "PHA Certification of Compliance with the PHA Plans and Related Regulations" on this the 3rd day of October, 2023.

R469-23 Resolution Authorizing Agreement Between the City of Clifton Community Development Office (CDBG) and Family Literacy Program at Clifton Public School #17 of CDBG Award for Year 48 Funding for Period August 1, 2022 Thru July 31, 2023, Contract Number B-22-MC-34-0103

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF CLIFTON
COMMUNITY DEVELOPMENT OFFICE (CDBG) AND FAMILY LITERACY
PROGRAM AT CLIFTON PUBLIC SCHOOL #17 OF CDBG AWARD FOR YEAR 48
FUNDING FOR PERIOD AUGUST 1, 2022 THRU JULY 31, 2023, CONTRACT NUMBER
B-22-MC-34-0103**

BE IT RESOLVED that the Agreement between the City of Clifton Community Development Office (CDBG) and Family Literacy Program at Clifton Public School #17, as a sub-recipient of a CDBG funding grant, conditioned upon performance of certain services and satisfaction of conditions in connection with Community Development for the City of Clifton for Year 48 funding for the period August 1, 2022 thru July 31, 2023, contract number B-22-MC-34-0103, for a grant in the amount of \$8,000.00, in the form as approved by the Law Department, be and the same is hereby approved by the Municipal Council, and the Mayor and City Clerk be and they are hereby authorized and directed to execute the same on behalf of the City of Clifton; and

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R470-23 Resolution of the City of Clifton Health Department Accepting a 2023-2024 Childhood Lead Exposure Prevention Sub-Awardee Grant from the Passaic County Department of Health and Authorizing Entry into and the Execution of a Grant Agreement

RESOLUTION OF THE CITY OF CLIFTON HEALTH DEPARTMENT ACCEPTING A 2023-2024 CHILDHOOD LEAD EXPOSURE PREVENTION SUB-AWARDEE GRANT FROM THE PASSAIC COUNTY DEPARTMENT OF HEALTH AND AUTHORIZING ENTRY INTO AND THE EXECUTION OF A GRANT AGREEMENT

BE IT RESOLVED that a grant in the amount of \$259,942 for the funding period July 1, 2023 to June 30, 2024 for the Childhood Lead Exposure Prevention Sub-Awardee Grant from the Passaic County Department of Health is accepted and the entry into and execution of a grant agreement is authorized; and

BE IT FURTHER RESOLVED, that the Mayor, Clerk and Health Officer are hereby authorized and directed to execute said Agreement and any necessary documentation on behalf of the City of Clifton.

R471-23 Resolution Authorizing Execution of Cancellation of Mortgage Between City of Clifton and Arlene Adams (Clifton Home Improvement Program)

RESOLUTION AUTHORIZING EXECUTION OF CANCELLATION OF MORTGAGE BETWEEN CITY OF CLIFTON AND ARLENE ADAMS (CLIFTON HOME IMPROVEMENT PROGRAM)

WHEREAS, on October 21, 2021, in conjunction with a CHIP grant to Arlene Adams, a mortgage in the amount of \$9,950.00 was given by the City of Clifton for property situated at 215 Notch Road, Clifton, New Jersey (Block 66.02, Lot 14); and

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

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

R472-23 Resolution Authorizing Sale of Abandoned Motor Vehicles - October, 2023

RESOLUTION AUTHORIZING SALE OF ABANDONED MOTOR VEHICLES OCTOBER, 2023 AUCTION

WHEREAS, the following motor vehicles have been abandoned; and

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

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

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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 Rice Notices and Executive Session - Legal Opinion
- CON-2 Passaic County Community Kolliel Congregation v. City of Clifton Zoning Board of Adjustment PAS-L-1694-22
- CON-3 GI TC 2 Peekay Drive, LLC % Digital - 2022 Tax Appeal
- CON-4 Parking Requirements for Houses of Worship and RLUIPA - Legal Opinion
- CON-5 Update of Liability Claims Filed Against City of Clifton - Litigation Privilege
- CON-6 IBEW On Call Proposal - Contract Negotiations
- CON-7 IBEW Objection to Employee Performance Evaluations - Union Negotiations
- CON-8 PBA, Local 36 - Contract Negotiations
- CON-9 Redevelopment (Former Hoffman La Roche, Inc. Corporate Campus) Phase IV Redevelopment Plan

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 September 19, 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 Lucci's Pizza

RESOLUTION FOR PRELIMINARY APPROVAL

For Black Rose Rt 3, LLC
T/A Lucci's Pizza
Address 590 Rt 3 Clifton, NJ 07014
Type Of Food Establishment Intended Restaurant-Continued Use
Formerly Or New Route 3 Pizza
Zone B-D
Permitted Yes
Variance Required No
Final Approval Will Be Issued Pending Approval Of This Resolution.
Further Processing And Approval Of Various City Departments.

L-2 Homemade Pirogi

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, That The Application Of Homemade Pirogi, LLC
T/A Homemade Pirogi
For Permission To Conduct A: Caterer - Continued Use
For A Period Ending January 31, 2024 On The Premises Known As:
1295 Main Ave., Clifton, NJ 07011
Be And The Same Is Hereby Approved And Licenses So Issued In The Compliance With The Approval Of The Board Of Health, Fire Department, Police And Zoning Officer.

L-3 Bohemian Bistro

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, That The Application Of MNJ, LLC
T/A Bohemian Bistro
For Permission To Conduct A: Restaurant-Continued Use
For A Period Ending January 31, 2024 On The Premises Known As:
1281 Main Ave Clifton, NJ 07011
Be And The Same Is Hereby Approved And Licenses So Issued In The Compliance With The
Approval Of The Board Of Health, Fire Department, Police And Zoning Officer.

L-4 Emerald Corner

RESOLUTION FOR PRELIMINARY APPROVAL

For Simply Simple Eats LLC
T/A Emerald Corner
Address 12 Oak St Clifton, NJ 07014
Type Of Food Establishment Intended Restaurant-Continued Use
Formerly Or New Emerald Corner
Zone M-2
Permitted Yes
Variance Required No
Final Approval Will Be Issued Pending Approval Of This Resolution.
Further Processing And Approval Of Various City Departments.

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

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

Upon roll call, the following were noted present:

- | | |
|------------------------|-----------------|
| Councilman Gibson | (BG) |
| Councilman Kolodziej | (JK) |
| Councilman Latona | (AL) (via Zoom) |
| Councilwoman Murphy | (LM) (via Zoom) |
| Councilwoman Pino | (RP) |
| Councilwoman Sadrakula | (MS) |
| Mayor Grabowski | (RG) |

Also present were City Manager, Dominick Villano; City Attorney, Matthew Priore ; Assistant City Attorney, Andrew Oddo, City Clerk, Nancy Ferrigno and Deputy City Clerk, Michele Butler.

ADJOURNMENT

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona to adjourn the meeting at 12:00 a.m.

October 3, 2023

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

Respectfully Submitted,

Nancy Ferrigno
City Clerk

Raymond Grabowski, Mayor