

**CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES OCTOBER 17, 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)
Councilman Latona	(AL)
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

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 Minutes of October 3, 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 James Huber, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-2 Robert Spina, Recreation Aide - Recreation Dept. starting effective 10/02/2023 at \$50,000/annually.
- C-3 Robyn White Keyboarding Clerk 1 - Recreation Dept. has been promoted to Records Support Technician 1 effective 10/02/2023 at \$45,000/annually.
- C-4 Peter Turano has retired with the Clifton Police Dept. as Police Officer, effective 10/01/2023.
- C-5 John Kavakich has retired with the Clifton Police Dept. as Police Officer, effective 10/01/2023.
- C-6 Brett Blake has retired with the Clifton Fire Dept. as Deputy Chief, effective 10/01/2023.

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- C-7 Louis Reza has retired with the Clifton Police Dept. as Police Officer, effective 10/01/2023.
- C-8 Michael McNally has resigned with the Clifton Police Dept. as Public Safety Telecommunicator, effective 10/01/2023
- C-9 Mohammad Badwan, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-10 Samantha Beazley, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-11 Ahmed Elnakib, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-12 Justin Ferko, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-13 Anderson Ferreira, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-14 Justina Jones, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-15 Aziz Konak, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-16 Eric Loughheed, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-17 Matthew Santiago, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-18 Alexis Vargas-Rosario, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-19 Rocel Vasquez, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-20 John Zayas, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-21 Leonel Flores Jr. has resigned with the Clifton Police Dept. as Parking Enforcement Officer PT, effective 10/01/2023.
- C-22 Leonel Flores Jr., Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-23 Michael McNally, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.
- C-24 Favio J. Toyos has resigned with the Clifton Police Dept. as Public Safety Telecommunicator, effective 10/01/2023.
- C-25 Favio J Toyos, Police Officer -Clifton Police Dept. starting effective 10/05/2023 at \$43,262.00/annually.

COMMUNICATIONS MEETING MINUTES

- C-26 Minutes of North Jersey District Water Supply Commission of August 23, 2023
- C-27 Minutes of Passaic Valley Water Commission of July 26, 2023
- C-28 Minutes of Planning Board of September 28, 2023
- C-29 Minutes of Board of Adjustment of October 4, 2023
- C-30 Minutes of Alcoholic Beverage Control Board of September 13, 2023

SECOND READING ORDINANCES

A. Adoption of Ordinance 7854-23

B. Public Hearing on Ordinance 7854-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7854-23.

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilman Kolodziej 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

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public hearing at the opening of such hearing said ordinance was given a second reading which reading was by title and all persons interested having been given an opportunity to be heard concerning said ordinance and upon motion, adopted said hearing was closed and said ordinance was thereafter finally passed without amendments, upon motion regularly made by Councilman Gibson, seconded by 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"

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

C. Adoption of Ordinance 7855-23

D. Public Hearing on Ordinance 7855-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7855-23.

With no one wishing to be heard, a Motion was made by Councilman Gibson, seconded by Councilman Kolodziej 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 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)

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

E. Adoption of Ordinance 7856-23

F. Public Hearing on Ordinance 7856-23

Mayor Grabowski opened the floor to the public with regard to the Ordinance 7856-23.

With no one wishing to be heard, a Motion was made by Councilman Kolodziej, 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 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" (Amends Salary of Supervisor, Criminal Information Records)

(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 7857-23

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 Latona 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 8 Restricted Handicapped Spaces)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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 7858-23

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 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 7 Restricted Handicapped Spaces No Longer in Use)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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 7859-23

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 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)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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.

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

D. Introduction of Ordinance 7860-23

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 Councilwoman Murphy and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 17 of the Code of the City of Clifton, Entitled "Clifton Arts Center Gallery and Sculpture Park Committee", More Particularly Article II Thereof, Entitled "Composition of Advisory Committee" (Amends Composition of Advisory Committee)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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.

E. Introduction of Ordinance 7861-23

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Kolodziej and passed on roll call vote to table Resolution 7861-23.

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)

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

F. Introduction of Ordinance 7862-23

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Sadrakula and passed on roll call vote to table Ordinance 7862-23.

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 349-3 Thereof, Entitled "Application for Permit; Fee; Term of Permits" (Amends Term of Parking Permit)

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

G. Introduction of Ordinance 7863-23

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 Kolodziej and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, More Particularly Section 439-13 Entitled "Parking Prohibited at all Times on Certain Streets" (Adds Location at Varettoni Place)

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

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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.

H. Introduction of Ordinance 7864-23

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 Gibson and carried by roll call vote.

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, More Particularly Section 439-18 Entitled "Loading Zones" (Adds Location at Randolph 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 Wednesday, November 8, 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.

I. Introduction of Ordinance 7865-23

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 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 West Third Street)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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.

J. Introduction of Ordinance 7866-23

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 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)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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.

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

K. Introduction of Ordinance 7867-23

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 Latona, 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" (Amends Salary of Supervisor of Mechanic Position)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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.

L. Introduction of Ordinance 7868-23

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 Councilwoman Murphy and carried by roll call vote.

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)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held Wednesday, November 8, 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.

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

M. Introduction of Ordinance 7869-23

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 Councilwoman Murphy 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" (Amends Salary of Deputy Municipal Court Administrator)

It was regularly moved, seconded and carried that the ordinance now pending be further considered for final passage after public hearing at the regular meeting of the Municipal Council to be held

Wednesday, November 8, 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

Avraham Eisenman, 706 Passaic St., thanked the Clifton Police Department for stepping up neighborhood patrols due to the unrest in the Middle East.

Joseph Tuzzolino, Clifton Veterans Avenue of Flags, announced the upcoming Veterans' Day Parade and asked for volunteers to help put the flags up on Veterans' Day. He explained that the Avenue of Flags accepts donations and a flag could be purchased in honor of a veteran.

William Leger, 131 E 5th St., remarked on work place mistreatment and subpar healthcare concerning nurses.

Chris D'Amato, 81 Merrill Rd., spoke about the recent unrest in the Middle East and asked why there was an item on tonight's agenda supporting anti-Semitism.

Joseph Saino, 102 Trenton Ave., campaigned for a seat on the Board of Education.

Kim Castellano, 59 Mahar Ave., thanked the Council for supporting her organization, The Power of One. She gave a synopsis of the services offered by the group. Ms. Castellano announced that there will be a Thanksgiving dinner served at the Elks Club for individuals who have nowhere to go for Thanksgiving.

Steve Goldberg, 124 Charles St., spoke about the Middle East conflict and remarked that he is waiting for the City's elected officials to show support against anti-Semitism.

Joanne Macbeth, 11 Wheeler St., thanked City Manager, Dominick Villano, for having a sinkhole on Main Avenue repaired. She spoke about restructuring the Civil Rights Committee and remarked that political campaign signs are not allowed on public property.

Donna Popowich, 57 Dalewood Rd., commented that the City Council agenda is too full and too many items are pushed to the next meeting. She suggested having more Council meetings. Ms. Popowich asked that no Council meetings are scheduled on religious holidays in 2024. She thanked Council for providing security at the meeting because the altercation that happened at the prior Council meeting was scary.

Judy Gergets, 44 Rosedale Ave., spoke about the altercation at the prior Council meeting. She inquired if the individuals involved were arrested and why no one on the Council addressed the situation. Ms. Gergets addressed Councilwoman Pino and assured her that recent public comments about her were not racially motivated, they spoke up due to the Councilwoman's lack of moral compass. She asked that Councilwoman Pino step down or be removed from the Council and the Civil Rights Committee.

Judy Bassford, 92 Mountainview Dr., expressed her sorrow regarding the conflict in the Middle East. She spoke about an altercation at the last Council meeting. She commented that the person who was confronted had his civil rights violated because he did not get his turn to speak. Ms. Bassford stated that the parking lot at City Hall is too dark and needs more lighting. She spoke about Councilwoman Pino being removed from the Civil Rights Committee and how a Civil Rights Committee member should be free from partiality, accountable and follow the law. Ms. Bassford suggested the Council update their rules of order.

Ryan Yacco, 119 Orono St., spoke about Councilwoman Pino's election signs for County Clerk being placed on public property, a political event she hosted at the Clifton Library, the altercation between Councilwoman Pino's family and a member of the public and the liability to the City if a political event was held on public property without the proper exemption designation.

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David Joseph, 217 Cambridge Ct., spoke about getting involved in Clifton activities and committees, the Civil Rights committee, the war in the Middle East and scary social media comments.

Bart Ciervo, 306 Delawanna Ave., questioned why the City is picking up garbage for a private school. He also asked for someone to explain what the Ordinance is for shipping containers placed on City streets. Mr. Ciervo spoke about the altercation at the last Council meeting that he was involved in with Councilwoman Pino's family members. He asked why Councilwoman Pino's family members were not asked to leave the property when he was asked to leave. He asked that City Manager, Dominick Villano and Councilwoman Rosemary Pino step down from their positions.

Felicita Velasquez, 624 Gregory Ave., expressed her displeasure to the comments being made by the public regarding Councilwoman Pino.

Keith Bassford, 92 Mountainview Dr., talked about the altercation that took place at the last Council meeting. He discussed the need of Mayor Grabowski taking control of the meetings and the disrespect shown by the individuals involved in the altercation by placing their hands on police officers.

TD Desai, 105 Speer Ave., spoke about accountability and asked the Council what they are looking to achieve and what are they getting done.

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

City Manager, Dominick Villano, announced that donations for the Veterans Committee can be made by check.

Ryan Yacco – The issue of illegal signs will be sent to Quality of Life Officers.

Chris D'Amato – anti-Semitism needs to be discussed.

COUNCIL PRIVILEGE

Councilman Kolodziej

Councilman Kolodziej stated the violence at the last Council meeting was unacceptable. He remarked that people who complained about the metal detectors and police presence at the Council meetings can see now why it is needed. Councilman Kolodziej condemned terrorism. He urged the community to be careful with their words on social media and to check facts before posting. Councilman Kolodziej discussed the need for additional police officers. He announced that the Beautification Committee is hosting a fundraiser and a trick-or-treat event is taking place on Main Avenue. Councilman Kolodziej discussed early voting and urged residents to vote yes on the Open Space Tax referendum.

Councilman Latona

Councilman Latona announced retirements and City events. He spoke about the conflict in the Middle East. Councilman Latona discussed spending time on nonsense, checks and balances, sewer rate study, RFP's and many other issues. He spoke about developers fleecing the taxpayers. He thanked the Police Department for stepping up patrols. Councilman Latona spoke about the Veteran's Day Parade, nurses' benefits and lack of accountability. He suggested the Council meetings start earlier.

Councilwoman Murphy

Councilwoman Murphy expressed her displeasure regarding the altercation that took place at the last Council meeting. She announced that the Board of Education election will be taking place in three weeks and urged all residents to vote.

Councilwoman Pino

Councilwoman Pino read a resolution she presented to officials in Ecuador. She spoke about President-elect of Ecuador, Daniel Noboa's, visit to the United States. She appealed to the public to go out and vote.

Councilwoman Sadrakula

Councilwoman Sadrakula spoke about grant money for the new firehouse, getting a crosswalk painting schedule and an anti-Semitism discussion item, that she asked to be put on the Agenda, but was not. Councilwoman Sadrakula asked that a discussion item be put on the next agenda to talk about remote access to Council meetings for the public to speak remotely. She spoke about the conflict in the Middle East and condemned terrorism. Councilwoman Sadrakula asked why Councilwoman Pino did not make a statement at the last Council meeting when members of her family were involved in a physical altercation with a resident. She discussed members of the Council being held accountable when they flip-flop on issues.

Mayor Grabowski

Mayor Grabowski spoke about keeping the Council meetings in order and commended the audience on their behavior tonight. He stated that he felt the altercation at last week's Council meeting was handled correctly. Mayor Grabowski reminded the public that the metal detectors and police presence are there for everyone's protection.

Councilman Gibson

Councilman Gibson remarked that the metal detector and police presence at City Council meetings was a good move. He spoke about supporting improving nurses' medical benefits. Councilman Gibson asked resident, Lily D'Amato, to send him the resolution she drafted for supporting anti-Semitism so he can review it. He wished Joe Tuzzolino good luck as the new person in charge of the Avenue of Flags. Councilman Gibson said he would be present at the Veteran's Day parade. He announced that the Action Committee and the Botany SID met recently. He expressed his displeasure with the conflict in the Middle East. Councilman Gibson addressed public speaker, Donna Popowich, and stated that it is too late to change the course of the 5K race but perhaps it can be amended next year. He spoke about the altercation at last week's Council meeting.

RESOLUTIONS VOTED ON SEPERATELY

A Motion was made by Councilman Kolodziej, seconded by Councilwoman Sadrakula and passed on roll call vote to award professional engineering services contract to Neglia Engineering for construction management services in connection with the Ravine Park sanitary sewer improvements.

R481-23 Resolution Awarding Professional Engineering Services Contract to Neglia Engineering for Construction Management Services in Connection with the Ravine Park Sanitary Sewer Improvements

**RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES
CONTRACT TO NEGLIA ENGINEERING FOR CONSTRUCTION MANAGEMENT
SERVICES IN CONNECTION WITH THE RAVINE PARK SANITARY SEWER
IMPROVEMENTS**

WHEREAS, the City of Clifton requires professional engineering services for construction

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management services in connection with the Ravine Park Sanitary Sewer Improvements; and

WHEREAS, the City Engineer recommends that a contract for construction management services be awarded to Neglia Engineering in accordance with its submitted proposal, dated October 9, 2023, in the amount not to exceed \$68,800.00; and

WHEREAS, after reviewing the proposal and upon the recommendation of the City Engineer, the Municipal Council wishes to award a contract to Neglia Engineering for the provision of said services, in the amount not to exceed \$68,800.00; 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 \$68,800.00, and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that a professional engineering services contract for construction management services in connection with the Ravine Park Sanitary Sewer Improvements project is hereby awarded to **NEGLIA ENGINEERING**, in accordance with its proposal dated October 9, 2023, in the amount not to exceed \$68,800.00 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: Neglia Engineering, Lyndhurst, NJ
Services: Construction Management Services
Project: Ravine Park Sanitary Sewer Improvements
Cost: Not to exceed \$68,00.00
Term: Until completion

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

A Motion was made by Councilwoman Sadrakula, seconded by Councilman Latona and passed on roll call vote to deny the application for an Entertainment License for Made in Miami Bistro, LLC t/a Made in Miami.

R486-23 Resolution Authorizing Entertainment License for Made in Miami Bar & Bistro, LLC t/a Made in Miami

RESOLUTION AUTHORIZING ENTERTAINMENT LICENSE FOR MADE IN MIAMI BAR & BISTRO LLC, T/A MADE IN MIAMI

BE IT RESOLVED, by the Municipal Council of the City of Clifton, that the application of Made in Miami Bar & Bistro LLC t/a Made in Miami Bar & Bistro of 39 Harding Avenue, Clifton, New Jersey (B-C Zone), is approved, and entertainment is authorized for the period from November 1, 2023 through December 31, 2023, on the following terms and conditions:

1. NIGHTS - STANDARD ENTERTAINMENT NIGHTS/HOURS:

Three (3) nights per week: Thursday, Friday and Saturday
Hours: 8:00 p.m. to 1:00 a.m.

2. OPTIONAL ENTERTAINMENT NIGHTS/HOURS:

New Year's Eve; Valentine's Day; Cinco de Mayo; Mother's Day; Father's Day; July 4th; Thanksgiving Eve; Christmas Eve
Hours: 8:00 p.m. to 1:00 a.m.
Christmas Day - 1:00 p.m. to 8:00 p.m.

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

DJ Music

4. TERM OF AUTHORIZATION FOR ENTERTAINMENT:

November 1, 2023 through December 31, 2023

5. SECURITY/PARKING REQUIREMENTS:

In-house security and private security company.

6. NOISE LEVELS:

In accordance with the Code of the City of Clifton.

7. OUTSIDE DEBRIS CLEANUP:

In accordance with the Code of the City of Clifton.

8. REQUIREMENTS/RESTRICTIONS:

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

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- D. The applicant will be required to appear before the Municipal Council at the first regularly scheduled Council meeting on January 2, 2024, or at a date and time prior thereto as may be designated by the Council in its sole and absolute discretion, to review the permission granted for entertainment under this Resolution.

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

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.

R474-23 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 October 17, 2023**

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

Current Fund	\$ 592,489.50
Grant Fund	\$ 14,467.70
General Capital Fund	\$ 37,989.19
Sewer Utility -Operating	\$ 12,564.13
Sewer Utility-Capital	\$-
Developers Escrow	\$-
Dog Trust	\$-
Revolving Loan Fund	\$-
Police Extra Duty	\$-
Trust Other	\$ 110,054.19
Section 8 Public Housing	\$ 230,932.03
Reserve for Housing	\$-
Community Development	\$ 137.55
Payroll Agency	\$-
Tax Title Lien Redemption	\$-
Affordable Housing	\$-
Self Insurance	\$ 537,574.54
Fire Dedicated Penalties	\$-
Revolving Loan Fund	\$-
Tax Title Lien Redemption	\$-
Unemployment Trust Fund	\$-
Library	\$ 426,725.83
General Liability Trust	\$ 4,000.00
Workers Compensation Trust	\$-
Trust Escrow	\$-
Reserve for Housing	\$-
Federal DOJ Forfeiture	\$-
TOTAL CLAIMS	\$ 1,966,934.66

R476-23 Resolution - Chapter 159 Resolution to Amend the 2023 Municipal Budget to Include Grant - \$406,046 Strengthening Public Health

**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 \$406,046.00 from the State of New Jersey, Department of Health for Strengthening Local Public Health Capacity Program 2024 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 Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$406,046.00,

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:

Strengthening Local Public Health Capacity Program 2024 - \$406,046.00

BE IT FURTHER RESOLVED, that the like sum of \$406,046.00

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:

Strengthening Local Public Health Capacity Program 2024 - \$406,046.00

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

R477-23 Resolution - Corrective Action Plan for the Annual Audit Ending December 31, 2022

**CORRECTIVE ACTION PLAN FOR THE
ANNUAL AUDIT ENDING DECEMBER 31, 2022**

WHEREAS, the annual Audit Report for the Year Ending December 31, 2022, was delivered to the City Clerk’s Office on September 28, 2023; and,

WHEREAS, the annual Audit Report for the Year Ending December 31, 2022, was received by the Mayor and City Council of the City of Clifton in their Meeting Packets for the October 2, 2023, (A-13, R466-23) Council Meeting; and,

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WHEREAS, the Division of Local Government Services (DLGS) requires a Corrective Action Plan to be prepared and submitted within sixty (60) days from the date the annual Audit is received by the Governing Body; and,

WHEREAS, the Corrective Action Plan covers all findings and recommendations in the Audit Report, including State, Federal, and General Findings; and,

WHEREAS, the State of New Jersey, Department of Community Affairs, Divisions of Local Government extended the due date of the 2022 Annual Audit filing to September 30, 2023; and,

WHEREAS, the Corrective Action Plan should be prepared by the Chief Financial Officer, with the assistance from other Municipal Officials affected by the Audit Recommendations, and approved by the Governing Body,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Clifton, County of Passaic, State of New Jersey, hereby approves the Corrective Action Plan prepared and submitted by the Chief Financial Officer in response to the findings and recommendations included as part of the Audit Report for the fiscal year ended December 31, 2022.

R478-23 Resolution Canceling Grant Fund Account Balances

**RESOLUTION CANCELING
GRANT FUND ACCOUNT BALANCES**

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

<u>Account Name</u>	<u>Cancel Amount</u>
2023 – NJ Dept of Health – Local Health Capacity	\$ 7,215.08

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

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

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

R479-23 Resolution Awarding Contract for Foaming Root Control Services to Duke's Root Control, Inc.

**RESOLUTION AWARDING CONTRACT FOR FOAMING ROOT CONTROL
SERVICES TO DUKES ROOT CONTROL, INC.**

WHEREAS, the City of Clifton is in need of chemical treatment of sanitary sewer lines; and

WHEREAS, this service can be performed by injecting a foam root control product approved by both the US Environmental Protection Agency and the NJ Department of Environmental Protection; and

WHEREAS, the City Engineer has sought proposals for said services, and in response has

received a proposal from Dukes Root Control, Inc. of Syracuse, New York, the only commercial licensed applicator certified by both referenced agencies, estimating that the cost of said services in accordance with its submitted proposal, in the total amount not to exceed \$42,479.08; and

WHEREAS, the City Engineer recommends that a contract for said services be awarded to Duke’s Root Control, Inc.; and

WHEREAS, the contract is within the bidding threshold and may be awarded without public advertising for bids and bidding under N.J.S.A. 40A: 11-5 et seq; and

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

WHEREAS, the value of the contract is in excess of \$17,500.00, and the duration of the contract is until the services are completed but not to exceed one year; and

WHEREAS, the Business Entity Disclosure Certification has been received from the vendor 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 services, and the Chief Financial Officer has certified the availability of funds hereon; and

NOW THEREFORE BE IT RESOLVED, that a contract for the City of Clifton 2021 Foaming Root Control Services is hereby awarded to DUKE’S ROOT CONTROL, INC., of Syracuse, NY, in accordance with its submitted proposal dated September 1, 2023, in the total amount not to exceed \$42,479.08; and

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

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

R480-23 Resolution Awarding Contract for Ravine Park Sanitary Sewer Improvements - John Garcia (ARPA)

RESOLUTION AWARDING CONTRACT FOR RAVINE PARK SANITARY SEWER IMPROVEMENTS (ARPA)

BE IT RESOLVED: that the contract for the **RAVINE PARK SANITARY SEWER IMPROVEMENTS (ARPA)** be and the same is hereby awarded to **JOHN GARCIA CONSTRUCTION** of **Clifton, New Jersey**, the low bidder meeting the specifications at a grand total bid price of **\$705,908.00**, in accordance with bids received on **October 5, 2023**, and recommended by communication dated **October 10, 2023** to the Mayor and Council; and

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

BE IT FURTHER RESOLVED: that the required Certificate of Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton.

R482-23 Resolution Amending Resolution R260-23, Entitled "Resolution Authorizing Payment for Emergency Sewer Jetting Services"

RESOLUTION AMENDING RESOLUTION R260-23, TITLED “RESOLUTION

October 17, 2023

AUTHORIZING PAYMENT FOR EMERGENCY SEWER JETTING SERVICES”

WHEREAS, on June 7, 2023, the Mayor and Council approved R260-23 titled “Resolution Authorizing Payment for Emergency Sewer Jetting Services” in an amount not to exceed \$100,000; and,

WHEREAS, before the bidding process was complete the City utilized the emergency services of an outside vendor AAA Advanced Plumbing & Drain Cleaning located at 10 Memorial Drive, Woodland Park NJ 07424, for emergency sewer jetting services; and

WHEREAS, because of the additional number of sewer blockages were attended before the bid was awarded, this work was done on an emergent basis in accordance with N.J.S.A 40A:11-6 to protect health, safety, and welfare of the public; and,

WHEREAS, an additional \$17,988.00 is needed to fund the payment of the remaining emergency sewer jetting services that have been performed, bringing the total emergency contract price to \$117,988; and,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby approve an increase in funds for the above referenced emergency contract in the amount of \$15,576 to AAA Advanced Plumbing & Drain Cleaning located at 10 Memorial Drive Woodland Park NJ 07424 pursuant to the reasons stated above, which brings the total amount of the contract to \$117,988, thereby amending Resolution R260-23.

R483-23 Resolution Authorizing Purchase and Installation of New and Upgraded Telecommunications Switching Equipment off the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

RESOLUTION AUTHORIZING PURCHASE AND INSTALLATION OF NEW AND UPGRADED TELECOMMUNICATIONS SWITCHING EQUIPMENT OFF THE NJ STATE CONTRACT PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the City of Clifton Management Information Systems Coordinator has sought proposals via NJ State Contract to upgrade all the telecommunications switching equipment, specific to telephone services, in order to provide the City with state-of-the-art Voice Over Internet Protocol (VoIP) capabilities for improved communications; and

WHEREAS, Converge One, Inc., 10900 Nesbitt Avenue South, Bloomington, MN 55437, is an authorized provider under the awarded NJ State Contract No. 21-TELE-01518 - Data Communications Product and Services, encompassing the cost for equipment, accessories, and installation; and

WHEREAS, NJ State Contract 21-TELE-01518 has been awarded to Converge One, Inc. which expires on September 30, 2024; 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 Converge One, Inc., 10900 Nesbitt Avenue South, Bloomington, MN 55437, in an amount not to exceed \$100,000 off the New Jersey State Contract No. 21-TELE-01518, including all equipment, peripheral materials, and installation, pursuant to the above New Jersey State contract.

R484-23 Resolution Authorizing Purchase of Multiple Items from Axon Enterprise, Inc. for Police Drone Program and Upgrade the Investigation Bureau Rooms for the Police Department off the NJ State Contract Purchasing Program Pursuant to N.J.S.A. 40A:11-12a

RESOLUTION AUTHORIZING PURCHASE OF MULTIPLE ITEMS FROM AXON ENTERPRISE INC. FOR POLICE DRONE PROGRAM AND UPGRADE THE INVESTIGATION BUREAU ROOMS FOR THE POLICE DEPARTMENT OFF THE NJ STATE CONTRACT PURCHASING PROGRAM PURSUANT TO N.J.S.A. 40A:11-12a

WHEREAS, the Police Department has a need to start Drone Program and upgrade the Investigation bureau rooms and sought proposals via NJ State Contract; and

WHEREAS, Axon Enterprise Inc. 17800 N 85th street Scottsdale, Arizona 85255, is an authorized provider under the awarded NJ State Contract No. 17-FLEET-00738 - Law Enforcement Firearms Equipment and Supplies, encompassing the cost for equipment, accessories, and installation and maintenance; and

WHEREAS, NJ State Contract 17-FLEET-00738 has been awarded to Axon Enterprise Inc. which expires on May 13, 2024; 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 Axon Enterprise 17800 N 85th street Scottsdale, Arizona 85255, in an amount not to exceed \$101,187.72 off the New Jersey State Contract No. 17-FLEET-00738, including all equipment, peripheral materials, and service and installation, pursuant to the above New Jersey State contract.

R485-23 Resolution Awarding the Contract to Munidex, Inc. for Various Departments for Proprietary Software Services

RESOLUTION AWARDING THE CONTRACT TO MUNIDEX INC. FOR VARIOUS DEPARTMENTS FOR LICENSING PROPRIETARY SOFTWARE SERVICES

WHEREAS, the City of Clifton City Clerk, Tax Assessor and Health Department has a need of basic proprietary software and services for Vital statistics, Tax Assessment Post card services, Dog License Software Maintenance and proposing them to use for Retail Food Establishment Licensing; and

WHEREAS, the City of Clifton has a need to acquire such service as a Non-Fair and Open Contract pursuant to N.J.S.A 19:44A-20.5

WHEREAS, as a determination has been made as follows:

1. The known or estimated cost of the goods or service to be provided will exceed \$17,500.
2. Price quotes have been solicited and received from one service provider.
3. The anticipated term of this contract is annually.
4. Pursuant to N.J.A.C. 5:30-5.4(a), the maximum dollar value of this contract shall be \$30,000 and the Chief Financial Officer has certified the availability of funds; and

October 17, 2023

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 not exceed \$30,000.00, and the duration of the contract is annually; and

NOW THEREFORE, BE IT RESOLVED, that the Mayor and the City Clerk be and they are hereby authorized and directed to execute a contract for rendering such software services by Muidex Inc. One Gateway Center Suite 2600 Newark NJ 07102 for fees of \$30,000 annually.

R487-23 Resolution for Appointment to the Historical Commission

**RESOLUTION FOR APPOINTMENT TO THE
HISTORICAL COMMISSION**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are in receipt of applications from Feliciano Bunagan and Celia Bunagan to become Members of the Historical Commission;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Feliciano Bunagan and Celia Bunagan are hereby appointed as Members of the Historical Commission for a four-year term commencing this date through December 31, 2027.

R488-23 Resolution Recognizing November, 2023 as Lung Cancer Awareness Month

**RESOLUTION RECOGNIZING NOVEMBER, 2023 AS
LUNG CANCER AWARENESS MONTH**

WHEREAS, lung cancer is the leading cause of cancer death among men and women in the United States accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined; and

WHEREAS, according to the Centers for Disease Control, there were 1282 new lung cancer cases and 785 deaths because of lung cancer between 2015 and 2019 in Passaic County; and

WHEREAS the 5-year survival rate for localized lung cancer is ~60%, yet only ~24% of lung cancers are diagnosed at this stage; and

WHEREAS, screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial (3) and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial; and

WHEREAS, funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and

WHEREAS, lung cancer incidence is decreasing twice as fast in men as it is in women, each year more women die from lung cancer than breast cancer and by 2035, more women will die from lung cancer than men; and

WHEREAS, African Americans have the highest lung cancer incidence and mortality of all races, and disparities in lung cancer screening, diagnosis, treatment, and mortality are well characterized among African Americans and other racial minorities; and

WHEREAS, lung cancer in individuals who never smoked is the 7th leading cause of cancer-related death and accounts for 17,000-26,000 deaths in the US every year (7), 60-70% of individuals diagnosed with lung cancer who never smoked are women (9,10), and the proportion of lung cancers diagnosed in people who never smoked is increasing in the US; (10,11). Whereas radon is the leading cause of lung cancer among individuals who never smoked and the second leading cause of lung cancer overall; and

WHEREAS, organizations such as the American Lung Cancer Screening Initiative and Women’s Lung Cancer Forum, are committed to educating about lung cancer and lung cancer screening and working to increase lung cancer screening rates.

NOW, THEREFORE, BE IT RESOLVED, that the City of Clifton hereby proclaims November 2023 as Lung Cancer Awareness Month and recognizes the need for research in lung cancer affecting women and lung cancer health disparities, and encourage all citizens to learn about lung cancer and early detection through lung cancer screening.

R489-23 Resolution Proclaiming November 1, 2023 to be "Extra Mile Day" in the City of Clifton

**RESOLUTION PROCLAIMING NOVEMBER 1, 2023 TO BE “EXTRA MILE DAY”
IN THE CITY OF CLIFTON**

WHEREAS, the City of Clifton, New Jersey, is a community that acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, the City encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Clifton is a city that chooses to shine a light on and celebrate individuals and organizations who “go the extra mile” in order to make a difference and lift up fellow members of the community; and

WHEREAS, the City acknowledges the mission of the Extra Mile America Foundation to create 500 Extra Mile cities and states in America and is proud to support “Extra Mile Day” on November 1, 2023;

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, New Jersey, do hereby proclaim November 1, 2023 to be “Extra Mile Day in the City of Clifton,” and we urge all our citizens to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge those who are inspirational in their efforts and commitment to make their organizations, families, community, country or the world a better place.

R490-23 Resolution of Congratulations Upon Retirement - Deputy Fire Chief - Brett Blake
**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
DEPUTY FIRE CHIEF – BRETT BLAKE**

October 17, 2023

WHEREAS, October 1, 2023, Deputy Fire Chief – Brett Blake, officially retired from his position with the City of Clifton; and

WHEREAS, he was appointed as a Firefighter on October 4, 1993, and his retirement will conclude a thirty-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

DEPUTY FIRE CHIEF

BRETT BLAKE

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

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

R491-23 Resolution of Congratulations Upon Retirement - Police Officer - John K. Kavakich

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
POLICE OFFICER – JOHN K. KAVAKICH**

WHEREAS, October 1, 2023, Police Officer, John K. Kavakich, officially retired from his position with the City of Clifton; and

WHEREAS, he was appointed as a Police Officer on June 14, 1999, and his retirement will conclude a twenty-four 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
JOHN K. KAVAKICH**

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

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to **JOHN K. KAVAKICH**.

R492-23 Resolution of Congratulations Upon Retirement - Police Officer - Louis Reza

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
POLICE OFFICER – LOUIS REZA**

WHEREAS, October 1, 2023, Police Officer, Louis Reza, officially retired from his position with the City of Clifton; and

WHEREAS, he was appointed as a Police Officer on January 5, 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

LOUIS REZA

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

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

R493-23 Resolution of Congratulations Upon Retirement - Police Officer - Peter A. Turano

**RESOLUTION OF CONGRATULATIONS UPON RETIREMENT –
POLICE OFFICER – PETER A. TURANO**

WHEREAS, October 1, 2023, Police Officer, Peter A. Turano, officially retired from his position with the City of Clifton; and

WHEREAS, he was appointed as a Police Officer on September 19, 1994, and his retirement will conclude a twenty-nine 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

PETER A. TURANO

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

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

October 17, 2023

R494-23 Resolution Authorizing the Cancellation of 55% of the Taxes and Refund 55% of a Portion of the 2023 Third Quarter Taxes for Block 42.08, Lot 21, 76 Spencer Avenue Owned by Disabled Veteran

RESOLUTION AUTHORIZING THE CANCELLATION OF 55% OF THE TAXES AND A REFUND 55% OF A PORTION OF THE 2023 THIRD QUARTER TAXES FOR BLOCK 42.08, LOT 21, 76 SPENCER AVE, OWNED BY DISABLED VETERAN

WHEREAS, the Tax assessor has confirmed that Robert McQuitty, the owner of a two-family residence located at Block 42.08 Lot 21, 76 Spencer Avenue has been declared 100% disabled as of September 16, 2022 by the United States Department of Veteran Affairs and became owner of the subject property by way of a re-recorded deed on or about July 25, 2023; and

WHEREAS, Robert McQuitty has made application to the Tax Assessor of the City of Clifton for a 55% property tax exemption on the subject property in accordance with the law; and

WHEREAS, by virtue of his disabled veteran exemption, Robert McQuitty is entitled to the cancellation of 55% of the taxes and a partial refund of 55% of the 2023 third quarter property taxes on the subject property; and

WHEREAS, the Municipal Council, having reviewed the facts and circumstances of the application, grants the application and approves the 55% tax exemption on the subject property as of July 25, 2023, and hereby authorizes the cancellation of 55% of the taxes and a 55% partial refund of the 2023 third quarter property taxes on the subject property in the amount of \$942.50; and

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

1. To cancel 55% and partially refund a 55% of the 2023 third quarter tax payments in the amount of \$942.50; and
2. To keep the subject 55% property tax exemption for the totally disabled veteran for so long as he shall qualify for the exemption and for so long as the exemption is authorized by law based upon the facts and circumstances of this matter.

R495-23 Resolution Approving Developer Agreement Between the City of Clifton and the Porado Development Group, LLC/The Vistas at Vincent LLC and Vistas at Vincent LLC

RESOLUTION APPROVING DEVELOPER AGREEMENT BETWEEN THE CITY OF CLIFTON AND THE PORADO DEVELOPMENT GROUP, LLC/THE VISTAS AT VINCENT LLC AND VISTAS AT VINCENT LLC

BE IT RESOLVED, that a Developer Agreement between the City of Clifton and The Porado Development Group, LLC/The Vistas at Vincent LLC and Vistas at Vincent LLC, the developer of Block 63.01, Lots 24.01 and 24.02, 110 Vincent Drive and 96 Fairfield Road, Clifton, New Jersey, is hereby authorized and approved; and

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

R496-23 Resolution Appointing Joel Smith as a Class II Special Police Officer

**RESOLUTION FOR APPOINTMENT OF
SPECIAL POLICE**

BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, that Joel Smith be and is hereby appointed as a Class II Special Police Officer commencing this day through December 31, 2023.

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 Redevelopment (Former Hoffman La Roche, Inc. Corporate Campus) Phase IV Redevelopment Plan
- CON-2 Censoring of Civil Rights Committee Members - Legal Opinion
- CON-3 Fire Investigator Stipend - Personnel
- CON-4 Wayne S. Foster v. Clifton Police Department, et al - Case No. 23-1613
- CON-5 Clifton Supervisors Association (CSA) - Contract Negotiations - 2023-2026
- CON-6 Target Corp. T-1822 v. Clifton City - Tax Appeal
- CON-7 Developer Agreement - The Porado Development Group LLC - Negotiations (R495)
- CON-8 Late - IBEW On Call Proposal - Contract Negotiations

NOW, THEREFORE, BE IT RESOLVED that the public shall be excused and excluded from that portion of the Council’s meeting to be held on October 17, 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 Jams Deli & Mini Mart

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF **JAMS DELI & MINI MART, LLC T/A JAMES DELI & MINI MART** for permission to conduct a: **CATERER/GROCER/MILK-CONTINUED USE** for a period ending January 31, 2024 on the premises known as: **394 HIGHLAND 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-2 Agave Cantina

RESOLUTION FOR FINAL APPROVAL

BE IT RESOLVED, THAT THE APPLICATION OF **AGAVE 421, LLC T/A AGAVE CANTINA** for permission to conduct a: **RESTAURANT-CONTINUED USE** for a period ending January 31, 2024 on the premises known as: **421 PIAGET 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.

October 17, 2023

L-3 Los Gueros

RESOLUTION FOR PRELIMINARY APPROVAL

FOR LOS GUEROS XV LLC

T/A LOS GUEROS

ADDRESS 590 RT 3 CLIFTON, NJ 07014

TYPE OF FOOD ESTABLISHMENT INTENDED RESTAURANT

FORMERLY OR NEW

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.

ADJOURNMENT

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

(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