

**CITY OF CLIFTON
CLIFTON, NEW JERSEY
REGULAR MEETING MINUTES OCTOBER 19, 2021**

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

8:00 P.M. CALL OF ROLL

Mayor Anzaldi called the meeting to order and presided, and announced that the location of exits should be noted for use in case of fire or other emergencies and also that smoking regulations apply to the building and cell phones should be deactivated and turned off and read the following Statement of Compliance into the record:

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

Upon roll call, the following were noted present:

Councilman Eagler	(PE) (Via Zoom)
Councilman Gibson	(BG)
Councilman Grabowski	(RG)
Councilwoman Murphy	(LM)
Councilwoman Pino	(RP) 8:10 p.m.
Councilwoman Sadrakula	(MS)
Mayor Anzaldi	(JA)

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

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

City Clerk – Nancy Ferrigno

PUBLIC HEARING

APPROVAL OF MINUTES

A Motion was made by Councilman Grabowski, seconded by Councilwoman Murphy and passed on roll call vote to approve the Regular, Workshop and Executive Session Minutes of October 5, 2021.

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

COMMUNICATIONS FROM THE CITY MANAGER

C-1 Jose E. Padilla, Jr. Police Officer Public Safety, resigned his position effective 10/01/2021.

C-2 Dominic Iannarella Public Defender part-time Municipal Court, hired at \$50,000. annually, effective 10/01/2021.

COMMUNICATIONS MEETING MINUTES

C-3 Minutes of Beautification Committee of August 2, 2021

C-4 Minutes of Advisory Board of Health September 14, 2021

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C-5 Minutes of Environmental Commission of 3/3/2021, 4/7/2021 & 6/2/2021

C-6 Minutes of Board of Adjustment of October 6, 2021

C-7 Minutes of the Alcohol Beverage Control Board of September 15, 2021

SECOND READING ORDINANCES

A. Adoption of Ordinance 7680-21

B. Public Hearing on Ordinance 7680-21

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7680-21

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, entitled "Vehicles and Traffic", More Particularly Article II Thereof, entitled "Stopping, Standing and Parking," Section 439-12, entitled "Parking Prohibited for Street Cleaning" (Adds Lincoln Place)

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

C. Adoption of Ordinance 7681-21

D. Public Hearing on Ordinance 7681-21

Mayor Anzaldi opened the floor to the public with regard to the Ordinance 7681-21

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

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

An Ordinance to Amend, Revise and Supplement Chapter 439 of the Code of the City of Clifton, entitled "Vehicles and Traffic", More Particularly Section 439-33 Thereof, entitled "Speed Limits Established" (Designates Speed Limit to 25 MPH on Both Sides of Passaic Avenue {County Road 603} from Allwood Road to the Northerly Clifton Line)

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

CITY MANAGER PRIVILEGE

City Manager, Dominick Villano, announced that the City is hosting a flu shot clinic.

FLOOR TO MEMBERS OF THE PUBLIC

Keith Oakley, Avenue of Flags, spoke about the Avenue of Flags committee and thanked the many volunteers over the years who have helped make the program a success. He thanked everyone who donated to the committee. He announced the erecting of the KIA monument and the upcoming Veterans' Day Parade.

Joe Tuzzolino, Avenue of Flags, also thanked everyone who volunteered and the members of the City Staff who have helped make the Avenue of Flags possible. He thanked everyone who donated over the years.

Samantha Bassford, Clifton, NJ, urged all residents to vote in the upcoming Board of Education election.

Ray Robertello, 66 Woodlawn Ave., spoke about the reforestation of the Bonsal Preserve and the proposed expansion of the Adult Opportunity Center.

A Motion was made by Councilman Grabowski, seconded by Councilman Gibson and passed on roll call vote to close the public session.

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

COUNCIL PRIVILEGE

Councilman Gibson

Councilman Gibson announced that the Recycling Committee met and they are discussing increasing the recycling collection to once a week.

Councilwoman Murphy left the dais at 8:30 p.m.

He urged all residents to download the Recycle Coach application. Councilman Gibson spoke about traffic safety issues at the intersection of DeMott Avenue and 1st Street. He also discussed complaints from residents regarding notices on the City website that are difficult to read.

Councilwoman Murphy returned to the dais at 8:35 p.m.

Councilman Gibson spoke about a proposed uniform policy for City employees. He remarked that Jubilee Park needs some sprucing up and wished all Board of Education candidates good luck in the upcoming election.

Councilman Grabowski

Councilman Grabowski thanked Keith Oakley and Joe Tuzzolino for their exceptional work with the Avenue of Flags. He spoke about increasing recycling collections to once a week. Councilman Grabowski announced that the Beautification Awards will be presented at the next Council meeting.

Councilwoman Murphy

Councilwoman Murphy announced that the Botany Village committee met and that the sub-station for the police side will be opening soon with the Health Department side to follow shortly. She stated that the flashing solar signs that were requested, have been received and are in the process of being installed. Councilwoman Murphy remarked that the ADA Committee met under the new

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director and that the updating of the by-laws was discussed. She thanked all the Avenue of Flag committee members for their dedication and hard work with the Avenue of Flags.

Councilman Grabowski left the dais at 8:40 p.m.

Councilwoman Murphy stated that the Board of Education Candidate Forum was well attended and the questions were on point. She discussed the proposed expansion of the Adult Opportunity Center and all the positive things the center is involved with.

Councilwoman Pino

Councilwoman Pino announced that the Cannabis sub-committee met and that they are making progress.

Councilman Grabowski returned to the dais at 8:43 p.m.

Councilwoman Pino urged all residents to vote in the upcoming election. She expressed her thanks to all the volunteers and City employees for their hard work.

Councilwoman Sadrakula

Councilwoman Sadrakula asked to have the Chief Executive Officer of Passaic Valley Water Commission attend a future Council meeting to discuss the lack of communication during the recent boil water advisory. She asked when the Ballot Box would be televised. Councilwoman Sadrakula started a discussion regarding a proposed uniform policy for City employees. She was told by City Manager, Dominick Villano, that the plan for uniforms was scrapped. Councilwoman Sadrakula remarked on the painting of crosswalks and speed limit signs on Passaic Ave. and weekly recycling collection. She expressed her interest in having all committee meetings recorded. Councilwoman Sadrakula discussed the proposed expansion of the Adult Opportunity Center and spoke about how the City communicates to the public in the event of an emergency. Councilwoman Sadrakula discussed the Blue Acres Grant.

Councilman Eagler

Councilman Eagler thanked all the volunteers involved in the Avenue of Flags and urged all residents to vote in the upcoming election. He discussed early voting, mail in ballots and voting in person. Councilman Eagler asked City Clerk, Nancy Ferrigno, if the results of the election would be televised live on the local cable station. Ms. Ferrigno, responded that the numbers would be posted every half hour but those numbers would not include mail in, provisional or early voting ballots. Councilman Eagler discussed notifying residents when their streets are going to be repaved and asked if a site has been located for a new firehouse. City Manager, Dominick Villano, replied that a few sites are being looked at and that a Fire Committee meeting has been called to further discuss how well any of the properties would suffice as a firehouse.

Mayor Anzaldi

Mayor Anzaldi announced the upcoming Halloween Parade. He discussed a program that offers assistance for home utility costs. Mayor Anzaldi announced the upcoming Veterans Day and stated that the Arts Center has reopened with a new exhibit. He spoke about the common good things the Adult Opportunity Center does for the City and discussed the proposed expansion of their building. He spoke about preparing for the Winter Holidays.

Councilwoman Murphy announced the dates and times for the flu shot clinic.

RESOLUTIONS VOTED ON SEPARATELY

A Motion was made by Councilwoman Sadrakula, seconded by Councilwoman Murphy and passed on roll call vote to have Councilwoman Pino chair.

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

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R469-21 Resolution: Approve Claims List Resolution for the October 19, 2021 City Council Meeting

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF October 19, 2021**

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

Current Fund	\$ 6,669,009.67
Grant Fund	\$ 52,439.26
General Capital Fund	\$ 65,510.84
Sewer Utility -Operating	\$ 381,865.92
Sewer Utility-Capital	\$ 15,906.50
Developers Escrow	\$
Dog Trust	\$ 606.00
Police Extra Duty	\$ 86,432.50
Trust Other	\$ 256,379.97
Section 8 Public Housing	\$ 275,857.61
Community Development	\$ 33,806.56
Payroll Agency	\$ 40,324.02
COAH	\$
Self Insurance	\$ 791,997.33
Self Insurance 11	\$
Fire Dedicated Penalties	\$
Revolving Loan Fund	\$
Tax Title Lien Redemption	\$
Unemployment Trust Fund	\$
Library	\$ 399,469.62
General Liability Trust	\$ 25,739.69
Workers Compensation Trust	\$ 19,399.77
Federal DOJ Forfeiture	
TOTAL CLAIMS	\$ 9,114,745.26

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

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

R469-21 Resolution: Approve Claims List Resolution for the October 19, 2021 City Council Meeting

**RESOLUTION TO APPROVE CLAIMS TO BE PAID
MEETING OF October 19, 2021**

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

Current Fund	\$ 6,669,009.67
Grant Fund	\$ 52,439.26
General Capital Fund	\$ 65,510.84
Sewer Utility -Operating	\$ 381,865.92

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Sewer Utility-Capital	\$	15,906.50
Developers Escrow	\$	
Dog Trust	\$	606.00
Police Extra Duty	\$	86,432.50
Trust Other	\$	256,379.97
Section 8 Public Housing	\$	275,857.61
Community Development	\$	33,806.56
Payroll Agency	\$	40,324.02
COAH	\$	
Self Insurance	\$	791,997.33
Self Insurance 11	\$	
Fire Dedicated Penalties	\$	
Revolving Loan Fund	\$	
Tax Title Lien Redemption	\$	
Unemployment Trust Fund	\$	
Library	\$	399,469.62
General Liability Trust	\$	25,739.69
Workers Compensation Trust	\$	19,399.77
Federal DOJ Forfeiture		
TOTAL CLAIMS	\$	9,114,745.26

R470-21 Resolution for 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 2020 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.

R471-21 Resolution - Corrective Action Plan for the Annual Audit Ending December 31, 2020

**RESOLUTION
CORRECTIVE ACTION PLAN FOR THE
ANNUAL AUDIT ENDING DECEMBER 31, 2020**

WHEREAS, the annual Audit Report for the Year Ending December 31, 2020 was delivered to the City Clerk’s Office on October 1, 2021; and,

WHEREAS, the annual Audit Report for the Year Ending December 31, 2010 was received by the Mayor and City Council of the City of Clifton in their Meeting Packets for the October 5, 2021 Council Meeting; and,

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 issued Local Finance Notice (LFN) 2021-10 on May 26, 2021 to extended the due date of the 2020 Annual Audit filing to September 30, 2021 due to the Corona Virus Pandemic; 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, 2010.

R472-21 Resolution - Closing and Cancelling Outstanding Capital Project Account Balances

**RESOLUTION CLOSING AND CANCELING
OUTSTANDING CAPITAL PROJECT ACCOUNT BALANCES**

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

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

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

<u>Account Number and Name</u>	<u>Bond Ordinance</u>	<u>Cancel Amount</u>
04-215-55-945-000 – 2013 Bond Ordinance Projects	7107-13	\$ 34,074.94
04-215-55-953-000 – 2016 Capital Ordinance Projects	7304-16	\$ 4,046.80
04-215-55-956-000 – 2017 Capital Ordinance Projects	7401-17	Close
04-215-55-958-000 – 2018 Capital Ordinance Projects	7441-18	\$ 51.75
04-215-55-961-000 – 2019 Capital Ordinance Projects	7518-19	\$ 13,854.53
04-215-55-964-000 – 2020 Capital Ordinance Projects	7594-20	\$ 8,847.06

Total Capital Improvements to Be Canceled: \$ 60,875.08

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

R473-21 Resolution - Closing and Cancelling Outstanding Sewer Utility Capital Project Account Balances

**SEWER UTILITY
RESOLUTION CLOSING AND CANCELING
OUTSTANDING SEWER UTILITY CAPITAL ACCOUNT BALANCES**

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

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

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

<u>Account Number and Name</u>	<u>Bond Ordinance</u>	<u>Cancel Amount</u>
08-215-55-920-000 – 2011 Capital Improvements	6977-11	\$ 207,235.19
08-215-55-921-000 – 2011 Sewer Improvements	6978-11	\$ 26,640.00
08-215-55-936-000 – 2012 Bonsal Preserve Improvements	7036-12	Close
08-215-55-940-000 – 2014 Sewer Improvements	7163-14	\$ 3,350.56
08-215-55-943-000 – 2015 Sewer Improvements	7217-15	\$ 56,584.10

Total Sewer Utility Capital Improvement Projects To Be Canceled: \$ 293,809.35

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

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

RESOLUTIONS

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

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

R474-21 Resolution Awarding Professional Engineering Services Contract to Neglia Engineering for Construction Management and Inspection Services in Connection with the Bonsal Preserve Landscape Restoration Project

**RESOLUTION AWARDING PROFESSIONAL ENGINEERING SERVICES
CONTRACT TO NEGLIA ENGINEERING FOR CONSTRUCTION MANAGEMENT
AND INSPECTION SERVICES IN CONNECTION WITH THE BONSAI PRESERVE
LANDSCAPE RESTORATION PROJECT**

WHEREAS, the City of Clifton requires professional engineering services for construction management and inspection services in connection with the Bonsal Preserve Landscape Restoration project; and

WHEREAS, the City Engineer recommends that a contract for construction management and inspection services be awarded to Neglia Engineering in accordance with its submitted proposal, dated October 7, 2021, in the amount not to exceed \$18,200.00 or approximately 7.6% of the contract amount; 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 \$18,200.00; 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 \$18,200.00, and the duration of the contract is until completion;

NOW, THEREFORE, BE IT RESOLVED, that a professional engineering services contract for construction management and inspection services in connection with the Bonsal Preserve Landscape Restoration project is hereby awarded to **NEGLIA ENGINEERING**, in accordance with its proposal dated October 7, 2021, in the amount not to exceed \$18,200.00 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, South Lyndhurst, NJ
Services: Construction Management and Inspection Services
Project: Bonsal Preserve Landscape Restoration

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Cost: Not to exceed \$18,200.00
Term: Until completion

R475-21 Resolution Awarding Contract for Asbestos Abatement at Three City Park Fieldhouses

RESOLUTION AWARDING CONTRACT FOR ASBESTOS ABATEMENT AT THREE CITY PARK FIELDHOUSES

WHEREAS, the City of Clifton has a need to abate asbestos at fieldhouses located in Sperling, Nash and Lakeview Parks in accordance with a study and inventory of materials conducted by Environmental Health Investigations; and

WHEREAS, quotations were solicited from contractors to provide the materials and services required to perform the above. The following two vendors submitted quotes as follows:

		Total Cost:
1.	Sky Contracting, LLC	\$34,750.00
2.	Four Strong Building, LLC	\$42,500.00

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

WHEREAS, the estimated value of the contract is expected to be in excess of \$17,500.00 and the duration shall be until completion; and

WHEREAS, the Business Entity Disclosure Certification has been received for Sky Contracting, LLC and is incorporated in the contract awarded hereby along with the Determination of Value; and

WHEREAS, upon review of the submitted quotes, it is recommended the contract be awarded to the lowest responsive and responsible vendor Sky Contracting, LLC in the total not to exceed amount of \$34,750.00; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council that the contract for three city park fieldhouses asbestos abatement be awarded to the lowest respondent, Sky Contracting LLC, 855 Valley Road, Suite 201, Clifton, NJ 07013 in an amount not to exceed \$34,750.00; and

BE IT FURTHER RESOLVED, that no services and/or goods shall commence prior to execution of a contract in a form to be approved by the Law Department which the Mayor and Clerk are hereby authorized to sign, and the issuance of a Purchase Order by the Finance Department.

R476-21 Resolution Authorizing Re-Advertisement for Bid Request for HVAC Air Duct Cleaning and Sanitizing

RESOLUTION AUTHORIZING RE-ADVERTISEMENT FOR BID REQUEST FOR HVAC AIR DUCT CLEANING AND SANITIZING

WHEREAS, on August 4 2021, the Mayor and Council of the City of Clifton authorized bids to be solicited for HVAC Air Duct Cleaning and Sanitizing, via resolution R341-21; and,

WHEREAS, no bids were submitted on October 5, 2021, the date advertised for bid opening, pursuant to the above; and,

WHEREAS, the Purchasing Agent is requesting authorization to re-advertise the bid request pursuant to N.J.S.A 40A:11-1 *et seq.*; and

NOW THEREFORE BE IT RESOLVED, that the Purchasing Agent is hereby authorized and directed to re-advertise for bids for **HVAC Air Duct Cleaning and Sanitizing** for the City of Clifton.

R477-21 Resolution Establishing Procedure for Murals to be Erected, Painted or Otherwise Installed on Property Owned by the City of Clifton

**RESOLUTION ESTABLISHING PROCEDURE FOR MURALS TO BE
ERECTED, PAINTED OR OTHERWISE INSTALLED ON PROPERTY
OWNED BY THE CITY OF CLIFTON**

WHEREAS, murals can provide a rich artistic enhancement to the community; and,

WHEREAS, the City of Clifton may from time to time make available and designate areas on City owned property for the erection of murals.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council that the procedure for the erection of murals on property owned by the City of Clifton shall be as follows:

1. Artists seeking to erect, paint, or otherwise install a mural on any property owned and so designated by the City of Clifton, shall submit a sketch or rendering of the proposed mural to the City Clerk who will forward same to the Mayor and Municipal Council for review; and,
2. The proposed mural may not include: (1) any depiction or content of a commercial, trademarked, copyrighted, or other licensed features; (2) any message or advertisement for any individual, group or entity (whether or not commercial); or (3) any subjects or material of a scandalous, libelous or indecent nature as determined by contemporary community standards; and,
3. The Mayor and Municipal Council shall review and consider each proposed mural and either approve or reject the proposed mural; and,
4. If approved, the mural shall be displayed for such a period of time as the Municipal Council shall determine it its sole discretion.

R479-21 Resolution for Appointment to the Clifton Arts Center & Sculpture Committee

**RESOLUTION FOR APPOINTMENT TO THE
CLIFTON ARTS CENTER & SCULPTURE COMMITTEE**

WHEREAS, the Mayor and Council of the City of Clifton, County of Passaic, State of New Jersey are aware of the resignation of Jeffrey Labriola from the Clifton Arts Center & Sculpture Committee; and

WHEREAS, the Mayor and Council are in receipt of an application from Daron Vasquez to become a Member of said committee;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Municipal Council of the City of Clifton, County of Passaic, State of New Jersey that Daron Vasquez is hereby appointed as a Member of the Clifton Arts Center & Sculpture Committee commencing October 19, 2021.

R480-21 Resolution of Congratulations on 100th Birthday - Margaret Venner Eppler

**RESOLUTION OF CONGRATULATIONS ON
100TH BIRTHDAY**

October 19, 2021

WHEREAS, Margaret Venner Eppler was born on October 11, 1921 in Washington, New Jersey (Harmony Township); and

WHEREAS, Margaret married Arthur Eppler on April 15, 1944 and moved to Clifton in 1947 where they rented an apartment on Grove Street. They purchased their home at 191 Elmwood Drive in 1952 and Margaret still resides there today; and

WHEREAS, Margaret is the mother of two children, two grandsons and four great grandsons; and

WHEREAS, Margaret worked at Metropolitan Life on Broad Street in Clifton for many years; and

WHEREAS, Margaret is a member of St. John's Evangelical Lutheran Church on Broad Street in Clifton;

NOW, THEREFORE, we, the Mayor and Municipal Council of the City of Clifton join with the family and many friends of

MARGARET VENNER EPPLER

In congratulating her on the occasion of her 100th birthday and do extend to her best wishes for good health, peace and happiness in all her future years.

R481-21 Resolution of Congratulations - 60th Anniversary - The Hot Grill

**RESOLUTION OF CONGRATULATIONS ON
60TH ANNIVERSARY**

WHEREAS, The Hot Grill, which has attained "Landmark Status" in the City of Clifton, first opened its doors on October 13, 1961; and

WHEREAS, located at the same location on Lexington Avenue during all these years, the business began as a small stand with front garage doors, a counter and 20 seats and after two extensive renovation projects, has evolved into the expanded modern establishment that exists today; and

WHEREAS, for the past 60 years, The Hot Grill has served the residents of Clifton and surrounding towns with fine food and great service, always with the familiar "...One all the way, one"; and

WHEREAS, this October marks the 60th Anniversary of the founding of The Hot Grill and on October 9th and 10th, an anniversary celebration will be held, with many activities taking place, including a spectacular fireworks display; and

WHEREAS, this Governing Body wishes to publicly recognize this important milestone in the life of The Hot Grill, one of Clifton's treasures;

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, on behalf of all the citizens of the City of Clifton, do hereby extend sincere congratulations to

THE HOT GRILL
on the occasion of its
60TH ANNIVERSARY

and do further extend best wishes to the owners and the entire staff for continued success and further development in the future.

R482-21 Resolution Proclaiming October as Breast Cancer Awareness Month

**RESOLUTION PROCLAIMING 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.

R483-21 Resolution of Congratulations to St. George Greek Orthodox Church of Clifton Upon its 100th Anniversary

**RESOLUTION OF CONGRATULATIONS TO ST. GEORGE GREEK ORTHODOX
CHURCH OF CLIFTON UPON ITS 100TH ANNIVERSARY**

WHEREAS, 2021 marks the 100th Anniversary of the founding of St. George Greek Orthodox Church of Clifton, located on Valley Road; and

WHEREAS, history shows that the church was started by a handful of Greek immigrant families who arrived in the United States during the early 1900's, and who realized that the only way to pass on their deep love and respect for their religious and cultural heritage to future generations was to establish a church; and

WHEREAS, through the devotion, dedication and hard work of its growing membership, the church has evolved from its humble beginnings at various locations throughout the area to the beautiful edifice that was finally established in 1974 at its present location on Valley Road in Clifton; and

WHEREAS, the church has flourished and grown over these many years, enriching the lives not only of its members but those of all the citizens of Clifton as well, becoming an integral part of the spiritual and temporal life of the City; and

WHEREAS, this Governing Body wishes to publicly acknowledge this most important event in the life of St. George;

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, on behalf of all its citizens, do hereby formally and officially tender to

ST. GEORGE GREEK ORTHODOX CHURCH OF CLIFTON

its membership, clergy, families and friends, our heartfelt congratulations on the occasion of this milestone in its existence: the 100th Anniversary of its founding, and do extend best wishes for continued success, progress and further development in the future; and

October 19, 2021

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to St. George Greek Orthodox Church of Clifton.

R484-21 Resolution of Congratulations to James P. Dobak on Attainment of Eagle Scout Award

RESOLUTION OF CONGRATULATIONS TO JAMES P. DOBAK ON ATTAINMENT OF EAGLE SCOUT AWARD

WHEREAS, on Sunday, October 17, 2021, James P. Dobak will have conferred upon him the “Eagle Scout” award at an Eagle Scout Court of Honor to be held at the St. Andrew The Apostle Church, 400 Mt. Prospect Avenue in Clifton; and

WHEREAS, the attainment of this high honor reflects great credit not only on James and his family, but also on his troop, Boy Scout Troop #23, Boy Scouts of America, and the entire community; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, do hereby formally note the bestowal of this distinguished award upon

JAMES P. DOBAK

and do join with his family, many friends, and fellow scouts in extending heartfelt congratulations to him on behalf of all the citizens of Clifton; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to Eagle Scout **JAMES P. DOBAK**.

R485-21 Resolution of Congratulations to Vinson B. Cilli on Attainment of Eagle Scout Award

RESOLUTION OF CONGRATULATIONS TO VINSON B. CILLI ON ATTAINMENT OF EAGLE SCOUT AWARD

WHEREAS, on Sunday, October 17, 2021, Vinson B. Cilli will have conferred upon him the “Eagle Scout” award at an Eagle Scout Court of Honor to be held at the St. Andrew The Apostle Church, 400 Mt. Prospect Avenue in Clifton; and

WHEREAS, the attainment of this high honor reflects great credit not only on Vinson and his family, but also on his troop, Boy Scout Troop #23, Boy Scouts of America, and the entire community; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, do hereby formally note the bestowal of this distinguished award upon

VINSON B. CILLI

and do join with his family, many friends, and fellow scouts in extending heartfelt congratulations to him on behalf of all the citizens of Clifton; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to Eagle Scout **VINSON B. CILLI**.

R486-21 Resolution of Congratulations to Liam P. Reilly on Attainment of Eagle Scout Award

RESOLUTION OF CONGRATULATIONS TO LIAM P. REILLY ON ATTAINMENT OF EAGLE SCOUT AWARD

WHEREAS, on Sunday, October 17, 2021, Liam P. Reilly will have conferred upon him the “Eagle Scout” award at an Eagle Scout Court of Honor to be held at the St. Andrew The Apostle Church, 400 Mt. Prospect Avenue in Clifton; and

WHEREAS, the attainment of this high honor reflects great credit not only on Liam and his family, but also on his troop, Boy Scout Troop #23, Boy Scouts of America, and the entire community; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Mayor and Members of the Municipal Council of the City of Clifton, do hereby formally note the bestowal of this distinguished award upon

LIAM P. REILLY

and do join with his family, many friends, and fellow scouts in extending heartfelt congratulations to him on behalf of all the citizens of Clifton; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of this meeting, and a copy thereof presented to Eagle Scout **LIAM P. REILLY**.

R487-21 Late - Resolution Awarding Contract for 2021 Road Resurfacing Program (HUD-CD)

RELOLUTION AWARDING CONTRACT FOR 2021 ROAD RESURFACING PROGRAM (HUD-CD)

BE IT RESOLVED, that the contract for the **2021 ROAD RESURFACING PROGRAOM (HUD-CD)** be and the same is hereby awarded to **SMITH SONDY ASPHALT CONSTRUCTION CO.** of **Wallington, New Jersey**, the low bidder meeting the specifications at a grand total bid price of **\$4,288,018.60**, in accordance with bids received on **September 30, 2021**, and recommended by communication dated **October 14, 2021** 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 Availability of Funds for the above contract has been obtained from the Chief Financial Officer of the City of Clifton. The appropriation to be charged for this expenditure is:

**CERTIFICATION OF FUNDS
FUNDS ARE AVAILABLE IN:**

Account#

17-201-20-109-026	Yr. 42 CDBG Drop Curb Project	\$ 65,427.13
17-201-20-110-026	Yr. 43 CDBG Drop Curb Project	\$167,059.25
17-201-20-111-026	Yr. 44 CDBG Drop Curb Project	\$185,915.48
17-201-20-112-26	Yr. 45 CDBG Drop Curb Project	\$ 77,139.23
04-215-55-971-401		<u>\$3,792,477.51</u>
		\$4,288,018.60

October 19, 2021

R488-21 Executive Session

RESOLUTION AUTHORIZING EXECUTIVE SESSION

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

- CON-1 Fire Chief Request for Salary Increase
- CON-2 Occidental Chemical Corp. v. 21st Century Fox America, Inc., et al
- CON-3 COAH Housing Negotiations
- CON-4 Tax Assessor Request for Salary Increase
- CON-5 City of Clifton & PBA Local 36 – Arbitration Award

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 19, 2021 at which time, said subject(s) shall be discussed.

LICENSES

L-1 Amsterdam 2 Convenience & Smoke Shop, LLC

RESOLUTION FOR PRELIMINARY APPROVAL

Amsterdam 2 Convenience & Smoke Shop, LLC
t/a Amsterdam 2 Convenience & Smoke Shop
1170 Broad St., Clifton, NJ 07013
Grocery - New
Preliminary Approval

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

A Motion was made by Councilman Grabowski, seconded by Councilwoman Murphy and passed on roll call vote to return to Closed Session at 9:30 p.m.

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

Council returned to open session

A Motion was made by Councilman Grabowski, seconded by Councilwoman Murphy and passed on roll call vote to approve Resolution R478-21

R478-21 Resolution Authorizing the City of Clifton to Designate the "PVSC Group" as its Liaison Counsel in the Matter Entitled Occidental Chemical Corporation v. 21st Century Fox America, Inc., et al., Pending in the United States District Court for the District of New Jersey Under Civil Action No. 2:18-CV-11273-MCA-JAD

**RESOLUTION AUTHORIZING THE CITY OF CLIFTON TO DESIGNATE THE
“PVSC GROUP” AS ITS LIAISON COUNSEL IN THE MATTER ENTITLED
OCCIDENTAL CHEMICAL CORPORATION V. 21ST CENTURY FOX AMERICA,
INC., ET AL., PENDING IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY UNDER CIVIL ACTION NO. 2:18-CV-11273-MCA-JAD**

WHEREAS, a lawsuit has been filed in the matter entitled Occidental Chemical Corporation v. 21st Century Fox America, Inc., et al. in the United States District Court for the District of New Jersey under Civil Action No. 2:18-cv-11273-MCA-JAD (hereinafter the “Lawsuit”), seeking contribution and cost recovery under the Comprehensive Environmental Response and Liability Act, 42 *U.S.C.* 103, *et seq.*, for present and future costs pertaining to the remediation of contaminated sediment in the Passaic River;

WHEREAS, by way of Amended and Third-Party Complaints, the City of Clifton has been named a Defendant and Third-Party Defendant in the Lawsuit; and

WHEREAS, pursuant to a Pre-26(f) Conference Scheduling Order entered by the United States District Court on October 21, 2018, all parties to the lawsuit are required to designate liaison counsel for purposes of administrative convenience and to facilitate the efficient communication among the parties to the Lawsuit; and

WHEREAS, the Passaic Valley Sewer Commission has created a liaison group comprised of certain member municipalities known as the “PVSC Group;” and

WHEREAS, the Mayor and Municipal Council wish to designate the PVSC Group as liaison counsel for the City of Clifton in the Lawsuit;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Members of the Municipal Council of the City of Clifton that the appointment of the PVSC Group to serve as liaison counsel for the City of Clifton in the Lawsuit be, and hereby is authorized.

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

ADJOURNMENT

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

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

Respectfully Submitted,

James Anzaldi, Mayor

Nancy Ferrigno
City Clerk