



City of Passaic New Jersey
CITY COUNCIL
REGULAR MEETING AGENDA
September 12, 2006
7:00 P.M.

IN ACCORDANCE WITH CHAPTER 231 PUBLIC LAWS OF 1975, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY RESOLUTION OF THE MUNICIPAL COUNCIL ADOPTED ON JUNE 27TH, 2006 SETTING FORTH A SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2006-2007, WHICH WAS PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK.

I. ROLL CALL

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. HEARING OF CITIZENS

V. ORDINANCES FOR SECOND AND FINAL READING (PUBLIC HEARING REQUIRED)

1. ORDINANCE AMENDING CHAPTER 5” ADMINISTRATION OF GOVERNMENT: CHAPTER 39” POLICE DEPARTMENT”, AND CHAPTER 133 “FEES #1695-06

VI. COMMUNICATIONS

2. City Clerk’s Office submitting applications for Raffle Licenses for The Hungarian Reformed Church, 220 Fourth Street, and Yeshiva Ktana of Passaic, 1 Main Ave.
3. Herminio Garcia/OMAU Mexican American United Org. – 37 Essex St. submitting application to conduct the following events: on September 24, 2006. **(Contingent upon Dept. approvals and Liability Insurance)**
- Flag Raising at 10: 00 a.m. in front of City Hall
 - Parade will commence at 11:00 a.m. from City Hall to Pulaski Park
 - Festival starting at noon and ending at 6:00 at Pulaski Park.

4. John Zuniga/ Las Fiestas Patria Inc. 116 Passaic St. submitting application to Hold a Mexican Independence Day Festival at Pulaski Park on September 16, 2006 from 12:00 p.m. to 8:00 p.m. **(Contingent upon Dept. approvals Liability Insurance)**
5. Vincent Capuana, Director of Inspections and Code submitting a request for an Occupancy Certificate application fee refund to Blanca Macote, 34 Francis St., Clifton, NJ in the amount of \$85.00.
6. John Miskovsky, Construction Official submitting a request for a work permit refund to Mc Cormack Contracting Co. , 250B Main Avenue, Madison, NJ in the amount of \$73.00
7. The Vidal Partnership/Spanish Broadcasting System, 228 East 45th St., New York City submitting an application to conduct a radio promotion in front of each establishments on September 15, 2006 at the following establishments: Luigi's Liquors – 175 Jefferson Street, from 5:30pm to 6:30 p.m.; Johnny's Liquors – 370 Monroe St from 7:00 pm to 8:00 pm; Broadway Liquors – 62 Broadway from 5:30 p.m. to 6:30 pm and Number One Liquors – 126 Howe Avenue from 7:00 p.m. to 8:00 p.m.
8. Seventh Day Adventist Church – 315 Oak Street submitting the following Applications:
 - Health Fair on September 17, 2006 on Oak Street between Grove and Myrtle from 8 a.m. to 4 p.m.
 - Outdoor Assembly on Saturday's September 2,9,16,23,30, 2006 from 9:00 a.m. to 9:00 p.m. and September 15th, from 7:00 a.m. to 9:00 p.m. event will be held on church parking lot (private property),
9. United Puerto Rican Council Inc. – 173-175 Passaic Street submitting an application to hold a Picnic (for members and their guest ONLY) at the Third Ward Park on September 17, 2006 between 12 noon to 6 p.m.
10. Breaking the Cycle 2006- 127 W. 26th Street, New York, submitting an application to travel through Passaic via bicycles on September 17, 2006 starting on Passaic Avenue between Terhune Avenue to Gregory Avenue Bridge into the City of Wallington between 10:00 a.m. to 1:30 p.m.
11. Our Lady of Mount Carmel Church – 10 St. Francis Way, submitting an application to hold a Flea Market September 23, 2006 on their church parking lot between 8 a.m. to 4 p.m.
12. Central of Polish Organization – 1-3 Monroe Street, submitting an application to hold a Flag Raising on September 30, 2006 between 10 a.m. to 10:30 a.m. in front of City Hall
13. St. Anthony of Padua Church – 101-103 Myrtle Avenue, submitting an application to conduct a procession on September 17, 2006 between 7:00 p.m. to 7:30 p.m. commencing on Oak Street to Gregory Avenue to Monroe Street **(Contingent upon Liability Insurance and**

County Approval)

14. United Passaic Organization – 41 Myrtle Avenue re-submitting an application to hold a Volley Ball Tournament at the School No. 11 playground on September 16, 2006 between 1:00 p.m. to 7 p.m.
- 14A. Honorable Mayor Rivera, submitting a memorandum informing Council Members that Mr. & Mrs. Richard Ehrlich, of 48 Crescent Avenue; will be addressing the Council tonight – Re: Oversized Cloth Curtain used as fence exceeds 6ft.

ALL MATTERS LISTED HEREUNDER ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION ANY COUNCIL MEMBER MAY REQUEST THAT AN ITEM BE REMOVED FOR SEPARATE CONSIDERATION.

15. Honorable Mayor Rivera, submitting a memorandum Re: Chief of Police Promotion.
16. Ms. Maria De Sousa, submitting correspondence Re: 265 Hope Avenue Handicapped parking sign. **(problem solved)**
17. State of New Jersey Department of Environmental Protection, submitting a correspondence Re: the New Jersey Shade Tree and Community Forestry Assistance Act- program provides grants to local governments.
18. Borough of North Haledon submitting certified copies of the following Resolutions:
- Resolution Endorsing Citizen’s Campaign For “Extreme Makeover” For Moeller Family Residence
 - Resolution Prompt Pay Proposal
 - Resolution Endorsing Gang Deterrence Legislation
 - Resolution Request Support of the Cancer Patient Protection Act
19. Borough of Bloomingdale submitting certified copies of the following Resolutions:
- Resolution Urging All Levels of Government to Make September 11th of Each Year A Day of Contemplation, Reflection and Prayer
 - Resolution Opposing New Jersey Hospital “Sick Tax”
20. City of Garfield submitting copies of Ordinances introduced to be heard for public hearing on their September 12, 2006 meeting:
- An Ordinance to Amend Section 157-26 of The Code of the City of Garfield Entitled “Escrows”
 - An Ordinance to Amend the Code of the City of Garfield in Connection with Fees for Applications to the Board of Adjustment and Planning Board
21. Passaic Housing Authority submitting the following Public Notices and Agendas
- Notice of Special Meeting Agenda for September 7, 2006 in lieu of the regular monthly meeting originally scheduled for September 14, 2006 at

7 p.m. in the Community Room, 14-34 East Monroe St.

- Notice of Special Meeting Agenda for September 7, 2006 change of location to Harry K. Hecht Apartments, community room, 299 Gregory Ave.
22. Borough of Hawthorne submitting a copy of a Resolution entitled: Resolution Opposing Passage of A-3174 "Prompt Pay Proposal opposing passage of bill.
 23. Borough of West Paterson submitting a copy of a Resolution entitled: Resolution R6-100: Resolution Endorsing Enactment of Legislation Exempting Municipal Clerks from Liability for Penalties for Certain Violations of The Open Records Act
 24. Borough of Prospect Park submitting a copy of the following Resolutions:
 - Resolution Endorsing Enactment of Legislation Exempting Municipal Clerks Violations of the Open Public Records Act (OPRA)
 - Resolution Endorsing Legislative Enactment of S-695 Increasing Dog Licensing Fee Authority
 - Resolution Opposing Legislative Enactment of S-319/A-1030: Eliminating Last Best Offer Authority
 25. Borough of Totowa submitting a copy of Resolution entitled: Resolution Endorsing Gang Deterrence Legislation and urging support
 26. Borough of Wallington Planning Board submitting a copy of Resolution re: Relative to 2006 Periodic Re-Examination of Master Plan
 27. The Board of Chosen Freeholders submitting copies of the following Resolutions:
 - Resolution #R-06-403 re: An encroachment waiver application made by Nassar Aboudaya, owner of property located at 2 Central Avenue and 23-27 Lexington Avenue
 - Resolution #R-06-473 re: Contract awarded to Smith-Sondy Asphalt Construction Company, Inc. for the 2003 Passaic County Road Resurfacing Program
 - Agenda of their Regular Meeting held on August 16, 2006.
 28. North Jersey District Water Supply Commission, submitting the following:
 - Notice of their July 26, 2006 meeting
 - Minutes of their July 26, 2006 meeting
 - Notice and Agenda of their August 23, 2006 meeting
 29. Passaic Valley Sewerage Commissioners submitting copy of the following:
 - Audited Financial Statements for the year ended December 31, 2005.
 - Notice of Violation of Sewer Use permit for Puebla Foods- 90 Market Street
 - Notice of Violations of Sewer Use permit for Imagine Screen Printing – 90 Dayton Avenue, 51 Saw Mill Pond Road-Edison

30. Passaic Valley Water Commission submitting the following:
 - Notice and Agenda of their August 30, 2006 meeting
 - Notice of Workshop and Public Meeting for September 20, 2006
 - Minutes of their July 26, 2006 Regular Meeting
31. Law Office of David W. Crook, L.L.C., submitting notification of a Stream Encroachment Application for 35-37 Hope Street, East Rutherford filed with the NJDEP Division of Land Use Regulation for information and comments
32. Borough of Rutherford Planning Board submitting notice of their Regular Meeting of August 17, 2006 for the purpose of adopting an amendment/update to the Borough's Housing Element and Fair Share Plan
33. Schoor DePalma Engineers and Consultants, Manapalan, NJ consultant planner for Borough of Rutherford submitting correspondence to the New Jersey Council on Affordable Housing, Trenton, NJ regarding the Borough of Rutherford, Bergen County – Third Round Petition Response to Report Requesting Additional Information Our Project Number #050021201 (03)
34. State of New Jersey Department of Environmental Protection submitting correspondence re: the Passaic Valley Sewerage Commissioners, Passaic and Essex Counties, New Jersey Rehabilitation of the Main Intercepting Sewer and Various Manholes Project No. S340689-10 pursuing financing for the rehabilitation of approximately 3,840 linear feet of the main interceptor and 18 manholes in the cities of Clifton, Passaic and Paterson, for comments of support or disagreement.
35. PSE&G submitting Notice to Public Service Electric and Gas Company customers: Notice of Filing and Public Hearings for Basic Generation Service Charges (BGS) procured by PSE&G on behalf of its Basic Generation Service Customers and Notice of Proposed Recovery through its BGS Charges of Cost Resulting from Statewide Auction for Basic Generation Service
36. Personnel Actions Forms for the month of July 2006
37. New Jersey Department of Environmental Protection submitting their semi-monthly Bulletin (August 2, & 16, 2006) containing a list of construction permits applications recently filed or acted upon by the DEP (**Note: Filed in the City Clerk's Office**).

VII. RESOLUTIONS:

38. RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON SEPTEMBER 12, 2006 AT 7:00 P.M. OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS.
39. RESOLUTION TO INTRODUCE THE SFY 2007 BUDGET (Title Only)
40. RESOLUTION AUTHORIZING EXTENSION OF TOWING CONTRACT FOR

AN ADDITIONAL ONE YEAR TERM.

41. RESOLUTION AWARDDING CONTRACT FOR ONE (1) 2007 GMC MODEL TK25903 WITH SNOW-PLOW PACKAGE WITH SALTER, OR APPROVED EQUAL
42. RESOLUTION – TEMPORARY BUDGET SFY 2007
43. RESOLUTION – REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR ACCUMULATED SICK AND VACATION
44. RESOLUTION AWARDDING CONTRACT FOR MUNICIPAL COURT PROSECUTOR (WEDNESDAY EVENING)
45. RESOLUTION AWARDDING CONTRACT FOR BOND COUNSEL
46. RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE CITY OF PASSAIC
47. **REMOVED**

X. HEARINGS:

48. MR. ANTAR J. RACKLEY T/A A& R CLOTHING – 347 AYCRIGG AVENUE PASSAIC, NEW JERSEY; SUBMITTING AN APPLICATION FOR A NEW PEDDLERS LICENSE FOR THE YEAR2006 (**POLICE DEPARTMENT OBJECTION**).
49. MR. ALEXANDER VELEZ T/A INFAMOUS KUTZ – 359 MONROE STREET PASSAIC, NEW JERSEY SUBMITTING AN APPLICATION FOR A PROPRIETORS LICENSE FOR THE YEAR 2006 (**POLICE DEPARTMENT OBJECTION**).
50. MR. HERMELINDO PALACIOS T/A LA UNICA TAQUERIA – 12 MYRTLE AVENUE, PASSAIC, NEW JERSEY SUBMITTING AN APPLICATION FOR A NEW PROPRIETORS LICENSE FOR THE YEAR 2006(**POLICE DEPARTMENT OBJECTION**).

XI. PAYMENT OF BILLS

XII. ADMINISTRATOR’S REPORT

XIII. MAYOR’S REPORT

XIV. ADJOURNMENT