

April 5, 2016 Minutes

A WORK-SESSION WAS HELD ON TUESDAY APRIL 5, 2016 AT 5:40 PM IN THE MAYOR'S CONFERENCE ROOM, SECOND FLOOR CITY HALL 330 PASSAIC ST., PASSAIC, NJ.

Amada D. Curling, City Clerk, read the following notice into record:

PURSUANT TO THE OPEN PUBLIC MEETING ACT, BE ADVISED THAT THE CITY COUNCIL OF THE CITY OF PASSAIC HAS SCHEDULED WORK SESSION MEETING FOR TUESDAY APRIL 5, 2016 AT 5:30 P.M. TO BE HELD IN THE MAYOR'S CONFERENCE ROOM, SECOND FLOOR, CITY HALL 330 PASSAIC STREET, PASSAIC, NEW JERSEY. FUTUREMORE, FOLLOWING THE WORK SESSION, THE REGULAR MEETING WILL BE HELD AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF PASSAIC CITY HALL, 330 PASSAIC STREET, PASSAIC, NJ.

ROLL CALL:

PRESENT: Garcia, Munk, Schwartz, Council President Schaer
ABSENT: Love, Melo, Polanco

ALSO PRESENT: Hon. Mayor Dr. Alex D. Blanco, Rick Fernandez, Business Administrator; Christopher Harriott, City Counsel

Council President on the chair

Addendums to the agenda were discussed at this time followed by an informal discussion regarding items on the agenda.

Ricardo Fernandez, BA addressed item 2A Best Practice Inventory Worksheet

At this point in the meeting Councilwoman Melo arrived to the work-session meeting

On a motion by Councilman Garcia and Seconded by Councilwoman Melo the following **RESOLUTION WAS OFFERED FOR ADOPTION**

**CITY OF PASSAIC
RESOLUTION NO. 16-04-070 WS**

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF THE CITY OF PASSAIC ON APRIL 5, 2016 AT 7:00 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION; CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS

RE: Potential Settlement and approval of an Entertainment to Mila Holdings, LLC t/a Omni Lounge; Potential litigation Re: Bandshell Construction in 3rd Ward Park; potential litigation re: Contract for Collection of recyclables materials/TV sets

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exists:

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic, County of Passaic, State of New Jersey, as follows;

1. The public shall be excluded from discussion of an action upon the hereinafter specified subject matters;

2. The general nature of the subject matter to be discussed is as follows:
 - a. Litigation
 - b. Personnel
 - c. Contract Negotiations
3. It is anticipated at this time that the above stated subject matter will be made public when deemed appropriate.

This Resolution shall take effect immediately

ROLL CALL:

PRESENT: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

At the request of the Administration, items 15, and 20a was taken off the agenda

Upon motion made by Councilman Garcia and seconded by Councilwoman Melo, closed executive session was closed and work session was reconvened.

ROLL CALL: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

Council President Schaer stepped out of meeting at 6:55 p.m.

After brief discussion, upon motion made by Councilwoman Melo and seconded by Councilman Garcia the work session was adjourned 6:55 p.m.

ROLL CALL:

PRESENT: Garcia, Love, Melo, Munk, Polanco, Schwartz, Council President Schaer

ABSENT: Love, Polanco

A REGULAR PUBLIC MEETING OF THE CITY COUNCIL OF THE CITY OF PASSAIC WAS HELD ON TUESDAY, APRIL 5, 2016 AT 7:00 P.M. IN THE COUNCIL CHAMBERS IN CITY HALL.

Amada D. Curling, City Clerk, read the following notice into record:

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 23, 2015 SETTING FORTH A SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2015-2016, WHICH WAS PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK

PRESENT: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

ALSO PRESENT: Hon. Mayor Dr. Alex D. Blanco, Rick Fernandez, Business Administrator; Christopher Harriott, City Counsel.

Invocation was rendered by Councilwoman Melo followed by the Pledge of Allegiance

Council President Schaer advised addendums to agenda namely revision #16; addition of items 2A, 20B, 20C, 20D, removal of 20A as per administration request; At request of Council removal of item #15; at request of attorney representing for application Passaic/Pennington LLC request #21 be removed from agenda for future consideration.

Council Meeting Minutes March 22, 2016 submitted for approval.

Upon motion made by Councilwoman Melo and seconded by Councilman Schwartz the aforementioned meeting minutes were approved.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer
ABSENT: Love, Polanco

HEARING OF CITIZENS:

Council President Schaer opened the public portion of the meeting with the following statement for the record:

In Accordance with the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.). The Council opens every public meeting for comments of the public. However, in accordance with N.J.S.A. 10:4-12 "nothing in this Act shall be construed to limit the discretion of a public body to permit, prohibit or regulate the active participation at any meeting,....".

Therefore, please be advised that the Council will not entertain any comments from persons who communicate obscene material, make statements which are considered bias intimidation in which a person intends to intimidate any individual or group because of race, color, religion, gender, handicap, sexual orientation or ethnicity or makes comments intending to harass or speak any offensive language. The person who makes these statements will relinquish their allotted five minutes for public discussion.

Joe Conoscenti, 170 Broadway: VIP License, between June and July 2015 went out of business; application for License January 2016 and located at 33 Central Avenue. 2 businesses located in same area which has no parking for vehicles; asked for explanation of # 7 & 8 Resolution.

Steve Siklosi; 23 Orchard Street: Item #4 explanation and what are the approximate amount of taxes; Item #11 what has to be addressed? Item #12 reverting to a calendar fiscal year in City-asked why and how it will impact tax bills etc and what are the costs associated with change; #13 re recreational equipment; costs and how many vendors?; #16 Reso for Mila Holding which is also posted on agenda for hearing; don't know how vote on resolution can be taken when is scheduled as well as the fact that 2 of the people associated this establishment are currently under indictment as per a recent newspaper article and why granting license; #20a: what is this exactly; #25 Bond ordinance; what is this going to be used for what is the maturity on bonds and what will interest costs be; Asked how to

stop the weekly drop of circulars being thrown on his property which are usually thrown out or blow all over the street.

After ample opportunity given and no one else responding on motion by Councilman Munk and seconded by Councilwoman Melo the public portion of the meeting was closed.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

COMMUNICATIONS AND PETITIONS

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

THE FOLLOWING ITEM(S) WERE VOTED ON BY ONE MOTION

On motion made by Councilman Garcia and seconded by Councilman Munk the following item(s) were received and placed on file:

Passaic Valley Water Commission submitting minutes of their February 17, 2016 meeting.

Borough of Haledon, submitting resolution entitled "Historic Preservation Trust".

Ricardo Fernandez, Business Administrator submitting a copy of CY 2015/SFY 2016 Best Practice Inventory Worksheet for discussion prior to filing with the Division of Local Government Services.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

RESOLUTION(S):

THE FOLLOWING RESOLUTION(S) WAS REMOVED

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON APRIL 5, 2016 AT 7:00 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS.

THE FOLLOWING RESOLUTION(S) WERE VOTED ON BY ONE MOTION

On a motion by Councilwoman Melo and seconded by Councilman Munk the following **RESOLUTION(S) WAS OFFERED FOR ADOPTION:**

**CITY OF PASSAIC
RESOLUTION NO.: 16-04-071
RESOLUTION VOIDING PROPERTY TAXES FOR 447 VAN HOUTEN AVENUE, LLC,
BLOCK 3279, LOT 1.8, C103A**

WHEREAS, 447 Van Houten Avenue, LLC is the owner of real property located at Block 3279, Lot 1.8, C103A, 445-451 Van Houten Avenue, Passaic, New Jersey; and,

WHEREAS, for tax year 2008, the property was assessed in the amount of \$120,600; and,

WHEREAS, the assessment for Block 3279, Lot 1.8, C103A, is a typographical error and no such property should exist on the City of Passaic's tax rolls; and,

WHEREAS, for tax year 2008, Block 3279, Lot 1.B, C103A, owned by 447 Van Houten Avenue, LLC, was assessed in the amount of \$120,600; and,

WHEREAS, Block 3279, Lot 1.B, C103A is the correct block and lot designation for the property owned by 447 Van Houten Avenue, LLC; and,

WHEREAS, Block 3279, Lot 1.8, C103A should not exist on the City of Passaic's tax rolls as it was a typographical error that resulted in a duplicate of the correct block and lot designation; and,

WHEREAS, a Correction of Error Appeal was filed by prior tax counsel to remove the assessment for Block 3279, Lot 1.8, C103A; and,

WHEREAS, tax counsel is unable to locate the property owner to enter into a Consent Order resolving the matter; and,

WHEREAS, passage of this Resolution will save the City of Passaic the costs and fees associated with filing a motion to resolve the Correction of Error Appeal; and,

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Passaic, that any and all property taxes and interest hereby due and owed by and for 447 Van Houten Avenue, LLC, Block 3279, Lot 1.8, C103A, 445-451 Van Houten Avenue, Passaic, New Jersey are hereby voided in their entirety; and,

BE IT FURTHER RESOLVED that the Tax Assessor and/or Tax Collector are hereby authorized and directed to immediately undertake any and all actions necessary to remove 447 Van Houten Avenue LLC, Block 3279, Lot 1.8, C103A, from the tax rolls and/or otherwise effectuate this Resolution; and

BE IT FURTHER RESOLVED by the City Council for the City of Passaic, that Megan E. Sassaman, Esquire, Special Tax Attorney for the City of Passaic, is hereby authorized to withdraw the pending Correction of Error Appeal filed under Docket Number 001587-2011 as this Resolution will resolve the matter.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

On motion made by Council President Schaer and seconded by Councilman Munk **RECONSIDERATION of RESOLUTION #4 WAS OFFERED.**

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

On motion by Councilman Munk and seconded by Councilwoman Melo the following **RESOLUTION(S) WERE OFFERED FOR ADOPTION:**

CITY OF PASSAIC

RESOLUTION NO.: 16-04-071

**RESOLUTION VOIDING PROPERTY TAXES FOR 447 VAN HOUTEN AVENUE, LLC,
BLOCK 3279, LOT 1.8, C103A**

WHEREAS, 447 Van Houten Avenue, LLC is the owner of real property located at Block 3279, Lot 1.8, C103A, 445-451 Van Houten Avenue, Passaic, New Jersey; and,

WHEREAS, for tax year 2008, the property was assessed in the amount of \$120,600; and,

WHEREAS, the assessment for Block 3279, Lot 1.8, C103A, is a typographical error and no such property should exist on the City of Passaic's tax rolls; and,

WHEREAS, for tax year 2008, Block 3279, Lot 1.B, C103A, owned by 447 Van Houten Avenue, LLC, was assessed in the amount of \$120,600; and,

WHEREAS, Block 3279, Lot 1.B, C103A is the correct block and lot designation for the property owned by 447 Van Houten Avenue, LLC; and,

WHEREAS, Block 3279, Lot 1.8, C103A should not exist on the City of Passaic's tax rolls as it was a typographical error that resulted in a duplicate of the correct block and lot designation; and,

WHEREAS, a Correction of Error Appeal was filed by prior tax counsel to remove the assessment for Block 3279, Lot 1.8, C103A; and,

WHEREAS, tax counsel is unable to locate the property owner to enter into a Consent Order resolving the matter; and,

WHEREAS, passage of this Resolution will save the City of Passaic the costs and fees associated with filing a motion to resolve the Correction of Error Appeal; and,

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Passaic, that any and all property taxes and interest hereby due and owed by and for 447 Van Houten Avenue, LLC, Block 3279, Lot 1.8, C103A, 445-451 Van Houten Avenue, Passaic, New Jersey are hereby voided in their entirety; and,

BE IT FURTHER RESOLVED that the Tax Assessor and/or Tax Collector are hereby authorized and directed to immediately undertake any and all actions necessary to remove 447 Van Houten Avenue LLC, Block 3279, Lot 1.8, C103A, from the tax rolls and/or otherwise effectuate this Resolution; and

BE IT FURTHER RESOLVED by the City Council for the City of Passaic, that Megan E. Sassaman, Esquire, Special Tax Attorney for the City of Passaic, is hereby authorized to withdraw the pending Correction of Error Appeal filed under Docket Number 001587-2011 as this Resolution will resolve the matter.

ROLL CALL

AYES: Melo, Munk, Schwartz, Council President Schaer

ABSTAIN: Garcia

ABSENT: Love, Polanco

Council president reminded Council et al that #15 is off and 20A is off and if #16 adopted will negate need for item #26

Council Munk asked if in general is there any penalty included in contract with contractors regarding finishing job on time etc.

On motion by Councilwoman Melo and seconded by Councilman Munk the following **RESOLUTION(S) WERE OFFERED FOR ADOPTION:**

**CITY OF PASSAIC
RESOLUTION # 16-04-072**

**RESOLUTION AUTHORIZING AN AMENDMENT TO A CONTRACT
WITH BOSWELL ENGINEERING FOR
ENGINEERING SERVICES
MCDONALD BROOK FLOOD CONTROL PROJECT
MEMORIAL PARK**

WHEREAS, the City of Passaic entered into a contract with Boswell Engineering for Engineering Services for Design and Inspection of Phase 1 McDanold Brook Flood Control Project-Memorial Park as approved by Resolution #13-10-259 dated October 22, 2013 in an amount of \$ 464,500.00; and

WHEREAS, Resolution #14-03-042 was approved by City Council on March 4, 2014, amending the original contract to include design of all phases (1-4) as mandated by NJDEP for the original award and removed Inspection/Construction Cost for Phase 1 of \$ 464,500.00; and

WHEREAS, the cost of Construction Oversight for Phase 1 (Glenside Avenue to Hughes Lake) and Phase 2 (Hughes Lake to Passaic Avenue) is \$ 155,000.00.

NOW THEREFORE BE IT RESOLVED that the contract dated March 4, 2014 between the City of Passaic and Boswell Engineering be amended to award Construction Oversight for Phase 1 (Glenside Avenue to Hughes Lake) and Phase 2 (Hughes Lake to Passaic Avenue) in an amount not to exceed \$ 155,000.00.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute an amendment to the original contract for Construction Oversight in an amount not to exceed \$ 155,000.00.

CERTIFICATION OF FUNDS

Funds for the above are available in Green Acres Acct. #G-02-40-GA5-000-9MB.

CITY OF PASSAIC

RESOLUTION NO# 16-04-073

**RESOLUTION AMENDING DESIGNATING RESTRICTED PARKING
FOR USE BY HANDICAPPED PERSONS**

BE IT RESOLVED by the City Council of the City of Passaic and State of New Jersey that:

Chapter 295 of the Code of the City of Passaic be amended by the inclusion of the following restricted parking for use by Handicapped Persons (Part 2 - Art. XIII, Section 295-33).

SECTION 1

WHEREAS, it appears that individuals affected by these Resolutions have either deceased, have moved, does not drive anymore, upgraded to personalized, or have failed to provide recent verification of their handicapped New Jersey State Motor Vehicle registration;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that all Resolutions listed below, insofar as they designate restricted parking for use by handicapped persons at the listed locations, are hereby repealed and/or rescinded only to the extent that they apply to these locations.

<u>ADDRESS</u>	<u>RESOLUTION NUMBER</u>	<u>REASON</u>
14 Federal Street	12-04-087	Upgrade to Personalized
4 Minera Springs Avenue	9043-01	Moved

SECTION 2

BE IT FURTHER RESOLVED that the handicapped locations referenced in this Resolution shall be removed to the existing list of Handicapped Parking Restrictions and be deleted in the Code of Passaic Chapter 295-33 (Part 2 - Art XIII, Section 295-33).

**CITY OF PASSAIC
RESOLUTION#16-04-074**

**RESOLUTION AUTHORIZING AN APPLICATION
FOR AN ANNUAL RECYCLING TONNAGE GRANT
FOR THE CITY OF PASSAIC**

WHEREAS, the New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.32, et seq., has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Statewide Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipalities; and

WHEREAS, the City of Passaic desires to apply for such tonnage grants to memorialize the commitment of the City of Passaic to recycling and to indicate the desire of the City of Passaic to comply with the recycling regulations;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the Mayor is hereby authorized to submit a municipal recycling tonnage grant application to the New Jersey Department of Environmental Protection, Office of Recycling;

BE IT FURTHER RESOLVED that Anthony Gagliano, Municipal Recycling Coordinator for the City of Passaic is hereby authorized as the Mayor's designee to insure that said application is timely and properly filed with the Department of Environmental Protection.

**CITY OF PASSAIC
RESOLUTION # 16-04-075**

**RESOLUTION AUTHORIZING SUBMISSION OF TAX
REIMBURSEMENT CERTIFICATE FOR RECYCLING**

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility, with certain exceptions, a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular waste collection service under a contract awarded pursuant to the "Local Public Contracts Law," the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant monies received by the municipality shall be expended only for its recycling program; and

WHEREAS, the City of Passaic paid \$95,963.57 in taxes in the year 2015 pursuant to the Recycling Enhancement Act, P.L. 2007, Chapter 311.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the City of Passaic hereby certifies a submission of expenditure for taxes paid pursuant to Recycling Enhancement Act, P.L. 2007, Chapter 311 in 2015 in the amount of \$95,963.57; and

BE IT FURTHER RESOLVED THAT the documentation supporting this submission is available at 330 Passaic Street, Passaic, New Jersey and shall be maintained for no less than five (5) years from this date.

**CITY OF PASSAIC
RESOLUTION NO. 16-04-076**

Resolution to Amend SFY **2016** Municipal Budget (N.J.S.A. 40A:4-87)

Ryan White Part A & MAI \$ 143,303.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item been made available by law and the amount thereof was not determined at time of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic hereby request the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year SFY **2016** as follows:

Ryan White Part A & MAI \$ 143,303.00

BE IT FURTHER RESOLVED, that a like sum be and that same is hereby appropriated as follows:

Ryan White Part A & MAI \$ 143,303.00
Account #G-02-40-RWI-016-000

CITY OF PASSAIC

RESOLUTION NO. 16-04-077

RESOLUTION RE: 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 June 30, 2015 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 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, as 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 not 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 City Council of the City of Passaic, 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.

CITY OF PASSAIC
RESOLUTION NO. 16-04-078
RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR THE FISCAL
YEAR 2015 AUDIT REPORT OF THE CITY OF PASSAIC

WHEREAS, the Division of Local Government Services requires the Chief Financial Officer to file "Corrective Action Plan", attached hereto, outlining the actions to be taken by the City relative to the findings and recommendations in the annual report and

WHEREAS, the "Corrective Action Plan" shall be prepared by the Chief Financial Officer with assistance from other officials affected by the audit findings and recommendations; and

WHEREAS, the governing body is required by resolution, to approve said "Corrective Action Plan", and

WHEREAS, the "Corrective Action Plan", as prepared by the Chief Financial Officer and approved by the governing body, shall be placed on file and made available for public inspection in the office of the City Clerk,

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Councilor the City of Passaic that it hereby approves the "Corrective Action Plan" for the Fiscal Year 2015 Audit Report Submitted by the Chief Financial Officer.

City of Passaic
Resolution No. 16-04-079
RESOLUTION AUTHORIZING THE CITY OF PASSIC TO APPLY TO THE LOCAL
FINANCE BOARD FOR RERVERSION TO A CALENDAR FISCAL YEAR

WHEREAS, the City of Passaic operates under a State Fiscal Year pursuant to N.J.S.A. 40A:4-3.1; and,

WHEREAS, State law now allows municipalities that operate under a State Fiscal Year to revert to a Calendar Fiscal Year upon approval of an application to the Local Finance Board and passage of an ordinance authorizing the reversion; and,

WHEREAS, the City Council of the City of Passaic has considered the matter of reverting to a Calendar Fiscal Year and have found that the reversion is in the best interest of the City of Passaic.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the Chief Financial Officer is hereby authorized and directed to prepare and submit on behalf of the City of Passaic an application for conversion to a Calendar fiscal Year to the Local Finance Board as required by the Board; and

BE IT FURTHER RESOLVED that the application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the City of Passaic, is hereby authorized and directed to submit such application and to represent the City in matters pertaining thereto; and

BE IT FURTHER RESOLVED that the Certification of the Chief Financial Officer of the City of Passaic is incorporated into this Resolution as a certification of the truth and accuracy of the facts submitted in the application for Calendar Fiscal Year Reversion; and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to file a copy of this Calendar Fiscal Year Reversion resolution as part of the application with the Local Finance Board; and

BE IT FURTHER RESOLVED that the Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by law.

**CITY OF PASSAIC
RESOLUTION NO. 16-04-080**

**RESOLUTION AWARDING CONTRACTS FOR RECREATION EQUIPMENT,
SUPPLIES AND UNIFORMS YEAR 2016 - 2017**

WHEREAS, bids were received by the Director of Purchasing on Wednesday, March 9, 2016 for Recreation Equipment, Supplies and Uniforms, Year 2016 - 2017; and

WHEREAS, the lowest responsible, responsive bids were received from the following companies. (Bid Summary Attached):

Metuchen Center, Inc.

WHEREAS, in addition to the attached, specifications were downloaded from the City of Passaic's website as follows:

EJG Sports	Eastbay, Inc.
Hasbrouck Heights, NJ	Wausua, WI

WHEREAS, bidders did not submit prices for Item #138 (Indoor Volleyballs); and

WHEREAS, Doris Dudek, Director of Purchasing will obtain price quotes when the item is needed;

WHEREAS, it is the recommendation of Jessica Lezcano, Superintendent of Recreation, that the lowest responsible, responsive bidders, Metuchen Center, Sayreville, NJ in the amount of \$27,848.35; ARC Sports, Brookfield, CT in the amount of \$12,580.00; BSN Sports, Jenkintown, PA in the amount of \$29,657.94; Effinger Sporting Goods, Bound Brook, NJ in the amount of \$8,337.64; DOT Designing, Monroe Twp., NJ in the amount of \$22,841.60; be awarded contracts in an aggregate amount of \$107,265.53.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the contract for Recreation Equipment, Supplies and Uniforms, Year 2014 be awarded to the above in an aggregate amount of \$107,265.53.

BE IT FURTHER RESOLVED that the City of Passaic has made no commitment to purchase the total aggregated amount. This contract will be ordered on an as needed basis.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute contracts for the above, on a form approved by Corporation Counsel.

CERTIFICATION OF FUNDS

Funds for the above are available in Recreation Acct. #4-01-28-370-000-065 and CDBG Football/Baseball Account.

**CITY OF PASSAIC
RESOLUTION # 16-04-081**

**RESOLUTION AUTHORIZING MEMORANDUM OF AGREEMENT WITH CITY OF
PATERSON FOR TUBERCULOSIS CONTROL**

WHEREAS, City of Passaic and City of Paterson wish to enter into the attached Memorandum of Agreement for tuberculosis control; and

WHEREAS, City of Paterson will provide and deliver tuberculosis clinical care, case management and laboratory management for the City of Passaic as set forth in the attached Agreement; and

WHEREAS, in exchange for such services, the City of Passaic shall pay \$8,800.00 to the City of Paterson; and

WHEREAS, the Memorandum of Agreement covers the period from January 1, 2016 through December 31, 2016.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the City of Passaic is hereby authorized to enter into the attached Memorandum of Agreement with the City of Paterson for 2016 tuberculosis control and subject to the terms and conditions thereof; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk shall execute the Memorandum of Agreement attached hereto; and

BE IT FURTHER RESOLVED that copies of this Resolution and a copy of the executed Memorandum of Agreement shall be forwarded to City of Paterson to commence the Memorandum of Agreement; and

BE IT FURTHER RESOLVED that a copy of this Resolution and a copy of the executed Memorandum of Agreement shall be forwarded to the Division of Local Government Services pursuant to N.J.S.A. 40A:65-4.

**CITY OF PASSAIC
RESOLUTION # 16-04-082**

**RESOLUTION APPROVING THE ENTERTAINMENT LICENSE OF
MILA HOLDINGS, LLC T/A OMNI LOUNGE**

WHEREAS, Mila Holdings, LLC., t/a Omni Lounge 570 Main Avenue, Passaic, New Jersey (“Licensee”) applied for the renewal of its Entertainment License for the year 2016 pursuant to Chapter 129 of the City Code of the City of Passaic; and

WHEREAS, Licensee was notified that the Police Department objected to the renewal of such license based on the large number of incidents requiring police intervention and that a hearing would be scheduled for March 22, 2016 before the City Council of the City of Passaic; and

WHEREAS, prior to the commencement of a hearing before the City Council on the Police Department’s objection to the renewal of the entertainment license, Licensee consented to the imposition of conditions upon its Entertainment License and waived it’s right to a hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that Mila Holdings, LLC., t/a Omni Lounge 570 Main Avenue, Passaic, New Jersey, shall be granted a

renewal of its Entertainment License for the year 2016 subject to strict compliance with the following conditions:

Current licensee(s), Naivene Mahgoub/Mila Holdings LLC., shall transfer 100% interest in the licensed establishment, as well as plenary retail consumption license #1607-33-057-008, to Brenda Wheeler, and shall have no further involvement of any kind with the operation of the licensed establishment.

Licensee shall convert licensed establishment from its current use as a nightclub to a restaurant and shall obtain all necessary approvals for same.

Licensee shall maintain a minimum at least one (2) licensed security officers during hours of operation on Friday and Saturday, Legal Holidays and Special Events, who shall be responsible for checking identification of all patrons entering the establishment as well as for crowd control outside the premises to prevent patrons from creating a nuisance and/or disturbing the peace.

Licensee shall continue its current lease for parking.

Licensee agrees to a voluntary closure through May 1, 2016 in order to obtain the necessary approval for the transfer of the plenary retail consumption license as well as all necessary approvals for issuance of a certificate of occupancy.

BE IT FURTHER RESOLVED that such conditions shall be imposed for a period of six (6) months from the date of this Resolution, at which time the Police Department will review the application and determine whether such conditions, or amendments thereto, are appropriate; and

BE IT FURTHER RESOLVED that should the City of Passaic be presented with any evidence that Licensee and/or its agents and/or employees has violated the terms of this Resolution, the City Council shall schedule a hearing, on notice to Licensee and its counsel, to take further action to suspend or revoke the Entertainment License.

CITY OF PASSAIC
RESOLUTION NO. 16-04-083

RESOLUTION REJECTING BIDS FOR
PULASKI PARK PARTIAL SITE REMEDIATION
CITY OF PASSAIC

WHEREAS, bids were received by the Director of Purchasing on Wednesday, March 30, 2016 for Pulaski Park Partial Site Remediation; and

WHEREAS, bids were received as per the attached; and

WHEREAS, in addition to the attached, specifications and plans were picked up by the following, none of whom submitted bids:

Independence Constructors Bridgewater, NJ	iSqFt. Cincinnati, OH	CMS Construction Plainfield, NJ
Brownfield Science & Technology Cochranville, PA		

WHEREAS, the bids received exceeds the City of Passaic's appropriation for this project.

WHEREAS, it is the recommendation of Doris Dudek, Director of Purchasing that this bid be rejected and re-bid.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the bids received on Wednesday, March 30, 2016 for Pulaski Park Partial Site Remediation be rejected and re-bid.

CITY OF PASSAIC
RESOLUTION NO. 16-04-084

RESOLUTION AWARDING CONTRACT FOR
MCDONALD BROOK FLOOD CONTROL PROJECT
PHASE 1 & 2
CITY OF PASSAIC

WHEREAS, bids were received by the Director of Purchasing on Tuesday, March 29, 2016 for McDonald Brook Flood Control Project Phase 1 & 2; and

WHEREAS, bids were received as per the attached; and

WHEREAS, it is the recommendation of Boswell Engineering that the lowest responsible, responsive bidder, CMS Construction, Inc. of Plainfield, NJ be awarded the contract in the amount of \$2,100,040.00 inclusive of Alternate Bid A (Precast Concrete Arch Bridge Complete).

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for McDonald Brook Flood Control Project Phase 1 & 2 be awarded to CMS Construction, Inc. of Plainfield, NJ in the amount of \$2,100,040.00 inclusive of Alternate Bid A (Precast Concrete Arch Bridge Complete).

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute a contract for the above on a form approved by City Attorney.

CERTIFICATION OF FUNDS

Funds for the above are available in Disaster Recovery 13 Account #G-02-40-DR3-000-000; Open Space Account #G-02-40-OS5-000-93W; Green Acres Account #G-02-40-GA4-000-9MB; Green Acres Account #G-02-40-GA5-000-9MB and Capital Account #C-04-55-976-000-9PK.

CITY OF PASSAIC
RESOLUTION NO.16-04-085

Resolution to Amend SFY **2016** Municipal Budget (N.J.S.A. 40A:4-87)

NJ DOT Various Road Improvement Project: \$353,273

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item been made available by law and the amount thereof was not determined at time of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic hereby request the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year SFY **2016** as follows:

NJ DOT Various Road Improvement Project: \$353,273

BE IT FURTHER RESOLVED, that a like sum be and that same is hereby appropriated as follows:

NJ DOT Various Road Improvement Project: \$353,273

Account #G-02-40-346-016-9RD

CITY OF PASSAIC
RESOLUTION #16-04-086

RESOLUTION AUTHORIZING RECEIPT OF \$353,273.00 IN FUNDING FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION

WHEREAS, the City of Passaic applied to the State of New Jersey, Department of Transportation (“NJDOT”) for 2016 funding from the Municipal Aid Program for various road improvements in the City of Passaic; and

WHEREAS, the City of Passaic has been awarded \$353,273.00 in Municipal Aid Program funding from the Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Passaic does hereby authorize receipt of \$353,273.00 in Municipal Aid Program funding from the State of New Jersey, Department of Transportation subject to the terms and conditions of the same; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute any Grant Agreement on behalf of the City and to sign any other documents necessary in connection therewith.

CITY OF PASSAIC
RESOLUTION #16-04-087

RESOLUTION AUTHORIZING AMENDMENT TO FFY 2016 HEALTH SERVICE GRANT WITH STATE OF NEW JERSEY, DEPARTMENT OF HEALTH, DIVISION OF FAMILY HEALTH SERVICES FOR ADDITIONAL FUNDING

WHEREAS, the City of Passaic had previously received \$938,000.00 pursuant to FFY 2016 Health Service Grant (HSG) with the State of New Jersey, Department of Health, Division of Health Family Services for 10/1/15 through 9/30/16; and

WHEREAS, the City of Passaic has subsequently been awarded additional HSG funding resulting in a total award of \$1,045,311.00.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Passaic does hereby authorize receipt of \$1,045,311.00 pursuant to FFY 2016 Health Service Grant (HSG) with the State of New Jersey, Department of Health, Division of Health Family Services for 10/1/15 through 9/30/16 and subject to the terms and conditions of the same; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute any Grant Agreement on behalf of the City and to sign any other documents necessary in connection therewith.

**CITY OF PASSAIC
RESOLUTION NO.16-04-088**

Resolution to Amend SFY **2016** Municipal Budget (N.J.S.A. 40A:4-87)

NJ DOH: Women, Infant & Children Additional Funds \$22,700.00

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Finance may approve the insertion of any special item been made available by law and the amount thereof was not determined at time of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic hereby request the Director of the Division of Local Finance to approve the insertion of an item of revenue in the budget of the year SFY **2016** as follows:

NJ DOH: Women, Infant & Children Additional Funds \$22,700.00

BE IT FURTHER RESOLVED, that a like sum be and that same is hereby appropriated as follows:

**NJ DOH: Women, Infant & Children Additional Funds \$22,700.00
Account #G-02-40-WI6-016-000**

BE IT FURTHER RESOLVED, that three certified copies of this resolution be forwarded to the Department of Community Affairs, Director of the Division of Local Government Services.

CITY OF PASSAIC

RESOLUTION NO. 16-04-089

RESOLUTION CONFIRMING SUBMISSION OF COMMUNITY STEWARDSHIP
INCENTIVE PROGRAM GRANT APPLICATION 2016

BE IT RESOLVED, by the Mayor and Council of the City of Passaic it hereby confirms the submission of 2016 Community Stewardship Incentive Program grant application, for a Tier 1 Reforestation & Tree Planting Grant which was executed by the Mayor and the Borough Administrator.

ROLL CALL

**AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer
ABSENT: Love, Polanco**

ORDINANCE(S) FOR SECOND AND FINAL READING (PUBLIC HEARING REQUIRED)

Council President Schaer called up for the second and final reading Ordinance entitled:

**City of Passaic
ORDINANCE NO. 2047-16**

**ORDINANCE AMENDING CODE OF THE CITY OF PASSAIC TO RESTRUCTURE
THE DEPARTMENT OF PUBLIC WORKS**

Councilwoman Melo moved a public hearing to be held on Ordinance. Motion was seconded by Councilman Schwartz, So Ordered. The Council President then announced that all interested parties would be given an opportunity to be heard for or against the adoption of the Ordinance.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

Steve Siklosi; 23 Orchard Street: what exactly does ordinance entail; why is this being done and is head count changes or are employees being moved around by departments.

After ample opportunity given and no one else responding on a motion by Councilwoman Melo and seconded by Councilman Garcia, public hearing on said ordinance was closed.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

Councilwoman Melo moved the ordinance be adopted on second reading and final passage which motion was seconded by Councilman Schwartz and adopted upon a call of the roll

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

ORDINANCE(S) FOR INTRODUCTION AND FIRST READING

Council President Schaer read said Ordinance by title.

Councilwoman Melo moved the Ordinance be approved on first reading. Motion was seconded by Councilman Schwartz the public hearing be held on April 20, 2016.

CITY OF PASSAIC

PASSAIC COUNTY, NEW JERSEY

ORDINANCE NO. 2048-16

**AN ORDINANCE AUTHORIZING THE CITY OF PASSAIC TO REVERT TO A
CALENDAR FISCAL YEAR FROM A STATE FISCAL YEAR**

WHEREAS, pursuant to N.J.S.A.40:48-2, the governing body of a municipality may make, amend, repeal, and enforce such other ordinances, regulations, rules and by-laws not contrary to the laws of this state or of the United States, as it may deem necessary and proper for the good government, order and protection of person and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants, and as may be necessary to carry into effect the powers and duties conferred and imposed by this subtitle, or by any law; and

WHEREAS, for reasons of good government, the City of Passaic wishes to transition from a State Fiscal year to a Calendar Fiscal year pursuant to N.J.S.A. 40A:4-3.1.

SECTION I

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Passaic that, pursuant to N.J.S.A. 40A:4-3.1, that the City of Passaic shall hereby commence operating on a Calendar Fiscal Year beginning with Calendar Year 2017.

SECTION II

If any section of provision of this ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

SECTION III

All ordinances or parts of ordinances to inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect upon publication as provided by law and upon approval of the Local Finance Board of the application as required by law.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

Council President Schaer read said Ordinance by title. Councilwoman Melo moved the Ordinance be approved on first reading. Motion was seconded by Councilman Schwartz the public hearing be held on April 20, 2016.

CITY OF PASSAIC

ORDINANCE NO# 2049-16

ORDINANCE AMENDING THE DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS RESTRICTED BY NJ LICENSE PLATE NUMBER

BE IT ORDAINED by the City Council of the City of Passaic and State of New Jersey that Chapter 295 ARTICLE XII Schedule XV shall be amended as follows:

SECTION 1

295-33.Ord. Handicapped Parking Spaces Restricted by New Jersey License Plate Number. shall be amended by the inclusion of the following:

DELETION:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>PLATE #</u>
165 Burgess Place	East	(Federal Street) Beginning at a point 48 feet south of the southerly curblineline of Burgess Place and extending to a point 23 feet southerly therefrom	R83AUU

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242 Harrison Street	North	Beginning at a point 425 feet east of the easterly curbline of Lexington Avenue and extending to a point 25 feet easterly therefrom	HW4175
110 Howe Avenue	North	Beginning at a point 94 feet east of the easterly curbline of Myrtle Avenue and extending to a point 20 feet easterly therefrom	VVT84V
80 Passaic Avenue	South	(Gregory Avenue) Beginning at a point 80 feet west of the westerly curbline of Passaic Avenue and extending to a point 20 feet westerly therefrom	C58EGA
98 Summer Street	North	Beginning at a point 165 feet east of the easterly curbline of Main Avenue and extending to a point 23 feet easterly therefrom	HX2506
280 Summer Street	North	Beginning at a point 73 feet west of the westerly curbline of Pretoria Street and extending to a point 20 feet westerly therefrom	P64DZP

ADDITION:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>PLATE #</u>
165 Burgess Place	East	(Federal Street) Beginning at a point 48 feet south of the southerly curbline of Burgess Place and extending to a point 23 feet southerly therefrom	K83AUA
14 Federal Street	East	Beginning at a point 127 feet south of the southerly curbline of Burgess Place and extending to a point 20 feet southerly therefrom	HZ5255
194 Fourth Street	East	Beginning at a point 53 feet north of the northerly curbline of Monroe Street and extending to a point 21 feet northerly therefrom	HY4693
110 Howe Avenue	North	Beginning at a point 94 feet east of the easterly curbline of Myrtle Avenue and extending to a point 20 feet easterly therefrom	P95FZN
187 Howe Avenue	South	Beginning at a point 145 feet west of the westerly curbline of Paulison Avenue and extending to a point 20 feet westerly therefrom	KJB92J
80 Passaic Avenue	South	(Gregory Avenue) Beginning at a point 80 feet west of the westerly curbline of Passaic Avenue and extending to a point 20 feet westerly therefrom	D71DVR

65 Parker Avenue	West	Beginning at a point 66 feet north of the northerly curbline of Van Buren Street and extending to a point 21 feet northerly therefrom	2145HC
96 Summer Street	North	Beginning at a point 165 feet east of the easterly curbline of Main Avenue and extending to a point 23 feet easterly therefrom	HX2506
280 Summer Street	North	Beginning at a point 73 feet west of the westerly curbline of Pretoria Street and extending to a point 20 feet westerly therefrom	G83GFG
22 Vreeland Avenue	East	Beginning at a point 247 feet north of the northerly curbline of Madison Street and extending to a point 22 feet northerly therefrom	U63GEK

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

Council President Schaer read said Ordinance by title. Councilwoman Melo moved the Ordinance be approved on first reading. Motion was seconded by Councilman Schwartz the public hearing be held on April 20, 2016.

City of Passaic

Ordinance No. 2050-16

BOND ORDINANCE APPROPRIATING \$4,500,000, AND AUTHORIZING THE ISSUANCE OF \$4,285,000 BONDS OR NOTES OF THE CITY, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF PASSAIC, IN THE COUNTY OF PASSAIC, NEW JERSEY.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF PASSAIC, IN THE COUNTY OF PASSAIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the City of Passaic, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$4,500,000 including the aggregate sum of \$215,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

For the financing of said improvements or purposes and to meet the part of said \$4,500,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the City are hereby authorized to be issued in the principal amount of \$4,285,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the City in a principal amount not exceeding \$4,285,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Improvement of municipally-owned facilities and grounds in and by the City, including without limitation, City Hall by the improvement of the Council Chambers, the roof, the Recreation Office restroom and various other office areas therein, the Police Department and City Hall by the upgrade of elevators, the Eastside Fire Station and the Westside Fire Station by the improvement thereof, the Police Department by the upgrade of the 911 system, and the Department of Public Works facility by the upgrade of the hotbox for patch trucks, the gasoline and diesel pump and tracking system and the gate closure system, together with for all the aforesaid all structures, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the City Clerk and hereby approved	2,060,000	1,961,900
(b) Acquisition by purchase, and installation as necessary, of new and additional equipment for use by various departments of the City, including without limitation, rescue equipment, tools and self-contained breathing apparatus for use by the Fire Department, salt spreaders for use by the Department of Public Works, a multi-purpose mechanical assist mobile system for use by the Administration Department and office furnishings, chairs, desks and cabinets for use by various departments, together with for all the aforesaid all attachments, appurtenances and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the City Clerk and hereby approved, the \$380,000 estimated cost thereof being exclusive of the amount of \$532,000 received or	251,000	239,000

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
expected to be received by the City as a grant-in-aid of financing said self-contained breathing apparatus		
(c) Acquisition by purchase of new and additional vehicular equipment for use by various Departments of the City, including without limitation, the Health Department, the Housing Department, the Uniform Construction Code Department and the Recreation Department, together with all attachments, appurtenances, accessories and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the City Clerk and hereby approved	145,000	137,600
(d) Acquisition by purchase and installation, as necessary, of new and additional computer equipment for use by various departments of the City, together with all appurtenances, attachments, accessories and equipment necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the City Clerk and hereby approved	64,000	60,900
(e) Acquisition, by purchase, of new and additional firefighting equipment for the preservation of life and property in the City, including without limitation, one (1) ladder truck, one (1) pumper truck and one (1) command vehicle for use by the Fire Department, together with all appurtenances, accessories, equipment and attachments necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the City Clerk and hereby approved	1,765,000	1,680,900
(f) Improvement of municipal parking lots in and by the City including the construction or reconstruction therein of roadway surfaces at least equal in useful life or durability to a roadway surface of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), together with all structures, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the City Clerk and hereby approved	<u>215,000</u>	<u>204,700</u>
Totals	<u>\$4,500,000</u>	<u>\$4,285,000</u>

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the City may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 12.36 years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the City Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$4,285,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$300,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer or the Acting Chief Financial Officer (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the City at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable property within the City for the payment of said obligations and interest thereon without limitation of rate or amount. The capital budget or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the City Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

PAYMENT OF BILLS

On a motion by Councilwoman Melo and seconded by Councilman Garcia the **PAYMENT OF BILLS WERE ACCEPTED AND ENGROSSED.**

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

HEARING:

On motion made by Councilwoman Melo and seconded by Councilman Garcia, said hearing was TABLED/ADJOURNMENT until April 20, 2016.

El Bohio Sports bar & Restaurant t/a Cloud 9, 4 Market Street, submitting application to renew their entertainment license for the year 2016. *(Police Department Objection)*

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

Council President Schaer opened floor to members of the council for their comments)

There being no further business to come before the Council on a motion by Councilman Garcia and seconded by Councilwoman Melo the meeting adjourned at 8:00 p.m.

ROLL CALL

AYES: Garcia, Melo, Munk, Schwartz, Council President Schaer

ABSENT: Love, Polanco

ATTEST:

APPROVED:

Amada D. Curling, City Clerk

Gary S. Schaer, Council President

April 5, 2016