



CITY OF PASSAIC, NEW JERSEY
CITY COUNCIL
WORK SESSION 5:30 P.M.
REGULAR MEETING AGENDA
JUNE 12, 2012
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 14, 2011 SETTING FORTH A SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2011-2012, 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

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.

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

- 1. ORDINANCE NO.1906-12 ORDINANCE AMENDING ARTICLE VIII, "OFF-DUTY POLICE SERVICES," OF CHAPTER 39 OF THE CODE OF THE CITY OF PASSAIC TO INCLUDE PROVISIONS FOR NOTICE OF CANCELLATION OF REQUEST FOR OFF-DUTY POLICE SERVICES

- VI. COMMUNICATIONS

- 2. City Clerk's Office submitting Bingo License application for Fundacion Proyecto Latino (Fuprola) Inc., 59 Fenner Avenue, Clifton, New Jersey
 - 3. City Green Inc., 171 Grove Street, Clifton, NJ, submitting application to hold a Farmers Market Event, in the Senior Citizen Center, on Fridays from 11 a.m. to 2:00 p.m. starting June 15, 2012 till August 31, 2012 *(Contingent Upon Departmental Approvals)*
 - 4. Seventh Day Adventist Church, 315 Oak Street, submitting application to hold a Luncheon in the church parking lot (private property) on June 23, 2012 from 1:00 p.m. to 3:30 p.m.
 - 5. United Passaic Organization, 41 Myrtle Avenue, submitting application to hold a Health Fair, in St. Anthony's Church Parking Lot (private property), on October 6, 2012 from 10:00 a.m. to 2:00 p.m. *(Contingent Upon Departmental Approvals)*
 - 6. St. Nicolas Ukrainian Church, 216 President Street, submitting application to hold a Picnic, in their church parking lot (private property), September 9, 2012 from 12:00 p.m. to 8:00 p.m. *(Contingent Upon Departmental Approvals)*
 - 7. Fiesta Enterprise, 103 Third Street, submitting application to hold a Cultural event in Christopher Columbus Park, on September 16, 2012 from 3:00 p.m. to 9:00 p.m. *(Contingent Upon Departmental Approvals)*

8. United Puerto Rican Council, 173-175 Passaic Street, submitting applications:
 - Flag Raising in front of City Hall on July 22, 2012 from 12:00 p.m. to 2:00 p.m.
 - Block Party on Market Street between Passaic and South Streets, on July 22, 2012 from 2:00 pm to 9:00 p.m. *(Contingent Upon Departmental Approvals)*
9. Our Lady of Fatima R.C. Church, 32 Exchange Place, submitting application to hold a their Annual Church Picnic, in their church parking lot (private property), on the following dates:
 - June 15, 2012 from 6:00 p.m. to 9:00 p.m.
 - June 16, 2012 from 4:00 p.m. to 9:00 p.m.
 - June 17, 2012 from 12:00 p.m. to 10:00 pm*(Contingent Upon Departmental Approvals)*
10. Rigoberto Salas, 46 Thomas Street, Newark, submitting application to hold a Rally in the City Hall Court Yard, on June 23, 2012 from 11:30 p.m. to 1:00 p.m. *(Contingent upon department approvals)*

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

11. NJ Office of Information Technology, submitting correspondence re: Updates to the FCC Narrowbanding Mandate Deadline.
12. North Jersey District of Water Supply Commission, submitting the following:
 - Notice and Agenda of their May 23, 2012 meeting.
 - Minutes of their April 25, 2012 meeting.
13. NJ Division of Environmental Protection, submitting the following:
 - Correspondence re: NJDEP Child Care Facility Approval Letter, Alfredo Speer village Tutorial Center, 45 Aspen Place, Passaic.
 - Correspondence re: Area of Concern, One 550 gallon #2 Heating Underground Storage Tank System-286 Main Ave, Passaic, NJ
14. NJ Department of Transportation, submitting correspondence re: NJDOT is accepting applications for the 2012 Transportation Enhancement Program.
15. NJ Transit, submitting notice of the June 12, 13, 2012 public hearings.
16. Borough of Bloomingdale, submitting the following:
 - Resolution No. 2012-5.9: Requesting Sheriff Richard H. Berdnick to Reinstate the Labor Assistance Program.
 - Resolution No. 2012-5.9: Supporting assembly bill no. 2027 and Senate Bill No. 380 creating the “Jessica Lunsford Act” in New Jersey.
17. Passaic Valley Water Commission, submitting the following:
 - Notice and Agenda of their May 22, 2012 meeting.
 - Notice rescheduling their June 20, 2012 meeting to June 19, 2012.
18. Township of Monroe, submitting resolution no. R:94:2012 “Resolution of the Township Council of Monroe, County of Gloucester in support for fair Distribution of State Aid for Education”

VII. RESOLUTIONS:

19. RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON JUNE 12, 2012 AT 7:00 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS
20. RESOLUTION AWARDING CONTRACT FOR AUDITING SERVICES FINANCIAL ADVISORY AND ARBITRAGE COMPLIANCE SERVICES *(Awarded to Lerch, Vinci & Higgins of Fairlawn, NJ in the amount of \$60,000.00 for Statutory Annual Audit and \$7,500.00 for the Audit of the Financial Statements of the Sewer Utility for the period July 1, 2012 through June 30, 2013)*

21. RESOLUTION AWARDING CONTRACT FOR CONFLICTS COUNSEL LEGAL
(Awarded to Weiner Lesniak, of Parsippany, NJ in the amount of \$150.00/hr. not to exceed \$5,000.00 for the period July 1, 2012 through June 30, 2012)
22. RESOLUTION AWARDING CONTRACT FOR SPECIAL LEGAL COUNSEL
NJDEP ET. AL. V. OCCIDENTAL CHEMICAL CORP. AND MAXUX ENERGY
CORP. AND TIERRA SOLUTIONS V. CITY OF PASSAIC ET. AL. DOCKET
#ESX-L-9868-05 (PASR) *(Awarded to Eric Bernstein & Associates, of Warren, NJ at an hourly rate of \$120.00/hr in the amount not to exceed \$15,000.00 for the period July 1, 2012 through June 30, 2013)*
23. RESOLUTION AWARDING CONTRACT FOR COMMUNITY DEVELOPMENT
ATTORNEY CITY OF PASSAIC *(Awarded to Joseph Monaghan, of Hackensack, NJ in the amount of \$125.00/hr. with a total amount not to exceed \$35,000.00 for the fiscal year July 1, 2012 through June 30, 2013)*
24. RESOLUTION APPROVING EMERGENCY SANITARY SEWER REPAIR PINE
STREET AND BURGESS PLACE PASSAIC, NJ *(Emergency purchase -payment to Hatch Mott
MacDonald of Milburn, NJ in the amount of \$19,929.53)*
25. RESOLUTION AWARDING CONTRACT FOR BOND COUNSEL *(Awarded to Gluck
Walrath, of Trenton, NJ in an amount not to exceed \$30,000.00 for the fiscal year July 1, 2012 through June 30, 2013)*
26. RESOLUTION AWARDING CONTRACT FOR RENT LEVELING BOARD
ATTORNEY *(Awarded to Eric Bernstein & Associates, of Warren, NJ at an hourly rate of \$120.00/hr in the
amount not to exceed \$5,000.00 for the period July 1, 2012 through June 30, 2013)*
27. RESOLUTION AWARDING CONTRACT FOR PUBLIC RELATIONS AND
GOVERNMENT ADVOCACY SERVICES CITY OF PASSAIC *(Awarded to Catania
Consultant Group Inc., of North Haledon, NJ in the amount of \$2,250.00/month for the total amount of \$27,000.00 for
the period July 1, 2012 through June 30, 2013)*
28. RESOLUTION AWARDING CONTRACT FOR PRE-PACKAGED MEALS FOR
SUMMER FOOD PROGRAM 2012 *(Awarded to Maramont Corporation of Brooklyn, NY in the amount
of \$144,446.00)*
29. RESOLUTION AWARDING CONTRACT FOR CEILING REPLACEMENT AT
JULIUS FORSTMANN LIBRARY PASSAIC, NJ *(Awarded to Pharos Enterprises of South Amboy,
NJ, in the amount of \$86,000.00)*
30. RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW
JERSEY IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT
PROGRAM (JAG) ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE,
DEPARTMENT OF LAW AND PUBLIC SAFETY, GRANT # JAG-3-6-11
31. RESOLUTION AUTHORIZING A CHANGE ORDER TO A CONTRACT WITH
NEGLIA ENGINEERING FOR IMPROVEMENT TO CHRISTOPHER
COLUMBUS PARK *(Revised amount of \$49,290.00)*
32. RESOLUTION AMENDING THE SCATTERED SITE REDEVELOPMENT PLAN
33. RESOLUTION AWARDING CONTRACT FOR MUNICIPAL COURT PUBLIC
DEFENDER TUESDAY MORNINGS, TUESDAY AFTERNOONS, AND
TUESDAY EVENINGS CITY OF PASSAIC *(Awarded to David Fromkin of Wallington, NJ in the
amount \$125.00/session with a amount not to exceed \$29,000.00 for the fiscal year July 1, 2012 through June 30, 2013)*
34. RESOLUTION REJECTING PROPOSAL FOR ABC PROSECUTOR
35. RESOLUTION AWARDING CONTRACT FOR ARCHITECTURAL SERVICES
FOR IMPROVEMENTS TO EXISTING PUBLIC BATHROOMS BOATHOUSE,
THIRD WARD PARK PASSAIC NJ *(Awarded to Associated Architects, of Clifton, NJ, in the amount
not to exceed \$2,900.00 for a one year period commencing upon signing of contract)*
36. RESOLUTION AWARDING CONTRACT FOR ARCHITECTURAL SERVICES
RECONSTRUCTION OF BASKETBALL COURTS AND HANDBALL COURTS
THIRD WARD PARK, PASSAIC NJ *(Awarded to Associated Architects, of Clifton, NJ, in the amount
not to exceed \$6,500.00 for a one year period commencing upon signing of contract)*
37. RESOLUTION AWARDING CONTRACT FOR MUNICIPAL COURT
PROSECUTOR WEDNESDAY MORNING THURSDAY MORNING AND
THURSDAY AFTERNOON CITY OF PASSAIC *(Awarded to John Zunic of Fairview, NJ in the
amount of \$300.00/session with a total contract not to exceed \$46,200.00 for the fiscal year July 1, 2012 through June
30, 2013)*

38. RESOLUTION AWARDING CONTRACT FOR CHIEF MUNICIPAL COURT PROSECUTOR MONDAY MORNINGS, MONDAY AFTERNOONS, MONDAY EVENINGS TUESDAY MORNINGS TUESDAY AFTERNOONS AND TUESDAY EVENINGS *(Awarded to Joseph Monaghan, of Hackensack, NJ in the amount of \$300.00/session with a total not to exceed \$81,950.00 for the fiscal year July 1, 2012 through June 30, 2012)*
39. RESOLUTION AWARDING CONTRACT FOR CHIEF MUNICIPAL COURT PUBLIC DEFENDER MONDAY MORNINGS MONDAY AFTERNOONS, MONDAY EVENINGS CITY OF PASSAIC *(Awarded to Curt Giesler, of Garfield, NJ in the amount of \$150.00/session with total amount not to exceed \$27,000.00 for the fiscal year July 1, 2012 through June 30, 2012)*
40. RESOLUTION - TRANSFERS FISCAL YEAR - FY 2012 BUDGET
41. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS
42. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS RESULTING FROM TAX COURT JUDGMENT
43. RESOLUTION TO AMEND SFY 2012 MUNICIPAL BUDGET (N.J.S.A. 40A:4-87)SUMMER FOOD PROGRAM \$404,677.92
44. RESOLUTION APPROVING SETTLEMENT OF TAX APPEAL
45. RESOLUTION TO AUTHORIZE THE COUNTY OF PASSAIC TO APPLY ON BEHALF OF THE CITY OF PASSAIC FOR US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (USHUD) DISASTER RELIEF FUNDING FROM THE CDBG-DR GRANT FUNDS PROGRAM TO THE NJ DEPARTMENT OF COMMUNITY AFFAIRS
46. RESOLUTION AUTHORIZING ASSESSOR AND TAX COUNSEL TO SETTLE PENDING TAX APPEAL MATTERS, TO CORRECT ERRORS IN TAX ASSESSMENTS, TO SIGN STIPULATIONS AND FILE APPROPRIATE DOCUMENTS REGARDING SAME ON BEHALF OF THE CITY OF PASSAIC FOR THE PERIOD JULY 1, 2011 THROUGH AND INCLUDING JUNE 20, 2012
47. RESOLUTION AUTHORIZING ASSESSOR AND TAX COUNSEL TO SETTLE PENDING TAX APPEAL MATTERS, TO CORRECT ERRORS IN TAX ASSESSMENTS, TO SIGN STIPULATIONS AND FILE APPROPRIATE DOCUMENTS REGARDING SAME ON BEHALF OF THE CITY OF PASSAIC FOR THE PERIOD JULY 1, 2012 THROUGH AND INCLUDING JUNE 20, 2013
48. RESOLUTION AWARDING CONTRACT FOR GRANTS CONSULTANT CITY OF PASSAIC *(Awarded to Millenium Strategies of Caldwell, NJ, in the amount of \$75.00/hour for an amount not to exceed \$65,000.00 for the fiscal year July 1, 2012 through June 30, 2013)*
49. RESOLUTION DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS

VIII. ORDINANCE FOR INTRODUCTION AND FIRST READING

50. ORDINANCE AMENDING CHAPTER 251 OF THE CODE OF THE CITY OF PASSAIC TO PROHIBIT SMOKING ON PUBLIC PROPERTY
51. ORDINANCE DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS RESTRICTED BY LICENSE PLATE NUMBER

IX. PAYMENT OF BILLS

X. ADMINISTRATOR'S REPORT

XI. MAYOR'S REPORT

ADJOURNMENT

(Note: Next Council Meeting- June 26, 2012)