



CITY OF PASSAIC, NEW JERSEY  
CITY COUNCIL  
WORK SESSION 5:30 P.M.  
REGULAR MEETING AGENDA  
June 18, 2013  
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 26, 2012 SETTING FORTH A SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2012-2013, 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. MINUTES: April 9, 23, 2013 City Council Meetings.
- V. 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, the City Council will not entertain any comments from persons who communicate obscene material, make statements which are considered bias intimidation in which any person attempts to intimidate any individual or group because of race, color, religion, handicap, sexual orientation or ethnicity or makes personally offensive or abusive, defamatory or profane comments, comments intending to harass or speak any offensive or abusive language. The person who makes these statements will relinquish their allotted five minutes for public discussion.*

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

1. ORDINANCE NO. 1941-13 ORDINANCE AMENDING THE DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS RESTRICTED BY NJ LICENSE PLATE NUMBER
2. ORDINANCE NO. 1942-13 ORDINANCE DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS RESTRICTED BY NJ LICENSE PLATE NUMBER
3. ORDINANCE NO. 1943-13 ORDINANCE RESCINDING AND REPEALING CERTAIN ORDINANCES FOR USE BY HANDICAPPED PERSONS RESTRICTED BY NJ LICENSE PLATE NUMBER
4. ORDINANCE NO. 1944-13 ORDINANCE REAPPROPRIATING \$93,855 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE REPAIR AND REPLACEMENT OF CITY POLICE/MUNICIPAL COURT FACILITY, FURNISHINGS AND EQUIPMENT, INCLUDING ANY AND ALL NECESSARY APPURTENANCES FOR THE CITY OF PASSAIC, IN THE COUNTY OF PASSAIC, NEW JERSEY".

VII. COMMUNICATIONS

5. El Castillo Catering Hall, 190 Passaic Street, submitting application for a New Entertainment License for the year 2013.

6. John E. Biegel, Health Officer, submitting request for a refund to St. Anthony of Padua RC Church, in the amount of \$100.00 for an overpayment.
7. Isabel C. Agudelo, Amigos Colombianos, 347 Howe Avenue, submitting application to hold a Flag Raising in front of City Hall on July 6, 2013 from 12:00 p.m. to 2:00 p.m. *(Contingent Upon Departmental Approvals)*
8. City Clerk's Office submitting raffle application for the following organizations:
  - St. Joseph's R.C. Church, 7 Parker Avenue
  - St. Anthony of Padua R.C., 101-103 Myrtle Avenue
9. Passaic African American Committee Celebration, 5 Spring Street, submitting application to hold a Parade on July 20, 2013 from 10:00 a.m. to 11:00 a.m. The parade will commence in front of City Hall traveling Passaic Street to Passaic Avenue ending in Third Ward Park. *(Contingent Upon Departmental Approvals)*
10. Doing It In the Park, P.O. Box 1873, Passaic, NJ, submitting application to hold a Community Concert in School No. 11 Park, on July 27, 2013 from 12:00 p.m. to 9:00 p.m. *(Contingent Upon Departmental Approvals)*
11. Lincoln Middle School, 291 Lafayette Avenue, submitting the following applications:
  - Field Day, in Third Ward Park, on June 19, 2013 from 9:30 a.m. to 2:30 p.m. *(Contingent Upon Departmental Approvals)*
  - Field Day in Third Ward Park, on June 24, 25, 26, 2013 from 9:00 a.m. to 1:00 p.m.
12. City Green Inc., 171 Grove Street, Clifton, submitting application to hold a Farm Stand, outside the Senior Citizen center, starting on June 28, 2013 through October 25, 2013 from 10:30 a.m. to 2:30. P.M, *(Contingent Upon Departmental Approvals)*
13. St. Anthony's of Padua, 101-103 Myrtle Avenue, submitting the following
  - Flea Market in their church parking lot (private property), on June 22, 2013, July 13, 2013 and August 10, 2013 from 8:00 a.m. to 6:00 p.m.
  - Prayer Group, in their church parking lot (private property), on June 10, 17, 24, 2013; July 1, 8, 15, 22, 29, 2013 ; August 5, 12, 19, 26, 2013 and September 2, 2013 from 7:00 p.m. to 9:30 p.m.
14. Club Dominicano Inc. Maria Trinidad Sanchez, 565 Main Avenue, submitting application for a Flag Raising in front of City Hall on August 18, 2013 from 12:00 p.m. to 1:00 p.m.
15. St. Joseph R.C. Church, 7 Parker Avenue, submitting application to hold their Annual Parish Picnic in their church parking lot (private property), on July 7, 2013 from 12:00 p.m. to 11:00 p.m. *(Contingent Upon Departmental Approvals)*
16. St. Nicholas Ukrainian Catholic Church, 60 Holdsworth Court, submitting application to hold their Parish Picnic in their church parking lot (private property) on September 21, 2013 from 6:00 p.m. to 10:00 p.m. and September 22, 2013 from 12:00 p.m. to 8:00 p.m.
17. Pulaski School No. 8, 100 Fourth Street, submitting application to hold a Field Day, in Paluski Park Soccer Field, on June 20, 2013 from 9:00 a.m. to 11:30 a.m. *(Contingent Upon Departmental Approvals)*
18. Ecuadorian Alliance, 565 Main Avenue, submitting application to hold a Flag Raising in front of City Hall on August 11, 2013 from 12:00 p.m. to 1:00 p.m. *(Contingent Upon Departmental Approvals)*
19. Mighty Sons of God Fellowship & A.W.M.I.C. Pastor Melanie Gleabes, P.O. Box 2329, Clifton, NJ submitting application to hold a Prayer Services in Ellen Square, on June 29, 2013 from 12:00 p.m. to 3:00 p.m. *(Contingent Upon Departmental Approvals)*
20. Peruvian Parade, 356 Totowa Rd, Paterson, submitting application to hold a Parade on July 28, 2013 from 10:00 a.m. to 12:00 p.m. The parade will commence on Gregory Avenue corner of River Drive and travel Main Avenue ending on Highland Avenue. *(Contingent Upon Departmental Approvals)*

21. Our Lady of Mt. Carmel Church, 10 St. Francis Way, submitting application to hold their Parish Carnival in their church parking lot (private property), on the following dates:
- August 1, 2013 6:00 p.m. 10:00 p.m.
  - August 2, 2013 6:00 p.m. 12:00 a.m.
  - August 3, 2013 6:00 p.m. 12:00 a.m.
  - August 4, 2013 2:00 p.m. 10:00 p.m.
- (Contingent Upon Departmental 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**

22. Christos J. Diktas, Ditas Gillen, submitting City of Garfield Land Use Ordinance No. 2654 consisting of a Redevelopment Plan for Block 119.03.52.
23. PSE&G, submitting correspondence re: “Application for a Flood Hazard Area Verification/Individual Permit- Hardship Exception Northeast Grid Reliability Project”.
24. North Jersey District Water Supply Commission, submitting the following:
- Minutes of their April 24, 2013.
  - Agenda of their May 22, 2013 meeting.
25. Passaic County Department of Planning and Economic Development, submitting final copy of Passaic County Future. *(Note: Filed in the City Clerk’s Office).*
26. Passaic Redevelopment Agency, submitting agenda of their May 30, 2013 meeting.
27. State of New Jersey Department of Transportation, submitting correspondence re: NJDOT Fiscal Year 2013 Safe Streets to Transit Grant Program.
28. Passaic Valley Water Commission, submitting the following:
- Notification of rescheduling their May 15, 2013 meeting.
  - Minutes of their April 17 and May 1, 2013 meetings.
  - Agenda of their May 22, 2013 meeting.

**VIII. RESOLUTIONS:**

29. RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON JUNE 18, 2013, AT 7:00 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS
30. RESOLUTION AWARDED CONTRACT FOR PLAYGROUND ADJACENT TO THE BOYS GIRLS CLUB 14-20 HUDSON STREET, PULASKI PARK PASSAIC NJ *(Awarded to Tec-Con Contractors of East Orange, New Jersey in the amount of \$51,635.00 inclusive of all alternates)*
31. RESOLUTION APPROVING EMERGENCY REPAIR OF TRAFFIC SIGNAL MARKET STREET AND PASSAIC STREET PASSAIC, NJ *(Awarded to J. Keane Electric, North Arlington, NJ in the amount of \$8,737.75)*
32. RESOLUTION AWARDED CONTRACT FOR AUDITING SERVICES FINANCIAL ADVISORY AND ARBITRAGE COMPLIANCE SERVICES *(Awarded to Lerch, Vinci, Higgins of Fairlawn, NJ in the amount of \$61,200.00 for Statutory Annual Audit of the City’s Financial Statements and \$7,600.00 for Audit of the Financial Statements of the Sewer Utility for the period July 1, 2013 through June 30, 2014)*
33. RESOLUTION AWARDED CONTRACT FOR BOND COUNSEL *(Awarded to Gluck Walrath of Trenton, NJ in an amount not to exceed \$30,000.00 for the Period July 1, 2013 through June 30, 2014)*
34. RESOLUTION AWARDED CONTRACT FOR COMMUNITY DEVELOPMENT ATTORNEY CITY OF PASSAIC *(Awarded to Joseph G. 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, 2013 through June 30, 2014)*
35. RESOLUTION AWARDED CONTRACT FOR SPECIAL LEGAL COUNSEL NJDEP ET. 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 not to exceed an amount of \$15,000.00 for the period July 1, 2013 through June 30, 2014)*

36. RESOLUTION AWARDING CONTRACT FOR LABOR COUNSEL *(Awarded to Eric Bernstein & Associates of Warren, NJ in the amount of \$120.00 for fiscal year July 1, 2013 through June 30, 2014)*
37. RESOLUTION AWARDING CONTRACT FOR GENERAL LEGAL COUNSEL CITY OF PASSAIC *(Awarded to Florio & Kenny of Hoboken, NJ in the amount of \$125.00/hr in the amount not to exceed \$300,000.00 for the fiscal year July 1, 2013 through June 30, 2014)*
38. RESOLUTION - TRANSFERS FISCAL YEAR – FY **2013** BUDGET
39. RESOLUTION AWARDING CONTRACT FOR RENT LEVELING BOARD ATTORNEY *(Awarded to Eric Bernstein & Associates, LLC in an amount of \$120.00/hr. not to exceed \$5,000.00 a year for the fiscal year July 1, 2013 through June 30, 2014)*
40. RESOLUTION AWARDING CONTRACT FOR INSTALLATION OF PLAYGROUND EQUIPMENT SCHEVCHENKO PARK AND INSTALLATION OF FITNESS EQUIPMENT VETERANS MEMORIAL PARK PASSAIC, NJ *(Awarded Whirl Construction of Port Monmouth, NJ in the amount of \$16,100.00)*
41. RESOLUTION AMENDING THE AUTHORIZATION OF THE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR THE USE ON GOVEDEALS ONLINE AUCTION WEBSITE
42. RESOLUTION AUTHORIZING A CHANGE ORDER TO A CONTRACT BETWEEN THE CITY OF PASSAIC AND THE RAMIREZ ENTERPRISES FOR IMPROVEMENTS AND RENOVATIONS TO SILVER STAR LODGE PASSAIC, NEW JERSEY *(Adjusting contract an additional \$1,470.00 for a final Contract Price of \$53,560.00)*
43. RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH PASSIAC ENTREPISE ZONE DEVELOPMENT CORPORATION FOR BUSINESS ADMINISTRATOR
44. RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT WITH PASSIAC ENTREPISE ZONE DEVELOPMENT CORPORATION FOR ECONOMIC DEVELOPMENT REPRESENTATIVE
45. RESOLUTION AMENDING CHAPTER 295-22 OF THE CITY CODE NO STOPPING OF STANDING
46. RESOLUTION AUTHORIZING THE CITY OF PASSAIC TO ACCEPT FUNDS FROM COUNTY OF PASSAIC COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY AND AUTHORIZE EXECUTION OF SUB-GRANT AGREEMENT
47. RESOLUTION AUTHROIZING A CHANGE ORDER TO A CONTRACT WITH HELIOS CONSTRUCTION FOR RECONSTRUCTION OF ST. FRANCIS WAY PASSAIC NJ *(Adjusting the contract to the total revised amount of \$285,217.82)*

**IX. ORDINANCES FOR INTRODUCTION AND FIRST READING**

48. AN ORDINANCE OF THE CITY OF PASSAIC, IN THE COUNTY OF PASSAIC, NEW JERSEY, AMENDING ORDINANCE NO. 1708-06 OF THE CITY FINALLY ADOPTED JANUARY 16, 2007 TO PROVIDE FOR AN EXPANSION OF THE DEFINITION OF PROJECT THEREIN

**X. PAYMENT OF BILLS**

**XI. ADMINISTRATOR'S REPORT**

**XII. MAYOR'S REPORT**

**ADJOURNMENT**

(Please Note: June 25, 2013 next scheduled meeting of the Council)