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CITY OF PASSAIC, NEW JERSEY  
CITY COUNCIL  
REGULAR MEETING AGENDA  
MARCH 17, 2009  
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 24TH, 2008 SETTING FORTH A SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2008-2009, 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- February 10 and 24, 2009 Regular Meetings.

**PRESENTATIONS:**

- Update Report On “Resolution Authorizing An Agreement With The Upper Monroe Street Improvement Corporation (Umsic) To Receive \$1,320,000 Of Chdo-Reserved Home Funds For The Construction Of Two Affordable Housing Projects”.

**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, 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.*

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

- 1. ORDINANCE CONCERNING REGULATION OF CHARITABLE CLOTHING BINS - #1791-09.
- 2. ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 255, SNOW ICE AND IMPEDIMENTS, REMOVAL OF, THE CODE OF THE CITY OF PASSAIC - #1792-09.

**VII. COMMUNICATIONS AND PETITIONS**

- 3. City Clerk’s Office submitting Raffle License for the following organizations:
  - Saint Anthony of Padua Church, 101-103 Myrtle Avenue

- Holy Rosary Church, 6 Wall Street
  - Our Lady of Fatima Church, 32 Exchange Place
4. George Chrzanowski; B Black Taxi Services Inc, 723 Main Avenue, submitting application to renew their Taxicab Owner's License for the year 2009.
  5. The Palace, 691 Main Avenue, submitting application to renew their Entertainment License for the year 2009. (ABC Resolution of charges)
  6. Severiano Hernandez, t/a El Rodeo (Bar) 182 Third street submitting application to renew their 2009 entertainment license.
  7. Manny Reynolds, Passaic Veterans Alliance 4-6 Tulip Street – submitting application to hold a Car Parade, on May 25, 2008 from 9:30 a.m.- 11:30 a.m. starting at Highland & Lexington Ave. down Lexington to armory Park at Main Avenue and Prospect Street, where memorial services will be held.
  8. Rev. Ignatius Zampino, Pastor Our Lady of Mt. Carmel, 7 Francis Way- submitting application to hold a dinner and outdoor cooking in their parking lot. The event will take place on April 10, 2009 from 5:00 p.m.- 7:00 p.m.
  9. Rev. Brando Ibarra, Anthony of Padua Church, 101-103 Myrtle Avenue, submitting the following applications:
    - Procession on Friday, April 10, 2009 from 12:00 p.m. - 1:30 p.m. starting at Oak Street to Gregory Avenue to Monroe Street to Myrtle Avenue to Oak Street.
    - Procession on Sunday, April 12, 2009 from 6:00 a.m.- 7:00 a.m. starting point for Group 1; will proceed, from the church left on Oak St., right to Grove St. then right onto Monroe Street and right on Myrtle Ave and right onto Oak St., back to the church.  
Group 2: will proceed from the school parking lot, right on Oak St. right on Tulip St. right on Chestnut St. right on Myrtle Ave. back to the church.
  10. Herminio Garcia/Org. De Mexicanos-Americanos Unidos (OMAU) 37 Essex St., submitting an application to hold a Cultural/Heritage Festivities at St. Nicholas Church/outside parking lot. From April 19, 2009- April 26, 2009 from 2:00 p.m. to 7:00 p.m.
  11. City of Passaic, Div. of Health Cancer Coalition, 330 Passaic St., submitting application to hold a Free Oral Cancer Screening, in front of Passaic City Hall, on April 15, 2009, from 11:00 a.m. to 3:00 p.m. **(contingent upon Department approvals)**
  - 11A. Vincent Capuana, Director Code Enforcement and Inspection, submitting report to Council re: dilapidated properties.

**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.**

12. Hon. Alex Blanco, Mayor, submitting the following:
  - Correspondence appointing Jonathan Bello-Santos to the Passaic Parking Authority to fill the expired term of John Lira. Term commences immediately and expires on September 12, 2011.
  - Correspondence from Julio Luciano withdrawing his position to the Planning Board.
13. City of Clifton submitting the following Resolution urging for support and consideration:
  - Resolution Urging Full Funding For Property Tax Reimbursement Program For Senior and Disabled Citizens (Tax Freeze)
  - Resolution Supporting Legislation To Mandate That Cablevision Be Required To Maintain The Number, Quality And Content Nature Of The Channels It Offered Upon Being Granted An Operational License.

14. Borough of North Haledon submitting the following Resolution and urging for Support and consideration:
  - Resolution in Support Of Senior And Disabled Persons Tax Freeze
15. North Jersey District Water Supply Commission submitting the following:
  - January 28, 2009 Minutes
  - Public Notice of their February 25, 2009 Meeting
  - February 25, 2009 Agenda
16. Passaic Enterprise Zone Dev. Corp, submitting minutes of their January 14, 2009 meeting
17. Passaic Valley Water Commission submitting the following:
  - Notice of their Re-Organization, Regular Meeting And Agenda of February 26, 2009
  - Minutes of their January 21, 2009 Regular Meeting
  - Agenda of their March 18, 2009 Regular Meeting
  - Slate of Officers for the year 2009
  - Correspondence Re: re-scheduling Commissioner Simon Grubin and Commissioner Rigo Sanchez Presentation.
18. Passaic Valley Sewerage Commissioners submitting the following:
  - Re: Notice of Violation Permit No. 26210044 for Puebla Foods Inc., 90 Market Street.
19. Borough of River Edge, submitting a Resolution #09-83 To Amend the Current Binding Interest Arbitration Law.
20. State of New Jersey Department of Environmental Protection submitting the following:
  - Division of Land Use Regulation submitting Flood Hazard Area Verification and Flood Hazard Area Individual Permits – granting permission to construct a single-Family Dwelling within the flood plain of Passaic River, Lot No. 30 of Block No. 1019.A, in the City of Passaic
  - Division of Parks and Forestry, New Jersey Shade Tree and Community Forestry Requesting the assistance of the Municipality to submit an Annual Accomplishment Report by April 20, 2009.
  - Bureau of Underground Storage Tanks, submitting Classification Exception Area Biennial Certification Approving report received dated September 18, 2007 and March 19, 2008 for St. Mary’s Hospital, Lafayette Street, Passaic City, and Passaic County.
  - Correspondence Re: Resurfacing Program, Passaic City, Passaic County FY 2009 Municipal Aid & Urban Aid, in the amount of \$249,966.63
21. Clift, 223 Autumn Street, submitting correspondence regarding increase of taxes and the decrease of public safety in the City of Passaic.
22. Brian Ruiz, founder of Strategic Billing Enterprise, submitting correspondence offering third party billing Services to Municipalities.
23. Jersey Central Power & Light, 300 Madison Avenue, Morristown, NJ submitting notice Of the New Jersey Board of Public Utilities scheduled hearings in regards to Proposed Economic Stimulus Infrastructure Investment Program BPU Docket Nos. EO09010049, EO09010055.
24. Personnel Actions – February 2009
25. Township of West Milford, submitting the Resolution 2009-114 entitled “Resolution of the Township of West Milford, County of Passaic and State of New Jersey Supporting Senate Bill 445, “Transparency in Government Act””

26. Passaic County Board of Chosen Freeholders, submitting Agenda of their March 10, 2009 regular meeting.
27. Concerned Resident of the City of Passaic, submitting correspondence Re: Inspection request.

**VIII. RESOLUTIONS:**

28. RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON MARCH 17, 2009 AT 7:00 P.M. OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS, AND PERSONNEL MATTERS
29. RESOLUTION AUTHORIZING THIRD AMENDMENT TO CONTRACT FOR SALE OF 68-72 THIRD STREET.
30. RESOLUTION AUTHORIZING CHANGE ORDER FOR GRANT'S CONSULTANT CONTRACT.
31. RESOLUTION AUTHORIZING 2009 GRANT APPLICATION FOR SAFE AND SECURE COMMUNITIES PROGRAM CONTINUATION FUNDING.
32. RESOLUTION AUTHORIZING LEASE AGREEMENT WITH REPRESENTATIVE WILLIAM PASCRELL JR.
33. RESOLUTION REQUESTING USE OF THE COUNTY SIDEWALK AND PARALLEL PARKING AREA ALONG THE MAIN AVENUE FRONTAGE OF BLOCK 2155 LOT 1.
34. RESOLUTION AUTHORIZING A CHANGE ORDER TO A CONTRACT WITH STANZIALE CONSTRUCTION FOR IMPROVEMENTS TO VARIOUS PARKING LOTS MAIN AVENUE PARKING MALL CITY OF PASSAIC.
35. APPROVING THE CITY OF PASSAIC'S APPLICATION FOR NEW JERSEY DEPARTMENT OF STATE, DIVISION OF ARCHIVES AND RECORDS MANAGEMENT, PUBLIC ARCHIVES AND RECORDS INFRASTRUCTURE SUPPORT (PARIS) GRANT PROGRAM FUNDING.
36. RESOLUTION AWARDED CONTRACT FOR PRINTING SERVICES 2009 CITY OF PASSAIC.
37. RESOLUTION AUTHORIZING VARIANCE FOR NOISE ORDINANCE CONSTRUCTION ACTIVITY AT BLOCK 2155 LOT 1
38. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS RESULTING FROM TAX COURT JUDGMENT.

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

39. AN ORDINANCE AMENDING CHAPTER 117 OF THE CODE OF THE CITY OF PASSAIC ENTITLED "DOGS AND OTHER ANIMALS".
40. ORDINANCE AMENDING CHAPTER 283 "TOBACCO" IN THE CODE OF THE CITY OF PASSAIC.
41. ORDINANCE ADOPTING AMENDMENT TO THE SCATTERED SITE REDEVELOPMENT.

**SCHEDULE A HEARING**

42. Marlex LLC t/a El Milenio Lounge & Grill, 570 Main Avenue, submitting application to renew their Entertainment License for the year 2009. **(POLICE DEPARTMENT OBJECTION).**
43. Zuniga Entertainment LLC t/a Fiesta Night Club, 115 President Street, submitting application to renew their Entertainment License for the year 2009. **(POLICE DEPARTMENT OBJECTION).**

**X. HEARING**

44. My Way Lounge, 583 Main Avenue, submitting application to renew their Entertainment License for the year 2009. **POLICE DEPARTMENT OBJECTION**(Requesting an Adjournment for April 28, 2009 Meeting).
45. Cable Vision of Oakland, LLC 40 Potash Road, Oakland, NJ application for Municipal Consent to Construct and Operate Cable Television System and Maintain Cable Communications in the City of Passaic.

**XI. PAYMENT OF BILLS**

**XII. ADMINISTRATOR'S REPORT**

**XIII. MAYOR'S REPORT**

**ADJOURNMENT**