



CITY OF PASSAIC, NEW JERSEY
CITY COUNCIL
REGULAR MEETING AGENDA
APRIL 6, 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- March 17, 2009 regular meeting and March 30, 2009 special meeting.

PRESENTATIONS:

- Passaic Valley Water Commission Update Report.
- 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”. (Request to postpone their presentation from April 6, 2009 to April 28, 2009.

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 NO. 1793-09** AN ORDINANCE AMENDING CHAPTER 117 OF THE CODE OF THE CITY OF PASSAIC ENTITLED “DOGS AND OTHER ANIMALS”.
- 2. **ORDINANCE NO. 1794-09** ORDINANCE AMENDING CHAPTER 283 “TOBACCO” IN THE CODE OF THE CITY OF PASSAIC.
- 3. **ORDINANCE NO. 1796-09** AN ORDINANCE AMENDING CHAPTER 61 “VOLUNTEER FIRST AID, RESCUE AND AMBULANCE SQUADS”

VII. BUDGET RESOLUTIONS:

- 3A. RESOLUTION TO AMEND SFY 2009 MUNICIPAL BUDGET
(Public Hearing Required)
- 3B. RESOLUTION TO ADOPT SFY 2009 MUNICIPAL BUDGET AS AMENDED
(RESOLUTION NO. 08-09-296 approved on September 23, 2008)

VII. COMMUNICATIONS AND PETITIONS

- 4. John Miskovsky, Construction Official, submitting request for a refund to Jesus Santana, 149 Autumn Street, for a certificate of occupancy, in the amount of \$65.00.
- 5. Vincent Capuana, Dir. of Inspection and Code, submitting a report updating the status of 765 River Drive/Affordable Space Corporation.(as per Council request)
- 6. Holy Rosary R.C. Church, 6 Wall Street, submitting application to hold a Picnic in their church parking lot (private property) on May 2 & 3, 2009, from 1:00 PM to 10:00P.M.**(CONTINGENT UPON DEPARTMENTAL APPROVAL).**
- 7. First Spanish Baptist Church, 189 Paulison Ave., submitting application to hold a Garage Sale, in their church parking lot (private property), on April 18, 2009, from 10:00 AM to 5:00 PM.
- 8. PBA, 330 Passaic Street, submitting application to hold a Hot Dog Night Fund Raiser, in Holy Rosary's Church (private property), on April 17, 2009, from 6:00 PM to 10:00 PM.**(CONTINGENT UPON DEPARTMENTAL APPROVAL).**
- 9. St. Nicholas R.C. Church, 153 Washington Place, submitting application to hold a Procession on April 10, 2009 from 11:00 AM to 12:00 PM, the procession will commence on Washington Pl. to Columbia Ave. to Ann Street and conclude on State St. **(CONTINGENT UPON DEPARTMENTAL APPROVAL).**
- 10. St. Anthony's of Padua, 101-103 Myrtle Avenue, submitting an application to hold a Procession on May 23, 2009, from 1:30 PM to 2:30 PM, the procession will commence on Myrtle Ave. to Oak Street to Grove Street to Monroe Street and conclude on Myrtle Avenue.
- 11. Tiferes Israel, 180 Passaic Avenue, submitting application to hold Religious Assembly, in Third Ward Park, on April 8, 2009 from 7:30 AM to 8:30 PM. **(CONTINGENT UPON DEPARTMENTAL APPROVAL).**

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 correspondence appointing to the following Individuals to the position of permanent Fire Fighters effective April 6, 2009;
 - 1) Juan Bravo
 - 2) Jorge Martinez-Morales
 - 3) Mark Mastaj
 - 4) Omar Montanez
 - 5) Jonathan Pearson
 - 6) Michael S. Polizzi
 - 7) Daniel Ramirez
 - 8) Mahmud B. Suleiman
- 13. NJ Department of Affordable Housing correspondence. Re: Rutherford Borough petition for substantive certification of the Borough's Housing Element and Fair Share Plan.
- 14. NJ Department of Transportation, submitting correspondence. Re: Announcing that Applications will now be accepted for the NJDOT Municipal Aid, Bikeway Centers of Place, Transit Village, and Safe Street to Transit Programs.
- 15. NJ Department of Community Affairs, correspondence Re: SFY 2009 Municipal Extraordinary Aid.
- 16. Congressman Bill Pascrell, Jr., submitting news release Re: 75 Million in Recovery Funding New Jersey Communities to Become More Energy Efficient.

17. United Puerto Rican Council, submitting correspondence Re: Flag Raising Event.
18. Citizen Recognizing Veterans submitting correspondence Re Armory Park.
19. City of Clifton, Zoning Board of Adjustment submitting notice of their April 1, 2009 hearing.
20. Passaic County Board of Chosen Freeholders submitting Agenda of their March 24, 2009 public meeting.
21. Passaic Housing Authority, submitting Agenda of their March 18, 2009 public meeting.
22. North Jersey District Water Supply Commission, submitting the following:
 - Notice and Agenda of their March 25, 2009, public meeting.
 - Minutes of their February 25, 2009 meeting.
23. Passaic Valley Water Commission, submitting the following:
 - Notice and Agenda of their March 28, 2009, public meeting.
 - Minutes of their February 18, 2009, public meeting.
 - Statements of Financial Condition, Unaudited, as of February 28, 2009.
24. Borough of Maywood, submitting resolution entitled “Request to Amend the Current Binding Interest Arbitration Laws”.
25. Township of West Milford, submitting resolution entitled “Resolution of Township of West Milford, County of Passaic, State of New Jersey Urging Full Funding For “Property Tax Reimbursement Program for the Senior and Disabled Citizens”.
26. Borough of North Haledon, submitting the following resolutions:
 - Opposition to League Resolution # 2008-3 Tax Levies For Free Public Libraries.
 - Resolution Opposing Cuts in Municipal Aid
 - Resolution in Support of Amending Binding Arbitration Laws in the State of New Jersey.
 - Resolution Requesting Amendments to A3688 and S7 to Preserve CAP Exceptions for Certain Municipalities and Require the New Jersey Division of Pension to Provide Budgetary Estimate to Municipalities.
27. Passaic County Board of Taxation, submitting a resolution entitled “Passaic County Board of Taxation Resolution”

VIII. RESOLUTIONS:

28. RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON APRIL 6, 2009 AT 7:00 P.M. OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS, AND PERSONNEL MATTERS
29. RESOLUTION AUTHORIZING BUS SHELTER CONTRACT WITH COUNTY OF PASSAIC.
30. RESOLUTION TO APPROVE THE CORRECTIVE ACTION PLAN FOR THE FISCAL YEAR 2008 AUDIT REPORT OF THE CITY OF PASSAIC.
31. RESOLUTION AUTHORIZING CITY OF CLIFTON TO UTILIZE PASSAIC FIRE TRUCK.
32. RESOLUTION AUTHORIZING REVISION TO THE 2008 CONSOLIDATION

PLAN -HOME PROGRAM.

33. RESOLUTION SFY O9 TEMPORARY EMERGENCY BUDGET.
34. RESOLUTION RE: GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT.
35. 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.
36. RESOLUTION AUTHORIZING THE FILING OF THE CITY OF PASSAIC'S 2009 ACTION PLAN OF THE CONSOLIDATED PLAN IN APPLICATION FOR FEDERAL ASSISTANCE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS PROGRAMS.

IX. ORDINANCES FOR INTRODUCTION AND FIRST READING

37. ORDINANCE AMENDING CHAPTER 295 OF THE CODE OF THE CITY OF PASSAIC ENTITLED "VEHICLES AND TRAFFIC".

X. HEARING

38. 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).**
39. 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).**

XI. PAYMENT OF BILLS

XII. ADMINISTRATOR'S REPORT

XIII. MAYOR'S REPORT

ADJOURNMENT