WORK-SESSION WAS HELD ON TUESDAY DECEMBER 6, 2016 AT 5:30 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 DECEMBER 6, 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. FURTHERMORE, 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, POLANCO, SCHWARTZ AND COUNCIL PRESIDENT SCHAER

ABSENT: LOVE, MELO, MUNK

ALSO PRESENT: Rick Fernandez, Business Administrator; Christopher Harriott, City Counsel

Council President Schaer opened the work session with an informal review and discussion regarding agenda items.

Councilman Love and Melo walked into the meeting.

At this point in the meeting it was the consensus of the council to consider the removal of item 37 RESOLUTION AMENDING CONDITIONS ON ENTERTAINMENT LICENSE 4 PERSISTENCE, LLC T/A EDGE LOUNGE, 570 MAIN STREET; Because, the applicant had withdrawn the application.

Council review addendum to the agenda Item No. 37, and item No. 38

After a brief discussion, council continued their review of the agenda

On a Motion by Council and Councilwoman Polanco and Councilman Love, the following item was discussed and added to the agenda

CITY OF PASSAIC

RESOLUTION NO. 16-12-330

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF
THE CITY COUNCIL OF THE CITY OF PASSAIC ON DECEMBER 6, 2016
AT 5:30 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING
LITIGATION; CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS

Re: to discuss matters of litigation (KAK Properties v. COP, Rastatters v. COP) and attorney-client privilege (status of Diaz Investigation)
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 exits:

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.

4. This Resolution shall take effect immediately.

After a brief discussion on a motion by Councilman Love and seconded by Councilwoman Polanco the public meeting was reconvene.

After a brief discussion on regular items on the agenda, on a motion by Councilman Love and Councilwoman Melo the work-session meeting was adjourn.

A REGULAR PUBLIC MEETING OF THE CITY COUNCIL OF THE CITY OF PASSAIC WAS HELD ON TUESDAY, DECEMBER 6, 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 APRIL 20, 2016 SETTING FORTH A SCHEDULE OF REGULAR MEETINGS FOR THE TRANSITIONAL YEAR SFY 2016-2017, WHICH WAS PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK

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

ALSO PRESENT: Hector Lora, Interim Mayor, Ricardo Fernandez, Business Administrator; Christopher Harriott, City Counsel.
December 6, 2016 Minutes

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

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Council President Schaer advised Council members of Revisions: Attachment to Item No.7, Item No. 7A, Remove #Item No. 37, Replace with new No. 37 Tax Collector include, Item No. 30A, Addendum to Bill List P.O. No. 17,00249 to Jersey Boy Boxing Club in the amount of $5,943.60

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Council Meeting Minutes of November 17, 2016 and November 22, 2016 submitted for approval.

Upon motion made by Councilman Garcia and seconded by Councilwoman Polanco the aforementioned meeting minutes were approved.

ROLL CALL

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

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

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.

Jeffrey Dye, 443 Howe Avenue, Chairman of North Jersey Local Residence Work Force, President of the Passaic N.A.A.C.P., Chairman of the community unity leadership council

Questioned the City Clerk, and directed question to Council President Schaer, is the clock bell workable? Apologize publicly to Chief of Police Luis Guzman regarding any commotions that had happened in the past. Spoke regarding a comment that had been made here and hoped it was not regarding himself. Made a statement to the appointed Interim Mayor, stated he was literally shocked in regards to Mayor’s conduct in the hallway. Expressed concerns regarding the campaigning inside the City of Passaic businesses.
Manuel Fuentes, 85 Van Houten Avenue. Congratulated Chief of Police Luis Guzman, and stated that his father is looking down on him. Questioned if the City of Passaic will be observing January 2, 2017 or is it closed on that day. Expressed concerns regarding the Board of Education being opened on this date.

Joe Conoscenti, 170 Broadway, Mr. Conoscenti, questioned the Administration as to when will the Public Works be repairing the Council Chambers ceiling room. Addressed Mayor Lora as to why the some of the Department Heads did not attend the last City Council meeting. Questioned the Administration who is the interim Parking Authority Director, while Mr. Evans is on administrative or medical leave? Asked for an explanation to the public as to why the Passaic Parking Authority is providing free parking 24/7 at the parking lot adjacent to North Pulaski Park? Also providing free parking to two Taxi Companies at the parking lot between Lexington Avenue and Central Avenue? Questioned as to why the City Administration has permitted the Board of Education to violate is Shared Service agreement by not maintaining or improving the lot from 2014-2016, Parking Lot adjacent to Public School No. 11. Questioned why the Administration providing free parking at lot adjacent to School No. 11 from 5 p.m. - 7 p.m. Monday thru Friday and 24 hours over the weekend and holidays? Asked for an explanation regarding Parks Department as to why they did not celebrate the 240 anniversary of George Washington crossing on November 21-22, 1776,-2016 at the Revolutionary Park and Armory Park? Commented regarding the Parks Department neglect to maintain the Revolutionary Park and Armory Park in 2016 and requested an explanation. Questioned if the City Administration will be funding the Parks Department for 2017 to restore our Cities historical past by a full cleanup of the Revolutionary & Armory Park? Addressed Mayor Lora to please authorize the City Administration to upgrade the wall of honor outside the City Council Chamber that honors Our City of Passaic Heroes for their sacrifice and service.

Karla Sheppard, 99 Prospect Street, Thanked Mayor Lora for attending their grand opening last Saturday of their program called Sparkling Jewels Mentoring girls 8 yrs - 18, and they meet every Saturday the program is free, which helps the girls with their home work and also counseling. The Grand opening was last Saturday. Urged Council to visit the organization to see the outcome of the work that is being done for the youth.

Kim Patrel, 82 Malcom Avenue, Garfield, NJ Ms. Patrel was raised in the City of Passaic. Thanked Mayor Lora for the attendance of the grand opening of Sparkling Jewels program a mentor program For the girls.

Rahim Mitchell, 140 33rd Street, Paterson, NJ a long time resident of the City of Passaic, a member of Coach Association of Passaic, that coaches football expressed concerns and urged Council to be able to obtain a gym location for coaching the teams
Edwin Garcia, 65 Blaine Street, Mr. Garcia read a statement as follows: I see there are a lot of things happening in Passaic, would like to thank the people who are helping with these projects. One that touched me were the red line to support our cities Fire Fighters. My uncle and Godfather Albert Tirado the fireman who died in 2001 trying to save children he thought were in the building but weren’t. Thank you for acknowledging them. They are truly brave individuals. I invite any one that would like to speak to outside the meeting. I am a teacher in Lincoln Middle School, I teach Intro to Computer Science I and II. I will like to invite you to our award winning holiday concert which is on December 21st in our auditorium, will like for you to participate in our College in Career event in June. Recently moved back to Passaic and intended on being more involved once settled in. Is important for me to be more involved. We need community liaison for our diverse cultural.

Howard Pujols, 245 Hope Avenue, Mr. Pujols stated that last month on the 16th an author Bob Rosenthal passed away, Mr. Pujols stated that this author wrote a lot about Passaic. He quoted from one of his books “Passaic is a Heroic town performing an important fundamental part of the American dream it is providing the stepping and stones for our youths to grow and blossom” Questioned the current status of the redevelopment plans for property at St Mary’s Hospital on Pennington Avenue and what is the project date for the opening for the public? Would the proposed Housing be marketed as affordable housing, for people of Passaic is the word affordable housing can be applied to section 8 programs. Mr. Pujols stated that was excited for 663 Main Avenue project will like a copy of the plans and remodeling what are we getting in to this property business wise and apartments living etc. What is the current monthly budget of all current employees under administrative leave with pay? Public Works who will be tasked with this job. Expressed concerns regarding the Police Body cameras. What is the legal status regarding these cameras? Questioned if the Police Department considering joining into the commission of accreditation as the City of Clifton?

Henry Rhodes Jr., 103 Blaine Street Mr. Rhodes made a statement regarding the necessity of obtaining a local gym for the football Players and stated that it has become a struggle.

Juan Carlos Cinto, 422 Oak Street, Mr. Cinto spoke regarding the Passaic Indoor facility which is not heated. Spoke against the gated parks not a good thing for the kids. Expressed concerns regarding streets that are in need of paving.

Steve Siklosi, 23 Orchard Street Mr. Siklosi questioned the following items: Will like a breakdown of the compensation package given to former Deputy Police Chief? Will to see DPW Department representation in the City Council meetings. Expressed concerns regarding The meters that have been replaced
in the front of City Hall, there is a section on Main Avenue
next to Westervelt place there are four or five stalks and no
meters, can these meter be replace at this location. Stated that
we are losing revenue on this. Item No. 20 will like to what
exactly is being giving out on this, and what was the assessed
taxes and what are they paying?

Item No. 23 - this appointment need to be posted to be
accessible to the public and to be posted on the website

Item No. 25,26, 27, Questioned Eric Bernstein and why different
Rates if using same legal identities. Will like an explanation.
Item No. 30 does this require a change in the table of
organization? If so, why not entertaining that before moving on.
Item No. 32 - De Cotiis , why is he given all this monies? How
can this be capped? Ordinance eliminating Public Safety, who is
going to oversee EMS? The Passaic Bag maker received 8.4 million
tax break to move to Paterson read this in the newspaper
concerned about this. Questioned what is our economic
development done to prevent for this to happen.

Luis Santiago, 9 Orchard Street  expressed concerns regarding
parking by the train station. Questioned if this area is
consider for meter parking? Questioned the Police Chief
regarding the body cameras are they being utilized on all
shifts.

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

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

At this point in the meeting the Council took a five minute
recess

Council President called for a roll call to reconvene the meeting

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

Councilman Love took his seat on the dais

Council President Schaer called up for the second and final reading
Ordinance entitled:
ORDINANCE NO. 2083-16

REVISED ORDINANCE NO. 2079-16 PROHIBITED PARKING AT ALL TIMES AT VARIOUS LOCATIONS

Councilman Garcia moved a public hearing to be held on Ordinance. Motion was seconded by Councilwoman Polanco, 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: Love Melo, Polanco, Schwartz, Garcia, Council President Schaer
ABSENT: Munk

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

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

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

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

Council President Schaer called up for Ordinance to be tabled to December 20, 2016 meeting entitled:

ORDINANCE NO. 2084-16


Councilwoman Polanco motion for Ordinance Motion was seconded by Councilwoman Melo, to table to December 20, 2016 meeting, So Ordered
ROLL CALL
AYES: Love Melo, Polanco, Schwartz, Garcia, Council President Schaer
ABSENT: Munk

COMMUNICATIONS AND PETITIONS

THE FOLLOWING ITEMS WERE VOTED ON BY ONE MOTION

On a motion by Councilman Love and seconded by Councilwoman Melo the following items were received
Approval granted and placed on file

John Miskovsky, Code Enforcement, submitting request for a refund to Sunrise Installation, in the amount
of $610.00 for a permit no. 2016-0803/127 Willet Street, Passaic.

Passaic Department of Recreation, 330 Passaic Street, submitting application to hold a Passaic Chanukah
5K -Bikur Cholim Passaic-Clifton, within the confines of Third Ward Park, on December 18, 2016 from
2:00 p.m. to 3:30 p.m. (Contingent upon Departmental Approvals)

Trinity Assembly of God, 160 Passaic Avenue, submitting application to hold a Live Nativity in front of
their Church, on December 20,21,22, 2016 from 7:00 p.m. to 9:00 p.m. and December 23, 2016 from 1:00
p.m. to 3:00 p.m. (Contingent upon Departmental Approvals)

Hermandad Guadalupana Nuestra Senora de Fatima Church, 32 Exchange Place, submitting application to
hold a Religious Procession on December 12, 2016 from 7:30 p.m. to 8:15 p.m. The Procession will
commence at 32 Exchange Place travel to Passaic Avenue to Main Avenue to Pennington Avenue ending
on Exchange Place (Contingent upon Departmental Approvals)

4Persistence, LLC t/a Edge Lounge, 570 Main Avenue, submitting application to renew their Entertainment
License for the year 2017. (Contingent upon Departmental Approvals)

THE FOLLOWING ITEM WAS ADDED ON TO THE AGENDA

St. Anthony of Padua Church, 101- 103 Myrtle Avenue, submitting an application to hold a religious
procession in honor of Our Lady of Guadalupe on December 12, 2016 from 8:30 p.m. to 10:00 p.m. The
procession will commence on Oak Street travel to Tulip Street to Sherman Street, and end on Oak Street.
(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.

THE FOLLOWING ITEMS WERE VOTED ON BY ONE MOTION

On motion made by Councilman Love and seconded by Councilwoman Melo
the following item(s) were received and placed on file:

NJ Department of Transportation, submitting correspondence re: NJDDOT FY 2017 State Aid Programs.

Personnel Actions- October 2016

New Jersey Department of Environmental Protection, submitting correspondence re: Administrative Order
No. 2016-10/Drought Warning.
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North Jersey District Water Supply Commission, submitting the following:
  ➢ Minutes of their October 26, 2016 meeting.
  ➢ Notice and Agenda of their November 22, 2016 meeting.

Passaic Valley Water Commission, submitting minutes of their October 19, 2016 meeting.

Arcadis U.S. Inc., submitting public notice: Biennial Update/Former Hewitt-Robins Conveyor site, 270 Passaic Avenue, Passaic, NJ.

City of Passaic Housing Authority submitting notice of their December 21, 2016 public meeting location change.

Public Entity Joint Insurance Fund, submitting notice of their November 29, 2016 meeting.

Parking Authority of the City of Passaic, submitting minutes of the following:
  ➢ Minutes of their July 20, 2016 meeting.
  ➢ Agenda of their October 26, 2016 meeting.
  ➢ Notice cancelling their November 16, 2016 meeting.

Alcoholic Beverage Control Board of the City of Passaic submitting the following:
  ➢ Minutes of their September 21, 2016 meeting.
  ➢ Agenda of their October 19, 2016 meeting.
  ➢ Notice Cancelling their November 16, 2016 meeting.

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

THE FOLLOWING RESOLUTION WAS TAKEN OFF THE AGENDA

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON PASSAIC ON NOVEMBER 22, 2016 AT 5:30 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS

THE FOLLOWING RESOLUTIONS WERE VOTED ON BY ONE MOTION

On a motion by Councilman Garcia and seconded Councilwoman Polanco
The following RESOLUTIONS WERE OFFERED FOR ADOPTION

CITY OF PASSAIC
RESOLUTION#16-12-331

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS RESULTING FROM TAX COURT JUDGMENT
WHEREAS, the Tax Court of New Jersey based on a judgment from a rendered decision for the below listed properties; and

WHEREAS, the hereafter mentioned properties based on a judgment from the Tax Court of New Jersey have overpaid their taxes; and;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic, that the Chief Financial Officer, be and is hereby authorized to make the following refund(s) as provided by the judgment attached hereto;

<table>
<thead>
<tr>
<th>Block</th>
<th>Lot</th>
<th>Qual.</th>
<th>Name</th>
<th>Year</th>
<th>Amount</th>
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<td>2015</td>
<td>$9,844.90</td>
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<td></td>
<td></td>
<td>2016</td>
<td>$10,104.00</td>
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<td>3214</td>
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<td>Andrew Kessler, atty for Tony Gandolfo</td>
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<td>Skoloff &amp; Wolfe P.C.</td>
<td>2013</td>
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December 6, 2016 Minutes

11 Canal St Co  2014  $7,434.00  
             2015  $9,466.25 

2195.02 15 McKirdy & Riskin P.A.  2014  $3,717.00 
Verona Properties  2015  $7,573.00 

RESOLUTION#16-12-332
RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS

WHEREAS, the below mentioned tax payers have over paid their taxes and a refund is due to them;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic, that the Chief Financial Officer, be and is hereby authorized to make the following refund(s);

<table>
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<tr>
<th>BLOCK</th>
<th>LOT</th>
<th>QUAL.</th>
<th>NAME</th>
<th>YEAR</th>
<th>AMOUNT</th>
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RESOLUTION NO.16-12-333
RESOLUTION AUTHORIZING THE CITY OF PASSAIC DIVISION OF HEALTH TO RENEW USDA GRANT FOR THE SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC) FOR FFY 2017

WHEREAS, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Program’s mission is to safeguard the health of low-income women, infants and children who are at nutritional risk by providing vouchers for nutritious foods, nutrition education, breastfeeding education and support and community referrals;

WHEREAS, the City of Passaic Division of Health has been the recipient of USDA funding through the NJ Department of Health for the Passaic WIC Program for over 25 years;

WHEREAS, the grant provides necessary funding to provide WIC services for eligible clients residing in the City of Passaic and the surrounding communities;
WHEREAS, the NJ Department of Health has offered to renew the City of Passaic Division of Health’s WIC grant for FFY 2017;

WHEREAS, a total of $1,065,300 in grant funding is being offered by the NJ Department of Health to the City of Passaic Division of Health for FFY 2017;

WHEREAS, the funding will permit full support of salaries and fringe benefits for thirteen full-time employees and salaries for five part-time employees, and;

WHEREAS, the funding will also support the Breastfeeding Peer Counselor Program, Saturday clinic hours for working parents and pre-school age children, maintenance costs for the building at 333 Passaic Street and programmatic expenses associated with providing WIC benefits by the Passaic WIC Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that John Biegel III, Health Officer, is hereby authorized and directed to make an application to the NJ Department of Health & Senior Services renewing the Special Supplemental Nutrition Program Women, Infants and Children grant for FFY 2017.

RESOLUTION #16-12-334

RESOLUTION AUTHORIZING SHARED SERVICE AGREEMENT BY AND BETWEEN CITY OF PASSAIC AND PASSAIC VALLEY WATER COMMISSION FOR FIRE HYDRANT TESTING AND INSPECTION SERVICES OF THE WATER DISTRIBUTION SYSTEM

WHEREAS, the City of Passaic and the Passaic Valley Water Commission desire to enter into the attached Shared Service Agreement pursuant to N.J.S.A, 40A:65-1 et seq. for fire hydrant testing and inspection services of the City's water distribution system; and

WHEREAS, the City will perform all testing and inspection services as set forth in Article II, Scope of Services, of the attached Shared Service Agreement in exchange for payment from the Passaic Valley Water Commission in the amount of $69,500.00 per year as set forth in Article IV, Responsibilities of the City and Compensation, of the attached Shared Service Agreement for a period of five (5) years from the effective date thereof; and

WHEREAS, N.J.S.A. 40A:11-5(2) provides an exception under the Local Public Contracts Law for contracts entered into with a municipality and/or any board, body, office, agency or authority thereof.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that City of Passaic is hereby authorized enter into the attached Shared Services Agreement with the Passaic Valley Water
Commission for fire hydrant testing and inspection services of the City’s water distribution system subject to the terms and conditions therein; and

**BE IT FURTHER RESOLVED** that the Mayor and City Clerk shall execute the Shared Services Agreement attached hereto and that copies of this Resolution shall be forwarded to the Passaic Valley Water Commission commence the Shared Services Agreement; and

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

**RESOLUTION NO. 16-12-335**

RESOLUTION REJECTING PROPOSALS FOR
CITY PLANNER

**WHEREAS,** proposals were received by the Director of Purchasing on November 4, 2016, for City Planner; and

**WHEREAS,** the proposals were solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et.seq; and

**WHEREAS,** proposals were received as per the attached; and

**WHEREAS,** in addition to the attached, proposals were downloaded from the City of Passaic’s website from the following, none of whom submitted proposals:

- Deltek
- Envirobidnet
- The RBA Group
- Herdon, VA
- Port Charlotte, FL
- New York, NY
- Prime Vendor
- Wilmington, NC

**WHEREAS,** the proposals received exceeded the City of Passaic’s appropriation for this project; and

**WHEREAS,** the City of Passaic has determined that it is necessary to modify the specifications; and
WHEREAS, it is the recommendation of Doris Dudek, Director of Purchasing that this proposal be rejected and rebid.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the proposals for City Planner be rejected and the City of Passaic re-advertise.

RESOLUTION # 16-12-336

RESOLUTION AWARDING CONTRACT FOR
LABOR COUNSEL
CITY OF PASSAIC

WHEREAS, proposals were received by the Director of Purchasing on Tuesday, October 4, 2016 for Labor Counsel; and

WHEREAS, the proposals were solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq; and

WHEREAS, proposals were received as per the attached list of vendors:

Florio & Kenny  Deltek  DeCotiis, Fitzpatrick & Cole
Hoboken, NJ  Hemdon, VA  Teaneck, NJ

WHEREAS, it is the recommendation of the Evaluation Committee that the contract for Labor Counsel be awarded to Eric Bernstein of Warren, NJ in the amount of $120.00/hour in an amount not to exceed $150,000.00 for the period year January 1, 2017 through December 31, 2017.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Labor Counsel be awarded to Eric Bernstein of Warren, NJ in the amount of $120.00/hour in an amount not to exceed $150,000.00 for the period January 1, 2017 through December 31, 2017.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute a contract for the above on a form prepared by the City Attorney.
RESOLUTION # 16-12-337

RESOLUTION AWARDING CONTRACT FOR
RENT LEVELING BOARD ATTORNEY

WHEREAS, proposals were received by the Director of Purchasing on Thursday, October 6, 2016 for Rent Leveling Board Attorney; and

WHEREAS, the proposal was solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq; and

WHEREAS, a proposal was received as per the attached:

WHEREAS, a proposal was downloaded from the City of Passaic’s website by the following vendor, none of whom submitted a proposal:

Jardim, Meisner & Susser, PC, Florham Park, NJ

WHEREAS, it is the recommendation of the evaluation committee that the contract for Rent Leveling Board Attorney be awarded to Eric M. Bernstein & Associates of Warren, NJ in an amount of $145.00/hour, not to exceed $15,000.00 for the period January 1, 2017 through December 31, 2017.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Rent Leveling Board Attorney be awarded to Eric Bernstein & Associates, Warren, NJ in an amount of $145.00/hour, not to exceed $15,000/year for the period January 1, 2017 through December 31, 2017.

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

CERTIFICATION OF FUNDS

Funds for the above are available contingent upon CY 17 Budget being approved by the Governing Body, Rent Leveling Bd. Acct. #7-01-22-200-000-028.
RESOLUTION # 16-12-338

RESOLUTION AWARDING CONTRACT FOR
THREE (3) MUNICIPAL COURT PROSECUTORS
CITY OF PASSAIC

WHEREAS, proposals were received by the Director of Purchasing on Wednesday, October 5, 2016 for three (3) Municipal Court Prosecutors; and

WHEREAS, the proposals were solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et.seq; and

WHEREAS, proposals were received as per the attached list of vendors:

WHEREAS, in addition to the attached, specifications were downloaded from the City of Passaic’s website by the following vendor, none of whom submitted proposals:

WHEREAS, it is the recommendation of the Evaluation Committee that the contract for Municipal Court Prosecutors be awarded to Christopher Kane, Hackensack, NJ, Vincenzo Stampone, Haledon, NJ and Eric Bernstein & Associates, Warren, NJ in the amount of $200.00/session and $225.00/DWI session with a total contract amount not to exceed $135,000.00 inclusive of all three (3) prosecutors for the period January 1, 2017 through December 31, 2017.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Municipal Court Prosecutors be awarded to Christopher Kane, Hackensack, NJ, Vincenzo Stampone, Haledon, NJ and Eric Bernstein & Associates, Warren, NJ in the amount of $200.00/session and $225.00/DWI session with a total contract amount not to exceed $135,000.00 inclusive of all three (3) prosecutors for the period January 1, 2017 through December 31, 2017.

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

CERTIFICATION OF FUNDS

Funds for the above are available contingent upon Governing Body approving CY 2017 – Budget, Acct. 7-01-25-275-000-028.

RESOLUTION # 16-12-339

RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE ON GOVDEALS ONLINE AUCTION WEBSITE

WHEREAS, the City of Passaic wishes to dispose of property no longer needed for public use utilizing an online auction website; and
WHEREAS, utilizing this website allows the City of Passaic to dispose of approved surplus equipment in a more cost efficient manner; and

WHEREAS, the auction will be conducted on GovDeals website, www.govdeals.com.

WHEREAS, Gov-Deals charges 7.5% of what the City of Passaic collects; and

WHEREAS, in 2014 the City of Passaic has sold items utilizing this website for a profit of $21,603.00; and

WHEREAS, it is desired to sell the items below, since they are no longer needed for public use by the City of Passaic.

**VEHICLES**

<table>
<thead>
<tr>
<th>ITEM #</th>
<th>YEAR</th>
<th>MODEL</th>
<th>SERIAL #</th>
<th>MIN. BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1978</td>
<td>GMC Truck</td>
<td>#618397</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>2</td>
<td>1989</td>
<td>GMC 7000 Crane</td>
<td>#512183</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>3</td>
<td>1989</td>
<td>Chevy Caprice</td>
<td>#211325</td>
<td>$500.00</td>
</tr>
<tr>
<td>4</td>
<td>1990</td>
<td>International</td>
<td>#259531</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>5</td>
<td>1991</td>
<td>Chevy Pickup 2500</td>
<td>#203985</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>6</td>
<td>1991</td>
<td>Chevy Kodiak Truck</td>
<td>#110708</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>7</td>
<td>1991</td>
<td>Chevy Blazer 4x4</td>
<td>#141904</td>
<td>$700.00</td>
</tr>
<tr>
<td>8</td>
<td>1991</td>
<td>Chevy Suburban 4x4</td>
<td>#150828</td>
<td>$500.00</td>
</tr>
<tr>
<td>9</td>
<td>1993</td>
<td>Chevy</td>
<td>#197015</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>10</td>
<td>1995</td>
<td>Chevy Corsica</td>
<td>#304091</td>
<td>$400.00</td>
</tr>
<tr>
<td>11</td>
<td>1997</td>
<td>Ford Crown Vic</td>
<td>#135115</td>
<td>$300.00</td>
</tr>
<tr>
<td>12</td>
<td>1998</td>
<td>Tarco Leaf Vacuum</td>
<td>JW1912A4915J02</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>13</td>
<td>1998</td>
<td>Tarco Leaf Vacuum</td>
<td>JW1912A4914J02</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>14</td>
<td>1998</td>
<td>GMC Jimmy 4x4</td>
<td>#513845</td>
<td>$500.00</td>
</tr>
<tr>
<td>15</td>
<td>2001</td>
<td>Ford E-450 Bus</td>
<td></td>
<td>$3,500.00</td>
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</table>

**EQUIPMENT**

<table>
<thead>
<tr>
<th>ITEM #</th>
<th>MODEL</th>
<th>SERIAL #</th>
<th>MIN. BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>Ingersoll Rand 2475</td>
<td>#7020879</td>
<td>$300.00</td>
</tr>
<tr>
<td>Item</td>
<td>Description</td>
<td>Model/Serial</td>
<td>MIN.BID</td>
</tr>
<tr>
<td>------</td>
<td>--------------------------------------</td>
<td>--------------</td>
<td>---------</td>
</tr>
<tr>
<td>25.</td>
<td>(4) Battery Packs Absolyte</td>
<td></td>
<td>$ 20.00</td>
</tr>
<tr>
<td></td>
<td>11P, Model 50A-05</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>(2) Sony Ericsson, GCB3EDGE</td>
<td></td>
<td>$ 15.00</td>
</tr>
<tr>
<td></td>
<td>GPRS PC Card</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27.</td>
<td>(16) Pieces Sierra Wireless</td>
<td></td>
<td>$ 200.00</td>
</tr>
<tr>
<td></td>
<td>Model #881GPS Modem</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28.</td>
<td>(5) Panasonic CD-ROM Pk</td>
<td></td>
<td>$ 80.00</td>
</tr>
<tr>
<td></td>
<td>Model #CF-VCD271W</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29.</td>
<td>(4) Panasonic P.D. Tough Book</td>
<td></td>
<td>$ 80.00</td>
</tr>
<tr>
<td></td>
<td>Model #CF-29</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30.</td>
<td>(1) Sharp Calculator</td>
<td></td>
<td>$ 5.00</td>
</tr>
</tbody>
</table>
WHEREAS, the following vehicles are confiscated by the Police Department, therefore the proceeds received will be deposited into the forfeiture fund.

FORFEITURE FUND VEHICLES

<table>
<thead>
<tr>
<th>ITEM #</th>
<th>YEAR</th>
<th>MODEL</th>
<th>SERIAL #</th>
<th>CAR #</th>
<th>MIN. BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>39.</td>
<td>1992</td>
<td>Honda Accord LX</td>
<td>011556</td>
<td>Gray</td>
<td>$500.00</td>
</tr>
<tr>
<td>40.</td>
<td>1995</td>
<td>Chevy Tahoe 4x4</td>
<td>407768</td>
<td>Blue</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>41.</td>
<td>1995</td>
<td>Audi Cabriolet</td>
<td>003684</td>
<td>Green</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>42.</td>
<td>2001</td>
<td>Ford</td>
<td>182535</td>
<td>White</td>
<td>$400.00</td>
</tr>
<tr>
<td>43.</td>
<td>2001</td>
<td>Chevy Impala</td>
<td>287636</td>
<td>Green</td>
<td>$500.00</td>
</tr>
<tr>
<td>44.</td>
<td>2002</td>
<td>Ford Van E-150</td>
<td>A40733</td>
<td>Gray</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>
NOW THEREFORE, BE IT RESOLVED that notice of this sale shall be published in the North Jersey Herald & News.

BE IT FURTHER RESOLVED, by the City Council that the items set forth herein be sold subject to the following terms and conditions.

1. All equipment is offered for sale “As Is, Where Is”. The City of Passaic makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect, or consequential.

2. The City of Passaic warrants to the Buyer that the property offered for sale will conform to its description. Any claim for incorrect description must be made prior to removal of the property. If The City of Passaic confirms that the property does not conform to the description, The City of Passaic will keep the property and refund any money paid.

3. All sales are final upon removal of the property.

4. All items offered for sale are used and may contain defects not immediately detectable. Bidders are encouraged to inspect the property prior to bidding.

5. The City of Passaic reserves the right to reject any and all bids and to withdraw from sale any of the items listed.

6. Payment in full is due not later than 5 business days from the time and date of the Buyer’s Certificate. Payment shall be accepted in the form of Cash, Certified Cashier’s Check, Money Order or Company Check (with Bank Letter guaranteeing funds – mandatory).

7. All items must be removed from the City of Passaic within ten (10) days from the time and date of sale.

8. All bidders are put on notice that no employee, agent or official of the City of Passaic has the authority to waive, modify or amend any of the terms and conditions of sale.

9. There are no warranties whatsoever, expressed or implied.

RESOLUTION# 16-12-340

RESOLUTION AWARDING CONTRACT FOR SNOW PLOWING/
REMOVAL SERVICES 2016-2017

CITY OF PASSAIC

WHEREAS, bids were received by the Director of Purchasing on Thursday, November 10, 2016 for Snow Plowing/Removal Services 2016-2017; and

WHEREAS, bids were received as per the attached summary:

WHEREAS, in addition to the attached specifications were downloaded from the City of Passaic’s website by the following vendors, none of whom submitted bids:

All American Demolition & Dismantling Prime Vendor
Newark, NJ Wilmington, NC
WHEREAS, Doris Dudek, Director of Purchasing recommends that a contract be awarded to the following vendors for the following truck classes on an as needed basis; and

Smith Sondy Asphalt
Wallington, NJ

<table>
<thead>
<tr>
<th>Truck Class</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class A: 26,000 lbs. &amp; over GVW</td>
<td>$160.00/hr.</td>
</tr>
<tr>
<td>Class B: Front Loader minimum 3yd bucket</td>
<td>$150.00/hr.</td>
</tr>
</tbody>
</table>

Amercian Asphalt & Milling
Kearny, NJ

<table>
<thead>
<tr>
<th>Truck Class</th>
<th>Hourly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class C: 6,500 lbs. to 19,999 GVW</td>
<td>$148.00/hr.</td>
</tr>
<tr>
<td>Class D: Small 4 wheel drive vehicles</td>
<td>$112.00/hr.</td>
</tr>
<tr>
<td>Class E: Front Loader minimum 3yd bucket</td>
<td>$200.00/hr.</td>
</tr>
</tbody>
</table>

WHEREAS, the City of Passaic shall determine the need to execute this contract on an as needed basis with a minimum accumulation of four (4) inches or more of snow; and

WHEREAS, the above rates shall not exceed a total of $10,000.00 commencing December 1, 2016 to through April 15, 2017; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Snow Plowing/Removal Services be awarded to Smith Sondy Asphalt of Wallington, NJ for Truck Class A, and B and American Asphalt & Milling of Kearny, NJ for Truck Class C, D and E at the above stated hourly rates on an as needed basis (a minimum accumulation of four (4) inches or more of snow shall dictate the calling out of Contractors) in an amount not to exceed $10,000.00.

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

CERTIFICATION OF FUNDS

Funds for the above are available in Public Works Acct. #7-01-26-290-000-029.
RESOLUTION # 16-12-341

RESOLUTION CONSENTING TO THE APPOINTMENT OF LUIS GUZMAN AS POLICE CHIEF OF THE CITY OF PASSAIC POLICE DEPARTMENT ON A PROVISIONAL BASIS

WHEREAS, the Mayor of the City of Passaic has appointed Luiz Guzman as Police Chief for the City of Passaic on a provisional basis pending the results of a Civil Service test for such permanent appointment; and

WHEREAS, Luis Guzman possesses all of the administrative and supervisory requirements for the appointment of the position of Police Chief; and

WHEREAS, Luis Guzman Diaz shall receive such salary as set forth by Ordinance in the City’s Salary Schedule.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that it consents to the appointment of Luiz Guzman as Police Chief for the City of Passaic on a provisional basis; and

BE IT FURTHER RESOLVED that Luis Guzman shall be administered an oath to perform the duties of the office faithfully and impartially as soon as practicable.

RESOLUTION # 16-12-342

RESOLUTION AUTHORIZING PASSAIC MUNICIPAL ALLIANCE TO APPLY FOR GRANT FUNDING FROM THE COUNTY OF PASSAIC, DIVISION OF ALCOHOLISM, DRUG ABUSE AND ADDICTION SERVICES FOR THE PREVENTION, EDUCATION AND/OR PUBLIC AWARENESS ACTIVITIES RELATED TO ALCOHOL / DRUG ABUSE AND ADDICTION

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and,

WHEREAS, The City Council of the City of Passaic, County of Passaic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Passaic Municipal Alliance has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Passaic.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that Passaic Municipal Alliance is hereby authorized to submit a strategic plan for grant funding for fiscal year 2018 (July 1, 2017 to June 30, 2018) in the amount of $78,956.00 (DEDR Funds - $39,478.00, Cash Match - $9,869.50 In Kind - $29,608.50); and
BE IT FURTHER RESOLVED that the City of Passaic hereby acknowledges the terms and conditions for administering such grant, including the administrative compliance and audit requirements; and

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

CITY OF PASSAIC
RESOLUTION # 16-12-343

RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT WITH
CONFLICTS COUNSEL

WHEREAS, the law firm of DeCotiis, FitzPatrick & Cole, LLP, Teaneck, New Jersey has been retained to serve as Conflicts Counsel for the City of Passaic at the rate of $150.00 per hour, not to exceed $5,000.00 per year, for the period of July 1, 2015 through June 30, 2016 and is qualified to conduct such investigation.

WHEREAS, the law firm of DeCotiis, FitzPatrick & Cole, LLP was assigned a fact-finding investigation in May 2016 regarding allegations of improper conduct with respect to the Department of Public Works, specifically, but not limited to, the failure to cooperate with the re-structuring of that Department and its duties; and

WHEREAS, due to the length and complexity of such fact-finding investigation, the cost of same exceeded the $5,000/00 not to exceed amount in the contract for Conflicts Counsel and it is necessary to amend same for payment of a final bill in the amount of $33,793.35.

WHEREAS, the invoices submitted by Conflicts Counsel have been reviewed and approved by the City Attorney.

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 an Amended Contract with the law firm of DeCotiis, FitzPatrick & Cole, LLP, Teaneck, New Jersey to cover payment in the amount of $33,793.35 for services rendered in connection with the fact-finding investigation of the Department of Public Works; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute the Amended Contract and any other documents necessary to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED that sufficient funds are available for this amendment in account

RESOLUTION NO. 16-12-344

RESOLUTION REJECTING PROPOSALS FOR
TAX APPEAL ATTORNEY

WHEREAS, proposals were received by the Director of Purchasing on Wednesday, October 12, 2016, for City Planner; and

WHEREAS, the proposals were solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et.seq; and
WHEREAS, proposals were received as per the attached; and
WHEREAS, the City of Passaic has determined that it is necessary to modify the specifications; and
WHEREAS, it is the recommendation of Doris Dudek, Director of Purchasing that this proposal be rejected and rebid.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the proposals for Tax Appeal Attorney be rejected and the City of Passaic re-advertise.

Resolution No. 16-12-345
RESOLUTION AWARDING CONTRACT FOR
ELEVATOR UPGRADES
CITY HALL AND POLICE DEPARTMENT
CITY OF PASSAIC

WHEREAS, bids were received by the Director of Purchasing on Wednesday, November 30, 2016 for Elevator Upgrades City Hall and Police Department; and
WHEREAS, bids were received as per the attached; and
WHEREAS, in addition to the attached, specifications were picked up by the following; none of whom submitted bids; and

Current Elevator
Milford, PA

WHEREAS, it is the recommendation of Van Deusen & Associates that the bid received from Slade Elevator of Mountainside, NJ was the lowest, responsible, responsive bidder in the amount of $378,802.00 which is inclusive of Alternate #1 (Hydraulic Battery Backup Auto Lowering) and Alternate #2 (New Stainless Steel Hatch Doors).

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the bid received on Wednesday, November 30, 2016 for Elevator Upgrades City Hall and Police Department be awarded to Slade Elevator of Mountainside, NJ in the amount of $378,802.00 which is inclusive of Alternate #1 (Hydraulic Battery Backup Auto Lowering) and Alternate #2 (New Stainless Steel Hatch Doors).

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

CERTIFICATION OF FUNDS
Funds for the above are available in Account #C-04-55-977-000-9FI

CITY OF PASSAIC
RESOLUTION NO.16-12-346

RESOLUTION - TRANSFERS TRANSITION YEAR 2016 BUDGET
BE IT RESOLVED by the City Council of the City of Passaic in the County of Passaic and State of New Jersey, that, the following transfers are made from the Transition Year 2016 Municipal Budget Appropriations:

<table>
<thead>
<tr>
<th>DEPARTMENT</th>
<th>FROM</th>
<th>TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>S&amp;W</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Housing</td>
<td>S&amp;W</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Uniform Const. Code</td>
<td>S&amp;W</td>
<td>10,000.00</td>
</tr>
<tr>
<td>Parks &amp; Recreation</td>
<td>S&amp;W</td>
<td>20,000.00</td>
</tr>
<tr>
<td>Plan&amp;Econ Development</td>
<td>S&amp;W</td>
<td>5,700.00</td>
</tr>
<tr>
<td>Legal &amp; Litigation</td>
<td>OE</td>
<td>24,300.00</td>
</tr>
<tr>
<td>Contribution to Redevelopment Agency</td>
<td>OE</td>
<td>5,000.00</td>
</tr>
<tr>
<td>Streets &amp; Roads</td>
<td>OE</td>
<td>20,000.00</td>
</tr>
</tbody>
</table>

TOTAL  55,000.00  55,000.00

CITY OF PASSAIC

RESOLUTION NO. 16-12-347

RESOLUTION AUTHORIZING TAX COLLECTOR TO REMOVE CERTAIN PROPERTIES FROM TAX SALE LIST FOR JANUARY 10, 2017

WHEREAS, the City of Passaic assesses and taxes cell phone towers and billboards as real property; and

WHEREAS, due to errors in property locations, mailing addresses and contact information in the Tax Assessor’s records, thirty six (36) properties (identified more specifically in the attachment hereto) with cell phone towers or billboards were never notified of such assessment by Chapter 75 postcard or by tax bill and have now been listed for a tax sale on January 10, 2017 with notice of same.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the Tax Collector is hereby authorized to remove the thirty six (36) properties identified mores specifically in the attachment hereto from the tax sale list for January 10, 2017 ; 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 effectuate this Resolution; and.
RESOLUTION NO. 16-12-348

RESOLUTION REAPPOINTING MEMBER TO THE PASSAIC PARKING AUTHORITY.

BE IT RESOLVED by the City Council of the City of Passaic that the City Council hereby re-appoints:

Eugene Shipilsky 215 Aycrigg Avenue Apt. 5-F

Name Address

As a Commissioner of the City of Passaic Parking Authority for a term of Five Years, said term to expire on October 11, 2021.

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

THE FOLLOWING RESOLUTION WAS VOTED SEPARATELY BY ONE MOTION

On a motion by Councilman Schaer and seconded by Councilwoman Polanco the following RESOLUTION WAS OFFERED FOR ADOPTION

RESOLUTION NO. 16-12-349

RESOLUTION APPOINTING MEMBERS TO THE ZONING BOARD OF ADJUSTMENT

WHEREAS, City Council makes appointments to the Zoning Board of Adjustment and the newest members fill lowest alternate positions and move up as vacancies become available; and

WHEREAS, the following indicates alternate members moving up in position due to vacancies;

BE IT RESOLVED by the City Council of the City of Passaic that the City Council, hereby appoints:

<table>
<thead>
<tr>
<th>Name/address</th>
<th>Term</th>
<th>Appointment made by</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moshe Stareshesky</td>
<td>12/31/2018 Alternate II</td>
<td>Gary Schaer</td>
</tr>
<tr>
<td>Vacant</td>
<td>12/31/2017 Alternate III</td>
<td></td>
</tr>
<tr>
<td>Vacant</td>
<td>12/31/2017 Alternate IV</td>
<td></td>
</tr>
</tbody>
</table>

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

Council President Schaer read said Ordinance by title.
CITY OF PASSAIC

ORDINANCE NO. 2085-16

ORDINANCE AMENDING CODE OF THE CITY OF PASSAIC, TO ELIMINATE CHAPTER 5, “ADMINISTRATION,” ARTICLE X, “DEPARTMENT OF PUBLIC SAFETY”

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 of 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, the City Council of the City of Passaic previously adopted Ordinance, which amended Chapter 5 of the City Code of the City of Passaic, “Administration of Government,” and created Article X, “Department of Public Safety,” headed by the Director of Public Safety and which included Police, Fire and the Office of Emergency Management.

WHEREAS, the City of Passaic believes it to be in the best interests of good of 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 to eliminate the Department of Public Safety and return to the previous structure of individual departments of police and fire, each to be headed by a Chief and/or Director.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the Code of the City of Passaic, Chapter 5, “Administration,” Article X, “Department of Public Safety,” shall be amended as follows:

SECTION I

NEW SECTIONS ARE UNDERLINED
ALL DELETIONS ARE NOTED

The City Code of the City of Passaic, Chapter 5, “Administration of Government,” Article X. “Department of Public Safety,” is hereby deleted in its entirety and replaced as follows:

Chapter 5. Administration of Government.

Article X. Police Department.

§ 5-83. Establishment; Police Chief, Director.

There shall be a Department of Police, also known as the "Police Department." Within the Department of Police, there shall be a police force, the head of which may be the Police Chief. The Chief of Police, if named, shall have the powers and duties as provided by law in N.J.S.A. 40A:14-11B. In the absence of a Chief of Police, the functions of the Chief shall be carried out by the next-highest-ranking member of the police force, who shall be designated as "Officer in Charge." A Police Director may also be appointed. The Chief of Police may serve as Director, with or without additional compensation.

§ 5-84. Organization and administration.

The police force, as heretofore authorized, organized and administered pursuant to ordinance not inconsistent with the Charter, Code and N.J.S.A. 40A:14-11B et seq. is continued. Whenever any appointed office is intentionally left vacant it will be deemed not to exist, and it will be passed in the chain of command.
§ 5-85. Functions of Police Director.

A. The Police Director, under the authority of the Mayor, shall be responsible for the appropriate authority for the purpose of being responsible for:

(1) Conducting investigations into the operations of the police force.
(2) Conducting hearings and investigations of the police force or its personnel.
(3) Examination of the operations of the police force.
(4) Receiving daily reports or other periodic reports from the Police Chief including but not limited to:
(a) Budget and expenses.
(b) Manpower allocations, including the Chief’s schedule.
(c) Accident reports.
(d) Incident reports.
(e) Personnel related issues.
(f) All general orders issued by the Chief of Police.
(g) All policies issued to the police force.
(5) Establishing a table of organization.

B. The Police Director shall be authorized to act to protect the health, safety and welfare of the municipality in an emergency situation through special emergency directives.

§ 5-86. Functions of Chief of Police.

The Chief of Police, if filled, shall be responsible to the Police Director for the efficiency of the Police Department. The Chief of Police shall be further responsible for the day-to-day operations of the Police Department, which shall include:

A. Preserving the public peace, protecting life and property, preventing crime, detecting and arresting offenders against the penal laws and ordinances effective within the City, suppressing riots, mobs and insurrections, dispersing unlawful or dangerous assemblages and preserving order at all elections and public meetings and assemblages.

B. Administering and enforcing laws and ordinances to regulate, direct, control and restrict the movement of vehicular and pedestrian traffic and the use of the streets by vehicles and persons to protect the safety and facilitate the convenience of motorists and pedestrians and to make and enforce rules and regulations not inconsistent with the ordinances of the City of such purposes.

C. Removing or causing to be removed all nuisances in the public streets, parks and other public places of the City, inspecting and observing all places of public amusement or assemblage and all places of business requiring any state or municipal license or permit and reporting thereon to the appropriate department.

D. Responding to all fire alarms and assisting the Fire Department in the protection of life and property, in regulating traffic, maintaining order and in enforcing observance of the Fire Prevention Code.

E. Providing for the attendance of its members in court as necessary for the prosecution and trial of persons charged with crimes and offenses and cooperating fully with the law enforcement and prosecuting authorities of federal, state and county governments.
F. Providing, by rules and regulations, for the custody, safekeeping and accounting of all property alleged to be found, abandoned, stolen or embezzled, all property taken from the person or any prisoner and all property alleged to have been acquired or possessed unlawfully which shall come into the possession of any member of the Department. Such property shall be subject to disposition as provided by law (N.J.S.A. 40A:14-157).

G. Providing daily reports or other periodic reports to the Police Director, including but not limited to:

1. Budget and expenses;
2. Manpower allocations, including the Chief's schedule;
3. Accident reports;
4. Incident reports;
5. Personnel-related issues;
6. All general orders issued by the Chief of Police;
7. All policies issued to the police force;
8. Establishing a table of organization.

H. Operate a training program to maintain and improve the police efficiency of the members of the Department.

§ 5-87. Qualifications of members of Police Department.

A. Except as otherwise provided by law, no person shall be appointed as a member of the Police Department unless such person shall:

1. Be a citizen of the United States and a resident of the State of New Jersey.
2. Be sound in body and of good health sufficient to satisfy the Board of Trustees of the Police and Firemen's Retirement System of New Jersey that such person is eligible to membership in the retirement system.
3. Be able to read, write and speak the English language well and intelligently.
4. Be of good moral character and not have been convicted of any crime involving moral turpitude.
5. In accordance with N.J.S.A. 52:17B-68, serve a probationary period pending his successful completion of the course at the New Jersey State Municipal Police School.

B. All applicants for the position of patrolman shall make written application therefor to the Chief of Police and at the same time submit such proof as shall be requested with respect to the above qualifications.

§ 5-88. Outside employment.

Full-time police officers may not pursue other employment outside of the duty hours, except as prescribed by the Police Director with the written approval of the Mayor.


The Police Director shall promulgate and from time to time revise and enforce a manual of police discipline, practices and procedures for the better administration of the work of the Department and for the discipline and efficiency of the police force.


There is hereby created in the Department of Police an Office of Emergency Management Services, the head of which shall be selected among the residents of the municipality and known as the Municipal Emergency Management Coordinator. The Municipal Emergency Management Coordinator shall be appointed by the Mayor for the term of three (3) years. The head of the Office of Emergency Management Coordinator Services shall serve with or without additional compensation.
A. Duties of Municipal Emergency Management Coordinator.

(1) The Municipal Emergency Management Coordinator, subject to the administrative supervision of the Police Director and the Mayor, shall be responsible for the planning, activating, coordinating and the conduct of the emergency management operations within the City of Passaic. The Municipal Emergency Management Coordinator shall supervise the day-to-day operations of the office and shall coordinate with all City departments, agencies and bureaus regarding their emergency management responsibilities. The Municipal Emergency Management Coordinator, with the approval of the Police Director and Mayor, shall appoint two Deputy Municipal Emergency Management Coordinators, who, wherever possible, shall be appointed from among the salaried officers or employees of the City of Passaic.

(2) The Municipal Emergency Management Coordinator shall insure that the Municipal Office of Emergency Management is available on a twenty-four-hour basis.

(3) The Municipal Emergency Management Coordinator shall insure that the City of Passaic meets all requirements for the Federal Emergency Management Agency's Emergency Management Assistance Program; maintaining a currently approved Municipal Emergency Operations Plan and providing the New Jersey Office of Emergency Management with quarterly status reports, when applicable. The Municipal Emergency Management Coordinator shall maintain a continuing knowledge of all municipal, county, state and federal laws concerning emergency management.

(4) The Municipal Emergency Management Coordinator shall prepare and submit the annual municipal emergency management budget and shall be responsible for securing county, state and federal technical and financial assistance available through the County Office of Emergency Management.

(5) The Municipal Emergency Management Coordinator shall personally attend at least 75% of the scheduled County Office of Emergency Management meetings and may delegate attendance at all other county emergency management meetings to the Deputy Municipal Emergency Management Coordinator.

(6) Whenever, in the opinion of the Emergency Management Coordinator, a disaster has occurred or is imminent in any municipality, the Municipal Emergency Management Coordinator shall proclaim a state of local disaster emergency within the City of Passaic. The Municipal Emergency Management Coordinator, in accordance with regulations promulgated by the State Director of Emergency Management, shall be empowered to issue and enforce such orders as may be necessary to implement and carry out emergency management operations and to protect the health, safety, and resources of the residents of the City of Passaic. The County Emergency Management Coordinator shall be immediately advised of the proclamation of a state of local disaster emergency by the Municipal Emergency Management Coordinator and the action taken. Whenever the disaster is confined to the City of Passaic, the Municipal Emergency Management Coordinator shall have complete authority to issue and enforce such orders as may be necessary to implement and carry out emergency management operations. Any requests for assistance outside the City of Passaic shall be directed to the County Emergency Management Coordinator, and all assistance sent to the aid of the municipality struck by disaster shall come under the authority of the Municipal Emergency Management Coordinator.

(7) The Municipal Emergency Management Coordinator shall comply with all directives issued by the County, State or Federal Office of Emergency Management.

(8) The Municipal Emergency Management Coordinator shall recruit, organize, coordinate and train a staff to administer emergency management functions as set forth in Directive 102 issued by the Department of Law and Public Safety, Division of State Police, Emergency Management Section.

B. Qualifications. The Municipal Emergency Management Coordinator shall have the following qualifications:

(1) The Municipal Emergency Management Coordinator shall possess two years’ experience in the planning, development and administration of emergency response activities such
as those provided by police, fire, rescue, medical or emergency management units either in the public or private sector or in the military service.

(2) The Municipal Emergency Management Coordinator shall be a resident of the City of Passaic.

(3) The Municipal Emergency Management Coordinator shall be of good reputation and sound moral character.

(4) Within one year of appointment, the Municipal Emergency Management Coordinator shall complete all basic training courses as set forth in Directive 102 issued by the Department of Law and Public Safety, Division of State Police, Emergency Management Section, and shall thereafter complete 24 classroom hours of emergency management continuing education per year. All such courses shall be approved by the County Emergency Management Coordinator.

Article XI. Fire Department.

§ 5-91. Establishment; Director.

There shall be a Fire Department, the head of which may be the Fire Director. Within the Fire Department, there may be a Fire Chief, who shall be responsible for the day-to-day operations of the Fire Department. The Fire Chief may be appointed to serve as Fire Director, with or without additional compensation.

§ 5-92. Organization and administration.

The Fire Department, as heretofore authorized, organized and administered pursuant to ordinance not inconsistent with the Charter and Code, is continued.

§ 5-93. Functions.

The Fire Department, under the administrative direction and supervision of the Fire Director, shall:

A. Have exclusive jurisdiction over the control, fighting and extinguishment of any conflagration which occurs within the City limits.

B. Provide firefighting services and facilities for the protection of life and property within the City and in accordance with such mutual aid agreements as may be enforced.

C. Operate, repair and maintain a fire alarm signal system.

D. Investigate the cause, circumstances and origin of fires and report to the County Prosecutor every case of suspicion of arson.

E. Maintain and administer a fire prevention and fire safety inspection service for the City.

§ 5-94. Qualifications of members of Fire Department.

A. Except as otherwise provided by law, no person shall be appointed as a member of the Fire Department unless such person shall be:

   (1) A citizen of the United States and a resident of the State of New Jersey.

   (2) Sound in body and of good health sufficient to satisfy the Board of Trustees of the Police and Firemen’s Retirement System of New Jersey that such person is eligible to membership in the retirement system.

   (3) Able to read, write and speak the English language well and intelligently.

   (4) Of good moral character and not have been convicted of any crime involving moral turpitude.

B. All applicants for the position of fireman shall make written application therefor to the Director of Public Safety and at the same time submit such proof as shall be requested with respect to the above qualifications.
C. Appointment of temporary members of the Fire Department shall be in accordance with the provisions of N.J.S.A. 40A:14-13.

§ 5-95. Rules and regulations for discipline, training and equipment.

Under the administrative supervision of the Fire Director, the Fire Chief shall make and enforce rules and regulations for the control, disposition and discipline of the Department and its officers and employees, for their training and efficiency and for the use and care of equipment and apparatus.

§ 5-96. Removal or suspension of officers.

Except as otherwise provided by law, no permanent member or officer of the Fire Department or force shall be removed from his office, employment or position for political reasons or for any cause other than incapacity, misconduct or disobedience of rules and regulations established for the government of the Fire Department and force; nor shall the member or officer be suspended, removed, fined or reduced in rank from or in office, employment or position therein, except for just cause as hereinbefore provided and then only upon a written complaint setting forth the charge or charges against such member or officer.

A. Complaint; notice of hearing. The complaint shall be filed with the Chief of the Department, and a copy shall be served upon the member or officer so charged, with notice of a designated hearing thereon by the Employee Hearing Board which shall be not less than 15 nor more than 30 days from date of service of the complaint.

B. Failure to comply. A failure to comply with the provisions as to the service of the complaint shall require a dismissal of the complaint. In addition to the hearing, the officer so charged shall supply a written answer to the complaint to the Chief of the Department.

C. Hearing outside jurisdiction of Employee Hearing Board. Notwithstanding any of the provisions hereinbefore enumerated, whenever it is the determination of the Fire Director Safety that charges should be brought against an employee within the Fire Department which, in his opinion, are of a nature that would subject the employee to a maximum penalty of suspension or loss of pay for five working days or less, then and in that event the Fire Director may file such charges against the employee and hold a hearing with respect to such charges without the necessity of filing such charges with the Employee Hearing Board. In such case, the Employee Hearing Board shall have no jurisdiction with respect to these charges.

SECTION II

NEW SECTIONS ARE UNDERLINED

ALL DELETIONS ARE NOTED

Chapter 19. Fire Department.

Article I. Rules and Regulations

§ 19-1. Rules and regulations confirmed; revision authorized.

The rules and regulations adopted to govern the Fire Department, which were adopted September 27, 1974, and are codified in book form, be and are hereby confirmed, and the Fire Director of Public Safety be and is hereby authorized to study and revise the rules and regulations pertaining to the operation of the Fire Department, and the Fire Chief is hereby authorized to adopt and enforce such rules and regulations as he deems necessary for the good of the Department and the best interests of the City of Passaic.

§ 19-2. Rules and regulations to be printed in book form.

After adoption by the Fire Director of Public Safety, said rules and regulations shall be printed in book form and a copy thereof shall be delivered to and signed for by every member of the Fire Department.
Article II. Leaves of Absence

§ 19-3. Leaves of absence authorized.

Leaves of absence not exceeding one year with pay are authorized for members of the Fire Department of the City of Passaic who shall be injured, ill or disabled from any cause, provided that the examining physician appointed by the City of Passaic certifies such injury, illness or disability.

Article III. Fire Department Table of Organization

§ 19-4. Table established.

The Table of Organization for the Passaic Fire Department shall include the following:

<table>
<thead>
<tr>
<th>Rank/Position</th>
<th>Number of Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire Chief</td>
<td>1</td>
</tr>
<tr>
<td>Deputy Fire Chief</td>
<td>1</td>
</tr>
<tr>
<td>Battalion Fire Chief</td>
<td>4</td>
</tr>
<tr>
<td>Fire Captain</td>
<td>5</td>
</tr>
<tr>
<td>Fire Lieutenant</td>
<td>21</td>
</tr>
<tr>
<td>Firefighter</td>
<td>64</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>96</strong></td>
</tr>
</tbody>
</table>

§ 19-5. Filling of all positions not required.

The establishment of this Table of Organization for the Passaic Fire Department does not require that all of these positions be filled but that the numbers of fire personnel in the various positions shall not exceed those set forth in this table unless the table is amended by the City.

SECTION III

NEW SECTIONS ARE UNDERLINED

ALL DELETIONS ARE NOTED

Chapter 39. Police Department.

Article I. Escort Services

§ 39-1. Services to be provided upon request.

The Police Department of the City of Passaic may, in the discretion of the Police Director of Public Safety, provide escort services to any business or industry in the City of Passaic at the request of said business or industry in the transportation of money or other valuables.

§ 39-2. Direction of Police Director of Public Safety.

This service shall be provided as scheduled and directed by the Police Director of Public Safety.
§ 39-3. Fee.
Each business or industry shall pay a fee of $12.50 for each direction of escort service, totaling $25 for a round trip.

All fees for such escort service shall be paid to the Passaic Police Department and deposited in the City treasury.

§ 39-5. Certain entities exempt from fees.
There shall be no fees charged for escort service provided to charitable or religious associations or corporations.

No escort service as provided herein shall travel beyond the confines of the City of Passaic.

Article II. Good Conduct Letters

§ 39-7. Letters to be provided upon request.
The Police Department of the City of Passaic may, in the discretion of the Police Director of Public Safety, provide good conduct letters for persons requesting same from the Passaic Police Department.

This service shall be provided as scheduled and directed by the Police Director of Public Safety.

For each good conduct letter supplied, the fee shall be the sum of $10. All fees for good conduct letters shall be paid to the Record Bureau personnel of the Passaic Police Department issuing the letter and deposited in the City treasury.

Article III. Rules and Regulations.

§ 39-10. Confirmation; revision authorized.
The rules and regulations adopted to govern the Police Department which were adopted June 7, 1973, and are codified in book form be and are hereby confirmed, and the Police Director of Public Safety be and is hereby authorized to study and revise the rules and regulations pertaining to the operation of the Police Department, and the Police Director of Public Safety is hereby authorized to adopt and enforce such rules and regulations as he deems necessary for the good of the Department and the best interests of the City of Passaic.

After adoption by the Police Director of Public Safety, said rules and regulations shall be printed in book form, and a copy thereof shall be delivered to and signed for by every member of the Police Department.

Article IV. Leaves of Absence

§ 39-12. Leaves of absence authorized.
Leaves of absence not exceeding one year with pay are authorized for members of the Police Department of the City of Passaic who shall be injured, ill or disabled from any cause, provided that the examining physician appointed by the City of Passaic certifies to such injury, illness or disability.

Article V. Table of Organization

§ 39-13. Table established.
The Table of Organization for the Passaic Police Department shall include the following:

<table>
<thead>
<tr>
<th>Rank/Position</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Chief</td>
<td>1</td>
</tr>
<tr>
<td>Deputy Police Chiefs</td>
<td>2</td>
</tr>
<tr>
<td>Police Captains</td>
<td>2</td>
</tr>
<tr>
<td>Police Lieutenants</td>
<td>9</td>
</tr>
<tr>
<td>Police Sergeants</td>
<td>20</td>
</tr>
<tr>
<td>Police officers</td>
<td>145</td>
</tr>
<tr>
<td>(Housing/School Resource Officer included)</td>
<td>145</td>
</tr>
</tbody>
</table>


All prior Tables of Organization and Salary Ordinances for the Passaic Police Department shall be hereby repealed.

§ 39-15. Filling of all positions not required.

The establishment of this Table of Organization for the Passaic Police does not require that all of these positions be filled but that the numbers of police officers in the various positions shall not exceed those set forth in this Table unless the Table is amended by the City.

Article VI. Off-Duty Police Services

§ 39-16. Payment for off-duty police services.

A. An outside employer wishing to hire police officers for off-duty police work shall pay for these services directly to the City, and the City shall issue the police officer a City check for these services for the net amount equal to the gross pay less any applicable deductions. Payment for off-duty employment shall not be part of the pension.

B. Police officers obtaining police-related off-duty employment shall be subject to all of the rules, regulations, orders and directives of the City of Passaic Police Department. The City may require that police officers wear their uniforms during off-duty employment assignments.

C. The hourly rate to be paid to police officers by the City shall be as follows:

   (1) Per hour for protective services, traffic enforcement and work zone safety between the hours of 0700 and 1700 with an initial four-hour minimum: $50. Thereafter, any fraction of the hour goes to the next hour.

   (2) Per hour for protective services, traffic enforcement and work zone safety between the hours of 1700 and 0700 and work done on weekends and holidays with an initial four-hour minimum: $60. Thereafter, any fraction of the hour goes to the next hour.

   (3) Per hour for work performed for the City of Passaic Board of Education, with a two-hour minimum: $40.

D. An outside employer wishing to cancel its request for off-duty police service must do so at least one hour prior to the time such off-duty services were scheduled to commence, or such outside employer shall be responsible for the full cost of the four-hour minimum as set forth in Subsection C herein.

§ 39-17. Administrative services and fees.

The City shall administer the off-duty employment system.
A. In addition to the hourly rates to be paid to the police officers, the City shall be paid $10 per hour as an administrative fee for processing the payments by the contractors in order to issue additional checks to the police officers. Police vehicles will be billed at an additional charge of $15 per hour per vehicle. There shall be an account within the trust fund of the City of Passaic to be known as the "Police Vehicle Maintenance & Repair Account," which account shall be dedicated to the receipt of collected police vehicle usage fees under this section and which shall be utilized solely to fund the purchase and repair of police vehicles.

B. Payment for off-duty employment shall be made by separate check in the next pay period. If the monies are not received from the contractor, then the check shall be paid to the police officer within two weeks of the payment from the contractor.


A. To ensure the timely payment of wages to the police officers for off-duty police services, there is hereby established an account within the trust fund of the City of Passaic to be known as the "Outside Employment Police Escrow Account," which account shall be dedicated to the receipt of collected fees from persons or entities and for the payment of wages to police officers for off-duty outside police employment services.

B. Any person or entity requesting the services of a police officer shall estimate the number of hours on a monthly basis that such police officer’s services are required. This estimate shall be submitted, in writing, to the Chief of Police or his or her designee as to the estimated number of hours. The approval shall be based on the prior month’s actual number of hours, if same are available.

C. At least five business days prior to the commencement of the outside employment services, the person or entity requesting the services of the police officer shall deposit with the Chief Financial Officer of the City an amount sufficient to cover the rates of compensation and administrative fees set forth in this chapter, for the total estimated hours of service that were submitted to the Chief of Police or his or her designee in accordance with this chapter.

D. In a situation where the number of hours required is unknown and cannot be reasonably estimated, the person or entity requesting the services of the police officer shall deposit with the Chief Financial Officer an amount sufficient to cover the rate of compensation and administration fees for the equivalent of 10 working days. Any unused portion of the deposit will be returned or credited against the final amount owed.

E. In those instances where the services of the police officer are required for a period not to exceed 20 hours, the party or entity requesting the services of a police officer shall not be required to deposit funds with the Chief Financial Officer prior to the commencement of work, but shall pay, in full, for the services within two business days of receipt of the bill from the Police Department.

F. In the event the funds of the escrow account become depleted, the services of the police officer shall cease until such time as additional funds have been deposited in the escrow account, in the manner set forth above. In the event of an unforeseen emergency situation that would require a police officer to remain beyond the time for which funds have been deposited, the Chief of Police or his or her designee may waive the requirement for posting additional funds for any person or entity exhibiting a previously satisfactory payment history. However, payment for the additional hours shall be made by the person or entity requiring the extended service within 48 hours of the performance of the services.

G. The person or entity requesting the services of a police officer shall be responsible for ensuring that sufficient funds remain in the escrow account, in order to avoid any interruption of services.
December 6, 2016 Minutes

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 V

All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

SECTION VI

This Ordinance shall take effect upon final adoption and publication in accordance with law.

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

ROLL CALL
AYES: Love Melo, Polanco, Schwartz, Garcia, Council President Schaer
ABSENT: MPAYMENT OF BILLS

On a motion by Councilman Love and seconded by Councilwoman Melo the PAYMENT OF BILLS with Addendum P.O.# 17-02429 - Jersey Boy Boxing Club in the amount of $5,943.60 were accepted and approved

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

There being no further business to come before the Council on a motion by Councilman Garcia and seconded by Councilwoman Melo the meeting was adjourned at 8:56 p.m.

ATTEST:                APPROVED:
_________________________   _______________________________
Amada D. Curling, City Clerk     Gary S. Schaer, Council President