

February 23, 2016 Minutes

A WORK-SESSION WAS HELD ON TUESDAY, FEBRUARY 23, 2016 AT 5:30 PM IN THE MAYOR'S CONFERENCE ROOM, SECOND FLOOR CITY HALL 330 PASSAIC ST., PASSAIC, NJ.

Madeline Rios, Secretarial Assistant 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, FEBRUARY 23, 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. FUTHERMORE, 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, Council President Schaer

ABSENT: Love, Melo, Munk

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

Council President on the chair

Council President formed two Ad Hoc Committees; as follows:

#1: Review CDBG Block Grant; Councilwoman Melo, Councilman Garcia and Councilman Schwartz

#2: Review proposal re: automated parking meters; Councilwoman Polanco, Councilman Love and Council President Schaer

Council President Schaer started an informal review of items of the agenda.

Councilwoman Melo, Councilman Love took their seats

Council President Schaer stepped out of meeting

Councilman Love in the chair

There being no further discussion on a motion by Councilwoman Melo and seconded by Councilwoman Polanco the meeting adjourned At 6:56 p.m.

ROLL CALL:

Ayes: Garcia, Love, Melo, Munk, Polanco, Schwartz,

Absent: Council President Schaer

A REGULAR PUBLIC MEETING OF TH CITY COUNCIL OF THE CITY OF PASSAIC WAS HELD ON TUESDAY, FEBRUARY 23, 2016 AT 7:00 P.M. IN THE COUNCIL CHAMBERS IN CITY HALL.

Madeline Rios , Secretarial Assistant, 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 JUNE 23, 2015 SETTING FORTH A

SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2015-2016, WHICH WAS PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK

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

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

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

HEARING OF CITIZENS:

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

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.

Fred Kanter, 81 Hanover Rd. Mountain Lakes NJ; commented about article in Bergen Record three years ago Council President denying someone speaking at public meeting; quoted law allowing public to speak, availability of minutes in full; etc; filed a civil action against City Council for failure to meet specifics of law surrounding the administration of Council meetings.

Mr. Jaroslaw Jackiw; 266 Lafayette Ave: Can the BA and CFO advise the public as to the total dollar amount paid out in financial year 2015 for refund of tax overpayments resulting from tax court judgements?; Can the City administration advise the public how the tax overpayments were covered within the City budget without incurring additional taxes in financial year 2015; At the Council meeting of 10/08/2015, the Business Administrator made the following statement "the old tennis courts are contaminated"... Please advise the public how he came to that conclusion since the City of Passaic Engineering Dept and Health Services has no environmental study on file as per OPRA requests. NOTE: the only environmental study on file in this area is for 270 Passaic Avenue Hewitt-Robins Conveyor site; Can the City administration advise the public when the DPW will be given the authorization to clean up the 2.8 acres of former old tennis court sites currently being used as an alleged illegal dumping area?; Can the Public Safety Director advise the public as to the state of gang related issues within the City in financial year 2015?; What efforts have been made to stop gang recruitment and various safety issues surrounding exteriors of

school properties in financial year 2015?; Will the Public Safety Director/Deputy Chief of PPD consider the development of a Community Police Programs around the exteriors of school properties to assist the fulltime SRO's in their efforts to manage gang and safety issues? Comment- in SFY 2014 there was a reduction of 4 fulltime SRO's by the BOE.

Joe Conoscenti;170 Broadway: Losing a lot of business in Passaic; census of homeless in City; #15 VIP car service with address of 92 Broadway; this address is gas station-business address is 80 Broadway and this is closed and Co is actually working out of #16 Cooperate Tax Car service.

Steve Siklosi; 23 Orchard Street: #11 WFB Pub license renewal application- incident at this establishment alleged rape case a couple of years ago- any objections to this license renewal?;what safe guards have been put in place; # 15, 16 and 17: Elegante night club constantly has double parked taxis Friday and Saturday nights always double parked before allowing license this should be discussed and stop this practice; #27 asked for explanation of tax exemption for Van Houten Ave; #30 where is this area located; why deeming in need of rehabilitation; #32 regarding sewer repair; who will be getting contract and approximate value of the contract; #34 Adding additional Deputy emergency management coordinator- was this not just done about a month; why adding another person. Commented about concern regarding article in newspaper re Constellation Energy and four Passaic county towns join to lower energy bills; this company has multiple complaints ranging from poor service to fraud; why is Council getting involved and feels this is something that should be looked into and discussed further. Asked what settlement on 663 Main Avenue exactly was on lien placed by City.

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

ROLL CALL

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

ORDINANCE(S) FOR SECOND AND FINAL READING (PUBLIC HEARING REQUIRED)

Council President Schaer called up for the second and final reading Ordinance entitled:

CITY OF PASSAIC

ORDINANCE NO# 2037-16

ORDINANCE AMENDING THE DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS RESTRICTED BY NJ LICENSE PLATE NUMBER

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

Steve Siklosi; 23 Orchard Street: when applications are made is there any consideration to off street parking availability.

After ample opportunity given and no one responding on a motion by Councilman Love and seconded by Councilwoman Polanco, public hearing on said ordinance was closed.

ROLL CALL

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

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

ROLL CALL

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

Council President Schaer called up for the second and final reading Ordinance entitled:

CITY OF PASSAIC

ORDINANCE NO. 2038-16

ORDINANCE AMENDING CHAPTER 255 OF THE CODE OF THE CITY OF PASSAIC "SNOW AND ICE AND OTHER IMPEDIMENTS, REMOVAL OF"

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

Steven Siklosi; 23 Orchard Street: what exactly does this ordinance entail.

After ample opportunity given and no one else responding on a motion by Councilwoman Polanco and seconded by Councilman Garcia, public hearing on said ordinance was closed.

ROLL CALL

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

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

ROLL CALL

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

Council President Schaer called up for the second and final reading Ordinance entitled:

**CITY OF PASSAIC
ORDINANCE NO. 2039-16**

ORDINANCE AMENDING CHAPTER 211 OF THE CITY CODE OF THE CITY OF PASSAIC, "PEDDLING, SOLICITING AND CANVASSING," ARTICLE I, "PEDDLING AND HAWKING," SECTION 7, "LICENSE FEES."

Councilman Schwartz 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: Garcia, Love, Melo, Munk, Polanco, Schwartz, Council President Schaer

Joe Conosenti: 170 Broadway: Mr. Conosenti stated that he was happy this issue was being raise and assume this entails fees;

Steven Siklosi; 23 Orchard Street: asked if there is anything else in ordinance regarding definition of peddler or hawker; commented on constant add papers being thrown on doorstep.

After ample opportunity given and no one else responding on a motion by Councilwoman Polanco and seconded by Councilwoman Melo, public hearing on said ordinance was closed.

ROLL CALL

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

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

ROLL CALL

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

Council President Schaer called up for the second and final reading Ordinance entitled:

CITY OF PASSAIC
PASSAIC COUNTY, NEW JERSEY

ORDINANCE No. 2040-16

AN ORDINANCE, ALLOCATING THE SUM OF \$305,000.00 FROM THE GENERAL CAPITAL FUND BALANCES FOR THE IMPROVEMENT OF PASSAIC CITY PARKS, IMPROVEMENTS TO JOHN STREET, RETAINING WALL AT WILSCOT STREET AND PUBLIC WORKS GARAGE REMEDIATION.

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

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

ROLL CALL

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

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

ROLL CALL

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

Council President Schaer called up for the second and final reading Ordinance entitled:

City of Passaic
Ordinance No. 2041-16

ORDINANCE AMENDING CHAPTER 102 OF THE CITY CODE OF THE CITY OF PASSAIC, "CLOTHING BINS," SECTION 6, "COMPLAINTS AND INVESTIGATION"

Councilwoman Melo 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: Garcia, Love, Melo, Munk, Polanco, Schwartz, Council President Schaer

Councilwoman Polanco stepped down

Steve Siklois; 23 Orchard Street: asked what was ordinance about; synopsis-nature of complaints and who does the investigating.

After ample opportunity given and no one else responding on a motion by Councilman Love and seconded by Councilwoman Melo, public hearing on said ordinance was closed.

ROLL CALL

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

ABSENT: Polanco

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

ROLL CALL

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

ABSENT: Polanco

COMMUNICATIONS AND PETITIONS

THE FOLLOWING ITEM(S) WERE VOTED ON BY ONE MOTION

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

Rosa's Sports Bar, LLC, 317 Broadway, submitting application to renew their Entertainment License for the year 2016.

La Rancherita Inc., 22 Jackson Street, submitting application to renew their Entertainment License for the year 2016.

Jaguar Nite, Club, LLC, 165 Passaic Street, submitting application to renew their Entertainment License for the year 2016.

El Alamo Bar & Restaurant, 262 Passaic Street, submitting application to renew their Entertainment License for the year 2016.

Simon Quintana, LLC t/a Club SQ, 40-42 Monroe Street, submitting application to renew their Entertainment License for the year 2016.

WFB Pubs Corp. t/a Mr. B's, 42 Wall Street, submitting application to renew their Entertainment License for the year 2016.

Factory 220, LLC, 220 Passaic Street, submitting application to renew their Entertainment License for the year 2016.

Sports Bar Inn LLC, 161 8th Street, submitting application to renew their Entertainment License for the year 2016.

Our Lady of Fatima Roman Catholic Church, 32 Exchange Place, submitting application to hold a Religious Procession, on March 25, 2016 from 12:30 p.m. to 1:30 p.m. The Procession will commence in front of Passaic City Hall and travel Passaic Street to Prospect Street to Park Place and end at 32 Exchange Place.

Jocelyn Hernandez, VIP Car Service, LLC, 92 Broadway, submitting application to renew their Limousine Owners License for the year 2016.

Cooperate Tax Car Service, 33 Central Avenue, submitting application to renew their Taxicab Owners License for the year 2016.

All Taxi Transport Specialist, LLC, 689 Main Avenue, submitting application to renew their Taxicab Owners License for the year 2016.

ROLL CALL

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

ABSENT: Polanco

Councilwoman Polanco took seat on dais.

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 ITEM(S) WERE VOTED ON BY ONE MOTION

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

Personnel Actions- January 2016

Mencahem Bazian, submitting his letter of resignation as Commissioner of the Passaic Valley Water Commission.

Dr. Alex D. Blanco, Mayor, submitting memorandum appointing David Blumenthal as a Passaic Valley Water Commissioner, to fill an unexpired term to commence immediately and end on December 31, 2017.

Jersey Central Power and Light, submitting correspondence re: Company Seeking review and Approval of its Deferred Balances Relating to and an adjustment of the Rider PRC-RGGI Recovery Charge of its Filed Tariff

Parking Authority of the City of Passaic, submitting notice cancelling their February 17, 2016 meeting.

Alcoholic Beverage Control Board of the City of Passaic, submitting agenda of their February 17, 2016 meeting.

City of Clifton, submitting Ordinance No. 7274-16 entitled "An Ordinance to Amend Revise and Supplement Chapter 439 of the Code of the City of Clifton Vehicles and Traffic More Particularly Section 439-33 Thereof Entitled "Speed Limits Established (Amends Speed Limit on Entire Length Both Directions of DWAS Line Road to 25 MPH)"

ROLL CALL

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

RESOLUTION(S) :

THE FOLLOWING RESOLUTION(S) WAS REMOVED

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON FEBRUARY 23, 2016 AT 7:00 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS.

THE FOLLOWING RESOLUTION(S) WERE VOTED ON BY ONE MOTION

On a motion by Councilman Garcia and seconded by Councilwoman Polanco the following **RESOLUTION(S) WERE OFFERED FOR ADOPTION:**

CITY OF PASSAIC
RESOLUTION#16-02-037

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;

Block	Lot	Qual.	Name	Year	Amount
4104	15		Waters, McPherson McNeill Atty for Summer Realty Assoc	2010	\$5,477.60
				2011	\$5,512.80
				2012	\$5,685.60
				2013	\$5,850.40
				2014	\$5,947.20
				2015	\$6,058.40
3251	2.01		Andrew Kessler, atty for Lion Property	2011	\$6,857.24
				2012	\$5,949.27
				2013	\$5,307.78
				2014	\$5,395.60
				2015	\$5,496.49

CITY OF PASSAIC

RESOLUTION NO. 16-02-038

**RESOLUTION APPROVING PROPERTY TAX EXEMPTION
435 VAN HOUTEN AVENUE, UNIT 105, PASSAIC, NJ AND AUTHORIZING
REIMBURSEMENT OF TAXES PREVIOUSLY PAID**

WHEREAS, under N.J.S.A. 54:4-3.30, et seq., 100% permanently and totally disabled war veterans or the unmarried surviving spouses of such disabled war veterans are granted a full property tax exemption on their dwelling house and the lot on which it is situated; and

WHEREAS, to qualify for such exemption, the applicant must be an honorably discharged disabled veteran who had active service in time of war in the US Armed Forces; and

WHEREAS, James F. Feeney, Jr. is the owner of real property located at 435 Van Houten Avenue, Unit 105, Passaic, New Jersey; and

WHEREAS, James F. Feeney, Jr. was declared 100% permanently disabled by the United States Department of Veterans Affairs;

WHEREAS, James F. Feeney, Jr. has applied for property tax exemption pursuant to N.J.S.A. 54:4-3.30 for his dwelling house located at 435 Van Houten Avenue, Unit 105, Passaic, New Jersey.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the application for an exemption for property taxes filed by James F. Feeney, Jr., 435 Van Houten Avenue, Unit 105, Passaic, New Jersey is hereby granted and such real property is hereby deemed exempt as of; and

BE IT FURTHER RESOLVED that Robert Mason shall be reimbursed for all property taxes paid to the City of Passaic from through the present; and

BE IT FURTHER RESOLVED that the Tax Assessor of the City of Passaic is hereby authorized and directed to undertake any and all other necessary actions to effectuate the above exemption.

CITY OF PASSAIC

RESOLUTION NO. 16-02-039

RESOLUTION AUTHORIZING 2016 GRANT APPLICATION FOR SAFE AND SECURE COMMUNITIES PROGRAM CONTINUATION FUNDING

WHEREAS, the city of Passaic has received notice from the state of New Jersey, Offices of the attorney general department of Law and Public Safety Division of Criminal Justice, regarding a grant for safe and secure Communities act Grant Program; and

WHEREAS, this grant money in the amount of \$90,000.00 can be used for law enforcement personnel costs; and

WHEREAS, the City Police Department wishes to submit an application for this 2016 grant.

NOW, THEREFORE BE IT RESOLVED, by the council of the city of Passaic that Passaic Police Department is hereby authorized to submit a 2016 grant application to the State of New Jersey, Office of the Attorney General Department of Law and Public Safety Division of Criminal Justice in the amount of \$90,000.00 for law enforcement personnel cost.

BE IT FURTHER RESOLVED, that the Passaic Police Department, Mayor and City Clerk are hereby authorized to take all necessary action to file application and to accept the 2016, Grant of issued, by the State of New Jersey.

CITY OF PASSAIC

RESOLUTION # 16-02-040

RESOLUTION AUTHORIZING AN AMENDMENT TO A CONTRACT WITH SUBURBAN CONSULTING FOR DESIGN AND CONSTRUCTION ADMINISTRATION/INSPECTION PULASKI PARK IMPROVEMENTS 2015 CITY OF PASSAIC

WHEREAS, on May 11, 2015 the City Council of the City of Passaic adopted Resolution #15-05-085 (attached) approving a contract with Suburban Consulting for Pulaski Park Improvements 2015; and

WHEREAS, the initial contract for these services was \$26,515.00; and

WHEREAS, the City of Passaic is required to file a Stormwater Discharge General Permit with NJDEP; and

WHEREAS, the additional service resulted in an increase of \$459.95 revising the total contract price to 26,974.95.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the council authorize the Change order in the amount of \$459.95 which increases the total contract amount to \$26,974.95.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the amendment to the contract between the City of Passaic and Suburban Consulting is ratified and accepted, adjusting the contract to the revised total amount of \$26,974.95.

BE IT FURTHER RESOLVED that the City is hereby authorized to execute this amendment in a form approved by Corporation Counsel and that the amendment be filed in the City Clerk's Office.

CERTIFICATION OF FUNDS

Funds are available in CDBG Account #B-12-39-BG3-856-9PP.

City of Passaic

**RESOLUTION NO. 16-02-041
RESOLUTION DETERMINING THAT BLOCK 3247 LOT 13
AS AN AREA IN NEED OF REHABILITATION**

Whereas, it has been determined by planning officials of the City of Passaic that the property Block 3247 Lot 13 qualifies as an area in need of rehabilitation under the conditions for determination of need for rehabilitation in NJSA 40 A:12 A-14; and

Whereas, those conditions are that: (1) a significant portion of structure is in a deteriorated and substandard condition; (2) there is a continuing pattern of under utilization of property; , and, (3) a program of rehabilitation, as defined in section 3 of P.L. 1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community.

Whereas, the City of Passaic Planning staff has conducted a study which supports this designation and has forwarded such study to the City Council; and

Whereas, designation as an area in need of rehabilitation confers the same status to a property as the designation of “an area in need of redevelopment” except the power of condemnation; and

Whereas, The City of Passaic is encouraging the rehabilitation of the aforementioned property; and,

Whereas, a designation of an area in need of rehabilitation would assist the City and potential developers in the rehabilitation of the area.

NOW THEEREFOR BE IT RESOLVED, by the City Council of the City of Passaic hereby finds that the Block 3247 Lot 13 shall be declared as an Area In Need of Rehabilitation and pursuant to NJSA 40:A 12A-14 and refers this proposed resolution to the Planning Board of the City of Passaic for its recommendation.

**City of Passaic
Resolution # 16-02-042**

**RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENTS WITH
CITY OF PASSAIC REDEVELOPMENT AGENCY, CITY OF PASSAIC PLANNING
BOARD AND CITY OF PASSAIC ZONING BOARD OF ADJUSTMENT FOR PLANNING
SERVICES**

WHEREAS, the City of Passaic solicited proposals for planning services for various projects undertaken by the City of Passaic; and,

WHEREAS, by Resolution 15-12-288, adopted on December 22, 2015, the City Council awarded the contract for such services to Remington & Vernick Engineers, 300 Penhorn Avenue, Secaucus, New Jersey; and,

WHEREAS, on January 1, 2016, Mayor Alex D. Blanco and City Clerk Amada Curling executed a contract with Remington & Vernick Engineers on behalf of the City of Passaic, whereby the parties agreed that Remington & Vernick Engineers would furnish and deliver all planning services for the City of Passaic as set forth in the Specifications issued by the City of Passaic, furnishing said services during the period beginning on January 2016 and ending on December 31, 2016; and,

WHEREAS, pursuant to the terms of the Agreement, dated January 1, 2016, between the City of Passaic and Remington & Vernick Engineers, the City of Passaic agreed to pay Remington & Vernick Engineers at the rate of One Hundred Twenty Dollars (\$120.00) per hour; and,

WHEREAS, the Passaic Redevelopment Agency, the City of Passaic Planning Board and the City of Passaic Zoning Board of Adjustment would each like to utilize the services solicited by the City of Passaic and described within the January 1, 2016 Agreement between the City of Passaic and Remington & Vernick Engineers for the purposes of the Agency and Boards.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the Council authorizes the City of Passaic to enter into inter-local services agreements with the Passaic Redevelopment Agency, City of Passaic Planning Board and City of Passaic Zoning Board of Adjustment to permit that Agency and/or Boards to utilize the planning services offered by Remington & Vernick Engineers pursuant to the January 1, 2016 Agreement between the City of Passaic and Remington & Vernick Engineers for the period of January 1 through December 31, 2016; and,

BE IT FURTHER RESOLVED that the Passaic Redevelopment Agency, City of Passaic Planning Board and City of Passaic Zoning Board of Adjustment shall reimburse the City of Passaic for the costs generated by the use of Remington & Vernick Engineers, at the rate of One Hundred Twenty Dollars (\$120.00) per hour; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute the Interlocal Service Agreement and/or any other documents necessary to effectuate this Resolution.

**CITY OF PASSAIC
RESOLUTION #16-02-043**

**RESOLUTION AWARDED CONTRACT FOR
4th STREET SANITARY SEWER REPLACEMENT
CITY OF PASSAIC**

WHEREAS, bids were received by the Director of Purchasing on Tuesday, February 23, 2016 for 4th Street Sanitary Sewer Replacement, City of Passaic, NJ; and

WHEREAS, bids were received as per the attached; and

WHEREAS, in addition to the attached, specifications and plans were downloaded from the City of Passaic's website, none of whom submitted bids:

IMS San Diego, CA	Lyra De Asis Grand Junction, CO	Standard Construction Wallington, NJ
PACT One, LLC Ringoos, NJ	CMD Norcross, GA	Advanced Drainage Systems Columbus, OH
Sanitary Construction Rockaway, NJ	Rapid Pump & Meter Paterson, NJ	Persistent Construction Fairview, NJ
T.R. Weniger, Inc. Piscataway, NJ	Delgado's General Cont. Passaic, NJ	Prime Vendor Wilmington, NC
Bidnet Latham, NE	Deltek Herndon, VA	

WHEREAS, the lowest responsible, responsive bid was received from Your Way Construction Inc. of Irvington, NJ in the amount of \$95,820.73; and

WHEREAS, it is the recommendation of Olga Garcia, City Engineer that the lowest responsible, responsive bidder, Your Way Construction of Irvington, NJ be awarded the contract in the amount of \$95,820.73.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for 4th Street Sanitary Sewer Replacement be awarded to Your Way Construction, of Irvington, NJ in the amount of \$95,820.73.

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

CERTIFICATION OF FUNDS

Funds for the above are available in CDBG Account #B-12-39-BG3-852-9RD, \$43,380.06; and CDBG Account #B-12-41-BG5-932-9RD, \$52,440.67.

CITY OF PASSAIC RESOLUTION #_16-02-044

RESOLUTION AWARDING CONTRACT FOR THE PLANNING, DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR CHRISTOPHER COLUMBUS PARK NEW SYNTHETIC TURF FIELD IMPROVEMENTS CITY OF PASSAIC

WHEREAS, proposals were received by the Director of Purchasing on Tuesday, February 23, 2016 for The Planning, design and Construction Management Services for Christopher Columbus Park New Synthetic Turf Field Improvements; 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, none of whom submitted proposals:

RSC Architects
Hackensack, NJ

Remington Vernick & Arango
Secaucus, NJ

Clarke Caton Hintz
Trenton, NJ

MSP Construction
Newark, NJ

Brooker Engineering
Suffern, NY

Greenscape
Morrisville, PA

Prograss
Sharpburg, PA

Promatech
Delran, NJ

Spiezle Architectural
Trenton, NJ

Langan Engineering
Parsippany, NJ

Standard
Wallington, NJ

WHEREAS, the evaluation Committee reviewed the proposals received and recommends that the contract for Engineering Services for The Planning, Design and Construction Management Services for Christopher Columbus Park New Synthetic Turf Field Improvements be awarded to Matrix New World of Florham Park, NJ in an amount not to exceed \$ 47,425.00

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for The Planning, Design and Construction Management Services for Christopher Columbus Park New Synthetic Turf Field Improvements be awarded to Matrix New World of Florham Park , NJ in an amount not to exceed \$47,425.00.

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, CDBG Account #B-12-39-BG3-858-9CC.

ROLL CALL

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

ORDINANCE(S) FOR INTRODUCTION AND FIRST READING

Council President Schaer read said Ordinance by title.
Councilwoman Polanco moved the Ordinance be approved on first reading. Motion was seconded by Councilwoman Melo the public hearing be held on March 8, 2016.

ORDINANCE NO. 2042-16

ORDINANCE AMENDING CHAPTER 5 OF THE CITY CODE OF THE CITY OF PASSAIC, "ADMINISTRATION OF GOVERNMENT," ARTICLE X, "DEPARTMENT OF PUBLIC SAFETY," SECTION 93 "OFFICE OF EMERGENCY MANAGEMENT SERVICES" TO ADD AN ADDITIONAL DEPUTY EMERGENCY MANAGEMENT COORDINATOR

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 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, Chapter 5 of the City Code of the City of Passaic, "Administration of Government," Article X, "Department of Public Safety," Section 93, "Office of Emergency Management Services" currently provides for the appointment of one (1) Deputy Emergency Management Coordinator;

WHEREAS, in the interest of public health, safety and welfare of the municipality and its inhabitants, the City of Passaic desires to amend the Chapter 5 of the City Code of the City of Passaic, "Administration of Government," Article X, "Department of Public Safety," Section 93, "Office of Emergency Management Services" to add an additional Deputy Emergency Management Coordinator to the existing command structure.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that Chapter 5 of the City Code of the City of Passaic, "Administration of Government," Article X, "Department of Public Safety," Section 93, "Office of Emergency Management Services" is hereby amended as follows":

**ALL DELETIONS ARE NOTED
ALL AMENDMENTS ARE UNDERLINED**

SECTION I

§ 5-93 Office of Emergency Management Services.

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 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 Director of Public Safety, 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 Director of Public Safety and Mayor, shall appoint ~~one~~ 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 Coordinators.

- (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.

SECTION TWO

If any section or 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 THREE

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

SECTION FOUR

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

ROLL CALL

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

Council President Schaer read said Ordinance by title. Councilwoman Polanco moved the Ordinance be approved on first reading. Motion was seconded by Councilwoman Melo the public hearing be held on March 8, 2016.

CITY OF PASSAIC

ORDINANCE NO# 2043-16

ORDINANCE AMENDING THE DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS RESTRICTED BY NJ LICENSE PLATE NUMBER

BE IT ORDAINED by the City Council of the City of Passaic and State of New Jersey that Chapter 295 ARTICLE XII Schedule XV shall be amended as follows:

SECTION 1

295-33.Ord. Handicapped Parking Spaces Restricted by New Jersey License Plate Number. shall be amended by the inclusion of the following:

DELETION:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>PLATE #</u>
183 Ninth Street	West	Beginning at a point 191 feet north of the northerly curblineline of Passaic Street and extending to a point 22 feet northerly therefrom	UJG96W

ADDITION:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>PLATE #</u>
9 Henderson Street	South	Beginning at a point 96 feet west of the westerly curblineline of Mineral Spring Street and extending to a point 22 feet westerly therefrom	K34FVU
229 Hope Avenue	West	Beginning at a point 286 feet south of the southerly curblineline of President Street and extending to a point 22 feet southerly therefrom	YE730N
379 Madison Street	South	Beginning at a point 277 feet east of the easterly curblineline of Paulison Avenue and extending to a point 22 feet easterly therefrom	U55FMP
158 Market Street	South	(Hudson Street) Beginning at a point 39 feet east of the easterly curblineline of Market Street and extending to a point 22 feet easterly therefrom	V80BNC

183 Ninth Street	West	Beginning at a point 191 feet north of the northerly curblineline of Passaic Street and extending to a point 22 feet northerly therefrom	R47GCP
80 Passaic Avenue	South	(Gregory Avenue) Beginning at a point 80 feet west of the westerly curblineline of Passaic Avenue and extending to a point 20 feet westerly therefrom	K61FLS
141 President Street	South	Beginning at a point 108 feet east of the easterly curblineline of Van Winkle Avenue and extending to a point 21 feet easterly therefrom	5196HC
38 Summer Street	North	Beginning at a point 328 feet east of the easterly curblineline of Central Avenue and extending to a point 22 feet easterly therefrom	LLU28Z

ROLL CALL

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

Council President advised formation of Ad Hoc committees;

One to review proposal for CDBG Block Grant Funding- Councilman Garcia, Councilman Schwartz and Councilwoman Melo

Second committee to deal with issue of automated parking meters; Councilwoman Polanco, Councilman Love and Council President Schaer

PAYMENT OF BILLS

On a motion by Councilman Munk and seconded by Councilwoman Melo the **PAYMENT OF BILLS WERE ACCEPTED AND ENGROSSED.**

ROLL CALL

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

Council President Schaer opened floor to members of the council for their comments)

February 23, 2016 Minutes

There being no further business to come before the Council on a motion by Councilwoman Polanco and seconded by Councilwoman Melo the meeting adjourned at 8:05 p.m.

ROLL CALL

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

ATTEST:

APPROVED:

Amada D. Curling, City Clerk

Gary S. Schaer, Council President