May 23, 2017 Minutes

WORK-SESSION WAS HELD ON TUESDAY MAY 23, 2017 AT 5:30 PM IN THE CITY COUNCIL CHAMBERS FIRST 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 THURSDAY MAY 11, 2017 AT 5:30 P.M. TO BE HELD IN THE 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: LOVE, POLANCO, GARCIA, CP SCHAER
ABSENT: MUNK, MELO, SCHWARTZ

ALSO PRESENT: HECTOR C. LORA, MAYOR; RICARDO FERNANDEZ, B.A. AND CHRISTOPHER HARRIOTT, CITY COUNSEL;

Council President on the chair:

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

At this point in the meeting the council discussed the following ordinance:

ORDINANCE NO. 2106-17


Various concerns were raised regarding this ordinance re: type of vehicle, size, etc. It was the council consensus to table the ordinance until their concerns were addressed.

A separate roll call was requested for item number four in the agenda: Passaic African American Committee Celebration 5 spring St. Application for a Flag Raising, Parade and Festival on June 3, 2017.

Councilwoman Melo, took her seat on the dais

At this point in the meeting the Council adjourned the work session meeting and took a five minutes recess.

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PUBLIC MEETING OF THE CITY COUNCIL OF THE CITY OF PASSAIC WAS HELD ON TUESDAY, MAY 23, 2017 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 DECEMBER 20, 2016 SETTING FORTH THE SCHEDULE OF REGULAR MEETINGS FOR THE SFY 2017, SAID NOTICE WAS PUBLISHED ON DECEMBER 27, 2016, POSTED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK

ON CALL OF THE ROLL THE FOLLOWING COUNCIL MEMBERS RESPONDED:

AYES:     Love, Melo, Polanco, Garcia, CP Schaer
ABSENT:   Munk, Schwartz

ALSO PRESENT:  Hon. Hector Lora, Mayor, Ricardo Fernandez, Business Administrator, Chris Harriott, City Counsel

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

Council President in the Chair

Council President presented the following Addendum Items:

- Addendum Item No. 7A – Vidya Nayak, CFO submitting memorandum re: result of $680,000 Special Emergency Note Sale
- Addendum Item No. 27A – Resolution requesting grant from the New Jersey Department Of Community Affairs for $20,000 to provide inclusive recreational opportunities for Developmentally disabled individuals from pre-school through adult.

Council Meeting Minutes for May 11, 2017 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, Garcia, CP Schaer
ABSENT:   Munk, Schwartz

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
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.

Joe Conoscenti, 170 Broadway, expressed concerns regarding Robert D. Stone monument that is falling of the concrete, And Meyer Johnson Park sign naming park is missing and flag pole And Park locked, Colonel Johnson Park drug free zone sign needed repair of benches, flag and light missing. Mr. Conoscenti suggested that is time for all parks have shuttle panels and light in all parks. Stated that it is time for all monuments to be clean and power washed. Revolutionary Park grass needs to be cut, broken fence needs repair. Memorial Day is this weekend. Read a statement that Memorial Day is not a celebration is not about children walking with banners etc.

Alice Bell, 165 Van Buren Street, Thanked the Chief of Police Regarding the situation she expressed at the last meeting Situation on Van Buren and Lexington Avenue Gas station that was taken care of. Expressed concerns regarding the legality of a resident owner’s driveway, cleanliness of garbage disposal, the concern regarding the loud music.

Jeanette Santana, 187 Boulevard, made a comment addressing Mr. Conoscenti’s statement regarding the Memorial Day Parade stating That is a great thing that has been given to the children and youth to be involved in the marching on the Memorial Day Parade in learning and honoring the Veterans.

Louise 265 Terhune Avenue, expressed concerns regarding the Unlimited parking on Terhune Avenue by a Temple, especially on Fridays and Saturdays. Complained regarding a gentlemen installing a ramp without permission.

Mr. Allah, long time resident of Passaic, Congratulated Mayor Lora, and Mr. Watkins. Expressed concerns Regarding the youth programs in Passaic.

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

ROLL CALL
AYES: Love, Melo, Polanco, Garcia, CP Schaer
ABSENT: Munk, Schwartz
ORDINANCES FOR SECOND AND FINAL READING (Public Hearing Required)

Council President Schaer called up to table Ordinance entitled:

ORDINANCE NO. 2106-17


Councilwoman Polanco moved Ordinance. Motion was seconded by Councilwoman Melo, to Table for June 13, 2017 Council Meeting, So Ordered.

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

COMMUNICATIONS AND PETITIONS

THE FOLLOWING ITEM WAS VOTED ON SEPARATELY BY ONE MOTION

On a motion by Councilman Garcia and seconded by Councilwoman Melo the following item was received, place on file and approval granted

Passaic African American Committee Celebration, 5 Spring Street, submitting the following applications for June 3, 2017:
- Flag Raising from 11:00 a.m. to 12:00 p.m. in front of Passaic City Hall.
- Parade from 11:00 a.m. to 12:00 p.m. The parade will commence in front of Passaic City Hall travel Passaic Street to Main Avenue to Monroe Street ending at School No. 11.
- Festival from 12:00 p.m. to 6:00 p.m. in School No. 11 Park (Stage Area) (Contingent Upon Departmental approvals)

ROLL CALL
AYES: Melo, Polanco, Garcia, CP Schaer
ABSENT: Munk, Schwartz

ABSTAIN: Love

THE FOLLOWING ITEMS WERE VOTED ON BY ONE MOTION

On a motion by Councilman Love and seconded by Councilwoman Polanco the following items received place on file and approval granted

Lajas Civic Club, 37 Market Street, submitting application to hold a Puerto Rican Day Event on June 11, 2017 from 11:00 a.m. to 10:00 p.m. in their private parking lot. (Contingent Upon Departmental approvals)

Zuniga Entertainment, 115 President Street, submitting application to hold a Cultural Dance Event in their private parking lot, on June 3, 4, 2017 from 3:00 p.m. to 9:00 p.m. (Contingent Upon Departmental approvals)

Moving Passaic Forward, P.O. Box 4149, Passaic, submitting application to hold a Rodeo Event, on May 28, 2017 from 2:00 p.m. to 9:00 p.m. at 1 Jefferson Street (private property) (Contingent Upon Departmental approvals)
THE FOLLOWING ITEMS WERE ADDED ON TO THE AGENDA

Addendum Item No. 7A – Vidya Nayak, CFO submitting memorandum re: result of $680,000 Special Emergency Note Sale


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

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

Passaic Municipal Court, submitting their monthly report for April 2017.

North Jersey District Water Supply Commission, submitting the following:
  ➢ Minutes of their March 22, 2017

Passaic Enterprise Zone Development Corp, submitting Notice of their meeting dates for calendar year 2017.

United States Postal Service, submitting correspondence re: Passaic, New Jersey Dundee Station

NJ Department of Environmental Protection submitting the following correspondence:
  ➢ Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 17-05-14-2043-48
  ➢ Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 17-05-15-0919-22
  ➢ Soil Remediation Action Permit notification- Site: Pantasote Inc., 26 Jefferson Road, Passaic, NJ.

PSE&G, submitting notice of their May 24, 25, 2017 Public Hearings Re: In the matter of the petitions services Electric and Gas Company for approval Changes in its electric and gas societal Benefits charges rates.


PT Consultants, Inc., submitting correspondence re: Response Action Outcome-Areas of Concern: ACO-2 Phthalate Area (TENORM SOILS), and no other areas, 26 Jefferson Street, Passaic, NJ.

ROLL CALL
AYES: Love, Melo, Polanco, Garcia, CP Schaer
ABSENT: Munk, Schwartz
THE FOLLOWING RESOLUTION WAS TAKEN OFF THE AGENDA

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON PASSAIC ON MAY 23, 2017 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 by Councilwoman Polanco the following RESOLUTIONS WERE OFFERED FOR ADOPTION

RESOLUTION NO# 17-05-140

RESOLUTION AMENDING THE DESIGNATING RESTRICTED PARKING FOR USE BY HANDICAPPED PERSONS

WHERE AS the total number of restricted parking for use by Handicapped Persons as per last resolution was 27 Generic Handicapped Parking Spaces.

WHERE AS the total number of restricted parking for use by Handicapped Persons as per this resolution is 27 Generic Handicapped Parking Spaces.

BE IT RESOLVED by the City Council of the City of Passaic and State of New Jersey that Chapter 295 (Part 2 - Art. XIII, Section 295-33) shall be amended as follows:

SECTION 1

295-33 Article XIII: Restricted Parking for Handicapped Persons shall be amended by the deletion of the following:

DELETION:

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
<th>RESOLUTION #</th>
</tr>
</thead>
<tbody>
<tr>
<td>29-31 Howe Avenue</td>
<td>East</td>
<td>(Garden Street) Beginning at a point 156 feet south of the southerly curbline of Howe Avenue and extending to a point 25 feet southerly therefrom</td>
<td>16-08-222</td>
</tr>
</tbody>
</table>

SECTION 2

295-33 Article XIII: Restricted Parking for Handicapped Persons shall be amended by the addition of the following:

ADDITION:

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>29-31 Howe Avenue</td>
<td>East</td>
<td>(Garden Street) Beginning at a point 120 feet south of the southerly curbline of Howe Avenue and extending to a point 22 feet southerly therefrom</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 17-05-141

RESOLUTION INCREASING FUNDING FROM THE CITY OF PATERSON FOR THE PASSAIC MUNICIPAL ALLIANCE TO ASSIST PERSONS WITH THE HIV SPECTRUM DISEASE IN OBTAINING AND MAINTAINING STABLE HOUSING THROUGH THE HOUSING OF PEOPLE WITH AIDS (HOPWA) PROGRAM FOR THE PERIOD OF JULY 1, 2016 TO AUGUST 31, 2017 IN THE AMOUNT OF $160,000

WHEREAS, the City of Passaic submitted an application for funding for 2016 to 2017 for the delivery of housing assistance persons living with HIV/AIDS in the City of Passaic and Passaic County and

WHEREAS, the City of Passaic had been approved for funding for this program for July 1, 2016 to June 30, 2017 (Resolution 16-07-212) for the delivery of services to persons living with HIV/AIDS in the City of Passaic and Passaic County and

WHEREAS, The City of Passaic has been approved for an increase of $40,000 in funding, and an extension of the grant period August 31, 2017 and

WHEREAS, the City has been awarded funds for:
1) Housing Case Management-$56,000
2) Nutrition Assistance-$45,000
3) Rental Assistance-$25,000
4) Utility Assistance-$10,200
5) Security Deposits-$10,000
6) Emergency Housing-$1,000.
7) Transportation-$1,600.00
8) Administration-$11,200.00
TOTAL= $160,000

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Passaic that the City of Passaic does hereby accept grant funds in the total amount of $160,000 for the HOPWA program.

BE IT FURTHER RESOLVED that the Passaic Alliance, the Mayor of the City of Passaic, and the City Clerk are hereby authorized to execute all necessary documents and to carry out the terms and provisions of this grant.

CITY OF PASSAIC

RESOLUTION NO. 17-05-142 (ATTACHMENTS)

RESOLUTION AUTHORIZING THE FILING OF THE CITY OF PASSAIC’S 2017 ACTION PLAN AN APPLICATION FOR FEDERAL ASSISTANCE UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP PROGRAMS AND EMERGENCY SOLUTIONS GRANTS

WHEREAS, the City of Passaic is entitled to receive federal financial assistance under the Community Development Block Grant (CDBG), HOME Investment Partnership Program and the Emergency Solutions Grants for the Program Year 2017, which begins July 1, 2017 and ends June 30, 2018;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that:
1. The Program Year 2017 Action Plan submission of the Consolidated Plan is hereby approved based upon the anticipated amount of $2,171,233.00, including an entitlement of $1,571,628.00 under the CDBG Program, an entitlement of $599,605.00 under the HOME Investment Partnership Program and an entitlement of $145,776.00 under the Emergency Solutions Grants. The attached budget is herein incorporated by reference as if fully made a part hereof.

2. The Mayor of City of Passaic, as Certifying Officer, is hereby authorized as follows:
   (a) Should any comment received during the required public comment period concerning the Action Plan submission so warrant, to request the City Council of the City of Passaic to modify any portion of the attached budget; and
   (b) To file the 2017 Action Plan submission of the Consolidated Plan with HUD; and
   (c) To serve as the authorized representative of the City of Passaic in connection with the application and to provide such additional information as may be required; and
   (d) To execute contracts with HUD allowing for the expenditure of said funds pursuant to the terms of said contract; and
   (e) To execute agreements with agencies indicated as recipients of the Consolidated Plan funds in the attached “Listing of Proposed Projects” for the purposes specified therein on forms to be approved by the Community Development Attorney; and
   (f) To execute agreements with eligible developers approved for assistance under the City’s New Construction HOME eligible activity in a form to be approved by the Community Development’s Attorney.

3. The Secretary of Housing and Urban Development is hereby assured of full compliance by the City of Passaic.

   CITY OF PASSAIC
   RESOLUTION #17-05-143
   RESOLUTION AUTHORIZING THE PURCHASE OF POLICE EVIDENCE LOCKERS
   PASSAIC POLICE DEPARTMENT

   WHEREAS, the City of Passaic Police Department wishes to purchase Evidence Lockers for the Passaic Police Department offered under NJ State Contract #A-79829 from Modern Office Systems, 45 West 36th Street, New York, NY; and

   WHEREAS, N.J.S.A. 40A:11-12 authorizes the purchase of any materials, supplies or equipment under State Contract entered on behalf of the State by the Division of Purchase and Property in the Department of the Treasury without the necessity for public bidding; and

   WHEREAS, the equipment to be purchased is attached; and

   WHEREAS, the cost for these evidence storage lockers is $ 30,211.08; and

   NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the contract for the Purchase of Police Evidence Lockers, for the Passaic Police Department be awarded to Modern Office Systems in an amount of $ 30,211.08.

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

   CERTIFICATION OF FUNDS

Funds for the above are available in Account # C-04-55-977-000-9F1.
CITY OF PASSAIC

RESOLUTION NO. 17-05-144
RESOLUTION SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 22 – JUNE 4, 2017

WHEREAS, there were 604 motor vehicle fatalities in New Jersey in 2016; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

WHEREAS, use of a seat belt remains the most effective way to avoid death or, serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket seat belt mobilization from MAY 22 – JUNE 4, 2017 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 93% to 95%; and

WHEREAS, a further increase in seat belt usage in New Jersey win save lives on our roadways;

HEREFORE, be it resolved that the City of Passaic declares its support for the Click or Ticket seat belt mobilization both locally nationally MAY 22–JUNE 4, 2017 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

RESOLUTION NO. 17-05-145
RESOLUTION AWARDING CONTRACT FOR EMERGENCY SANITARY SEWER REPAIR ESSEX STREET BETWEEN FIRST STREET AND MARKET STREET

WHEREAS, on Wednesday, April 5, 2017, there was a sanitary sewer collapse on Essex Street between First Street and Market Street; and

WHEREAS, it was the determination of the City Engineer, Olga Garcia that this sewer collapse posed a serious potential for a health and safety hazard; and

WHEREAS, a private contractor had to be hired to repair the collapse in this sanitary sewer pipe; and

WHEREAS, emergency purchases and contracts may be negotiated and awarded without public advertising for bids pursuant to N.J.S.A. 40A:11-6; and

WHEREAS, the following contractors were contacted and prices obtained for the original scope of work:

Delgado Brothers
Passaic, NJ               $ 4,950.00
WHEREAS, additional work was required to the manhole concrete base ($1,750.00), additional linear feet of 8 inch pipe ($1,100.00) and additional traffic control ($1,200.00) which increased the contract an additional $4,050.00 for a revised total contract of $9,000.00.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that payment to Delgado Brothers, Passaic NJ in the final amount of $9,000.00 is hereby authorized.

CERTIFICATION OF FUNDS

Funds for the above are available in Account # B-12-41-BG5-932-9RD

CITY OF PASSAIC
RESOLUTION # 17-05-146
RESOLUTION AWARDING CONTRACT FOR ROOF REPLACEMENT – VARIOUS BUILDINGS
CITY OF PASSAIC

WHEREAS, bids were received by the Director of Purchasing on Friday, May 19, 2017 for Roof Replacement – Various Buildings; and

WHEREAS, bids were received as per the attached; and

WHEREAS, in addition to the attached, specifications were picked up by and/or downloaded from the City of Passaic’s website, from the following, none of whom submitted a bid:

<table>
<thead>
<tr>
<th>Roof Management</th>
<th>The Blue Book Bldg.</th>
<th>E.R. Barrett, Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall, NJ</td>
<td>Jefferson Valley, NY</td>
<td>Newark, NJ</td>
</tr>
<tr>
<td>Integrity Roofing</td>
<td>Galia Construction</td>
<td>Patwood Contracting</td>
</tr>
<tr>
<td>Rahway, NJ</td>
<td>Totowa, NJ</td>
<td>Little Falls, NJ</td>
</tr>
<tr>
<td>CMD</td>
<td>MTB</td>
<td>Four R. Contracting LLC</td>
</tr>
<tr>
<td>Norcross, GA</td>
<td>Neptune City, NJ</td>
<td>Clifton, NJ</td>
</tr>
</tbody>
</table>

WHEREAS, it is the recommendation of Olga Garcia, City Engineer that the lowest responsible, responsive bidder, Laumar Roofing, Passaic, NJ be awarded the contract in the amount of $1,647,000.00.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Roof Replacement – Various Buildings be awarded to Laumar Roofing, Passaic, NJ in the amount of $1,647,000.00.

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 in Account # C-04-55-978-000-9RF.
Resolution No. 17-05-147
RESOLUTION AWARDING CONTRACT FOR REPLACEMENT SANITARY SEWER MANHOLE 10TH STREET PASSAIC, NJ

WHEREAS, proposals were received by the Director of Purchasing on Friday, May 19, 2017 for Replacement of Sanitary Sewer Manhole – 10th Street, Passaic, NJ; and

WHEREAS, proposals were received as per the attached; and

WHEREAS, proposals were received as per the attached, specifications were downloaded from the City of Passaic’s website, none of whom submitted proposals; and

Construct Connect CIS Delgado Brothers
Norcross, GA Kinnelon, NJ Passaic, NJ

WHEREAS, Your Way Construction of Irvington, NJ was the lowest, responsible, responsive bidder in the amount of $15,540.18; and

WHEREAS, it is the recommendation of Olga Garcia, City Engineer, that the proposal received from Your Way Construction of Irvington, NJ be awarded a contract in the amount of $15,540.18.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the proposal received on Friday, May 19, 2017 for Replacement Sanitary Sewer Manhole- 10th Street, Passaic, NJ be awarded to Your Way Construction of Irvington, NJ in the amount of $15,540.18.

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 CDBG 16 Acct. #B-12-41-BG5-932-9RD.

RESOLUTION# 17-05-148
RESOLUTION AWARDING CONTRACT FOR RESURFACING OF MONROE STREET CITY OF PASSAIC

WHEREAS, bids were received by the Director of Purchasing on Friday, May 19, 2017 for Resurfacing of Monroe Street; and

WHEREAS, bids were received as per the attached; and

WHEREAS, the lowest responsible, responsive bid was received from Your Way Construction, Irvington, NJ in the amount of $171,003.35; and

WHEREAS, it is the recommendation of Olga Garcia, City Engineer that the contract be awarded to Your Way Construction, Irvington, NJ in the amount of $171,003.35.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Resurfacing of Monroe Street be awarded to Your Way Construction, Irvington, NJ in the amount of $171,003.35.
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-12-41-BG5-932-9RD and B-12-42-BG6-968-9RD

RESOLUTION# 17-05-149

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>
<thead>
<tr>
<th>BLOCK</th>
<th>LOT</th>
<th>QUAL.</th>
<th>NAME</th>
<th>YEAR</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2160</td>
<td>22</td>
<td></td>
<td>Golden Title Agency for 39 Irving Pl</td>
<td>2017</td>
<td>$1,885.61</td>
</tr>
<tr>
<td>1327.01</td>
<td>8</td>
<td></td>
<td>Everbank for Glicksman, J</td>
<td>2017</td>
<td>$2,451.90</td>
</tr>
</tbody>
</table>

CITY OF PASSAIC

RESOLUTION#17-05-150

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>
</tr>
</thead>
<tbody>
<tr>
<td>1005</td>
<td>20</td>
<td></td>
<td>Bertone Piccini LLP for Polish Peoples Home</td>
<td>2016</td>
<td>$9,871.61</td>
</tr>
<tr>
<td>2147.01</td>
<td>42</td>
<td></td>
<td>McKirdy &amp; Riskin PA for Exchange Place LLC</td>
<td>2016</td>
<td>$3,415.15</td>
</tr>
</tbody>
</table>

RESOLUTION NO. 17-05-151

Whereas, the City of Passaic desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for $20,000 to carry out a project to provide inclusive recreational opportunities for individuals with developmental disabilities as part of Passaic’s
recreational programming to benefit developmentally disabled individuals from pre-school through adult.

Be it therefore RESOLVED,

1) that the CITY COUNCIL OF THE CITY OF PASSAIC does hereby authorize the application for such a grant; and,

2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between THE CITY OF PASSAIC and the New Jersey Department of Community Affairs; and

3) the CITY COUNCIL OF THE CITY OF PASSAIC authorizes the expenditure of the required 20% match for this grant opportunity.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

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

PAYMENT OF BILLS

On a motion by Councilman Love and seconded by Councilwoman Melo the PAYMENT OF BILLS were accepted and approved

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

ORDINANCE FOR INTRODUCTION AND FIRST READING:

Council President Schaer read said Ordinance by title.

CITY OF PASSAIC

ORDINANCE NO# 2107-17

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

WHEREAS the total number of Handicapped Parking Spaces Restricted by New Jersey License Plate Number as per last ordinance was 404 Handicapped Parking Spaces.

WHEREAS the total number of Handicapped Parking Spaces Restricted by New Jersey License Plate Number as per this ordinance is 400 Handicapped Parking Spaces.
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 I

295-32.2. Ord. Handicapped Parking Spaces Restricted by New Jersey License Plate Number shall be amended by the deletion of the following:

DELETION:

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
<th>PLATE #</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 Burgess Place</td>
<td>North</td>
<td>Beginning at a point 357 feet west of the westerly curbline of Lexington Avenue and extending to a point 25 feet westerly therefrom</td>
<td>S85GWR</td>
</tr>
<tr>
<td>231 Fourth Street</td>
<td>West</td>
<td>Beginning at a point 188 feet southerly from the southerly curbline of Virginia Avenue and extending to a point 22 feet southerly therefrom</td>
<td>UT498N</td>
</tr>
<tr>
<td>137 Gregory Avenue</td>
<td>South</td>
<td>Beginning at a point 225 feet west of the westerly curbline of Pennington Avenue and extending to a point 20 feet westerly therefrom</td>
<td>JMY17A</td>
</tr>
<tr>
<td>507 Harrison Street</td>
<td>South</td>
<td>Beginning at a point 264 feet west of the westerly curbline of Spruce Street and extending to a point 22 feet westerly therefrom</td>
<td>NPC33P</td>
</tr>
<tr>
<td>29-31 Howe Avenue</td>
<td>East</td>
<td>(Garden Street) Beginning at a point 131 feet south of the southerly curbline of Howe Avenue and extending to a point 25 feet southerly therefrom</td>
<td>YRJ92B</td>
</tr>
<tr>
<td>118 Jefferson Street</td>
<td>North</td>
<td>Beginning at a point 210 feet east of the easterly curbline of Hamilton Avenue and extending to a point 23 feet easterly therefrom</td>
<td>WNZ73P</td>
</tr>
<tr>
<td>3 Lucille Place</td>
<td>West</td>
<td>Beginning at a point 43 feet north of the northerly curbline of Madison Street and extending to a point 20 feet northerly therefrom</td>
<td>D38FNT</td>
</tr>
<tr>
<td>185 Parker Avenue</td>
<td>West</td>
<td>Beginning at a point 190 feet south of the southerly curbline of Highland Avenue and extending to a point 20 feet southerly therefrom</td>
<td>C94BRW</td>
</tr>
<tr>
<td>80 Passaic Avenue</td>
<td>North</td>
<td>Beginning at a point 132 feet west of the westerly curbline of Gregory Avenue and extending to a point 20 feet westerly therefrom</td>
<td>G85GZG</td>
</tr>
</tbody>
</table>
38 Summer Street North Beginning at a point 328 feet east of the easterly curbline of Central Avenue and extending to a point 22 feet easterly therefrom LLU28Z

SECTION 2

295-32.2. Ord. Handicapped Parking Spaces Restricted by New Jersey License Plate Number shall be amended by the addition of the following:

ADDITION:

<table>
<thead>
<tr>
<th>NAME OF STREET</th>
<th>SIDE</th>
<th>LOCATION</th>
<th>PLATE #</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 Burgess Place</td>
<td>North</td>
<td>Beginning at a point 357 feet west of the westerly curbline of Lexington Avenue and extending to a point 25 feet westerly therefrom</td>
<td>7033HD</td>
</tr>
<tr>
<td>29-31 Howe Avenue</td>
<td>East</td>
<td>(Garden Street) Beginning at a point 142 feet south of the southerly curbline of Howe Avenue and extending to a point 22 feet southerly therefrom</td>
<td>YRJ92B</td>
</tr>
<tr>
<td>118 Jefferson Street</td>
<td>North</td>
<td>Beginning at a point 210 feet east of the easterly curbline of Hamilton Avenue and extending to a point 23 feet easterly therefrom</td>
<td>Z49HUV</td>
</tr>
<tr>
<td>3 Lucille Place</td>
<td>West</td>
<td>Beginning at a point 43 feet north of the northerly curbline of Madison Street and extending to a point 20 feet northerly therefrom</td>
<td>JYU44S</td>
</tr>
<tr>
<td>80 Passaic Avenue</td>
<td>North</td>
<td>Beginning at a point 132 feet west of the westerly curbline of Gregory Avenue and extending to a point 20 feet westerly therefrom</td>
<td>D99HSP</td>
</tr>
<tr>
<td>38 Summer Street</td>
<td>North</td>
<td>Beginning at a point 328 feet east of the easterly curbline of Central Avenue and extending to a point 22 feet easterly therefrom</td>
<td>W95HTV</td>
</tr>
</tbody>
</table>

Councilwoman Polanco moved the Ordinance be approved on first reading. Motion was seconded by Councilman Garcia the public hearing be held on June 13, 2017.

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

At this point in the meeting the Council took a 3 to 4 minute Recess

On a motion by Councilwoman Polanco and seconded by Councilman Garcia to reconvene the meeting
ROLL CALL
AYES: Love, Melo, Polanco, Garcia, CP Schaer
ABSENT: Munk, Schwartz

HEARING Item No. 29 (continued from May 11, 2017 Council Meeting)

LITTLE STEPS TO SUCCESS OF PASSAIC CORP. 365 MAIN AVENUE, SUBMITTING APPLICATION TO HAVE A LOADING OR UNLOADING OF PASSENGERS AT CERTAIN LOCATIONS AND DURING CERTAIN HOURS

Council President in the Chair

At this point in the meeting a continuation of May 11, 2017 Council meeting was held regarding:

Little Steps to success of Passaic Corp. 365 Main Avenue application to have a Loading Zone or Unloading of Passengers

PRESENT: Mr. Chris Harriott, City Counsel for the City of Passaic, and Mr. Vishnu N. Khemraj, Attorney of behalf of Little Steps to Success of Passaic Corp., 365 Main Avenue applicant

Council President Schaer stated this meeting was postponed from The last meeting without prejudice to allow for Mr. Khemraj, attorney to provide additional information in which this Council Could better be able to make a decision regarding this matter

Mr. Khemraj stated that they are seeking an application to have a Loading Zone or Unloading of Passengers at 365 Main Avenue and during certain hours pursuant to sub section 295-36.1 The question was whether the applicant was a school and at this juncture we have done some investigation in good faith I don’t think we can suggest to the Council that we are a school.

However I do want to draw the Council’s member attention to the actual wording of any other place of public assembly with the intent of the drafter to not only limit this to a school, I understand that the two current locations that have the no parking under this provision are schools. Our position before this Council is we are certain a place of public assembly in the plain reading of these words within this ordinance. This ordinance is applicable to us. We are simply requesting a no parking from 6:00 a.m to 9:30 a.m. and 3:00 p.m. to 6:00 p.m.

Council President asked for clarity on the request whether you here requesting a no parking or loading zone for unloading and loading during those specific hours.

Mr. Khemraj responded requesting the unloading and loading of these specific hours. We believe that having a day care center is a place of public assembly therefore this Council should recognize that, also the location is adjacent to where the Day Care facility will be , therefore this ordinance is applicable, We have also done a traffic study to show that there will still be parking available at this location, there will only be two parking spaces eliminated.
Council President asked Mr. Khemraj to please deal with specifically the discussion in terms of school and public assembly.

Mr. Harriot, on behalf of City stated that although is the Council’s determination to make, I will not agree that the applicant meets the definition of a place of public assembly, according to the state statute it states for public assembly that the entrance of a school, church, theatre or hospital or any other place of public assembly. This language gives you a content of what is meant by public assembly. The Planners hand book gives the definition of Public Assembly area as any area where large number of individuals collect to participate or to observe programs of participation such as auditoriums, stadiums, gymnasiums, or comparable facilities under different names such for example field house, banquet rooms, or theaters, a day care center does not fall under this scope.

Based on the arguments obtained at the last meeting by the applicant it does not meet the definition of a school and thus is will not be eligible for loading zone to load and unload under 295-36.1

Council President Schaer, asked Mr. Khemraj to share regarding the last meeting information given that you that there were other municipalities which had been granted a loading zone for a day care center.

Mr. Khemraj stated that after his investigation was not able to find another municipality with this information, but I was able to locate a day care center here in Passaic that has a no parking in front of their facility. My understating is based on the statute that within 25 feet of a crosswalk no one can park, however there is a specifically designated painted area stating no parking.

Mr. Christopher Harriott, stated that this is a Day Care Center located at Harrison and Central, it is not a loading or unloading zone and it is not a no parking zone as designated by any City Ordinance. This is based on the state statute, which requires that there be no parking 25 feet back from a crosswalk or the end of a curb.

It was the consensus of the Council to deny the application
On a motion by Councilwoman Polanco seconded by Councilwoman Melo to deny application

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

There being no further business to come before the Council on a motion by Councilman Love and seconded by Councilwoman Polanco the meeting was adjourned at 8:25 p.m.

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