



Passaic City Council
March 3, 2020 Minutes

**WORK-SESSION WAS HELD ON TUESDAY, MARCH 3, 2020 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:

**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 6, 2019 SETTING
FORTH THE SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2019-
2020, SAID NOTICE WAS PUBLISHED AND POSTED ON THE CITY
HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK**

ROLL CALL

AYES: Munk, Love, Patel, Schwartz, CP Schaer

ABSENT: Garcia, Melo

ALSO PRESENT: Hector C. Lora, Mayor, Ricardo Fernandez,
Business Administrator, Christian M. Hibinski, Esq., City
Attorney

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

Upon motion made by Council Member Patel and seconded by
Council Member Schwartz the following RESOLUTION WAS
OFFERED FOR ADOPTION

**CITY OF PASSAIC
RESOLUTION NO. 20-03-060WS**

**RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF
THE CITY COUNCIL OF PASSAIC ON PASSAIC ON MARCH 3,
2020 AT 5:30 PM OR ANYTIME THEREAFTER TO DISCUSS
PENDING LITIGATION, CONTRACT NEGOTIATIONS AND
PERSONNEL MATTERS**

**RE: PENDING LITIGATION PERTAINING TO AGENDA ITEM NO. 38
(191 PENNINGTON AVE) AND SETTLEMENT AGREEMENT/
PERSONNEL MATTERS**

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 exists:

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.

ROLL CALL

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

Upon motion made by Councilman Love and seconded by Councilman Patel the meeting reconvened.

ROLL CALL

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

Upon motion made by Council Member Love and seconded by Council Member Schwartz the following RESOLUTION WAS OFFERED FOR ADOPTION

CITY OF PASSAIC
RESOLUTION NO. 20-03-061WS

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON PASSAIC ON MARCH 3, 2020 AT 5:30 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS

RE: General Welfare of Residents

ON CALL OF THE ROLL THE FOLLOWING COUNCIL MEMBERS RESPONDED:

ROLL CALL

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

ALSO PRESENT: Hector C. Lora, Mayor, Ricardo Fernandez, Business Administrator, Christian M. Hibinski, Esq., City Attorney

Invocation was rendered by Hon. Hector C. Lora, Mayor followed by the Pledge of Allegiance.

Council President in the chair:

PROCLAMATIONS & RECOGNITIONS:

Hon. Hector C. Lora, Mayor presented a proclamation to the following:

- RED CROSS PROCLAMATION

MINUTES

Council Meeting Minutes for February 18, 2020, submitted for approval.

Upon motion made by Council Member Munk and seconded by Council Member Love the aforementioned meeting minutes were approved.

ROLL CALL

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

PASSAIC COUNTY OPEN SPACE TRUST FUND PUBLIC HEARING:
(Grant Hearing Ad Published on February 2, 2020

The Mayor and the City Council of the City of Passaic will hold a public hearing on March 3, 2020 at 7:00 P.M. during the regularly scheduled City Council meeting. The purpose of this hearing is to obtain public comment on a grant application to be submitted by the City of Passaic to the Passaic County Open Space Trust Fund. This application proposes a full reconstruction of the Historic 100 Steps located within Latona Griffin Park. The meeting will take place in City Hall Council Chambers, located at 330 Passaic

Street, Passaic, NJ 07055. The City of Passaic Administration will make a brief presentation followed by a question-and-answer period. All residents are encouraged to attend and participate.

Motion made by Council Member Love and seconded by Council Member Schwartz to open Public Space Hearing:

ROLL CALL

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

After ample opportunity given and no one responding on a motion by Council Member Munk and seconded by Council Member Schwartz the public portion of the meeting was adjourned.

ROLL CALL

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

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, the City Council will not entertain any comments from persons who communicate obscene material, make statements which are considered bias intimidation in which any person attempts to intimidate any individual or group because of race, color, religion, handicap, sexual orientation or ethnicity or makes personally offensive or abusive, defamatory or profane comments, comments intending to harass or speak any offensive or abusive language. The person who makes these statements will relinquish their allotted five minutes for public discussion.

Steve Siklosi, 23 Orchard Street

- Regarding item no. 11: What is the comparison of the numbers between this year and last year?
- Regarding item no. 23 & 24: Why are the bids being rejected?
- Regarding item no. 30 & 31: Explain the purpose of the resolutions.

- Regarding item no. 37: Will the ordinance start with a trial period or be in full effect? What areas in town will be affected?

Evan Garcia, 65 Blane Street

- Census questionnaires will be mailed out between March 12 and March 20. Please ensure we all fill them out. The data given to the census will be private and help the state and city acquire funding and state representation. The census will have kiosks and personnel to assist with filling out census applications and schools and churches.

Council President Schaer stepped down the dais at 7:41 p.m.

Council President Schaer took a seat on the dais at 7:44 p.m.

Howard Pujols, 245 Hope Ave

- He is happy the city is rebuilding the 100 steps area.
- Parking ordinance no. 37: What is the difference between the "in lieu of parking?"
- Will parking permit be ratified into city code?
- What is the fee for residential parking? How long is the pilot program and will it be a citywide?

Councilman Munk stepped down the dais at 7:51 p.m.

Luis Santiago – 10 Orchard Street

- Regarding item no. 37, Is this a short-term pilot permit? He lives near Main Avenue where many commuters use residential parking. He questions why permit parking is not being implemented citywide. He wants to know if the city can implement commuter parking.

After ample opportunity given and no one else responding on a motion by Council Member Love and seconded by Council Member Schwartz the public portion of the meeting was adjourned.

ROLL CALL

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

ORDINANCES 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. 2254-20

**ORDINANCE AMENDING THE CITY CODE OF THE CITY OF
PASSAIC CHAPTER 143 "FLOOD DAMAGE PREVENTION"**

Council Member Schwartz moved a public hearing to be held on Ordinance. Motion was seconded by Council Member Love, 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, Patel, Garcia, Schwartz, CP Schaer

ABSENT: Munk, Garcia, Melo

After ample opportunity given and no one else responding, on a motion by Council Member Love and seconded by Council Member Schwartz the public portion of the meeting was closed

ROLL CALL

AYES: Love, Patel, Garcia, Schwartz, CP Schaer

ABSENT: Munk, Garcia, Melo

Council Member Love moved the ordinance be adopted on second reading and final passage which motion was seconded by Council Member Patel and adopted upon a call of the roll.

ROLL CALL

AYES: Love, Patel, Garcia, Schwartz, CP Schaer

ABSENT: Munk, Garcia, Melo

COMMUNICATIONS AND PETITIONS:

On a motion by Council Member Love and seconded by Council Member Patel the following communication was received placed on file and approval granted

Amada D. Curling, City Clerk, submitting Raffle License application for the following organization:

- Our Lady of Fatima Roman Catholic Church, 32 Exchange Place

Lajas Civic Club, 37 Market Street, submitting application to renew their Entertainment License for the year 2020.

Rosas Sport Bar, LLC, 317 Broadway, submitting application to renew their Entertainment License for the year 2020.

Dona Maria Restaurant, 32 Bergen St., submitting application to renew their Entertainment License for the year 2020.

Rana Samaj USA, 53 Prospect Street, submitting application to hold a Holi Festival of Colors, in Third Ward Park, on March 15, 2020 from 10:00 a.m. to 3:00 p.m. (Rain Date: March 22, 2020) (Contingent Upon Departmental Approvals)

City of Passaic (Administration), 330 Passaic Street, submitting application to hold a Street Naming Ceremony, at the corners Summer Street and Central Avenue, on March 21, 2020 from 10:00 a.m. to 11:00 a.m. (Mayor's Request City Council Resolution No. 19-12-337) (Contingent Upon Departmental Approvals)

Our Lady of Fatima R.C. Church, 32 Exchange Place, submitting application to hold a Religious Procession on April 10, 2020 from 11:30 a.m. to 1:30 p.m. The Procession will commence at Passaic City Hall travel to Prospect Street to Park Place to ending at 32 Exchange Place (Contingent Upon Departmental Approvals)

St. Anthony of Padua, 101-103 Myrtle Avenue, submitting application to hold Religious Procession, on July 20, 2020 from 8:00 p.m. to 9:15 p.m. The Procession will commence on the corners of Oak Street and Myrtle Avenue travel to Gregory Avenue to Monroe Street to Myrtle Avenue ending on the corners of Oak Street and Myrtle Avenue. (Contingent Upon Departmental

ROLL CALL

AYES: Love, Patel, Garcia, Schwartz, CP Schaer

ABSENT: Munk, Garcia, Melo

ALL MATTERS LISTED HEREUNDER ARE CONSIDERED ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION ANY COUNCIL MEMBER MAY REQUEST THAT AN ITEM BE REMOVED FOR SEPARATE CONSIDERATION.

On a motion by Council Member Love and seconded by Council Member Patel the following communications and petitions were received placed on file and approval granted

Hon. Hector C. Lora, Mayor, submitting the following Proclamations:

- Comité Internacionalde Guamenses Ausentes
- Lucretia C. Holmes (Title Only)
- Deaconess Dorothy L. Smith (Title Only)
- Ressie Boulware (Title Only)
- Deputy Mayor Minnie E. Hiller (Title Only)
- Deaconess Jewerlean Riddick (Title Only)
- Joseph Martin Griffin (Title Only)
- Samuel C. Latona (Title Only)

Passaic Municipal Court, submitting their Monthly Report for January 2020

Zoning Board of the City of Passaic submitting the following:

- Agenda of their February 25, 2020 meeting
- Notice Cancelling their February 25, 2020 meeting

Passaic Board of Education, submitting the following:

- Notice changing the location of their February 24, 2020 meeting
- Notice of their March 2, 2020 special meeting

North Jersey District Water Supply Commission, submitting notice and agenda of their February 26, 2020 meeting.

New Department of Environmental Protection, submitting correspondence re: Soil Remedial Action Permit, Site: City Motor Sales Co. Inc. t/a Garden State Honda, 225 River Drive, Passaic, NJ-Soil Remedial Action Permit No. RAP 190002

Passaic Valley Water commission, submitting the following:

- Agenda of their February 19, 2020

Parking Authority of the City of Passaic, submitting notice cancelling their February 19, 2020 meeting

Alcoholic Beverage Control Board of the City of Passaic, submitting the following:

- Minutes of their December 12, 2019 meeting
- Minutes of their January 16, 2020 meeting
- Agenda of their February 20, 2020 meeting

ROLL CALL

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

RESOLUTIONS:

THE FOLLOWING ITEMS WERE VOTED ON BY ONE MOTION

On a motion by Council Member Love and seconded by Council Member Schwartz the following RESOLUTION WAS OFFERED FOR ADOPTION

**CITY OF PASSAIC
RESOLUTION #20-03-062**

**RESOLUTION DIRECTING A RECOMMENDATION FROM THE
PASSAIC CITY PLANNING BOARD REGARDING BLOCK 2180, LOT
27 (135 SUMMER STREET) AS AN AREA IN NEED OF
REDEVELOPMENT/REHABILITATION**

WHEREAS, it has been determined by the planning officials of the City of Passaic that certain properties located at 135 Summer Street (Block 2180, Lot 27) in the City of Passaic qualify as an area in need of redevelopment/rehabilitation under the conditions for determination for redevelopment/rehabilitation in N.J.S.A. 40:12A-14; and

WHEREAS, those conditions are that: (1) a program of rehabilitation is expected to prevent further deterioration and promote the overall development of the community; and (2) the designation will prevent vacancy of properties; and, (3) to prevent the deterioration which would accompany any vacancy; and

WHEREAS, this designation as an area in need of redevelopment/rehabilitation is not intended to confer the power of condemnation; and

WHEREAS, the City of Passaic is encouraging the redevelopment/rehabilitation of the aforementioned properties; and

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

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic refers to the Planning Board of the City of Passaic, this matter directing a recommendation after an Investigation on Designating Block 2180, Lot 27, (135 Summer Street), as an Area in Need of Redevelopment/Rehabilitation.

CITY OF PASSAIC
RESOLUTION# 20-03-063

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS

WHEREAS, the tax office has received an overpayment on the below mentioned property from the property owners in the amount of **\$3,333.20**

WHEREAS, the property owner has submitted a written request to refund the overpaid amounts of **\$3,333.20** directly back 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) and for the Tax Collector to adjust her records accordingly:

BLOCK	LOT	PROPERTY	NAME	YEAR	AMOUNT
3300.02	1.02	370 High Street	Hatzolah of Passaic Clifton EMS	2020	\$3,333.20

CITY OF PASSAIC
RESOLUTION #20-03-064

RESOLUTION AWARDING CONTRACT
FOR FURNISHING OF CONCESSION SERVICES
THIRD WARD MEMORIAL PARK
PASSAIC, NJ

WHEREAS, proposals were received by the Director of Purchasing on February 19, 2020 for Furnishing of Concession Services Third Ward Memorial Park; 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, a proposal was received from Francisco Lozano of Lincoln Park, NJ; and

WHEREAS, the minimum bid for this service is \$350.00/month; and

WHEREAS, Francisco Lozano has offered a \$350.00/month rental fee to be paid to the City of Passaic for the operation of the concession stand; and

WHEREAS, it is the recommendation of the evaluation committee, that the contract be awarded to Francisco Lozano of Lincoln Park, NJ in the amount of \$ 350.00/month with a 3% increase each year after the first year for a five (5) year period with the option to extend the contract for an additional five (5) year term with the same terms and conditions.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the proposal for Furnishing of Concession Services Third Ward Memorial Park be awarded to Francisco Lozano of Lincoln Park, NJ in the amount of \$ 350.00/month with a 3% increase each year after the first year for a five (5) year period with the option to extend the contract for an additional five (5) year term with the same terms and conditions.

CITY OF PASSAIC
RESOLUTION NO. 20-03-065

RESOLUTION REJECTING BIDS FOR
MARKETING OF RECYCLABLE MATERIALS
CITY OF PASSAIC

WHEREAS, the Director of Purchasing received bids on Wednesday, February 5, 2020 for Marketing of Recyclable Materials; and

WHEREAS, a bid was received from Atlantic Coast Fibers of Passaic, NJ; and

WHEREAS, Atlantic Coast Fiber of Passaic, NJ did not submit the required proposal form, therefore their bid is deemed non responsive and must be rejected; and

WHEREAS, the specifications have to be revised to reflect today's market trend; and

WHEREAS, in addition to the above, specifications were downloaded from the City of Passaic's website, none of which submitted bids:

Prime Vendor Wilmington, NC	Shay Enterprise Tacoma, WA	Sims Municipal Recycling Jersey City, NJ
Lima & Lima Dover, DE	Schools Wholesale Supplies Nashville, TN	Gaeta Recycling Co. Paterson, NJ

WHEREAS, it is the recommendation of Christian Butler, Recycling Coordinator, that this bid be rejected and the specifications revised.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the bid received on Wednesday, February 5, 2020 for Marketing of Recyclable Materials be rejected and the specifications revised.

CITY OF PASSAIC
RESOLUTION NO. 20-03-066

**RESOLUTION REJECTING BIDS FOR SOLID WASTE TIPPING FEES
(DISPOSAL OF GARBAGE AND BULKY WASTE)**
CITY OF PASSAIC

WHEREAS, the Director of Purchasing received bids on Wednesday, February 12, 2020 for Solid Waste Tipping Fees; and

WHEREAS, bids were received as per the attached: and

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

Gaeta Recycling
Paterson, NJ

Prime Vendor
Wilmington, NC

Raftelis
Charlotte, NC

WHEREAS, the City of Passaic has determined that it is necessary to modify the bid specifications separating Housing Authority's cost for disposal of garbage and bulky waste from the base bid and adding their cost as an option.

WHEREAS, it is the recommendation of Chris Butler, Recycling Coordinator that this bid be rejected and the specifications revised.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the bid received on Wednesday, February 12, 2020 for Solid Waste Tipping Fees be rejected and the specifications revised.

CITY OF PASSAIC
RESOLUTION NO. 20-03-067

**RESOLUTION AWARDING CONTRACTS FOR
RECREATION SPORTS EQUIPMENT & SUPPLIES
YEAR 2020-2021**

WHEREAS, bids were received by the Director of Purchasing on Thursday, February 6, 2020 for Recreation Sports Equipment & Supplies, Year 2020-2021; and

WHEREAS, bids were received as per the attached; and

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

SK Designs
Totowa, NJ

Stitches & Screens
Atlantic Beach, FL

S & S Worldwide
Colchester, CT

MFAC, LLC
West Warwick RI

EJG Sports
Hasbrouck Heights, NJ

Dot Designing
Monroe Twp., NJ

Triple Crown Sports
Old Bridge, NJ

All American Poly
Piscataway, NJ

Prime Vendor
Wilmington, NC

Performance Health Supply
Amherst, NY

School Specialty
Lancaster, PA

Designed for Fun
Warminster, PA

WHEREAS, it is the recommendation of Sam A. Beeler, Director of Human Services that the lowest responsible, responsive bidders, Riddell/All American of North Ridgeville, OH in the amount of \$5,932.75; R & R Trophy & Sporting Goods of North Arlington, NJ in the amount of \$6,192.94; BSN Sports of Jenkintown, PA in the amount of \$38,555.52 and Pyramid School Products in the amount of \$3,674.40 be awarded contracts in an aggregate amount of \$54,355.61.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the contract for Recreation Sports Equipment & Supplies - Year 2020-2021 be awarded to the above in an aggregate amount of \$54,355.61.

BE IT FURTHER RESOLVED that the City of Passaic has made no commitment to purchase the total aggregated amount. This contract will be ordered on an as needed basis.

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

CERTIFICATION OF FUNDS

Funds for the above are available in Recreation Acct. #0-01-28-370-000-065 and CDBG Multi Sport Program B-12-45-BG9-121-868. Funds for the subsequent budgets are available, providing that those budgets are approved by the governing body.

**CITY OF PASSAIC
RESOLUTION NO. 20-03-068**

**RESOLUTION AWARDING CONTRACTS FOR
RECREATION UNIFORMS
YEAR 2020-2021**

WHEREAS, bids were received by the Director of Purchasing on Friday, February 7, 2020 for Recreation Uniforms Year 2020-2021; and

WHEREAS, bids were received as per the attached; and

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

SP Designs Cape Coral, FL	Premium Custom Solutions Reno, NV	Cris Supplies Allentown, NJ
EJG Sports Hasbrouck Heights, NJ	SK Designs & Printing Totowa, NJ	Prime Vendor Wilmington, NC
Great Armadillo Printing Amarillo, TX	Shay Enterprise Tacoma, WA	Atlantic Beach, FL
Eagle Group Columbus, IN		

WHEREAS, it is the recommendation of Sam A. Beeler, Director of Human Services that the lowest responsible, responsive bidders, Dot Designing of Monroe Township in the amount of \$10,855.10; R&R Trophy & Sporting Goods of North Arlington, NJ in the amount of \$14,314.40; Riddle/All American of N. Ridgeville, OH in the amount of \$7,382.80 and BSN Sports of Jenkintown, PA in the amount of \$34,885.00 be awarded contracts for an aggregate amount of \$67,437.30

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the contract for Recreation Uniforms - Year 2020-2021 be awarded to the above in an aggregate amount of \$67,437.30.

BE IT FURTHER RESOLVED that the City of Passaic has made no commitment to purchase the total aggregated amount. This contract will be ordered on an as needed basis.

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

CERTIFICATION OF FUNDS

Funds for the above are available in Recreation Acct. #0-01-28-370-000-065 and CDBG Multi Sport Program B-12-45-BG9-121-868. Funds for the subsequent budgets are available, providing that those budgets are approved by the governing body.

CITY OF PASSAIC
RESOLUTION# 20-03-069

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS

WHEREAS, the tax office has received an overpayment on the below mentioned property from the lienholder of certificate No. 19-00011 in the amount of **\$100.00** property known as Block 1035 Lot 7 also known as 161 Passaic St.

WHEREAS, the lienholder has submitted a written request to refund the overpaid amounts of **\$100.00** directly back 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) and for the Tax Collector to adjust her records accordingly:

BLOCK	LOT	PROPERTY	Lienholder's Name & Address	YEAR	AMOUNT
1035/7		161 Passaic St.	ATCF II NJ LLC, Tax Service P.O. Box 54972 New Orleans, LA 70154	2020	\$100.00

CITY OF PASSAIC
RESOLUTION# 20-03-070

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS
RESULTING FROM TAX COURT JUDGMENTS

WHEREAS, the Tax Court of New Jersey based on judgments from a rendered decision entered on 1/18/2020 for Block: 4120 Lot 1, also known as: 36 Central Ave., Passaic, NJ, property owner: Lefcourt Associates, LTD; reduced the assessed value on the property from \$2,788,300 to \$2,615,300 for tax year 2018;

WHEREAS, the above mentioned property, based on same judgment entered from the Tax Court of New Jersey, have overpaid their taxes for 2018;

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 and for the Tax Collector to adjust her records accordingly;

BLOCK/LOT	PROPERTY	OWNER	TAX YEAR	REFUND DUE
4120/1	36 Central Ave.	Lefcourt Associates, LTD 516 Sylvan Ave. Englewood Cliffs, NJ 07632	2018	\$6,224.54

CITY OF PASSAIC
RESOLUTION #20-03-071

**RESOLUTION DIRECTING A RECOMMENDATION FROM THE
PASSAIC CITY PLANNING BOARD REGARDING BLOCK 4059,
LOTS 15, 16, AND 17 (196- 200 DAYTON AVENUE) AS AN
AREA IN NEED OF REDEVELOPMENT/REHABILITATION**

WHEREAS, it has been determined by the planning officials of the City of Passaic that certain properties located at 196-200 Dayton Avenue (Block 4059, Lot 15, 16 & 17) in the City of Passaic qualify as an area in need of redevelopment/rehabilitation under the conditions for determination for redevelopment/rehabilitation in N.J.S.A. 40:12A-14; and

WHEREAS, those conditions are that: (1) a program of rehabilitation is expected to prevent further deterioration and promote the overall development of the community; and (2) the designation will prevent vacancy of properties; and, (3) to prevent the deterioration which would accompany any vacancy; and

WHEREAS, this designation as an area in need of redevelopment/rehabilitation is not intended to confer the power of condemnation; and

WHEREAS, the City of Passaic is encouraging the redevelopment/rehabilitation of the aforementioned properties; and

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

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic refers to the Planning Board of the City of Passaic, this matter directing a recommendation after an Investigation on Designating Block 4059, Lots 15, 16 and 17, (196 - 200 Dayton Avenue), as an Area in Need of Redevelopment/Rehabilitation.

CITY OF PASSAIC
RESOLUTION NO. 20-03-072

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR THE PASSAIC COUNTY DIG IN! RETURNING APPLICANTS
POLLINATOR HABITAT GARDEN GRANTS PROGRAM**

WHEREAS, the City of Passaic wishes to submit an application for the Passaic County Dig In! Returning Applicants Pollinator Habitat Garden Grants Program ("Program"); and

WHEREAS, through the Program, Passaic County and City Green will support organizations that are enhancing community pollinator gardens; and

WHEREAS, eligible expenses include perennial plants, hoses, and soil amendments; and

WHEREAS, at least 75% of the award must be used to purchase plant material; and

WHEREAS, grant funds cannot be used to buy annual plants; and

WHEREAS, gardens must be highly visible to the public and provide an identifiable, positive impact to the neighborhood; and

WHEREAS, the City of Passaic is eligible to apply for funding through this Program; and

WHEREAS, the City of Passaic wishes to apply for the maximum grant award being allotted through this Program; and

WHEREAS, this Program shall not require any matching contribution from the City of Passaic.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the City of Passaic is hereby authorized to submit an application for the Passaic County Dig In! Returning Applicants Pollinator Habitat Garden Grants Program for the funding of greening and beautification projects; and

BE IT FURTHER RESOLVED, that the Mayor, City Clerk and Department of Public Works are hereby authorized and directed to execute any documents and/or undertake any and all such actions necessary to effectuate the purpose of this Resolution.

CITY OF PASSAIC
RESOLUTION NO. 20-03-073

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR THE UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY
ORIENTED POLICING SERVICES HIRING PROGRAM**

WHEREAS, the City of Passaic Police Department wishes to submit an application for grant funding through the United States Department of Justice Community Oriented Policing Services Program ("Program"); and

WHEREAS, the goal of the Program is to increase state and local law enforcement agencies' ability to implement community policing strategies and crime prevention efforts by hiring new and/or rehired officers and increasing capacity; and

WHEREAS, the Program grant covers 75% of the approved entry-level salary and fringe benefits over three years for up to \$125,000.00; and

WHEREAS, the City of Passaic must retain hired officers for a period of twelve months after the three years of federal funding has expired; and

WHEREAS, a 25% cash match shall be required by the City of Passaic; and

WHEREAS, the hiring of additional officers shall enhance public safety throughout the City of Passaic; and

WHEREAS, as a municipal law enforcement agency, the City of Passaic Police Department is eligible to apply for funding through this Program; and

WHEREAS, the City of Passaic Police Department wishes to apply for the maximum grant award being allotted through this Program.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the City of Passaic Police Department is hereby authorized to submit an application for the United States Department of Justice Community Oriented Policing Services Hiring Program; and

BE IT FURTHER RESOLVED, that the Mayor, City Clerk, and Chief of Police are hereby authorized and directed to execute any documents and/or undertake any and all such actions necessary to effectuate the purpose of this Resolution.

CITY OF PASSAIC
RESOLUTION NO. 20-03-074

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR THE SNY PLAY BALL AND NEW YORK METS BASEBALL AND
SOFTBALL PROGRAM**

WHEREAS, the City of Passaic Department of Recreation wishes to submit an application for grant funding through the SNY Play Ball and New York Mets Baseball and Softball Program ("Program"); and

WHEREAS, through their Baseball and Softball Program, SNY Play Ball and the New York Mets are supporting baseball and softball sports leagues for children ages six through twelve; and

WHEREAS, the City of Passaic seeks to promote youth sports within the City;

WHEREAS, as a municipal recreation department within Passaic County, the City of Passaic Department of Recreation is eligible to apply for funding through this Program; and

WHEREAS, the City of Passaic wishes to apply for the maximum grant award being allotted through this Program; and

WHEREAS, this Program shall not require any matching contribution from the City of Passaic.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the City of Passaic is hereby authorized to submit an application for the SNY Play Ball and New York Mets Baseball and Softball Program for the promotion of youth baseball and softball programs; and

BE IT FURTHER RESOLVED, that the Mayor, City Clerk and Department of Recreation are hereby authorized and directed to execute any documents and/or undertake any and all such actions necessary to effectuate the purpose of this Resolution.

CITY OF PASSAIC
RESOLUTION NO. 20-03-075

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF
PASSAIC AND PASSAIC COUNTY HEALTH DEPARTMENT FOR
COUNTY ENVIRONMENTAL HEALTH ACT (CEHA) PROGRAM**

WHEREAS, the City of Passaic, having an office at 330 Passaic Street, Passaic, New Jersey, 07055 ("City"), wishes to enter into an Agreement for the County Environmental Health Act program ("Agreement") with the Passaic County Health Department, having an office at 18 Clark Street, Paterson, New Jersey 07505 ("PCDH"); and

WHEREAS, pursuant to N.J.S.A. 26:3A2-21 et seq. the County of Passaic is obligated to provide a County Environmental Health Act (CEHA) program through its County

Department of Health for the control of air, water, noise, solid waste and hazardous materials pollution; and

WHEREAS, the PCDH's Health Officer, pursuant to N.J.S.A. 26:3A2-1 et seq. and N.J.S.A. 26:3A2-21 et seq. serves as the Chief Administrative, Enforcement and Fiscal Officer for Passaic County's certified CEHA program, and requires a sufficient staff of qualified employees to carry out programs such as air, noise and solid waste pollution control services within the County pursuant to applicable laws and regulations and the PCDH's Certified CEHA Work Program; and

WHEREAS, the City of Passaic shall have trained personnel qualified to carry out a hazardous material emergency response program in accordance with the PCDH's Certified Work Program; and

WHEREAS, this Agreement has been established in accordance with N.J.S.A. 26:3A2-21 et seq. and N.J.S.A. 40:8A-1 et seq. and the consent of the Board of Chosen Freeholders pursuant to Resolution R-2015-0962 of December 30, 2015 has been given to the Passaic County Health Officer to enter into this Agreement with the City of Passaic for the terms and conditions as set forth in the Agreement attached hereto; and

WHEREAS, the City and the PCDH have set forth their intentions within the attached Agreement and mutually agree to the terms therein.

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 the attached Agreement with the Passaic County Health Department subject to the terms and conditions thereof; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the Agreement attached hereto; and

BE IT FURTHER RESOLVED, that copies of this Resolution and a copy of the executed Agreement shall be forwarded to the Passaic County Health Department.

RESOLUTION NO. 20-03-076

**RESOLUTION AUTHORIZING RELEASE OF CLOSED/EXECUTIVE
SESSION MINUTES OF CITY OF PASSAIC CITY COUNCIL MEETINGS
FOR CALENDAR YEAR 2019**

WHEREAS, from time to time, the City Council of the City of Passaic conducts closed/executive sessions, pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., to discuss matters of personnel, matters of individual privacy, matters of negotiation, matters of litigation or potential litigation or matters otherwise involving attorney-client communications and/or other matters required by law to be kept confidential; and

WHEREAS, the Open Public Meetings Act (OPMA) provides that the minutes of said closed/executive sessions shall remain confidential and exempt from production until such time that the need for confidentiality no longer exists; and

WHEREAS, the City Attorney has reviewed the minutes of closed/executive sessions for the year 2019 and has determined that the attached minutes of City Council of the City of Passaic closed/executive sessions for the Calendar Year 2019 are suitable for release to the public, subject to certain redactions as the need for confidentiality continues to exist.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the attached minutes of City Council of the City of Passaic closed/executive sessions for the year 2019 are approved for publication as set forth herein.

**CITY OF PASSAIC
RESOLUTION NO.20-03-077**

**RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE CITY OF
PASSAIC AND THE CITY OF PATERSON DEPARTMENT OF HEALTH
AND HUMAN SERVICES, DIVISION OF HEALTH FOR
TUBERCULOSIS CONTROL SERVICES 2020**

WHEREAS, the City of Passaic, having an office at 330 Passaic Street, Passaic, New Jersey, 07055 ("Passaic"), wishes to enter into an Agreement for the furnishing of Tuberculosis Control Services of a technical and professional nature ("Agreement") with the City of Paterson, Department of Health and Human Services, Division of Health, 176 Broadway, Paterson, New Jersey 07505 ("Paterson") pursuant to N.J.S.A. 26:3A2-1 et seq., N.J.S.A. 40A:65-1 et seq., and N.J.A.C. 8:57-5; and

WHEREAS, public health services are administered in the City of Passaic by the City Council through an Advisory

Board of Health or Health Authority as prescribed by N.J.S.A. 26:3-1; and

WHEREAS, the duration of this Agreement shall be from January 1, 2020 through December 31, 2020; and

WHEREAS, The City Paterson, as the recipient of a grant from the New Jersey Department of Health to provide tuberculosis control services to the County of Passaic, shall provide tuberculosis control services to the City of Passaic subject to the terms and conditions of the Agreement attached hereto.

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 the attached Agreement with the City of Paterson Department of Health and Human Services, Division of Health subject to the terms and conditions thereof; and

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute the Agreement attached hereto; and

BE IT FURTHER RESOLVED, that copies of this Resolution and a copy of the executed Agreement shall be forwarded to the City of Paterson, Department of Health and Human Services, Division of Health.

ROLL CALL

AYES: Love, Patel, Garcia, Schwartz, CP Schaer

ABSENT: Munk, Garcia, Melo

ORDINANCE FOR INTRODUCTION AND FIRST READING:

Council President Schaer read said Ordinance by title.

**CITY OF PASSAIC
ORDINANCE NO. 2255-20**

**ORDINANCE AMENDING THE DESIGNATION OF
RESTRICTED PARKING FOR DISABLED PERSONS 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 436 Handicapped Parking Spaces.

WHEREAS the total number of Handicapped Parking Spaces Restricted by New Jersey License Plate Number as per this ordinance is 435 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 1

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

DELETION:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>PLATE #</u>
200 Street	Autumn North	Beginning at a point 97 feet east of the easterly curbline of Main Avenue and extending to a point 23 feet easterly therefrom	HWH59W
77 Avenue	Hammond South	Beginning at a point 30 feet east of the easterly curbline of Slater Street and extending to a point 22 feet easterly therefrom	E16HHN
454 Street	Harrison North	Beginning at a point 90 feet west of the westerly curbline of Myrtle Avenue and extending to a point 25 feet westerly therefrom	HJ2268

349 Street	Madison South	Beginning at a point 162 feet east of the easterly curbline of Gregory Avenue and extending to a point 22 feet easterly therefrom	HX6766
27 Avenue	Seventh East	Beginning at a point 160 feet south of the southerly curbline of Boulevard and extending to a point 25 feet southerly therefrom	K35DPJ
177 Street	Spring East	Beginning at a point 165 feet north of the northerly curbline of Brook Avenue and extending to a point 18 feet northerly therefrom	HR4641

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:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>	<u>PLATE #</u>
77 Avenue	Hammond South	Beginning at a point 30 feet east of the easterly curbline of Slater Street and extending to a point 22 feet easterly therefrom	C27MEF
454 Street	Harrison North	Beginning at a point 90 feet west of the westerly curbline of Myrtle Avenue and extending to a point 25 feet westerly therefrom	4193HG

349 Street	Madison South	Beginning at a point 162 feet east of the easterly curbline of Gregory Avenue and extending to a point 22 feet easterly therefrom	1957HG
27 Avenue	Seventh East	Beginning at a point 160 feet south of the southerly curbline of Boulevard and extending to a point 25 feet southerly therefrom	B80HNG
177 Street	Spring East	Beginning at a point 165 feet north of the northerly curbline of Brook Avenue and extending to a point 18 feet northerly therefrom	5426HG

Council Member Love moved the Ordinance be approved on first reading. Motion was seconded by Council Member Schwartz the public hearing be held on March 17, 2020.

ROLL CALL

AYES: Love, Patel, Garcia, Schwartz, CP Schaer

ABSENT: Munk, Garcia, Melo

Council President Schaer read said Ordinance by title.

CITY OF PASSAIC
ORDINANCE NO. 2256-20

**ORDINANCE AMENDING THE CITY CODE OF THE CITY OF
PASSAIC, CHAPTER 295, "VEHICLES AND TRAFFIC,"
TO CREATE PART 9 "RESIDENTIAL PARKING PERMITS**

WHEREAS, N.J.S.A. 40:48-2 provides in relevant part that a municipality may make and enforce such ordinances, rules and regulations 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 persons 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, an *ad hoc* committee of the City of Passaic Parking Authority made a recommendation to the City Council of the City of Passaic to adopt an Ordinance creating a Residential Parking Permit Program, as set forth in detail below; and

WHEREAS, an *ad hoc* committee of the City Council of the City of Passaic considered the recommendation of the City of Passaic Parking Authority and further recommended that the City Council adopt an Ordinance allowing for the creation of a Residential Parking Permit Program, as set forth in detail below; and

WHEREAS, for reasons of good government, order and protection of person and property, and for the preservation of public health, safety and welfare, the City of Passaic wishes to amend the City Code of the City of Passaic, Chapter 295, "Vehicles and Traffic," to create Part 9 "Residential Parking Permits" as set forth in detail below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Passaic that the City Code of the City of Passaic, Chapter 295, "Vehicles and Traffic," be amended to create Part 9 "Residential Parking Permits" as follows:

SECTION I

**ALL ADDITIONS ARE UNDERLINED
ALL DELETIONS ARE NOTED**

Part 9: Residential Parking Permits

Article XX: Residential Parking Permits

§295-45 City of Passaic Residential Parking Permit Program Statement of Purpose

A. The City Council of the City of Passaic finds and determines that parking opportunities for vehicles belonging to residents in and about the neighborhoods where they live promotes safety, improved movement of traffic and residential quality of life.

B. The City Council of the City of Passaic finds and determines that a residential parking permit program will enable and enhance parking opportunities for its residents in accordance with this policy. The purpose of the City of Passaic Resident Parking Program is to:

- (1) Reduce hazardous traffic conditions within the residential areas by reducing the commercial, business and commuter traffic.
- (2) Protect the residential area from air pollution, excessive noise, trash, and refuse caused by the entry of such traffic.
- (3) Protect the residents from unreasonable burdens in gaining access to their residences.
- (4) Promote efficiency in the maintenance of those streets in a clean and safe condition.
- (5) Address a critical parking shortage.

C. The City Council of the City of Passaic hereby declares that certain streets of The City of Passaic will be designated "permit parking only," during certain hours, and with the exception of metered parking, those areas designated shall be designated as "resident permit parking only" as defined in the Ordinances of the City of Passaic, which shall be indicated by local signage.

§295-46 Resident Permits

A resident parking permit of a design specified by the Director of the Parking Authority of the City of Passaic (the "Parking Authority") shall be required of Passaic residents to park in designated residential permit parking areas for each motor vehicle. Vehicles with a gross weight of more than 6,000 pounds gross vehicle weight or more than two (2) axles shall not be issued a residential parking permit.

§295-47 Registration/Permit Requirements

~~A. Any premises with a driveway that accommodates the homeowners' vehicle is not eligible for a Residential permit~~

A. No person shall park a vehicle between the hours of 12:00 a.m. and 6:00 a.m. without the required resident parking permit upon any street designated for residential permit parking as set forth in the Ordinances of the City of Passaic.

~~C. No Residential Parking Permit shall be issued to any resident whose residence provides for a minimum of one (1) off-street parking space on or immediately adjacent to the place of residence.~~

B. Proof of current residence in Passaic must be presented when applying for a resident permit. As proof of residency, the applicant must provide a valid New Jersey driver's license reflecting a legal City of Passaic address. In the event that a resident possessing a Residential Parking Permit changes addresses within the City of Passaic, a change of address decal shall be issued in accordance with the provisions of this Article. If an address change decal has been affixed to the driver's license by the New Jersey Motor Vehicle Commission, additional proof of residency is required as described below.

C. The vehicle must be owned by a person residing in a Parking Permit Zone, listed in §295-51 Restricted Zones.

D. The vehicle must be validly insured.

E. Proof of vehicle ownership or primary use by the individual seeking the permit must be presented when applying for a resident permit. As proof of ownership or primary use, the individual must provide a current New Jersey vehicle registration for the vehicle to be permitted that shall reflect the same name of the owner and City of Passaic address as the resident seeking said permit. If an address change decal has been affixed to the vehicle registration by the New Jersey Motor Vehicle Commission, proof of insurance shall also be provided in the same name as the resident seeking said permit.

F. Alternatively, proof of vehicle ownership or primary use may be established by presenting one of the following combinations of documents:

(1) A copy of a valid New Jersey driver's license for the applicant which, except for leased or company-owned vehicles, reflects an address within the applicable Residential Parking Permit Zone of the City.

(2) a copy of a valid New Jersey motor vehicle registration for the vehicle for which the permit is sought reflecting an address within the applicable Residential Parking Permit Zone of the City.

(3) Proof of the vehicle being insured in the State of New Jersey.

(4) A current utility or telephone bill with the resident's name and with the same address as

described on the driver's license and motor vehicle registration.

(5) If the vehicle for which a permit is sought is leased, then a copy of the lease agreement must be exhibited.

(6) A resident who requests a residential parking permit for a company vehicle must provide a letter from a reasonable company official, under oath, confirming that the vehicle is assigned to that person.

The permit shall display the permit number, the make, model and color of the vehicle, and the date the permit expires. The resident permit is to be placed on the driver's side, lower left-hand corner of the rear window of the permitted vehicle. For motorcycles, the permit shall be placed on the windshield, on the casing of the side mirror of the registered vehicle, or held on owner's person so long as the motorcycle's license plate is unobstructed and clearly visible.

§295-48 Application for permit; fee

There is no permit fee for the residential parking permits, except:

(1) A fee of \$5 will be charged for the replacement of the first lost permit.

(2) A fee of \$10 will be charged for the replacement of the second and every subsequent lost permit.

(3) A fee of \$10 will be charged for the replacement of a misplaced or lost Visitor Parking Permit.

(4) A fee of \$10 will be charged for a change of address for the permit.

(5) Parking permits are limited to one (1) residential parking permit for each valid driver's license and registered vehicle at the verified address as listed in this Article.

§295-49 Term of permits.

Resident parking permits shall be valid for a period of two years from the first day of the month of issuance and shall expire on the last day of the month two years after the first day of the month of issuance. Any vehicle bearing an expired permit and parked in a residential zone shall be subject to the same penalty as a vehicle parking on the street without a resident parking program sticker as set forth herein.

§295-50 Visitor Parking Permits.

A. Up to two residential visitor permits per residence may be issued for use by visitors to residents residing in a designated Residential Parking Permit zone or parts of streets listed in §295-51 Restricted Zones.

B. Visitor Parking Permits shall only be valid while visitors are actually visiting the residence to which the Visitor Parking Permit was issued. There shall be a rebuttable presumption that any vehicle parked more than one block from the household for which the visitor permit has been issued is not visiting such household.

C. The residential visitor permit must be displayed on the front driver's side dashboard above the steering wheel and must be fully readable from the exterior of the vehicle.

D. The residential visitor permit shall be returned to the resident at the conclusion of the visit. However, the resident or person to whom the Visitor Parking Permit was issued shall be responsible if the Visitor Parking Permit is misplaced, lost, or inadvertently taken by the visitor.

E. The Visitor Parking Permit shall be valid for one year from the date of issue and shall expire on the last day of the month one year after the first day of the month of issuance. All expired residential visitor permit must be returned to the Police Department before a new one can be issued.

F. A temporary visitor permit may be issued to any resident who applies in person to the Passaic Parking Authority for a period of one to seven days and may not extend for more than seven consecutive days. The valid date of the temporary visitor permit shall be prominently displayed on the temporary visitor permit.

G. No residential visitor permit shall be issued to any person residing in any building exclusively used by students and affiliates of a college.

H. Visitor permits are not required on Saturdays, Sundays or announced holidays. As used in this chapter, "day," "Sunday" and "Holiday" shall commence at 12:00 midnight and terminate at 11:59 p.m. on the designated day.

I. All Passaic residents 62 years of age or older shall receive up to two, one year-long "Senior" visitor permits free of charge if they request. Proof of age shall be required and may be shown by birth certificate, social security check and Medicare card or by other official documents

acceptable to the Parking Authority.

§295-51 Restricted Zones.

Pursuant to the provisions of this article and based upon the findings of the Chief of Police, or his designee, made in accordance therewith, no person who does not hold a Residential Parking Permit issued in accordance with the terms of this article shall park any vehicle within the following described residential zones or portions thereof in the City of Passaic between 12:00 a.m. and 6:00 a.m. except Saturdays, Sundays or announced holidays:

1. North Pulaski Park Residential Zone: East Monroe Street from Market Street to the Passaic River and Fourth Street from Virginia Street to East Monroe Street
2. Wall Street Residential Zone: Eighth Street from Wall Street to Passaic Street, Ninth Street from Wall Street to Passaic Street, and the full length of Veterans Court.

Pursuant to the provisions of this article and based upon the findings of the Chief of Police, or his designee, made in accordance therewith, no person who does not hold a parking permit issued in accordance with the terms of this article shall park any vehicle on the following described commercial/residential zones or portions thereof in the City of Passaic between 3:00 a.m. and 6:00 a.m. except Saturdays, Sundays or announced holidays:

1. Wall Street Commercial/Residential Zone: Wall Street from Passaic Street to the Passaic River

§295-52 Violations and penalties

A. Any vehicle parked in violation of the residential parking permit regulations will be subject to a fine of \$50 for a first offense and \$100 for a second or subsequent offense.

B. Residents in possession of parking permits who misuse them are subject to revocation of the permits for one year and a fine of \$100.

C. Any person(s) found to possess an invalid, expired or counterfeit residential, temporary, visitor or business permit shall be subject to a fine of \$100.

§295-53 Enforcement

A. Enforcement of this chapter and further rules and regulations as may be promulgated from time to time shall

be under the jurisdiction of either the Passaic Parking Authority and/or the Passaic Police Department.

B. The Parking Authority and the Passaic Police Department shall have the power to issue summonses for violations of this Article.

§295-54 Unauthorized use, duplication or sale of resident parking sticker

A. The unauthorized making, duplicating, selling, lending or giving any resident parking sticker is hereby prohibited. This provision shall include, without being limited to, any unauthorized duplication or use of a City of Passaic resident parking sticker.

B. Any person violating this provision of this section shall be subject to those penalties set forth in the "General Penalty Ordinance" of the Code of the City of Passaic.

SECTION II

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 III

All ordinances or parts of ordinances to inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect upon publication as provided by law.

Council Member Love moved the Ordinance be approved on first reading. Motion was seconded by Council Member Schaer the public hearing be held on March 17, 2020.

ROLL CALL

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

Council President Schaer read said Ordinance by title.

CITY OF PASSAIC
ORDINANCE NO. 2257-20

ORDINANCE APPROVING THE APPLICATION FOR A LONG-TERM TAX EXEMPTION AND AUTHORIZING THE CITY OF PASSAIC TO ENTER INTO A FINANCIAL AGREEMENT WITH PENNINGTON PASSAIC, LLC FOR PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF PASSAIC AS: BLOCK 3236, LOT 36; BLOCK 3237, LOT 47; AND, BLOCK 3254, LOT 37, (176 PENNINGTON AVENUE; 191 PENNINGTON AVENUE; AND, 199-231 PENNINGTON AVENUE) PASSAIC, NEW JERSEY

WHEREAS, PENNINGTON PASSAIC, LLC (the "Entity") proposes to develop two (2) residential projects (the "Project") within the City of Passaic (the "City"), on the sites located at: Block 3236, Lot 36; Block 3237, Lot 47; and, Block 3254, Lot 37 on the Official Tax Map of the City of Passaic and commonly known: 176 Pennington Avenue; 191 Pennington Avenue; and, 199-231 Pennington Avenue, Passaic, New Jersey (the "Project Site"), located within the Scattered Site Redevelopment Plan; and

WHEREAS, by way of Resolution, the Passaic Redevelopment Agency (the "Agency") designated the Entity the designated Redeveloper of the Project Site for the Project; and

WHEREAS, on March 7, 2017, pursuant to an Ordinance adopted by the City Council for the City of Passaic, the Scattered Site Redevelopment Plan was amended to facilitate the redevelopment and reuse of the Project Site by the Entity; and

WHEREAS, the New Jersey Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. authorizes a municipality to enter into a Financial Agreement with an urban renewal entity and grant such long-term tax exemptions for the subject Project; and

WHEREAS, the Entity is qualified to do business under the provisions of the New Jersey Long Term Tax Exemption Law and has made application to the City for: (i) the approval of the Project; (ii) the grant of a long-term tax exemption for the Project; and (iii) the execution of a Financial Agreement; and

WHEREAS, the Redevelopment Law authorizes the City to arrange or contract with a redeveloper for the planning, construction or undertaking of any project or

redevelopment work in an area designated as an area in need of redevelopment; and

WHEREAS, in order to enhance the economic viability of and opportunity for a successful project, the City will enter into an agreement with PENNINGTON PASSAIC, LLC, along with their respective successors and/or assigns qualified to do business under the provisions of the Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1, et seq. (the "Long Term Tax Exemption Law"), governing payments made to the City in lieu of real estate taxes on the Project pursuant; and

WHEREAS, PENNINGTON PASSAIC, LLC filed an application with the City for approval of a Long Term Tax Exemption for the Project, which is on file with the City Clerk (the "Application"), a copy of which is attached hereto; and

WHEREAS, the provisions of the Long-Term Tax Exemption Law authorize the City to accept, in lieu of real property taxes, an annual service charge paid by PENNINGTON PASSAIC, LLC to the City; and

WHEREAS, PENNINGTON PASSAIC, LLC has agreed to make payment of an Annual Service Charge as defined in the Long Term Tax Exemption Law to the City; and

WHEREAS, the City Council has determined that the Project represents an undertaking permitted by the Long Term Tax Exemption Law, and has further determined that the Project is an improvement made for the purposes of clearance, re-planning, development, or redevelopment of an area in need of redevelopment within the City as authorized by the Long Term Tax Exemption Law; and

WHEREAS, the City Council has determined that the Project would not have been constructed without a tax exemption; a

WHEREAS, the City of Passaic has been designated a Garden State Growth Zone pursuant to the Economic Opportunity Act of 2013 ("EOA") and possesses all relevant powers and authority pursuant to same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASSAIC that an exemption from taxation as shall be set forth in the Financial Agreement is hereby

granted to PENNINGTON PASSAIC, LLC, with respect to the Project on the Project Site for the term set forth in the Financial Agreement; and be it

FURTHER ORDAINED that the Mayor and Clerk are hereby authorized and directed to execute the Financial Agreement with PENNINGTON PASSAIC, LLC, a certified copy of which shall be kept on file in the Office of the City Clerk; and be it

FURTHER ORDAINED that the Project shall conform with all Federal and State law and ordinances and regulations of the City relating to its construction and use; and be it

FURTHER ORDAINED that PENNINGTON PASSAIC, LLC shall, from the time the Annual Service Charge becomes effective, pay the Annual Service Charge as set forth in the Financial Agreement; and be it

FURTHER ORDAINED that 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; and be it

FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies only; and be it

FURTHER ORDAINED that this Ordinance shall take effect upon final adoption and publication in accordance with law.

Council Member Patel moved the Ordinance be approved on first reading. Motion was seconded by Council Member Love the public hearing be held on March 17, 2020.

ROLL CALL

AYES: Love, Patel, Garcia, Schwartz, CP Schaer

ABSENT: Munk, Garcia, Melo

PAYMENT OF BILLS

On a motion by Council Member Love and seconded by Council Member Schaer the PAYMENT OF BILLS, was accepted and approved

ROLL CALL

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

Council President Schaer called for a five-minute recess at 8:02 p.m. and notified the public that the Council will remain in session but will not take any further action. The public and the City Clerk was asked to leave the Chambers for the night.

Upon motion made by Council Member Love and seconded by Council Member Schwartz the public meeting was reconvened at 8:12 p.m.

ROLL CALL

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

The Clerk was requested to return to the open meeting to adjourn.

ADJOURNMENT

There being no further business to come before the Council on a motion by Council Member Love and seconded by Council Member Schwartz the meeting was adjourned at 8:15 p.m.

ROLL CALL

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

ATTEST:

APPROVED:

Amada D. Curling,
City Clerk

Gary S. Schaer,
Council President