



Passaic City Council
July 1, 2020 Minutes

REORGANIZATION MEETING OF THE CITY COUNCIL OF THE CITY OF PASSAIC WAS HELD ON MONDAY JULY 1, 2020 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 VIA FAX TO THE HERALD NEWS AND PUBLISHED ON JUNE 23, 2020 AND JULY 1, 2020 SAID NOTICE WAS PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK.

PURSUANT TO THE OPEN PUBLIC MEETING ACT, BE ADVISED THAT THE CITY COUNCIL OF THE CITY OF PASSAIC HAS SCHEDULED THEIR RE-ORGANIZATION MEETING FOR WEDNESDAY, JULY 1, 2020 AT 7:00 P.M.

PLEASE BE FURTHER ADVISED DUE TO COVID-19 THIS MEETING WILL BE VIRTUAL STREAMED. PUBLIC NOTICE AND INSTRUCTIONS FOR THIS MEETING WAS PUBLISHED IN THE HERALD NEWS AND POSTED ON JUNE 23, 2020 ON THE CITY OF PASSAIC WEBSITE AT: WWW.CITYOFFPASSAIC.COM (COUNCIL AGENDAS) INSTRUCTIONS ARE ALSO AVAILABLE IN THE LAST PAGE OF THIS AGENDA.

PLEASE BE GUIDED ACCORDINGLY.

ON CALL OF THE ROLL THE FOLLOWING COUNCIL MEMBERS RESPONDED:

ROLL CALL

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

ABSENT:

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

Invocation was rendered by Hon. Council Member Melo followed by the Pledge of Allegiance.

NOMINATIONS AND SEATING OF COUNCIL PRESIDENT

Amada D. Curling, City Clerk, called for nominations for Council President. Council Member Garcia nominated Councilperson Gary Schaer for the City Council President seat.

After ample time given and no other Council Member responding, on a motion by Council Member Garcia and seconded by Council Member Melo the following resolution was adopted:

CITY OF PASSAIC
RESOLUTION NO.20-07-193

**RESOLUTION DESIGNATING COUNCIL PRESIDENT FOR YEAR TERM TO
COMMENCE ON JULY 1, 2020 TO JUNE 30, 2021**

BE IT RESOLVED, by the City Council of the City of Passaic that the City Council designates Councilperson **Gary S. Schaer** as the City Council President for a one (1) year term, said term to commence on July 1, 2020 and to terminate on June 30, 2021.

ROLL CALL

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

Followed by comments by the City Council members and Mayor Hector C. Lora.

MAYOR' S REPORT

- Covid-19 testing continue, we have been providing mobile testing site at different locations throughout the city. With the assistance of Assemblyman Schaer, we are planning to bring additional testing to our city. We recently, received an order from the governor rescinding outdoor dining, due to COVID-19 positive case numbers rising. It is important that our city continue to follow the rules and guidelines, and remain vigilant to ensure we protect our resident and still understand the needs of our community.
- Thanked our Police and Fire Departments for their leadership, responding to emergencies, community concerns and being present for community activities.

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.

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

ROLL CALL

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

ANNUAL RESOLUTIONS

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

CITY OF PASSAIC
RESOLUTION NO. 20-07-194

RESOLUTION AUTHORIZING OFFICIAL NEWSPAPERS FOR THE YEAR
STARTING JULY 1, 2020 TO JUNE 30, 2021

BE IT RESOLVED, by the City Council of the City of Passaic that the City Council hereby designates the North Jersey Herald News; The Record; El Especial/Especialito; Poder Latino USA as Official Newspapers for the City of Passaic, which newspapers are authorized to publish legal advertisements. The City Clerk shall retain the right to select which newspapers shall receive said advertisements in accordance with the law.

ROLL CALL

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

On a motion by Council Member Schaer and seconded by Council Member Garcia the following RESOLUTION WAS OFFERED FOR ADOPTION

CITY OF PASSAIC
RESOLUTION NO.20-07-195

RESOLUTION DESIGNATING CITY COUNCIL'S REPRESENTATIVE
TO THE PLANNING BOARD OF THE CITY OF PASSAIC FOR
THE YEAR JULY 1, 2020 TO JUNE 30, 2021

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

Council member:
Daniel Schwartz

The City Council's representative to the Planning Board of the City of Passaic for a one (1) year term, said to commence on July 1, 2020 and to terminate on June 30, 2021.

ROLL CALL

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

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

**CITY OF PASSAIC
RESOLUTION NO.20-07-196**

**RESOLUTION APPOINTING COMMISSIONERS TO THE PASSAIC
REDEVELOPMENT AGENCY**

WHEREAS, THE City Council of the City of Passaic has, by Ordinance 1515-01 created the Passaic Redevelopment Agency in accordance with N.J.S.A. 40A: 12 (a) - 11; and,

WHEREAS, there shall be seven commissioners of the Redevelopment Agency, which shall be appointed by the Mayor with the advice and consent of the City Council consistent with N.J.S.A. 40A; 12(a)-11; and,

WHEREAS, the Mayor has appointed **Chaim Munk** for a term commencing July 1, 2020 to June 30, 2021.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Passaic that the Council Consents to the appointments of **Chaim Munk for a term commencing July 1, 2020 to June 30, 2021.**

ROLL CALL

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

COMMUNICATIONS AND PETITIONS:

On a motion by Council Member Garcia and seconded by Council Member Munk the following communications and petitions were received placed on file and approval granted:

Passaic Arts & Science Charter School/ILearn Schools, 7 St. Francis Way, submitting application to hold two Graduation Ceremonies in Third Ward Park(Stage Area) on August 13, 2020 from 2:00 p.m. to 8:00 p.m. (Rain Date: August 18, 2020) ***(Contingent Upon Departmental Approvals)***

ROLL CALL

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

ABSENT:

ABSTAIN Love

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

City of Passaic(Administration), 330 Passaic Street, submitting the following applications :

- Fire Works Display on July 4, 2020 from 9:30 p.m. to 10:30 p.m. in Pulaski Park. **(Cancelled)**
- Street Renaming Ceremony on July 10, 2020 from 9:30 a.m. to 11:00 a.m. for Pastor Jose L. Cruz at the intersection of Third Street and Monroe Street.
- Street Renaming Ceremony on July 18, 2020 from 10:00 a.m. to 11:00 a.m. for Pastor Roberto Centeno at the intersection of Third Street and Monroe Street.

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 Garcia the following communications and petitions were received placed on file and approval granted

Mayor Hector C. Lora, submitting the following memorandums of appointments:

- Memorandum reappointing Chaim Munk to the Redevelopment Agency term to commence July 1, 2019 and expire June 30, 2020.
- Memorandum re: Fire Department Promotions

City of Passaic Zoning Board submitting notice of their meeting dates for the year 2019.

Northrop Grumman, submitting correspondence re: Remedial Action Permit transfer/Change of Ownership -270 Passaic Avenue - NJDEP Program Interest No. 005612

State of New Jersey Department of Environmental Protection, submitting the following:

- Suspected Hazardous substance Discharge Verification Notification NJDEP Case No. 19-06-22-2212-41

Passaic Valley Water Commission, submitting the following:

- Notice of their June 19, 2019 meeting.

North Jersey Water Supply Commission submitting the following:

- Notice of their June 26, 2019 regular meeting.

ROLL CALL

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

ABSENT:

RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS TAKEN OFF THE AGENDA

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON PASSAIC ON JULY 1, 2019 AT 5:30 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS

THE FOLLOWING ITEMS WERE VOTED ON BY ONE MOTION

On a motion by Council Member Love and seconded by Council Member Patel the following RESOLUTIONS WERE OFFERED FOR ADOPTION

**CITY OF PASSAIC
RESOLUTION # 19-07-216**

**RESOLUTION AUTHORIZING PASSAIC COUNTY CULTURAL & HERITAGE
COUNCIL GRANT APPLICATION**

WHEREAS, the City of Passaic has received notice from Passaic County Cultural & Heritage Council regarding its Local Arts Program Re-grant program, which provides grants for local or New Jersey art projects that demonstrate a high degree of professionalism in sponsoring or producing arts activities in performing, visual and literary arts; and

WHEREAS, said grant requires a one to one match equal to that of the grant amount; and

WHEREAS, the City of Passaic wishes to request \$5,000.00 in grant funding through said grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Passaic that the City of Passaic is hereby authorized to submit a grant application to the Passaic County Cultural & Heritage Council.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to take all necessary actions to file this application and to accept grant funds from the Passaic County Cultural & Heritage Council.

CITY OF PASSAIC
RESOLUTION # 19-07-217

**RESOLUTION AUTHORIZING 2019 DRIVE SOBER OR GET PULLED OVER
STATEWIDE LABOR DAY CRACKDOWN APPLICATION**

WHEREAS, the City of Passaic has received notice from the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety, Division of Highway Traffic Safety, regarding a grant for the 2019 Drive Sober or Get Pulled Over Statewide Labor Day Crackdown program; and

WHEREAS, \$5,500.00 in overtime grant funding may be utilized from August 16, 2019, to September 2, 2019, for law-enforcement personnel costs; and

WHEREAS, the City of Passaic Police Department wishes to submit an application for this grant; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the City of Passaic is hereby authorized to submit a grant application to the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety,

Division of Highway Traffic Safety in the amount of \$5,500.00 for law-enforcement personnel costs.

BE IT FURTHER RESOLVED THAT the Passaic Police Department, Mayor, and City Clerk are hereby authorized to take all necessary actions to file this application and to accept 2019 grant funds from the State of New Jersey.

CITY OF PASSAIC
RESOLUTION # 19-07-218

RESOLUTION AUTHORIZING PASSAIC COUNTY MUNICIPAL
"DIG IN!" GRANT APPLICATION

WHEREAS, the City of Passaic has received notice from the City Green Foundation regarding its Municipal "Dig In!" grant program, which provides up to 5,000 bulbs or 10 trees for greening and beautification projects; and

WHEREAS, said grant requires no matching contributions from the City of Passaic; and

WHEREAS, the City of Passaic wishes to submit an application for this grant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Passaic that the City of Passaic is hereby authorized to submit a grant application to the City Green Municipal "Dig In!" grant program

BE IT FURTHER RESOLVED that the Passaic Department of Public Works, Mayor, and City Clerk are hereby authorized to take all necessary actions to file this application and to accept grant funds from the City Green Municipal "Dig In!" grant program

CITY OF PASSAIC
RESOLUTION # 19-07-219

RESOLUTION DESIGNATING THE CITY OF PASSAIC
A STIGMA-FREE ZONE

WHEREAS, the Passaic County Board of Chosen Freeholders, along with the Passaic County Department of Mental Health and Addiction Services, and the Mental Health Association in Passaic

County, supports the designation of Stigma-Free Zones in every municipality, and;

WHEREAS, the National Institute of Mental Health reports that 1 in 4 adults experiences mental illness in a given year and 1 in 17 adults live with a serious mental illness such as schizophrenia, major depression, or bipolar disorder; approximately 20% of youth ages 13 to 18 and 13% of youth ages 8 to 15 experience severe mental disorders in a given year, and;

WHEREAS, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease, and;

WHEREAS, Stigma-Free Zones aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors and feel free to seek treatment for the disease without fear of stigma and;

WHEREAS, promoting awareness that there can be no "health" without mental health will break down barriers and encourage residents of all ages to be mindful of their mental health and ask for help when needed, and;

WHEREAS, local resources are available to treat the disease of mental illness so no one resident needs to suffer alone or feel hopeless, and;

WHEREAS, establishing Stigma-Free Zones will raise awareness of resources and encourage residents to engage in care as soon as the need is identified so recovery can begin, hope is inspired and tragedies are avoided, and;

NOW THEREFORE BE IT RESOLVED that the Mayor and the City Council for the City of Passaic recognize the community needs and supports the efforts of the County of Passaic in designating the City of Passaic as a Stigma-Free Zone.

CITY OF PASSAIC
RESOLUTION #19-07-220

**RESOLUTION AUTHORIZING THE DEPARTMENT OF RECREATION
TO APPLY FOR FUNDS FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY
AFFAIRS UNDER THE FY2019 RECREATIONAL OPPORTUNITIES FOR
INDIVIDUALS WITH DISABILITIES (ROID) GRANT PROGRAM AND
RESCINDING RESOLUTION 19-06-200**

WHEREAS, there is a need to provide recreation and leisure services for individuals with disabilities in the City of Passaic; and

WHEREAS, the Recreational Opportunities for Individuals with Disabilities (ROID) Grant supports projects that will provide these services to people with disabilities in our community by offering the ROID Grant Program; and

WHEREAS, the City of Passaic Department of Recreation wishes to provide individuals with disabilities in need of the services being offered under this grant program; and

WHEREAS, the City of Passaic desires to submit a grant application to the Department of Community Affairs on behalf of the City of Passaic Department of Recreation for the FY2019 Recreational Opportunities for Individuals with Disabilities (ROID) Grant Program in the amount of \$20,000.00; and

WHEREAS, the City Council for the City of Passaic recognizes and accepts that the Department may offer a less or greater amount, therefore upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the Mayor and City Clerk to execute 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

WHEREAS, the City Council for the City of Passaic previously adopted Resolution #19-06-200, which subsequent to its adoption the Department of Community Affairs required specific revisions which are not set forth in this Resolution.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that:

1. The City of Passaic is authorized to submit a grant application for funding under the FY2019 Recreational Opportunities for Individuals with Disabilities (ROID) Grant Program; and

2. These funds shall be used by the City of Passaic Department of Recreation to provide services for individuals with disabilities; and

3. The City Council approves the allocation of the required 20% matching funds for this grant opportunity; and

4. The Mayor and City Clerk are hereby authorized to execute any documents so required to further the purposes of this Resolution; and

5. Resolution #19-06-200 adopted on June 18, 2019 is hereby rescinded.

ROLL CALL

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

ABSENT:

ORDINANCE FOR INTRODUCTION AND FIRST READING:

Council President Schaer read said Ordinance by title.

**CITY OF PASSAIC
ORDINANCE NO# 2220-19**

**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 438 Handicapped Parking Spaces.

WHEREAS the total number of Handicapped Parking Spaces Restricted by New Jersey License Plate Number as per this ordinance is 438 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>
109 Pennington Avenue	East	Beginning at a point 158 feet south of the southerly curblineline of Paulison Avenue and extending to a point 22 feet southerly therefrom	HT3668

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>
148 Hamilton Avenue	East	Beginning at a point 129 feet north of the northerly curblineline of Jackson Street and extending to a point 22 feet northerly therefrom	N77LAD

Council Member Patel moved the Ordinance be approved on first reading. Motion was seconded by Council Member Garcia the public hearing be held on July 23, 2019.

BILL LIST

On a motion by Council Member Garcia and seconded by Council Member Melo the PAYMENT OF BILLS was accepted and approved

ROLL CALL

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

MAYOR' S REPORT

- Congratulated Council President on being appointed again as council president, he his honored to have serve with council president. Honored that our Council President is an advocate for all residents.

COMMENTS BY COUNCIL

- Council President thanked the mayor and council colleagues for their kind words.

ADJOURNMENT

There being no further business to come before the Council on a motion by Council Member Patel and seconded by Council Member Love the meeting was adjourned at 7:50 p.m.

ROLL CALL

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

ABSENT:

ATTEST:

APPROVED:

Amada D. Curling,
City Clerk

Gary S. Schaer,
Council President