

Passaic City Council
January 12, 2021 Minutes

MEETING WAS CONDUCTED AS A LIVE STREAM VIA FACEBOOK

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 23, 2020 SETTING FORTH THE SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2020-2021, SAID NOTICE WAS PUBLISHED AND POSTED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK

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 JANUARY 5, 2021 ON THE CITY OF PASSAIC WEBSITE AT: WWW.CITYOFPASSAIC.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 (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

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

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

Council President Schaer asked for moment of silence in memory of father of Council Member Salim Patel and for Carnie P. Bragg Jr. of Bragg Funeral Home.

MAYOR'S UPDATE

Mayor Hector C. Lora updated the council and residents on the following:

- Wished all a Happy and Healthy New Year
- Updated with COVID numbers and Hospitalization numbers

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- Advised COVID Testing Continues seven days a week
- Food Distribution continues/ 2 times a week
- Passaic Public Library's will be reopening (closures due to COVID)

- The residential holiday decorating was a success- all participants received a prize for
- their participation
- Passaic Public Schools will continue to be 100% virtual presumed phase re-openings
- are scheduled for March

Mayor Lora asked Deputy Chief Schaer to make a few comments

- He asked for a moment of silence on the passing of retired police officer Stanley Lazarczyk. His funeral procession will pass in front of Passaic City Hall - January 13, 2021.
- Free holiday parking is over, and all parking enforcement is in effect.
- As a reminder, you can now use the app *Park Mobile* to pay parking meters.

MINUTES

Council Meeting Minutes for December 8, 2020 and December 17, 2020 were submitted for approval.

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

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

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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 else responding on a motion by Council Member Love and seconded by Council Member Melo the public portion of the meeting was adjourned.

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

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. 2286-20**

**ORDINANCE ADOPTING A REDEVELOPMENT PLAN
FOR MAIN AVENUE REDEVELOPMENTPLAN AREA**

Council Member Melo moved a public hearing to be held on Ordinance. Motion was seconded by Council Member Garcia, So Ordered. The Council President then announced that all interested parties would be given an opportunity to be heard for or against the adoption of the Ordinance

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

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Presentation by Topology Urban Planning re: Plan for Redevelopment and Neighborhood Preservation Funding

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 (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

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

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

COMMUNICATIONS ND PETITIONS:

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

Scar Entertainment, 2 Brighton Avenue, submitting application to renew their Entertainment license for the year 2021.

Selena's Restaurant, 272 Passaic Avenue, submitting application to renew their Entertainment license for the year 2021. (with conditions as per Resolution 15-03-051)

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

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

Millennium Strategies : December 2020 Report

North Jersey District Water Supply Commission, submitting the following:

- 2021 Final Adopted Budget
- Minutes of their November 18, 2020 meeting
- Notice of their Annual meeting dates for the calendar year 2021
- Notice and agenda of their December 16, 2020

Parking Authority of the City of Passaic, submitting the following:

- Notice of their Annual meeting dates for the calendar year 2021
- Notice of their September 16, 2020 meeting
- Agenda of their September 16, 2020 meeting
- Agenda of their October 21, 2020 meeting
- Agenda of their December 16, 2020 meeting

Alcoholic Beverage Control Board, submitting the following:

- Notice of their Annual meeting dates for the calendar year 2021
- Notice of scheduling their December 17 meeting to December 10, 2020
- Agenda of their December 10, 2020 meeting
- Notice of their October 22, 2020 meeting
- Agenda of their October 22, 2020 meeting

Passaic Enterprise Zone Dev. Corp, submitting the following:

- Minutes of their September 16, 2020 meeting
- Minutes of their December 9, 2020 meeting

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PSE&G submitting Application for an extension of a fresh water Wetlands General Permit Number 1 PSE&G Natural Gas Distribution and Transmission System Right-of-Way Maintenance, Bergen, Burlington, Camden, Essex, Gloucester, Hudson, Hunterdon, Mercer, Middlesex, Monmouth, Morris, Ocean Passaic, Somerset and Union Counties, New Jersey

Passaic County Valley Water Commission, submitting to the following:

- Minutes of their November 12, 2020 meetings.
- Notice of their December 9, 2020 meeting
- Agenda of their December 9, 2020 meeting

Passaic County Board of Taxation, submitting the following:

- 2020 Abstract of Ratables Passaic County

Department of Environmental Protection :

- Apply for Land Use Authorization or Permit - The Station at Passaic -Wall Street
- Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 20-12-18-1355-50
- Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 20-12-09-1119-22

Zoning Board of Adjustment, submitting the following:

- Agenda of their January 5, 2021 meeting.

Planning Board of the City of Passaic, submitting the following:

- Agenda of their December 16, 2020 meeting.
- Agenda of their January 6, 2021 meeting.

Passaic Valley Water Sewerage Commission, submitting correspondence re: City of Newark Appeal Regarding PVSC Assessment of User Charges Notice of Continuation of Public Hearing

Passaic Board of Education, submitting notice of their December 21, 2020 meeting.

ROLL CALL (VIA ZOOM)

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

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

Hector C. Lora, Mayor, submitting the following:

- Memorandum reappointing Rigoberto Sanchez, to the Passaic Valley Water Commission, term to commence immediately and expire December 31, 2024

ROLL CALL (VIA ZOOM)							
AYES:			Melo		Schwartz	Garcia	CP Schaer
ABSTAIN:		Love					
ABSENT:	Munk			Patel			

RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS TAKEN OFF THE AGENDA

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON PASSAIC ON JANUARY 21, 2021 AT 7:00 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 Melo the following RESOLUTIONS WERE OFFERED FOR ADOPTION

**CITY OF PASSAIC
RESOLUTION NO. 20-01-001**

RESOLUTION AUTHORIZING CANCELLATION OF SMALL BALANCES

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WHEREAS, in accordance with N.J.S.A. 40A:5-171 a municipal governing body may adopt a resolution designating a municipal employee, on its behalf, to process or cancel property tax refunds under ten dollars and/or cancel any property tax delinquencies under ten dollars.

WHEREAS, the enactment of P.L. 2013.c.54 has expanded the scope of this statute to encompass any delinquent charges or fees imposed by the municipality so long as the delinquency is less than ten dollars.

WHEREAS, the cancellation of small balances will prevent those properties with such small delinquencies from going to tax sale and having additional interest and penalties imposed; And to further avoid any hardship that would otherwise be imposed on residents with such small delinquencies of less than ten dollars.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic, Passaic County, New Jersey, that in accordance with N.J.S.A. 40A:5-171 the Council hereby directs, that the Tax Collector is hereby authorized to process or cancel any small balances of less than ten dollars.

**CITY OF PASSAIC
RESOLUTION # 20-01-002**

RESOLUTION AUTHORIZING ANNUAL TAX SALE

WHEREAS, Chapter 99 of the Public Laws of 1997 of the State of New Jersey (P.L.1997, c.99) was enacted on May 12, 1997; and

WHEREAS, P.L. 1997, c.99 permits municipalities to hold a "tax lien sale" for arrearages in real property taxes and other liens or charges, after the eleventh day of the eleventh month of the fiscal year upon passage of a Resolution Permitting the same, by the Governing Body; and

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NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic, Passaic County, New Jersey, as follows:

1. In accordance with P.L. 1997, c.99 (N.J.S.A. 54:5-19) the City of Passaic, hereby directs that for unpaid real property taxes or other municipal liens or charges, or any part thereof in arrears as of the eleventh day of the eleventh month of the previous and/or current year, the Tax Collector shall, subject to the provisions of N.J.S.A. 54:5-19, enforce the lien by selling a tax sale certificate on the delinquent property taxes, pursuant to law, provided that the sale is conducted no later than December 31, of the current year for delinquencies from current and/or prior years.
2. Such sale shall include only such unpaid taxes or other municipal liens or charges as were in arrears in the prior and/or current year.

**CITY OF PASSAIC
RESOLUTION NO.20-01-003**

RESOLUTION AUTHORIZING INTEREST CHARGES ON DELINQUENT TAXES, ASSESSMENTS, AND OTHER MUNICIPAL LIENS OR CHARGES.

WHEREAS, New Jersey property taxes are a continuous lien on the real estate. Property taxes are due in four installments during the tax year: February 1, May 1, August 1, and November 1. in accordance with N.J.S.A. 54:4-67 The governing body shall fix, by resolution, the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal liens or charges, on the date when they would become delinquent, and may also provide that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which the same became payable, also known as the grace period.

WHEREAS, The rate so fixed shall not exceed 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00, to be calculated from the date taxes were payable, known as the Quarterly Due Date, until the date that actual payment to the tax collector is made. In accordance with N.J.S.A. 54-4-67 any taxes, remaining unpaid after the

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10th of each due date is subject to interest from the first of quarterly due date.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic, Passaic County, New Jersey, that in accordance with N.J.S.A. 54:4-67 the City of Passaic, hereby directs that the interest rate for the non-payment of taxes, assessments or other municipal liens or charges shall be fixed at 8% for the first \$1,500.00 delinquent amount and at 18% for any amounts in excess of \$1,500.00; provided, however, that no interest shall be charged if payment of any installment of such taxes or assessments is made within the tenth calendar day following the date upon which same became payable, also known as the grace period.

**CITY OF PASSAIC
RESOLUTION NO. 20-01-004**

COVID -19 SPECIAL EMERGENCY APPROPRIATION

WHEREAS, it has been found necessary to adopt a Special Emergency Appropriation to meet certain Extraordinary COVID-19 affected revenue losses incurred, or to be incurred, related to the COVID pandemic, and

WHEREAS, N.J.S.A. 40A:4-53 allows a municipality to authorize special emergency appropriations for COVID-19 related revenue loss incurred during the COVID-19 related public health emergency, and provides that it shall be lawful to adopt such special emergency, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation as prescribed by the act and in compliance with the Division of Local Government Services regulations set forth as part of the COVID-19 Operating Deficits: Implementation of P.L. 2020, c.74.

NOW, THEREFORE BE IT RESOLVED, (by not less 2/3 vote of the full governing body members affirmatively

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concurring) that in accordance with the provisions of N.J.S.A 40A:4-55:

1. The Chief Financial Officer has been directed by resolution adopted on December 8, 2020 to make a written application and certify to the Division Director, on the prescribed form, that the deficits in revenue are directly attributable to COVID-19, and said certification was approved by the governing body and submitted to the Director of the Division of Local Government Services.
 2. A Special Emergency Deferred Charge is hereby established for COVID-19 affected revenue losses in the total amount of \$2,200,000, consisting of \$1,500,000 in the Current Fund and \$700,000 in the Sewer Utility Fund.
 3. That the total emergency appropriation shall be provided for in the budgets of succeeding years beginning in 2022 by the inclusion of not less than \$440,000, consisting of not less than \$300,000 in the Current Fund and not less than \$140,000 in the Sewer Utility Fund.
 4. That special emergency notes, not in excess of the amount authorized pursuant to law, may be issued.
 5. That such notes when issued shall be executed by City of Passaic Chief Financial Officer, Mayor and City Clerk. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time.
 6. That said Special Emergency Notes may be issued to address the cash flow needs related to the deferred charge in compliance with the provisions of P.L. 2020, c.74.
 7. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.
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CITY OF PASSAIC
RESOLUTION NO. 20-01-005 (ATTACHMENTS)

RESOLUTION AUTHORIZING THE UPDATED/CORRECTED
RE-FILING OF THE CITY OF PASSAIC'S 2020 -2021 ANNUAL
ACTION PLAN AN APPLICATION FOR FEDERAL ASSISTANCE
UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT AND
HOME INVESTMENT PARTNERSHIP PROGRAMS

WHEREAS, the City of Passaic is entitled to receive federal financial assistance under the Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) for the Program Year 2020-2021, which begins July 1, 2020 and ends June 30, 2021 and,

WHEREAS, to secure continued financial assistance, it is necessary to file a One-Year Action Plan with the US Department of Housing and Urban Development (HUD) and,

WHEREAS, our original 2020-2021 Grant Agreement was fully executed on September 9, 2020 between the City of Passaic and HUD for the following allocations:

- Community Development Block Grant (CDBG)
\$1,362,949.00
- Home Investment Partnership Program (HOME)
\$887,926.00 and,

WHEREAS, on October 22, 2020, the City received correspondence from John Gibbs, Assistant Secretary (Acting), for Community Planning and Development, U.S. Department of Housing and Urban Development advising of a "formula error" which resulted in funding decreases affecting all jurisdictions and,

WHEREAS, this correspondence stated that the City of Passaic's allocation has now been reduced to an amount representing 99.98% of the City's total CDBG and HOME grants for fiscal year 2020-2021; representing a decrease in dollars as follows:

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- Community Development Block Grant (CDBG) \$ 208.00
- Home Investment Partnership Program (HOME) \$ 191.00 and,

WHEREAS, based on HUD's update/correction, the City of Passaic's Fiscal Year 2020-2021 available allocation is now:

- **Community Development Block Grant (CDBG)**
\$1,362,741.00
- **Home Investment Partnership Program (HOME)** \$
887,735.00 and,

WHEREAS, as a result of HUD's adjusted allocations, we have adjusted our 2020-2021 Action Plan budget as follows:

Activity Name	City Acct. #	Previous 2020-2021 Allocation	CDBG Reduction Amount	Adjusted 2020-2021 Allocation
CDBG Admin	B-12-46-BG0-200-813	262,589.00	42.00	262,547.00
Sewer System/Roadway Improvements	B-12-46-BG0-000-9RD	161,554.00	134.00	161,420.00
Summer Camp	B-12-46-BG0-205-802	40,442.00	32.00	40,410.00
	Total CDBG Reduction Amount:		208.00	
Activity Name	City Acct. #	Previous 2020-2021 Allocation	HOME Reduction Amount	Adjusted 2020-2021 Allocation
HOME Admin	H-24-46-HP0-015-813	88,792.00	19.00	88,773.00
First Time Home Buyers Program	H-24-46-HP0-013-812	100,000.00	172.00	99,828.00
	Total HOME Reduction Amount:		191.00	

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

1. The Program Year 2020-2021 Action Plan is hereby approved based upon HUD's corrected allocations of **\$1,362,741.00** under the CDBG Program and

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\$887,735.00 under the HOME Investment Partnership Program. The attached budget is herein incorporated by reference as if fully made a part hereof.

2. The Mayor of the 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 and Consolidated 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 2020-2021 Action Plan for submission to 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.

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

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**CITY OF PASSAIC
RESOLUTION NO. 20-01-006**

**RESOLUTION AUTHORIZING THE APPLICATION FOR
AND ACCEPTANCE OF THE NEW JERSEY DEPARTMENT OF
COMMUNITY AFFAIRS 2020 MUNICIPAL LEAD ABATEMENT
GRANT PROGRAM AWARD**

WHEREAS, the City of Passaic desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$166,877.000 to carry out a project to minimize lead hazards throughout the City of Passaic.

NOW, THEREFORE, BE IT RESOLVED, that the City of Passaic does hereby authorize the application for such a grant; and, 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

BE IT FURTHER RESOLVED that the Mayor, City Clerk and Business Administrator are hereby 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.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-007**

**RESOLUTION AUTHORIZING THE CITY OF PASSAIC,
POLICE DEPARTMENT TO ENTER INTO AN AGREEMENT
FOR SUPPORT & MAINTENANCE OF LAWSOFT DISPATCHING
SYSTEM SOFTWARE, GIS MAPPING, 911 HARDWARE AND
AVL SOFTWARE (TRACKER IN EA. VEHICLE)**

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WHEREAS, the City of Passaic, Police Department wishes to enter into an agreement with SHI International Corp., Somerset, NJ for Support & Maintenance of Lawsoft Dispatching System Software, GIS Mapping, 911 Hardware and AVL Software (Tracker in ea. Police Vehicle) State Contract #A-89851; and

WHEREAS, Local Public Contracts Law 40A:11-2 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 cost for the Support & Maintenance Agreement is \$ 32,665.91 for the period January 1, 2021 through December 31, 2021; and

WHEREAS, it is the recommendation of Louis Guzman, Police Chief, that the agreement be entered into with SHI International Corp. in the amount of \$32,665.91 for the period January 1 2021 through December 31, 2021.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Support & Maintenance of Lawsoft Dispatching System Software, GIS Mapping, 911 Hardware and AVL Software (Tracker in ea. Police Vehicle) be awarded to SHI International Corp. in the amount of \$ 32,665.91.

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 contingent upon Governing Body approving CY 21 Budget, Acct. #1-01-25-240-020-024.

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**CITY OF PASSAIC
RESOLUTION # 21-01-008**

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

WHEREAS, proposals were received by the Director of Purchasing on Tuesday, November 24, 2020 for three (3) Municipal Court Prosecutor; and

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

WHEREAS, proposals were received as per the attached:

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

Visual	Onvia	Bid Net	Source Management	Bid Ocean
TN	Seattle	New York	Washington	Colorado

WHEREAS, it is the recommendation of the Evaluation Committee that the contract for Municipal Court Prosecutors be awarded to Reddin Masri, LLC of Totowa, NJ; Rajeeh A. Saadeh, LLC of Sommerville, NJ; and James V. Pomaco of Nutley, NJ in the amount of \$ 200.00/session and \$225.00/DWI session with a total contract amount for all three (3) prosecutors not to exceed \$ 135,000.00 for the period January 1, 2021 through December 31, 2021.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Municipal Court Prosecutors be awarded to Reddin Masri, LLC of Totowa, NJ; Rajeeh A. Saadeh, LLC of Sommerville, NJ; and James V. Pomaco of Nutley, NJ in the amount of \$ 200.00/session and \$225.00/DWI session with a total contract amount for all three (3) prosecutors not to

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exceed \$ 135,000.00 for the period January 1, 2021 through December 31, 2021.

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

CERTIFICATION OF FUNDS

Funds for the above are available contingent upon Governing Body approving CY 2021 - Budget , Acct. 1-01-25-275-000-028.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-009**

**RESOLUTION AUTHORIZING THE EMERGENCY PURCHASE OF
NETWORK INFRASTRUCTURE FOR CITY HALL, SENIOR BUILDING
AND DIGNITY HOUSE**

WHEREAS, on March 9, 2020 the State of New Jersey issued Executive Order #103 declaring a State of Emergency and a Public Health Emergency to Mitigate the spread of Covid-19; 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 network infrastructure for City Hall and Senior Building has been utilized beyond its limits due to the workforce working remotely and relying on the internet as a major form of communication during the Covid 19 pandemic; and

WHEREAS, increasing LAN speed and improving network design internally will allow the workforce to improve current production levels and help prevent interruption of service; and

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WHEREAS, there was a need identified for The Dignity House to provide wireless network; and

WHEREAS, the City of Passaic wishes to upgrade the network infrastructure for the above mentioned buildings from BlackBox, Maple Grove, MN in the amount of \$216,629.57; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that a contract to upgrade Network Infrastructure for City Hall, Senior Building and Dignity House in the amount of \$ 216,629.57 to BlackBox, Maple Grove, MN is hereby authorized.

CERTIFICATION OF FUNDS

Funds for the above are available in Account #G-02-40-020-CCA-020.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-010**

**RESOLUTION AUTHORIZING THE EMERGENCY PURCHASE OF
NETWORK INFRASTRUCTURE FOR POLICE DEPARTMENT**

WHEREAS, on March 9, 2020 the State of New Jersey issued Executive Order #103 declaring a State of Emergency and a Public Health Emergency to Mitigate the spread of Covid-19; 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 network infrastructure for the Police Department has been utilized beyond its limits due to the workforce working remotely and relying on the internet as a major form of communication during the Covid 19 pandemic; and

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WHEREAS, increasing LAN speed and improving network design internally will allow the workforce to improve current production levels and help prevent interruption of service

WHEREAS, the City of Passaic wishes to upgrade the network infrastructure for the Police Department from GTBM, East Rutherford, NJ in the amount of \$137,045.65; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that a contract to upgrade Network Infrastructure for the Passaic Police Department in the amount of \$ 137,045.65 to GTBM, East Rutherford, NJ is hereby authorized.

CERTIFICATION OF FUNDS

Funds for the above are available in Account #G-02-40-020-CCA-020.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-011**

**RESOLUTION APPROVING EMERGENCY PURCHASE
OF LIFELINE TOUCHLESS COMPRESSION CPR UNITS
WITH ACCESSORIES**

WHEREAS, on March 9, 2020 the State of New Jersey issued Executive Order #103 declaring a State of Emergency and a Public Health Emergency to Mitigate the spread of Covid-19; 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, it is the determination of Health Officer, John Biegel that this pandemic posed a serious Public health Emergency; and

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

WHEREAS the City of Passaic wishes to purchase Two (2) Lifeline Touchless Compression CPR Units With Accessories for the Eastside Firehouse and Westside Firehouse to help minimize contact with the public while performing this procedure be awarded to LifeSavers, Inc. of Fairfield, NJ in the amount of \$ 35,001.06.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that a contract for Purchasing two (2) Lifeline Touchless Compression CPR Units with Accessories for the Eastside Firehouse and Westside Firehouse be awarded to LifeSavers, Inc. of Fairfield, NJ in the amount of \$35,001.06 is hereby authorized.

CERTIFICATION OF FUNDS

Funds for the above are available in Account #G-02-40-020-CCA-020.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-012**

**RESOLUTION AWARDING CONTRACT FOR
EMERGENCY SANITARY SEWER REPAIR
VAN WINKLE AVENUE BETWEEN
PRESIDENT STREET & HIGHLAND AVENUE
PASSAIC, NEW JERSEY**

WHEREAS, on November 13, 2020, there was a sanitary sewer collapse on Van Winkle Avenue between President Street & Highland Avenue, Passaic, NJ; and

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

WHEREAS, Delgado Brothers Plumbing & Heating of Passaic, NJ was contracted to repair the Sanitary Sewer Line in the amount of \$15,391.00; and

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that payment to Delgado Brothers Plumbing & Heating of Passaic, NJ be made in the amount of \$15,391.00.

CERTIFICATION OF FUNDS

Funds for the above are available in Account #0-07-55-502-000-9ER

**CITY OF PASSAIC
RESOLUTION # 21-01-013**

**RESOLUTION AWARDING CONTRACT FOR FURNISHING
AND DELIVERY OF MILITARY OUTDOOR BANNERS
CITY OF PASSAIC**

WHEREAS, proposals were received by the Director of Purchasing on Tuesday, December 29, 2020 for Furnishing & Delivery of Military Outdoor Banners; 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 Sign A Rama of Clifton, NJ in the amount of \$285.00/banner for a total amount of \$28,500.00; and

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

D & J Signs
Passaic, NJ

eRepublic
Folsom, CA

School Wholesale
Tunersville, NJ

Visual Infomedia

Seven Outsource

North America Procurement

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Coimbatore, NJ

Newark, NJ

Grand Junction, CO

WHEREAS, the evaluation Committee reviewed the proposals received and recommends that the contract for Furnishing & Delivery of Military Outdoor Banners, be awarded to Sign A Rama, of Clifton, NJ in the amount of \$285.00/banner for a total amount of \$28,500.00.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Furnishing & Delivery of Military Outdoor Banners be awarded to Sign A Rama of Clifton, NJ in the amount of \$285.00/banner for a total amount of \$28,500.00.

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

CERTIFICATION OF FUNDS

Funds for the above are available in Account # 0-01-20-110-000-047.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-014**

RESOLUTION-TEMPORARY BUDGET CALENDAR YEAR 2021

WHEREAS, NJSA 40A:4-19 of the Local Budget Act provides that the Temporary appropriations should be made prior to the adoption of the CY2021 current operating budget as well as Sewer Utility budget, for the purpose and the amounts required, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriations in the CY2020 budget, exclusive of any appropriation made for interest and debt redemption charges, capital improvement and public assistance in the said budget is the sum of

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

\$91,006,813.00, and Sewer utility budget is the sum of \$6,180,750.00 and

WHEREAS, 26.25% of the total appropriation in the CY2020 budget, exclusive of any appropriation made for interest and debt redemption charges, capital improvement and public assistance in the said budget is the sum of \$23,889,288.00, and \$1,622,447.00, and

NOW, THEREFORE BE IT RESOLVED by the governing body of City of Passaic, County of Passaic, State of New Jersey, that the following temporary appropriations be made; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the Chief Financial Officer of the City of Passaic, Passaic County, New Jersey.

CITY OF PASSAIC
RESOLUTION NO. 21-01-015

CASH MANAGEMENT PLAN

WHEREAS, NJ.S. 40A:5-14, Local Fiscal Affairs Law, requires that each municipality adopt a Cash Management Plan designed to assure the deposit, investment and proper disbursement of local funds; now, therefore, be it

RESOLVED, that the Municipal Council of the City of Passaic does hereby adopt the following Cash Management Plan:

A. DESIGNATION OF DEPOSITORIES

The following institutions are designated as permissible depositories for the deposit of City funds:

BANCO POPULAR	PNC BANK
VALLEY BANK	TD BANK
CAPITAL ONE	

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All depositories must conform to the Governmental Unit Deposit Protection Act ("GUDPA"), and shall provide a Notification of Eligibility from the State of New Jersey, Department of Banking, on a semi-annual basis. In addition, designated depositories shall maintain maximum FDIC or FSLIC coverage of all City funds on deposit.

B. DEPOSIT OF FUNDS

All funds shall be deposited within forty-eight (48) hours of receipt, in accordance with NJ.S. 40A:5-15, into appropriate fund operating accounts. Interest bearing operating and capital accounts shall be regularly monitored for the availability of funds for investment. Debt Service and Trust accounts shall be maintained in accordance with Federal and State statutes regulating such funds. Payroll, Developers' Escrow deposits and other agency funds, which represent funds of individuals and other organizations held by the City, shall be deposited in regular, interest bearing checking accounts unless applicable State statutes direct otherwise. Grant funds shall be deposited in accordance with regulations of the granting government or agency.

C. INVESTMENT INSTRUMENTS AND PROCEDURES

The City may purchase those investments permitted in NJ.S. 40A:5-15.1, which include:

- United States Treasury Bonds, Notes and Bills
- United States Government Agency and Instrumentality Obligations
- New Jersey Arbitrage Rebate Management Fund
- Savings Bank Deposits and Certificates of Deposit
- State of New Jersey Cash Management Fund

The City may purchase other obligations approved by the Division of Investment of the Department of Treasury for investment by local units.

Investments shall be limited to a maturity of not more than one year unless a longer term is permitted by applicable Federal or State regulations. Allowable investments with maturities which extend beyond the end of the City's fiscal year shall be permitted. The purchase of Certificates of Deposit shall be made based on the availability of funds for investment and the analysis of projected cash flows.

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D. DISBURSEMENT OF FUNDS

All funds shall be disbursed as authorized and directed by the Municipal Council, except that the Chief Financial Officer shall have the authority to make the following disbursements prior to receiving the approval of the Municipal Council:

County Taxes	Payroll Withholding Amounts
Debt Service	Postage
Insurance Premiums	Purchase of Investments
Interfunds	Salaries and Wages
Petty Cash Reimbursements	School Taxes
Utility Expenses	Statutory Expenses

Any disbursements made prior to Municipal Council approval shall be listed and included in the Payment of Bills for the first available council meeting following said disbursement for Municipal Council approval.

Disbursements shall be executed via electronic wire transfer of funds by the Chief Financial Officer, or designated staff member, when that method of payment will result in an operating and/or financial benefit to the City.

E. PETTY CASH FUND

Reimbursements for expenditures through the Petty Cash Fund shall be made within the limits approved by the Director of the Division of Local Government Services. The Petty Cash Fund shall be maintained in accordance with N.J.S. 40A:5-21. Individual reimbursements from the Petty Cash Fund shall not exceed \$50 per item. The following Petty Cash Funds shall be maintained:

City Clerk	\$300
Fire Department	\$250
Police Department	\$250
Public Works	\$250

F. BONDING

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

Chief Financial Officer	Tax Collector
City Clerk	Treasurer
Municipal Court	

Staff members of the Department of Finance and Tax Collection not covered by separate surety bonds shall be

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

covered by a Public Employee's Faithful Performance Bond.

G. COMPLIANCE

The Cash Management Plan of the City of Passaic shall be subject to the approval of the City's Legal Counsel, and shall be subject to the annual audit, conducted pursuant to N.J.S. 40A:5-4.

As stated in N.J.S. 40A:5-14, the official(s) charged with the custody of City funds shall deposit them as instructed by this Cash Management Plan, and shall thereafter be relieved of any liability or loss due to the insolvency or closing of any designated depository.

If, at any time, this Cash Management Plan conflicts with any regulation of the State of New Jersey, or any department thereof, the applicable State regulations shall apply.

**CITY OF PASSAIC
RESOLUTION NO. 20-01-016**

**A RESOLUTION DESIGNATING THE OFFICIAL BANK ACCOUNTS
AND THE OFFICIAL DEPOSITORIES FOR SUCH BANK ACCOUNTS
OF THE CITY OF PASSAIC**

BE IT RESOLVED by the City Council of the City of Passaic that:

The following bank accounts, at their respective depositories of the City of Passaic, shall be continued and shall be as follows:

PNC BANK

Trust Account
Capital Account
Dog Trust Account
Primary General Election Account
Sewer Capital
Grants Account
Claims Account

VALLEY NATIONAL BANK

Current Account

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Redemption Account
EMS Billing Account
Problem Solving Account
Home Investment Partnership Program Account
FLEX Plan
D&H Alternative Solutions, Inc. - Worker's Compensation
Emergency Solutions Grant Account
Municipal Court Account

CAPITAL ONE

Agency Account
Current Account
Community Development Block Grant Account
Salary Account
Tax Sale Premium Account
Specialty Claims Management - Liability
Utility Operations
Regional Contribution Agreement - Savings Account
Payroll Account
Credit Card Account

TD BANKNORTH

Escrow Account
Norwood RCA Account
Recreation Officials Fee

BANCO POPULAR

Current Account
City of Passaic Grant Fund
City of Passaic Claims Fund

**CITY OF PASSAIC
RESOLUTION NO. 21-01-017**

**RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE
FOR IT PAYS TO PLUG IN GRANT**

WHEREAS, the governing body of City of Passaic desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$12,000 to fund the following project: Purchase, installation, and maintenance of 2 Level 2 dual-port ChargePoint charging stations to be installed at 330 Passaic Street, City of Passaic, NJ 07055.

NOW, THEREFORE, BE IT RESOLVED, the governing body resolves that Ricardo Fernandez or the successor to the office of Business Administrator is authorized (a)

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0.00 and not more than \$12,000.00, and (c) to execute any amendments thereto.

The City Council authorizes and hereby agrees to match 0% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 0% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement).

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-018**

RESOLUTION REAPPOINTING FINANCE DIRECTOR/CHIEF FINANCIAL OFFICER FOR THE CITY OF PASSAIC 2021

WHEREAS, § 5-65 of the City Code of the City of Passaic provides for a Department of Finance to be headed by a Director, who shall be appointed by the Mayor and serve as the Chief Financial Officer of the City; and

WHEREAS, pursuant to N.J.S.A. 40A:9-140.13(f), such temporary appointment is for a term of (1) year; and commencing on the date of the vacancy, a person who does not hold a municipal finance officer certificate may be appointed as a temporary chief financial officer; and

WHEREAS, any person so appointed may, with the approval of the Division of Local Government Services in the Department of Community Affairs, be reappointed as

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finance director/chief financial officer following the termination of the temporary appointment for up to two additional one-year terms; and

WHEREAS, the City Council of the City of Passaic adopted Resolution #19-12-395 on December 17, 2019 appointing Omar J. Garcia to the position of temporary Finance Director/Chief Financial Officer for a one-year term commencing on January 1, 2020; and

WHEREAS, the Mayor of the City of Passaic wishes to reappoint Omar J. Garcia to the position of Finance Director/Chief Financial Officer following the termination of the previous temporary appointment contingent upon approval by the Division of Local Government Services; and

WHEREAS, the term of such reappointment shall be for one (1) year retroactively commencing on January 1, 2021; and

WHEREAS, Omar J. Garcia meets the qualifications for appointment to this position pursuant to N.J.S.A. 40A:9-140.13; and

WHEREAS, Omar J. Garcia shall bear all powers and duties set forth in § 5-66 of the City Code of the City of Passaic.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that Omar J. Garcia is hereby reappointed as Finance Director/Chief Financial Officer for the City of Passaic for an additional one-year term, contingent upon approval of the application made to the Division of Local Government Services in the Department of Community Affairs; and

BE IT FURTHER RESOLVED that Omar J. Garcia shall receive salary as set forth by Ordinance and shall also be entitled to health benefits; and

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BE IT FURTHER RESOLVED that Omar J. Garcia is hereby exempted from the residency requirement set forth in the City Code of the City of Passaic; and

BE IT FURTHER RESOLVED that Omar J. Garcia shall be administered an oath to perform the duties of the office faithfully and impartially as soon as practicable; and

BE IT FURTHER RESOLVED that Omar J. Garcia shall hereby be designated as the authorized signatory for all City of Passaic accounts; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to execute any and all documents necessary to effectuate this reappointment.

**CITY OF PASSAIC
RESOLUTION NO. 21-01-019**

RESOLUTION APPROVING AMUSEMENT GAMES FOR 212 WASHINGTON PLACE CORP. T/A RACK N ROLL, 212 WASHINGTON ST. PASSAIC, NJ. (BLOCK 1130, LOT 31), FOR LICENSING YEAR 2021

WHEREAS, 212 Washington Place Corp. t/a Rack N Roll will be operating their business in the City of Passaic; and,

WHEREAS, the State Office of Amusement Games Control requires that the governing body of the municipality wherein amusement games are to be located approve the proposed site of such amusement games;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Passaic hereby approves of this proposed site, namely Block 1130, Lot 31 with address 212 Washington Place, for the proposed amusement games, subject to the specific approval of each individual game, wheel, ride and attractions by the New Jersey

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Office of Amusement Games Control, and compliance with all State, County and local regulations pertaining thereto:

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded by the City Clerk to the following:

1. Joseph Chessere, NJ Office of Amusement Games Control
2. Alberto M. Ventura, Construction Official
3. 212 Washington Place Corp. t/a Rack N Roll

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

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ORDINANCE FOR INTRODUCTION AND FIRST READING:

Council President Schaer announced that the following is for discussion only:

**CITY OF PASSAIC
ORDINANCE #2286-20**

**ORDINANCE ADOPTING A REDEVELOPMENT PLAN
FOR 208 PASSAIC AVENUE (BLOCK 3238, LOT 1)
(ADMINISTRATION HAS REQUESTED THE SECOND/FINAL READING
BE SET FOR THE FEBRUARY 9, 2021 COUNCIL MEETING)**

After discussion, the council president's directive to have this ordinance placed on the next council meeting agenda for introduction.

PAYMENT OF BILLS

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

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

MAYOR'S REPORT

- This holiday day season, hundreds of families received gifts for their children.
- More gifts were giving out for Three Kings Day.
- COVID Testing and Vaccine site will be moved 390 Paulison Avenue.

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ADJOURNMENT

There being no further business to come before the Council on a motion by Council Member Love and seconded by Council Member Garcia the meeting was adjourned at 8:45 p.m.

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

ATTEST:

Amada D. Curling,
City Clerk

APPROVED:

Gary S. Schaer,
Council President