



Passaic City Council  
February 4, 2020 Minutes

**WORK-SESSION WAS HELD ON TUESDAY, FEBRUARY 4, 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: Love, Schwartz, Garcia, CP Schaer**  
**ABSENT: Melo, Munk, Patel**

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

Council President Schaer, started a review of the items on the agenda.

Council Members, Munk, Melo and Patel, took their chair on the dais.

Councilman Love requested item 22 for a separate roll call.

After the Agenda review, the work session remained open.

**PUBLIC MEETING OF THE CITY COUNCIL OF THE CITY OF PASSAIC WAS HELD ON TUESDAY, FEBRUARY 4, 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 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**

ON CALL OF THE ROLL THE FOLLOWING COUNCIL MEMBERS RESPONDED:

**ROLL CALL**

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

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

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

Council President read an Addendum to the agenda, Item No 34A entitled "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"

### PRESENTATION

Passaic Police Department presentation by Chief Luis Guzman (Crime statistic 2018 comparison 2019).

### MINUTES

Council Meeting Minutes for January 21, 2020, submitted for approval.

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

### **ROLL CALL**

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

**ABSENT:**

### 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.*

**Jaroslaw Jackiw, JJ, 266 Lafayette Avenue**

- What is the status of security at Passaic housing authority? What is the responsibility of the police department?
- Has the shared services agreement with the Board of Education been submitted?

**Chan Hart, 8180 Hastings Avenue, Rutherford**

- Problem with speeding cars near 43 River Drive residence, a Passaic resident was recently struck by car; he would like to see a speed bump installed.

**Minnie Hilliard-Cousins, 368 Highland Avenue**

- Thanked the chief for presentation.
- Sensitivity training is working, substation has been effective in neighborhood.

**Joe Conoscenti, 170 Broadway**

- Chief mentioned two incidents in January, the shooter was from out of town.
- There is gang activity in substation area near Howe Ave.
- A board is needed to review and monitor rent properties and rent control in Passaic.
- The autobody shop at 92 Broadway used to be a gas station and wants to be a used car lot. Why is he operating as an illegal used car lot?
- What is the status of the Italian flag on the Christopher Columbus monument at third ward park?

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

**ROLL CALL**

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

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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. 2249-50**

**ORDINANCE AMENDING THE CITY CODE OF THE CITY OF  
PASSAIC CHAPTER 29 "LAND DEVELOPMENT PROCEDURES" TO  
CREATE ARTICLE VI "PAYMENT IN LIEU OF PARKING"**

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

As per the City Attorney, the minor changes made to the ordinance should not require a reintroduction.

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

**ROLL CALL**

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

Council Member Schwartz 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: Munk, Love, Melo, Patel, Schwartz, Garcia, CP Schaer**  
**ABSENT:**

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

**CITY OF PASSAIC**  
**ORDINANCE NO. 2250-20**

**ORDINANCE AMENDING THE DESIGNATION OF  
RESTRICTED PARKING FOR DISABLED PERSONS BY  
NJ LICENSE PLATE NUMBER**

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

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

**ROLL CALL**

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

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

**ROLL CALL**

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

**COMMUNICATIONS AND 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

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

- Ukrainian Center, Inc. 240 Hope Avenue
- St. Anthony of Padua, 101-103 Myrtle Avenue

Atardecer de Mexico, LLC, 210 Washington Place, submitting application to renew their Entertainment License for the year 2020.

Roman Catholic Churches of Passaic, 63 Monroe Street, submitting application to hold a Religious Procession on March 13, 2020 from 6:30 p.m. to 8:30 p.m. The Procession will commence at 101 Myrtle Ave. travel to Gregory Ave to Park Pl. to Exchange Pl. to Passaic Ave to Passaic St. to St. Francis Way to State St. to Washington Pl. to Hope Ave to Harrison St. to Parker Ave, to Monroe St. to Market St. To Morris St. To Third St. to Mercer St. to Fourth St. to Passaic St. To Wall St. ending at Holy Rosary R.C. Church -6 Wall St. (Contingent Upon Departmental Approvals)

Hermandad Dominicana, 277 Broadway, submitting application to hold a Flag Raising on January 26, 2020 from 1:00 p.m. to 2:00 p.m. on front of Passaic City Hall.

Passaic NAACP Chapter #2097, 135 Summer Street, submitting application to hold a Flag Raising NAACP Reception, in the Anabelle Shimkiwiz Senior Center on February 1, 2020 from 12:00 p.m. to 2:00 p.m. **(Contingent Upon Departmental Approvals)**

Alianza Ecuatoriana, 75 Lexington Avenue, submitting application to hold a Flag Raising in front of Passaic City Hall on August 9, 2020 from 1:00 p.m. to 2:30 p.m. (Contingent Upon Departmental Approvals)

United Puerto Rican Council Inc., 173-175 Passaic Street, submitting application to hold a Flag Raising in front of Passaic City Hall, on July 26, 2020 from 12:00 p.m. to 2:00 p.m. (Contingent Upon Departmental Approvals)

St. Nicholas R.C. Church, 153 Washington Place, submitting application to hold a Religious Procession, on April 10, 2020 from 10:00 a.m. to 12:30 p.m. The Procession will commence at 153 Washington Place to Columbia Avenue to Monroe Street to Hoover Avenue to Washington Avenue ending at 153 Washington Place. (Contingent Upon Departmental Approvals)

St. Mary's Assumption Church, 63 Monroe Street, submitting application to hold a Religious Procession, on April 10, 2020 from 1:30 p.m. to 3:00 p.m. The Procession will commence at 63 Monroe Street travel to Monroe Street, to Third Street to Mercer Street to Fourth Street to Passaic Street to Market Street ending at 63 Monroe Street. (Contingent Upon Departmental Approvals)

St. Anthony of Padua, 101-103 Myrtle Avenue, submitting the following applications:

- Religious Procession on April 10, 2020 from 11:00 a.m. to 1:00 p.m. The Procession will commence at 320 Oak Street travel, to Oak Street to Gregory Avenue to Monroe

Street to Myrtle Avenue to Oak Street ending at 320 Oak Street. (Contingent Upon Departmental Approvals)

- Two Religious Processions on April 12, 2020 from 6:00 a.m. to 6:30 a.m. First Procession will commence at 101-103 Myrtle Avenue turn right on to Oak Street to Tulip Street to Chestnut Street, to Myrtle Avenue ending at 101-103 Myrtle Avenue. Second Procession will commence at 101-103 Myrtle Avenue travel left on to Chestnut Street to Tulip Street to Oak Street to Myrtle Avenue ending at 101-103 Myrtle Avenue. (Contingent Upon Departmental Approvals)
- Charismatic Prayer Group Assembly, on June 8,15,22,29, 2020; July 6, 13, 20, 27, 2020; and August 3,10,17,24,31,2020 from 7:30 p.m. to 10:00 p.m. in their private parking lot. (Contingent Upon Departmental Approvals)

St. Anthony of Padua, 101-103 Myrtle Avenue, submitting to hold a Flea Market in their private parking lot on the following dates:

- March 28, 2020 from: 7:30 a.m. to 4:30 a.m.
- April 18, 2020 from: 7:30 a.m. to 4:30 a.m.
- May 23, 2020 from: 7:30 a.m. to 4:30 a.m.
- June 20, 2020 from: 7:30 a.m. to 4:30 a.m.
- July 25, 2020 from: 7:30 a.m. to 4:30 a.m.
- August 15, 2020 from: 7:30 a.m. to 4:30 a.m. (Rain date: Aug. 29, 2020)
- September 5, 2020 from: 7:30 a.m. to 4:30 a.m.
- October 17, 2020 from: 7:30 a.m. to 4:30 a.m. (Rain date: Oct. 31, 2020)
- November 7, 2020 from: 7:30 a.m. to 4:30 a.m. (Rain date: Nov. 28, 2020) (Contingent Upon Departmental Approvals)

**ROLL CALL**

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

**ABSENT:**

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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

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

- Memorandum -Fire Fighter swearing in (revised)
- Memorandum re-appointing Hector Ledezma to the Library Board of Trustees for a term to commence immediately and expire December 31, 2024.
- Memorandum re-appointing Glennly Candelaria to the Library Board of Trustees for a term to commence immediately and expire December 31, 2024.

New Jersey Department of Community Affairs, submitting correspondence re: Review of Resolution 19-12384 Amending Resolution 18-06-197 to include Block 5000, Lot 1 and Block 5000.01, Lot 1 as part of a previously designated Area in need of Redevelopment

City of Paterson, submitting resolution No. 20:015 entitled "Resolution in Support of Assembly Bill A-5726, Which Would Increase the Wages of Poll Workers to be Paid By the State of New Jersey and by the County in Which the Elections are held

New Jersey Department of Environmental Protection, submitting the following:

- Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 20-01-24-0930-33
- Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 20-01-16-1329-14

North Jersey District Water Supply Commission, submitting the following:

- Minutes of their December 18, 2019 meeting
- Agenda and Notice of their January 22, 2020 meeting.

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

- Revised meeting dates of the calendar year 2020

Zoning Board of Adjustment of the City of Passaic, submitting the following:

- Agenda of their January 28, 2020 meeting.
- Agenda of their January 14, 2020 meeting.

Passaic Valley Water Commission, submitting the following:

- Notice of the Annual meeting dates for the year 2020
- Minutes of their December 18, 2019 meeting
- Agenda of their January 15, 2020 Reorganization meeting
- Slate of Officer for the year 2020

- Notice of their February 19, 2020 meeting.

**ROLL CALL**

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

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

Passaic Board of Education, submitting the following:

- Notice of Meeting Location Change - January 27, 2020

**ROLL CALL**

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

**RESOLUTIONS:**

**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 # 20-02-035**

**RESOLUTION AUTHORIZING A CONTRACT WITH DRS IMAGING  
FOR DOCUMENT IMAGE SCANNING SERVICES**

**WHEREAS,** the City of Passaic wishes to enter into a contract with DRS Imaging for Document Image Scanning Services offered under the Union County Cooperative Contract #UCCP 28-2015; and

**WHEREAS, N.J.S.A. 40A:11-11** authorizes the purchase of any materials, supplies or equipment under Cooperative Pricing System entered on behalf of the City and Property in the Department of the Treasury without the necessity for public bidding; and

**WHEREAS**, the contract is for an amount not to exceed \$38,655.90.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Passaic that a contract be awarded to DRS Imaging, of Springfield, NJ in the amount not to exceed \$38,655.90

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

**CERTIFICATION OF FUNDS**

Funds for the above are available in account #0-01-22-195-000-039 in the amount of \$28,655.90 and Account #A-01-55-000-204-000-CY9 in the amount of \$10,000.00.

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**CITY OF PASSAIC  
RESOLUTION #20-02-036**

**RESOLUTION AUTHORIZING EXTENSION OF CURRENT CONTRACT  
FOR PREVENTATIVE MAINTENANCE AND EMERGENCY REPAIR  
FOR FIRE APPARATUS SERVICES FIRE DEPARTMENT**

**WHEREAS**, on August 8, 2017 the City Council of the City of Passaic adopted Resolution #17-08-229 (attached) approving a contract with Fire & Safety Services for Preventative Maintenance and Emergency Repair for Fire Apparatus Services; and

**WHEREAS**, the contract was for a period of one (1) year with the option to extend the contract for an additional two (2) One (1) year terms or One (1) Two (2) year term at the same terms and conditions as the original contract; and

**WHEREAS**, on October 16, 2018 the City Council of the City of Passaic adopted Resolution #18-10-322 (attached) approving the first year extension of contract with the same terms and conditions as the original contract; ;and

**WHEREAS**, the City of Passaic wishes to exercise their option to extend the contract for the additional 2<sup>nd</sup> year period with the same terms and conditions as the original contract; and

**WHEREAS**, the additional 2<sup>nd</sup> year contract shall commence on October 16, 2019 through October 15, 2020.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Passaic that the contract for Preventative Maintenance and Emergency Repair for Fire Apparatus Services with Fire & Safety Services in an amount not to exceed \$ 30,000.00 with the hourly rate of \$80.00.hr shall be extended for a period of One (1) year commencing on October 16, 2019 and expiring on October 15, 2020.

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

**CERTIFICATION OF FUNDS**

Funds for the above are available in Fire Maintenance Motor Vehicle Acct. #0-01-25-265-020-025. Funds for the subsequent budget are available, providing the budget is approved by the governing body.

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**CITY OF PASSAIC**  
**RESOLUTION NO.20-02-037**

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION  
FOR THE PASSAIC COUNTY OPEN SPACE, FARMLAND, AND  
HISTORIC PRESERVATION TRUST FUND GRANT PROGRAM**

**WHEREAS**, the City of Passaic wishes to submit an application for the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund Grant Program ("Program") to fund the Rehabilitation of the City's "100 Steps" Project ("Project"); and

**WHEREAS**, the Passaic County Board of Chosen Freeholders provides grants to municipalities and qualified non-profit corporations for the assistance in acquisition, development, stewardship, and historic preservation from the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund; and

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

**WHEREAS,** the Rehabilitation of the Project being sought by the City of Passaic is an eligible project that meets the criteria for a Historic Preservation Grant; and

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

**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 Open Space, Farmland, and Historic Preservation Trust Fund Grant Program to fund the Rehabilitation of the City's "100 Steps" Project; and

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

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**CITY OF PASSAIC**  
**RESOLUTION NO. 20-02-038**

**RESOLUTION - 2019 APPROPRIATION RESERVE TRANSFERS**

**BE IT RESOLVED** by the City Council of the City of Passaic in the County of Passaic and State of New Jersey, that the following transfers are to be made from the 2019 Municipal Budget Appropriation Reserves;

<b>FROM</b>	<b>TO</b>	
Police	S&W	24,000.00
Bldg. & Grnds.	S&W	15,000.00
Vehicle Maint.	S&W	18,000.00
Zoning Board	OE	1,500.00
Police	OE	24,000.00
Bldg. & Grnds.	OE	15,000.00
Vehicle Maint.	OE	18,000.00
Planning Board	OE	1,500.00
<b>TOTAL</b>	<b><u>58,500.00</u></b>	<b><u>58,500.00</u></b>

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**CITY OF PASSAIC**  
**RESOLUTION NO.20-02-039**

**RESOLUTION AUTHORIZING SUBMISSION OF  
AN APPLICATION FOR THE 2020 SCOTTS FIELD  
REFURBISHMENT GRANT PROGRAM THROUGH THE  
MAJOR LEAGUE BASEBALL ASSOCIATION**

**WHEREAS**, the City of Passaic wishes to submit an application for the 2020 Scott Fields Refurbishment Grant Program ("Program") that is being offered through the Major League Baseball Association and Scotts Company; and

**WHEREAS**, the Major League Baseball Association has partnered with Scotts Company to support renovations to youth baseball fields; and

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

**WHEREAS**, recipients of the Grant shall receive up to \$50,000 to cover the cost of baseball field refurbishments, including but not limited to, a new pitcher's mound, new home plate and batter's boxes, new bases and anchors, new fencing and/or backstop, and new scoreboard; 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 an application for the 2020 Scotts Fields Refurbishment Grant Program; and

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

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**CITY OF PASSAIC**  
**RESOLUTION NO.20-02-040**

**RESOLUTION AUTHORIZING RECEIPT OF DONATION OF  
WRESTLING SNEAKERS FROM ADIDAS WRESTLING USA**

**WHEREAS**, the City of Passaic's Department of Parks, Recreation, Cultural Affairs and Senior Services has

initiated a wrestling program for City youth ages six (6) through thirteen (13); and

**WHEREAS**, Adidas Wrestling USA wishes to donate eleven (11) pairs of wrestling sneakers to the City of Passaic for use by the Department of Parks, Recreation, Senior and Cultural Affairs as part of its wrestling program; and

**WHEREAS**, the following sizes and pairs of wrestling shoes are being donated from Adidas Wrestling USA:

Size	Pair(s)
10K	1
11K	1
12K	1
13K	1
1	2
2.5	1
3.5	2
4	1
5.5	1

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Passaic that the City of Passaic is hereby authorized to accept the donation from Adidas Wrestling USA of eleven (11) pairs of wrestling sneakers for use by the Department of Parks, Recreation, Senior and Cultural Affairs as part of its wrestling program; and

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

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**CITY OF PASSAIC**  
**RESOLUTION #20-02-041**

**RESOLUTION DIRECTING A RECOMMENDATION FROM THE  
PASSAIC CITY PLANNING BOARD REGARDING BLOCK 4103.01,  
LOT 23 (948-950 MAIN 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 948-950 Main Avenue (Block 4103.01, Lot 23) 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 948-950 Main Avenue (Block 4103.01, Lot 23), as an Area in Need of Redevelopment/Rehabilitation.

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**CITY OF PASSAIC**  
**RESOLUTION #20-02-042**

**RESOLUTION DIRECTING A RECOMMENDATION FROM THE  
PASSAIC CITY PLANNING BOARD REGARDING BLOCK 4113,  
LOT 24 (82-100 CENTRAL 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 82-100 Central Avenue (Block 4113, Lot 24) 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 82-100 Central Avenue (Block 4113, Lot 24), as an Area in Need of Redevelopment/Rehabilitation.

**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 #2251-20**

**ORDINANCE ADOPTING A REDEVELOPMENT PLAN  
FOR 559 MAIN AVENUE (BLOCK 2144, LOT 1)  
AS AN AREA IN NEED OF REHABILITATION IN  
THE CITY OF PASSAIC, NEW JERSEY**

**WHEREAS**, the real property identified on the Official Tax Map of the City of Passaic as Block 2144, Lot 1 more commonly known as 559 Main Avenue (the "Property") has

been identified as a location in need of rehabilitation;  
and

**WHEREAS**, the City Council for the City of Passaic adopted a Resolution directing the City of Passaic Planning Board to conduct a preliminary investigation into whether the Property met the statutory criteria for designation as an Area in Need of Rehabilitation under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

**WHEREAS**, the City of Passaic Planning Board held a public hearing on the investigation results and adopted a Resolution recommending that the City Council for the City of Passaic designate the Property an Area in Need of Rehabilitation under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

**WHEREAS**, the City Council for the City of Passaic adopted a Resolution accepting said recommendation of the City of Passaic Planning Board; and

**WHEREAS**, the City of Passaic Planning Board reviewed the proposed Redevelopment Plan and adopted a Resolution finding said Redevelopment Plan to be substantially consistent with the City of Passaic's Master Plan and referring same to the City Council for all appropriate action.

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

Section 1

The recitals set forth above are incorporated herein and made a part hereof as if set forth at length.

Section 2

The City Council of the City of Passaic hereby approves and adopts the attached Redevelopment Plan for the Property as an Area in Need of Rehabilitation.

Section 3

The zoning standards set forth in the Redevelopment Plan for 559 Main Avenue Area in Need of Rehabilitation shall supersede and replace all underlying zoning standards in accordance with

N.J.S.A. 40A:12A-7c, rather than serving as overlay zoning for the said Area.

Section 4

The City of Passaic Zoning Map is hereby amended to include the new Redevelopment Plan for 559 Main Avenue Area in Need of Rehabilitation, Block 2144, Lot 1, in accordance with N.J.S.A. 40A:12A-7c.

Section 5

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

Section 6

If any portion of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

Section 7

This Ordinance shall take effect in the time and manner prescribed by law.

Council Member Garcia moved the Ordinance be approved on first reading. Motion was seconded by Council Member Melo the public hearing be held on February 18, 2020.

**ROLL CALL**

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

**ABSENT:**

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Council President Schaer read said Ordinance by title.

**CITY OF PASSAIC  
ORDINANCE #2252-20**

**ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR  
199 LEXINGTON AVENUE (BLOCK 4108, LOT 6)  
AS AN AREA IN NEED OF REHABILITATION IN  
THE CITY OF PASSAIC, NEW JERSEY**

**WHEREAS,** the real property identified on the Official Tax Map of the City of Passaic as Block 4108, Lot 4 more commonly known as 199 Lexington Avenue (the "Property")

has been identified as a location in need of rehabilitation;  
and

**WHEREAS**, the City Council for the City of Passaic adopted a Resolution directing the City of Passaic Planning Board to conduct a preliminary investigation into whether the Property met the statutory criteria for designation as an Area in Need of Rehabilitation under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

**WHEREAS**, the City of Passaic Planning Board held a public hearing on the investigation results and adopted a Resolution recommending that the City Council for the City of Passaic designate the Property an Area in Need of Rehabilitation under the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq.; and

**WHEREAS**, the City Council for the City of Passaic adopted a Resolution accepting said recommendation of the City of Passaic Planning Board; and

**WHEREAS**, the City of Passaic Planning Board reviewed the proposed Redevelopment Plan and adopted a Resolution finding said Redevelopment Plan to be substantially consistent with the City of Passaic's Master Plan and referring same to the City Council for all appropriate action.

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

Section 1

The recitals set forth above are incorporated herein and made a part hereof as if set forth at length.

Section 2

The City Council of the City of Passaic hereby approves and adopts the attached Redevelopment Plan for the Property as an Area in Need of Rehabilitation.

Section 3

The zoning standards set forth in the Redevelopment Plan for 199 Lexington Avenue Area in Need of Rehabilitation shall supersede and replace all underlying zoning standards in accordance with

N.J.S.A. 40A:12A-7c, rather than serving as overlay zoning for the said Area.

Section 4

The City of Passaic Zoning Map is hereby amended to include the new Redevelopment Plan for 199 Lexington Avenue Area in Need of Rehabilitation, Block 4108, Lot 6, in accordance with N.J.S.A. 40A:12A-7c.

Section 5

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

Section 6

If any portion of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

Section 7

This Ordinance shall take effect in the time and manner prescribed by law.

Council Member Garcia moved the Ordinance be approved on first reading. Motion was seconded by Council Member Melo the public hearing be held on February 18, 2020.

**ROLL CALL**

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

Council Member Patel stepped down from the dais at 8:20 pm

The Business Administrator requested the Ordinance be heard for 2<sup>nd</sup> reading at the March 17, 2020 City Council meeting.

On a motion by Council Member Schwartz and seconded by Council Member Garcia the 2<sup>nd</sup> reading will be held on March 17, 2020.

**ROLL CALL**

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

Council Member Patel took his seat on the dais at 8:22 pm

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Council President Schaer read said Ordinance by title.

**CITY OF PASSAIC**  
**ORDINANCE NO# 2253-20**

**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 437. Handicapped Parking Spaces.

**WHEREAS,** the total number of Handicapped Parking Spaces Restricted by New Jersey License Plate Number as per this ordinance is 436 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>
120 Street	Autumn North	Beginning at a point 16 feet west of the westerly curblin e of Lexington Avenue and extending to a point 23 feet westerly therefrom	HY9522
139 Street	Autumn South	Beginning at a point 452 feet east of the easterly curblin e of Central Avenue and	HW3331

extending to a point 22  
 feet easterly therefrom

20-22 Broadway North Beginning at a point 101 W24ASN  
 feet west of the  
 westerly curbline of  
 Prospect Street and  
 extending to a point 22  
 feet westerly therefrom

155 Grove West Beginning at a point 157 E71FJG  
 Street feet north of the  
 northerly curbline of  
 Madison Street and  
 extending to a point 15  
 feet northerly  
 therefrom

181 Highland South Beginning at a point 277 1685HD  
 Avenue feet west of the  
 westerly curbline of  
 Hope Avenue and  
 extending to a point 22  
 feet westerly therefrom

371 Lafayette South Beginning at a point 63 P70JDE  
 Avenue feet west of the  
 westerly curbline of  
 Howe Avenue and  
 extending to a point 22  
 feet westerly therefrom

391 Madison South Beginning at a point 117 D30DRS  
 Street feet east of the  
 easterly curbline of  
 Paulison Avenue and  
 extending to a point 20  
 feet easterly therefrom

94 Sherman West (Columbia Avenue) F11ACB  
 Street Beginning at a point 38  
 feet south of the  
 southerly curbline of  
 Sherman Street and  
 extending to a point 22  
 feet southerly  
 therefrom

296 Summer North Beginning at a point 25 W27JTX  
Street feet west of the  
westerly curbline of  
Cedar Street and  
extending to a point 22  
feet westerly therefrom

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>
114 Autumn North Street		Beginning at a point 16 feet west of the westerly curbline of Lexington Avenue and extending to a point 23 feet westerly therefrom	HY9522
139 Autumn South Street		Beginning at a point 452 feet east of the easterly curbline of Central Avenue and extending to a point 22 feet easterly therefrom	R16MCY
20-22 Broadway	North	Beginning at a point 101 feet west of the westerly curbline of Prospect Street and extending to a point 22 feet westerly therefrom	U48MBA
351 Boulevard	West	Beginning at a point 104 feet north of the northerly curbline of Crescent Place and extending to a point 22 feet northerly therefrom	ZMA42E

155 Street	Grove West	Beginning at a point 157 feet north of the northerly curbline of Madison Street and extending to a point 15 feet northerly therefrom	7926HF
436 Avenue	Highland East	(Pine Street) Beginning at a point 35 feet north of the northerly curbline of Highland Avenue and extending to a point 22 feet northerly therefrom	C42MCF
94 Street	Sherman West	(Columbia Avenue) Beginning at a point 38 feet south of the southerly curbline of Sherman Street and extending to a point 22 feet southerly therefrom	7344HG
64	Third Street East	Beginning at a point 39 feet north of the northerly curbline of Essex Street and extending to a point 22 feet northerly therefrom	C56LCL

Council Member Love moved the Ordinance be approved on first reading. Motion was seconded by Council Member Garcia the public hearing be held on February 18, 2020.

**ROLL CALL**

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

**ABSENT:**

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Council President Schaer read said Ordinance by title.

**CITY OF PASSAIC**  
**ORDINANCE NO#**

**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**

Council Member Garcia moved the Ordinance be approved on first reading. Motion was seconded by Council Member Melo the public hearing be held on February 18, 2020.

**At this point in the meeting, Council Member Munk requested the ordinance be tabled until questions could be answered from the Attorneys.**

**COUNCIL MEMBER GARCIA MOVED AND SECONDED BY COUNCIL MEMBER MELO TO WITHDRAW THEIR VOTE TO INTRODUCE THE FOLLOWING ORDINANCE:**

“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

**ROLL CALL**

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

Council Member Munk moved to table the Ordinance to February 18, 2020 and motion was seconded by Council Member Melo.

**ROLL CALL**

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

**PAYMENT OF BILLS**

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

**ROLL CALL**

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

**ADMINISTRATOR'S REPORT**

- The City held a very successful meeting at Soto Mayor School in Passaic Regarding the Redesign of Main Avenue.

**MAYOR'S REPORT**

- Mayor Lora acknowledged Sonal Patel as the new assistant to the Business Administrator.
- Mayor Lora congratulated Assemblyman Gary Schaer on his appointment as the new policy director for the NJ assembly.

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**THE FOLLOWING ITEM WAS VOTED ON BY ONE MOTION**

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

**CITY OF PASSAIC  
RESOLUTION NO. 20-02-043**

**RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON FEBRUARY 4, 2020 AT 5:30 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS**

**RE: Contract Negotiations Pertaining to Agenda item no. 34 (191 Pennington Avenue) and Settlement Agreements for agenda items no. 23 through 27**

**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, Melo, Patel, Schwartz, Garcia, CP Schaer  
**ABSENT:**

On a motion by Council Member Love and seconded by Council Member Garcia the public portion of the City Council meeting was reconvened

**ROLL CALL**

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

**ADJOURNMENT**

There being no further business to come before the Council on a motion by Council Member Garcia and seconded by Council Member Patel the meeting was adjourned at 8:53 p.m.

**ROLL CALL**

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

**ABSENT:**

**ATTEST:**

**APPROVED:**

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Amada D. Curling,  
City Clerk

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Gary S. Schaer,  
Council President