



Passaic City Council
May 25, 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 MAY 17, 2021 ON THE CITY OF PASSAIC WEBSITE AT www.cityofpassaic.com UNDER 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:			Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk	Love		Patel			

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

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

MAYOR'S UPDATE

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

- COVID statistics from May 9-22, 2021: lowest number of those testing positive. 8467 tested positive for Covid-19, and of those there were 308 deaths.
- Passaic has surpassed 50% of eligible individuals vaccinated within the city; city has been removed from the state list of cities with over 10, 000 individuals not vaccinated.
- With the collaborative effort of public and private sectors the city was able to get vaccination information to citizens and to ensure citizens had access to free testing.

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- The food distribution program enabled the city to disseminate covid information to citizens and through the city's collaboration with St Mary's, North Hudson community action, and other organizations.
- Citizens under the age of 16 can now get vaccinations.
- As of May 28, Governor Murphy lifted the 6 feet apart mandate; businesses can continue with mask restrictions.
- The limit for outdoor gathering are being removed for indoor, sports, entertainment events.
- City Hall has remained operational every day; however, staff have gone on rotation and City hall has been closed on Mondays for disinfecting the building.
- As of June 14, City Hall return to normal operation; doors will be open, individuals will have access to walk-ins, no more need for appointment other than appointments that were required prior to the pandemic.
- Food distribution will continue on Wednesdays at 3pm at City Hall and Thursdays at the 122 8th Street distribution center.
- Memorial Day Parade - last year only vehicles were allowed, no walking; this policy will continue this year. Schools will not be able to participate due to the restrictions.
- Sheila Woodson was nominated by Deputy Mayor Minnie Hiller-Cousins to be Grand Marshal of the parade.
- Mr. Doug Dudek requested the use of Third Ward park for the high school prom. The park will be closed to the public from 3pm - 10pm.
- Professionals from Red Bull held a special soccer clinic - at Pulaski park for our children.
- School #11 Craig 'Ironhead' Heyward Field is officially open.
- Recreational jobs are available at City of Passaic recreation page.
- Third Ward Park got a new design on the ice skating rink.
- Over the next couple weeks until mid-June, the splash water options in the parks will open up.
- The mayor recognized Wanda Jackson and Shirley Colon for using social media to encourage donations for purchasing caps and gowns, prom dresses and prom tickets for graduating seniors.

Council Member Munk joined at 7:23 p.m.

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MINUTES

Council Meeting Minutes for May 13, 2021 were submitted for approval.

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

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

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.

Aryeh Mack, 187 Howard Ave

- Because there is a large amount of anti-Semitism in Passaic; can we get increased patrolling in the Jewish communities?
- Can we partner with Medright for vaccinations?

Council Member Patel joined at 7:40 p.m.

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

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

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. 2302-21**

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

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

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

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

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 (VIA ZOOM)							

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

COMMUNICATIONS AND PETITIONS:

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 Melo and seconded by Council President Patel the following communications and petitions were received placed on file and approval granted

Passaic Housing Authority, submitting the following:

- Notice of their May 19, 2021 Meeting

Millennium Strategies Monthly Activity Report: March 2021

New jersey Department of Transportation announcing:

- Acceptance of applications for the NJDOT Fiscal Year 2022 State Aid Programs

New Jersey Department of Environmental Protection submitting the following:

- Suspected Hazardous Substance Discharge Notification
NJDEP Case Number: 21-05-04-1347-29
- Suspected Hazardous Substance Discharge Notification
NJDEP Case Number: 21-05-10-1954-00
- Suspected Hazardous Substance Discharge Notification
NJDEP Case Number: 21-05-13-1317-45

Passaic Valley Water Commission submitting the following:

- Agenda of their May 12, 2021 Meeting

Planning Board submitting the following:

- Notice of their May 19, 2021 Virtual Public Hearing

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

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Council Member Love joined at 7:44 p.m.

RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS TAKEN OFF THE AGENDA

RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON PASSAIC ON MAY 25, 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 #21-05-122**

**RESOLUTION AUTHORIZING A CHANGE ORDER
TO DECREASE CONTRACT WITH ASKARI CONSTRUCTION
MUNICIPAL COMPLEX BUILDING MASONRY**

WHEREAS, on April 23, 2020, the City Council of the City of Passaic adopted Resolution #20-04-106 (attached) approving a contract with Askari Construction in the amount of \$ 237,000.00 for Municipal Complex Building Masonry; and

WHEREAS, this change order is necessary to decrease the contract as follows:

Original Contract	\$ 237,000.00
Change Order #1 -decrease (metal coping provided by roofer)	- 5,500.00
Total New Contract	<u>\$ 231,500.00</u>

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the change order to the contract between the City of Passaic and Askari Construction for Municipal Complex Building Masonry is ratified and accepted, adjusting the contract to the revised total amount of \$ 231,500.00.

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BE IT FURTHER RESOLVED that the City is hereby authorized to execute this Change Order in a form approved by corporation counsel and that the Change Order be filed in the City Clerk's Office.

**CITY OF PASSAIC
RESOLUTION #21-05-123**

**RESOLUTION AUTHORIZING A CONTRACT WITH BRYAN ELECTRIC TWO
(2) DUAL-PORT VEHICLE CHARGERS ST. FRANCIS WAY**

WHEREAS, the City of Passaic wishes to enter into a contract with Bryan Electric, Trenton, NJ for Two (2) Dual-Port Vehicle Chargers offered under the Middlesex County Educational School Cooperative Contract Purchasing System #ESCCPS 18/19 Electric Vehicle Charging Station; 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 City of Passaic has been awarded a grant for these vehicle chargers in the amount of \$ 12,000.00; and

WHEREAS, the cost for these vehicle chargers are \$ 34,400.00 inclusive of Five (5) Year software upgrades, Five (5) year Parts and on-site Labor, and Installation; and

WHEREAS, the total amount of the contract that the City is responsible for is \$ 22,400.00.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that a contract be awarded to Bryan Electric, Trenton, NJ in the amount \$ 34,400.00.

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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 It Pays To Plug In Grant Account # G-02-40-021-IPP-020 (\$12,000.00) and Parking Authority Account #1-01-25-245-000-121(\$22,400.00)

**CITY OF PASSAIC
RESOLUTION NO. 21-05-124**

**RESOLUTION AWARDING CONTRACT FOR
THE COLLECTION AND DISPOSAL OF:
(1) RECYCLABLE MATERIALS MIXED PAPERS, PETE AND HDPE PLASTICS,
BOTTLES AND CANS (CURBSIDE PICKUP)
(2) TRANSPORTATION AND DISPOSAL OF LEAVES, WOOD CHIPS AND
OTHER VEGETATIVE WASTE; (3) TRANSPORTATION AND DISPOSAL OF
SCRAP TIRES; AND (4) COLLECTION, TRANSPORTATION AND DISPOSAL
OF WHITE GOODS (USED APPLIANCES) CURBSIDE PICKUP**

WHEREAS, bids were received by the Director of Purchasing on Tuesday, April 27, 2021 for the aforesaid contracts; and

WHEREAS, the attached bid was received as outlined by the Director of Purchasing; and;

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

Yannuzzi Group Kinnelon, NJ	Greenwood Products Piscataway, NJ	Britton Industries, Inc. Morrisville, PA
MSW Consultants Orlando, FL	SAMR Inc. Lakewood, NJ	

WHEREAS, the duration of the contract is for Five (5) years expiring on May 28, 2026; and

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WHEREAS, it is the recommendation of **Chris Butler, Recycling Coordinator,** that the lowest responsible, responsive bidder, Get-A-Can, Paterson, NJ be awarded a Five (5) year contract for all of the aforesaid recycling contracts in an estimate total of \$ 8,069,050.00; and

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Passaic that the contract for recycling shall be awarded to Get-A-Can, Paterson, NJ for the following items:

- (1) Recyclable Materials Mixed Papers, Pete and HDPE Plastics, Bottles and cans (Curbside Pickup)
- (2) Transportation and Disposal of Leaves, Wood Chips and other Vegetative Waste.
- (3) Transportation and Disposal of Scrap Tires; and
- (4) Collection, Transportation and Disposal of White Goods (Used Appliances) (Curbside Pickup)

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute a contract for the above on a form approved by the City Attorney.

CERTIFICATION OF FUNDS

Funds for the above are available in Account #1-01-26-305-000-022. Funds for the subsequent budgets are available, providing that those budgets are approved by the governing body.

**CITY OF PASSAIC
RESOLUTION NO. 21-05-125**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF RYAN WHITE PART A
AND MINORITY AIDS INITIATIVE GRANT FUNDS 2021**

WHEREAS, the Passaic Alliance of the City of Passaic, having an office at 286 Passaic Street, Passaic, New Jersey 07055, has submitted an application for funding for the

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2021-2022 Ryan White Part A and Minority AIDS Initiative ("MAI") grant for the delivery of HIV care for persons living with HIV/AIDS in the Passaic-Bergen transitional grant area; and

WHEREAS, the Passaic Alliance has been approved for funding for its program in the total amount of \$137,441.00 for the delivery of coordinated care targeting persons living with HIV/AIDS in the Passaic-Bergen region; and

WHEREAS, it is the desire of the City of Passaic to accept the funds from this grant in the total amount awarded; and

WHEREAS, the breakdown of grant funding by service category is as follows:

SERVICE CATEGORY	Total Award
Substance Abuse	\$5,000.00
Mental Health	\$5,000.00
Case Management Community	\$49,195.00
Outreach	\$1,000.00
Health Insurance Premiums	\$34,236.00
TOTAL PART A	\$94,431.00
Substance Abuse MAI	\$8,000.00
Outreach Services MAI	\$3,267.00
Case Management MAI	\$27,204.00
Health Education MAI	\$4,539.00
TOTAL MAI	\$43,010.00

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 grant funds from the Ryan White Part A and Minority AIDS Initiative in the total amount of \$137,441.00; and

BE IT FURTHER RESOLVED that the Mayor, City Clerk and Passaic Alliance are hereby authorized and directed to execute any documents and/or undertake any and all such actions necessary to effectuate the receipt of these funds.

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CITY OF PASSAIC
RESOLUTION NO.21-05-126

**RESOLUTION AUTHORIZING GRANT AGREEMENT BETWEEN THE CITY OF
PASSAIC AND COUNTY OF PASSAIC FOR IMPROVEMENTS TO LATONA
GRIFFIN PARK**

WHEREAS, the City of Passaic, having an office at 330 Passaic Street, Passaic, New Jersey, 07055 ("City"), wishes to enter into a Grant Agreement ("Agreement") with the County of Passaic, having an office at 401 Grand Street, Paterson, New Jersey 07505 ("County") in which the County shall allocate grant funding of the City's application for the improvements to the Latona Griffin Park Project No. OSTF20-013 ("Project"); and

WHEREAS, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic ("Board") is vested with managing the property, finances and affairs of the County; and

WHEREAS, on April 15, 2017 the Board approved Resolution No. R20170401 adopting a uniform body of rules and regulations governing the Open Space, Farmland and Historic Preservation Trust Fund ("Rules"); and

WHEREAS, pursuant to the Rules, local government units and non-profit corporations are eligible for reimbursable grants from the Open Space, Farmland and Historic Preservation Trust Fund ("Trust Fund") for projects to ensure that there is an adequate supply of lands for either public outdoor recreation or conservation of natural resources, or both, and to preserve and restore historic assets in the County; and

WHEREAS, in compliance with the Rules, the City submitted a grant application to the Open Space, Farmland and Historic Preservation Advisory Committee ("Advisory Committee") for the Project for funding from the Trust Fund; and

WHEREAS, the Advisory Committee recommended to the Board that grant funding be allocated to the City in an amount

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not to exceed Two Hundred Thousand Dollars (\$200,000.00) for the Project; and

WHEREAS, on April 27, 2021, the Board approved Resolution No. R2021-0446 authorizing a reimbursable grant allocation to the City in an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) for the Project; and

WHEREAS, the City seeks to accept the maximum award being allotted from the County; and

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

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Passaic that the City of Passaic is hereby authorized to enter into the attached Grant Agreement with the County of Passaic subject to the terms and conditions thereof; and

BE IT FURTHER RESOLVED that the Mayor, City Clerk and Business Administrator are hereby authorized to execute the Agreement attached hereto and/or undertake any and all such actions necessary to effectuate the receipt of these funds; and

BE IT FURTHER RESOLVED that a copy of this Resolution and two (2) copies of the executed Agreement shall be forwarded to the County of Passaic.

**CITY OF PASSAIC
RESOLUTION NO.21-05-127**

**RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS LOCAL
RECREATIONAL IMPROVEMENT GRANT PROGRAM 2021**

WHEREAS, the City of Passaic ("City") wishes to submit an application for the Local Recreational Improvement Grant Program ("Program") that is being offered through the New Jersey Department of Community Affairs ("DCA"); and

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WHEREAS, the purpose of making an application to the Program is to enhance the recreational opportunities for residents through a transformative recreational project that will convert a decommissioned and obsolete railroad corridor into a pedestrian greenway and support various methods of non-motorized surface transportation; and

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

WHEREAS, the City wishes to apply for a five hundred thousand-dollar (\$500,000.00) grant award being allotted through the Program; and

WHEREAS, the DCA may offer a lesser or a greater amount upon receipt of the grant application and agreement.

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 New Jersey Department of Community Affairs Local Recreational Improvement 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.

CITY OF PASSAIC
RESOLUTION NO. 21-05-128

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF NEW JERSEY
DEPARTMENT OF TRANSPORTATION – TRANSPORTATION ALTERNATIVES
SET-ASIDE PROGRAM GRANT AWARD**

WHEREAS, the City of Passaic has applied for grant funding through the Transportation Alternatives Set-Aside

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Program ("Program") being offered through the New Jersey Department of Transportation ("DOT"); and

WHEREAS, the purpose of the Program is to provide federal funds for "non-traditional" surface transportation projects designed to strengthen the cultural, aesthetic, and environmental aspects of the nation's intermodal system; and

WHEREAS, the City of Passaic has been awarded grant funding by the DOT in the total amount of one million dollars (\$1,000,000.00); and

WHEREAS, the City of Passaic's project must be authorized for implementation by April 23, 2023, a precondition to incurring any project related costs that will be reimbursed under the Program; and

WHEREAS, receipt of the award shall be contingent upon the City of Passaic's ability to comply with all applicable federal financial management, project implementation, and oversight regulations; and

WHEREAS, the City of Passaic wishes to accept the maximum grant award being allotted through this Program.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Passaic that the City of Passaic is hereby authorized to accept the grant award identified as TA-2020-Passaic City-00062 from the New Jersey Department of Transportation for the Transportation Alternatives Set-Aside Grant Program in the total amount of \$1,000,000.00, subject to the terms and conditions set forth in the Grant Agreement; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized and directed to execute any documents and/or undertake any and all such actions necessary to effectuate receipt of these funds.

ROLL CALL (VIA ZOOM)

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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 #2303-21**

**ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR
437 PAULISON AVENUE (BLOCK 3220 LOT 27)
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 3220, Lot 27 more commonly known as 437 Paulison 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

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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 437 Paulison 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 437 Paulison Avenue Area in Need of Rehabilitation, Block 3220 Lot 27 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.

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Council Member Love moved the Ordinance be approved on first reading. Motion was seconded by Council Member Melo the public hearing be held on June 22, 2021.

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

**CITY OF PASSAIC
ORDINANCE # 2304-21**

**ORDINANCE AUTHORIZING A SHORT-TERM TAX EXEMPTION FOR
PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE CITY OF
PASSAIC AS BLOCK 3220, LOT 29 (441-443 PAULISON AVENUE)
PASSAIC, NEW JERSEY**

WHEREAS, 443 PAULISON AVENUE, LLC (the "Entity") proposes to construct a redevelopment/rehabilitation project (the "Project") within the City of Passaic (the "City"), on the site located at Block 3220, Lot 29 on the Official Tax Map of the City of Passaic and commonly known as 441-443 Paulison Avenue, Passaic, New Jersey (the "Project Site"); and

WHEREAS, by Ordinance #2224-10 adopted by the City Council on September 10, 2019, the City Council accepted the recommendation of the Planning Board and the proposed Redevelopment/Rehabilitation Plan for the Project Site was approved;

WHEREAS, by Redevelopment Agency Resolution #20-10, adopted August 13, 2020, the Entity was declared as the Redeveloper of the Property and subsequently entered into a Redevelopment Agreement with the City on or about December 10, 2020 under which it has agreed to construct a three-story residential apartment building containing thirteen (13) units and thirteen (13) parking spaces at grade and related improvements at the Project site; and

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WHEREAS, the City desires to provide for real estate tax incentives for redevelopment/rehabilitation of the Project Site; and

WHEREAS, N.J.S.A. 40A:21-1 et seq. provides for the exemption of assessments for five (5) years following completion of a project as defined in the statute and the exemption or abatement of property taxes for new construction for a five (5)-year period following completion of the project as defined in the statute; and

WHEREAS, the Entity has submitted the attached Application for a Five-Year Tax Abatement pursuant to N.J.S.A. 40A:21-1 et. seq., and seeks a 20% phase-in of taxes otherwise due over five (5) years

WHEREAS, the City Council has determined that the Project represents an undertaking permitted by N.J.S.A. 40A:21-1, et seq., and has further determined that the Project is an improvement made for the purposes of clearance, replanning, development, or redevelopment/ rehabilitation of an area in need of redevelopment/ rehabilitation within the City; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PASSAIC that an exemption from taxation as set forth above is hereby granted to 443 Paulison Avenue, LLC, with respect to the Project on the Project Site for the term set forth in the Financial Agreement; provided that the tax exemption shall not exceed a period of five (5) years and only so long as the Entity remains subject to and complies with N.J.S.A. 40A:21-1, et seq., applicable City of Passaic Municipal Code Provisions, and any other agreement related to the Project or the Property; and be it

BE IT FURTHER RESOLVED that the Mayor, Clerk, and Tax Assessor are hereby authorized and directed to execute all necessary documents with the Entity regarding said tax exemption, copies of which shall be kept on file in the Office of the City Clerk; and be it

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

FURTHER RESOLVED that if any section of provision of this Ordinance shall be invalid in any court the same shall not affect the other sections or provisions of this Ordinance except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Council Member Melo moved the Ordinance be approved on first reading. Motion was seconded by Council Member Schwartz the public hearing be held on June 10, 2021.

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

PAYMENT OF BILLS

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

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

MAYOR'S REPORT

- Additional recreation was added for horseback riding, to take place at Garrett Mountain through Passaic county.
- Sports clinics begin next month for soccer, football, basketball, tennis, and volleyball.

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

- Maryann Capursi, one of Passaic’s Board of Education commissioners, was selected by the New Jersey School Board Association as first vice president for two years, representing city of Passaic.

ADJOURNMENT

There being no further business to come before the Council on a motion by Council Member Love and seconded by Council Member Schwartz the meeting was adjourned at 8:05 p.m.

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

ATTEST:

APPROVED:

Amada D. Curling,
City Clerk

Gary S. Schaer,
Council President