

*City of Passaic*



*New Jersey*

**CITY COUNCIL**

<https://drive.google.com/drive/folders/129mDljO4ADJS26Fo-Jsng9Y9JOMgV89d>

**REGULAR MEETING AGENDA**

**February 28, 2023**

**7:00 P.M.**

**IN ACCORDANCE WITH CHAPTER 231 PUBLIC LAWS OF 1975, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED BY FAX TO THE HERALD NEWS AND PUBLISHED ON FEBRUARY 9, 2023 PLACED ON THE CITY HALL BULLETIN BOARD BY THE OFFICE OF THE CITY CLERK:**

PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, BE ADVISED THAT THE CITY COUNCIL OF THE CITY OF PASSAIC HAS RE-SCHEDULED THEIR FEBRUARY 21, 2023 COUNCIL MEETING TO TUESDAY , FEBRUARY 28, 2023, AT 7:00 PM TO BE HELD IN THE COUNCIL CHAMBERS, FIRST FLOOR, 330 PASSAIC STREET, PASSAIC, NEW JERSEY IN PERSON AND VIRTUAL THROUGH HYBRID COMMUNICATIONS EQUIPMENT IN CONFORMANCE WITH THE DIRECTIVES OF THE STATE OF NEW JERSEY.

**PLEASE BE FURTHER ADVISED DUE TO COVID-19, THIS MEETING WILL BE IN PERSON AND VIRTUAL STREAMED VIA ZOOM. PUBLIC NOTICE AND INSTRUCTIONS FOR THIS MEETING WERE PUBLISHED IN THE HERALD NEWS AND POSTED ON THE CITY OF PASSAIC WEBSITE AT: [WWW.CITYOFPASSAIC.COM](http://WWW.CITYOFPASSAIC.COM) (COUNCIL AGENDAS.) INSTRUCTIONS ARE ALSO AVAILABLE ON THE LAST PAGE OF THIS AGENDA.**

**PLEASE BE GUIDED ACCORDINGLY.**

- I. ROLL CALL**
- II. INVOCATION**
- III. PLEDGE OF ALLEGIANCE**
- IV. MAYOR'S UPDATE**
- V. GREEN ACRES GRANT PROGRAMS PUBLIC HEARING:**  
*Notice published in the newspaper on February 19, 2023 on posted on the City of Passaic website on February 10, 2023*
  - The purpose of the hearing is to obtain public comment on a park development grant application to be submitted to the Green Acres Grant Programs. This application is for improvements to Third Ward Veterans Memorial located at Passaic Avenue and Van Houten Avenue, Passaic, New Jersey, including the installation of a rubberized walking/running path around the baseball field, and the rubberization of the Mayor Johnson Playground within the Park and other playground amenities.
- VI. NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S URBAN PARKS AND GREEN ACRES GRANTS PROGRAM PUBLIC HEARING:**  
*Notice published in the newspaper on February 19, 2023 on posted on the City of Passaic website on February 10, 2023*
  - The purpose of the hearing is to obtain public comment on a park development grant application to be submitted to the New Jersey Department of Environmental

Protection's Urban Parks and Green Acres Grants Program. This application is for improvements to Third Ward Veterans Memorial located at Passaic Avenue and Van Houten Avenue, Passaic, New Jersey, including the installation of a rubberized walking/running path around the baseball field, and the rubberization of the Mayor Johnson Playground within the Park and other playground amenities.  
All are welcome to attend and participate.

**VII. HEARING OF CITIZENS**

*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 act 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*

**VIII. ORDINANCE FOR SECOND AND FINAL READING (HEARING IS REQUIRED)**

1. **ORDINANCE NO. 2383-23** ORDINANCE AMENDING THE DESIGNATION OF RESTRICTED PARKING FOR DISABLED PERSONS BY NJ LICENSE PLATE NUMBER
2. **ORDINANCE NO. 2384-23** AN ORDINANCE AMENDING CHAPTER 295 OF THE CODE OF THE CITY OF PASSAIC ENTITLED "VEHICLES AND TRAFFIC" ARTICLE XII, "SCHEDULES" SECTION 20, "SCHEDULE I: PARKING PROHIBITED AT ALL TIMES" TO INCLUDE A PORTION OF THIRD STREET
3. **ORDINANCE NO. 2385-23** AN ORDINANCE AMENDING CHAPTER 295 OF THE CODE OF THE CITY OF PASSAIC ENTITLED "VEHICLES AND TRAFFIC" ARTICLE XII, "SCHEDULES" SECTION 20, "SCHEDULE I: PARKING PROHIBITED AT ALL TIMES" TO INCLUDE A PORTION OF DWAS LINE ROAD

**IX. COMMUNICATION**

4. Weatherly Frias, Acting City Clerk, submitting a submitting Raffle License application for the following organization:
  - St. Anthony of Padua-101-103 Myrtle Ave Passaic NJ
5. The New Kosher K Inc./ Kosher Konnection, 200 Main Ave, submitting an application to hold a Flea Market on their private parking lot (corner of Palmer St. and Main Ave.) from March 03, 2023 -through April 17, 2023, from 10:00 a.m. to 5:00 p.m.  
*(Contingent upon Departmental Approvals)*
6. Holy Holy Trinity, 226 Harrison St, submitting an application to hold a Religious Procession as follow:
  - Procession, on April 07, 2023, from 10:00 a.m. to 12:30 p.m. The procession will commence at the Church of Holy Trinity -209 Hope Ave to Harrison St. to Lexington Ave., to President St. to Hope Ave, ending at 209 Hope Ave.  
*(Contingent upon Departmental Approvals)*
7. Our Lady of Fatima & Saint Nicholas 153 Washington Place, submitting applications to hold the following Religious Processions:
  - Procession, on April 07, 2023, from 12:00 p.m. to 1:30 p.m. The Procession will commence at Exchange Place, to Passaic Ave, to William St, to Washington Pl. ending at 153 Washington Place
  - Procession, on May 13, 2023, from 06:45 p.m. to 7:00 p.m. The procession will commence at Ann St. traveling toward Columbia Ave. to Washington Pl. ending at 153 Washington Pl.

*(Contingent upon Departmental Approvals)*

8. St. Anthony of Padua Church, 101-103 Myrtle Ave., submitting applications to hold the following Religious Processions:
  - Procession, on April 07, 2023, from 11:00 a.m. To 1:00 p.m. The Procession will commence at the corner of Oak and Myrtle Ave, will travel through Oak St, to Gregory Ave, to Monroe St, to Myrtle ending at the corner of Oak St. and Myrtle Ave. *(Contingent upon Departmental Approvals)*
  - Procession, on April 09, 2023, from 5:45 a.m. to 6:30 a.m. The Procession will be split into two groups, Group one will start the procession from the Parish center on Myrtle Ave then will travel on to Oak St to Tulip to Chestnut St. to Myrtle ending In the Starting point; Group two will start the procession from the Parish Center travel left on chestnut to Tulip to Oak St to Myrtle Ave ending in the Starting Point The Parish Center. *(Contingent upon Departmental Approvals)*
9. Rana Samaj USA, 53 Prospect St., submitting an application to hold a Holi Festival of Colors on April 09, 2023, at 3<sup>rd</sup> Ward Park from 10:00 a.m. to 3:00 p.m. *(Contingent upon Departmental Approvals)*
10. Premium Ride-dba Apolo Taxi, 689 Main Ave, submitting an application to renew their Taxi Owner License for the year 2023.
11. Passaic Proff Car Service, LLC, 33 Central Avenue, submitting an application to renew their Taxi Owner License for the year 2023.
12. El Diamond Hall LLC, 75 Lexington Ave, submitting application for a new Entertainment License for the year 2023.
13. City of Passaic (Administration), 330 Passaic St, submitting an application to hold a Dominican Flag Raising on February 26, 2023, in front of Passaic City Hall from 12:30 p.m. to 2:30 p.m.

**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.**

14. Hon. Hector C. Lora, Mayor, submitting the following:
  - Proclamation to Margarita Colon for her Retirement
15. Passaic Valley Water Commission submitting the following :
  - Minutes of their December 21, 2022 meeting
16. NJ Environmental Protection, submitting the following:
  - Suspected Hazardous Substance Discharged Notification NJDEP Case Number: 23-01-30-1040-01
  - Suspected Hazardous Substance Discharged Notification NJDEP Case Number: 23-02-13-1046-19
  - Correspondence re: New Jersey Forest fire Services Annual prescribed Burning Program
  - News release: Murphy administration Announces more than \$8 Million to build Divisive, Inclusive Green Jobs Sector
  - Correspondence re: Tips to Keep Bears out of Trash
  - Notification on Melard Manufacturing Corp 153 Linden St- Soil Remedial Action Permit Transfer
17. North Jersey District Water Supply Commission submitting the following :
  - Minutes of their December 21, 2023 meeting
18. City of Garfield Panning Board submitting the following :
  - Notice of their February 23, 2023, Public hearing for the purposes of considering the proposed 2023 Housing Element for adoption as part of the City of Garfield Master Plan

19. NJ Department of Transportation , submitting the following:
  - City of Passaic 2021 Safe Street to Transit improvements
20. Millennium Strategies Monthly Report – January 2023
21. Paul Sakson Environmental submitting the following :
  - Response Action Outcome, Remedial Action Type: Unrestricted Use Scope of Remediation: Entire Site Case Name: New Beginnings Daycare Address: 40-54 Passaic Ave

**X. RESOLUTIONS**

22. RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION OF THE CITY COUNCIL OF PASSAIC ON PASSAIC ON FEBRUARY 28, 2023 AT 7:00 PM OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION, CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS
23. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS RESULTING FROM TAX COURT JUDGMENT (*Block 1030 Lot 33, also known as Canal St, Passaic, NJ- \$11,038.79*)
24. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS (*Block 3318 Lot 45 also known as 48 Amsterdam Ave- \$4,371.48*)
25. RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENTS (*17 Van Houten Ave also known as 37 Van Houten Avenue- \$2,042.49*)
26. RESOLUTION AUTHORIZING THE CITY OF PASSAIC TO ACCEPT A GRANT FROM THE NEW JERSEY DIVISION OF HIGHWAY TRAFFIC AND SAFETY PEDESTRIAN SAFETY GRANT PROGRAM (*\$35,000.00*)
27. RESOLUTION AUTHORIZING A CHANGE ORDER TO INCREASE CONTRACT WITH DAKTRONICS BROOKINGS, SD FOR THE DELIVERY AND INSTALLATION (ELECTRICAL COMPONENT OF INSTALLATION NOT INCLUDED) FOR OUTDOOR ELECTRONIC MESSAGE DISPLAY BOARD (*Increase of \$1,188.00 for a final contract amount of \$ 38,223.00*)
28. RESOLUTION AWARDING CONTRACT FOR DESIGN AND CONSTRUCTION MANAGEMENT FOR 2022 LOCAL FREIGHT IMPACT FUND (LFIF) 8TH STREET ROADWAY IMPROVEMENTS CITY OF PASSAIC (*Awarded to French & Parrello Associates of Wall, NJ in the amount of \$89,685.00.*)
29. RESOLUTION AWARDING CONTRACT FOR FURNISHING AND DELIVERY OF ONE (1) NEW 2023 FORD F-150 RESPONDER (*awarded to Koch 33 Ford, Easton, PA in the amount of \$43,712.00 inclusive of all options*)
30. RESOLUTION AUTHORIZING A CONTRACT WITH DAKTRONICS INC. FOR THE DELIVERY AND INSTALLATION(ELECTRICAL COMPONENT OF INSTALLATION NOT INCLUDED)FOR OUTDOOR ELECTRONIC MESSAGE DISPLAY BOARD (*awarded to Daktronics, Brookings, SD in the amount of \$ 48,641.00*)
31. RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR THE GOOD SPORTS AND MAJOR LEAGUE BASEBALL GRANT PROGRAM 2023
32. RESOLUTION AUTHORIZING THE PURCHASE OF TEN (10) FIRE-DEX NFPA PPE COAT & PANTS PASSAIC FIRE DEPARTMENT (Awarding Contract to New Jersey Fire Equipment, Green Brook, NJ \$35,640.00)
33. RESOLUTION STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION URBAN PARKS INITIATIVE ENABLING RESOLUTION
34. RESOLUTION STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION
35. RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2022 FORD EXPLORER (*Awarding Contract to Nielsen Ford, Morristown, NJ in the amount of \$ 51,068.00*)
36. RESOLUTION AUTHORIZING A CHANGE ORDER TO A CONTRACT WITH MONTANA CONSTRUCTION FOR EMERGENCY SANITARY SEWER REPAIRS ON MADISON

STREET BETWEEN HAMILTON AVENUE & COLUMBIA AVENUE CITY OF PASSAIC IN THE AMOUNT OF \$58,267.77 *(Increase of \$7,745.60 for a revised contract amount of \$58,267.77)*

37. RESOLUTION AWARDING CONTRACT FOR FURNISHING AND DELIVERY OF MILITARY OUTDOOR BANNERS CITY OF PASSAIC *(Awarded to Signarama of Clifton NJ in the amount of \$ 18,000.00)*
38. RESOLUTION AWARDING CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DIVISION OF ENGINEERING CITY OF PASSAIC *(Awarded to Neglia Group, Lyndhurst NJ \$ 158,400.00)*
39. RESOLUTION ACCEPTING TITLE TRANSFER AND OWNERSHIP OF TRAILER AND EQUIPMENT FROM NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT
40. RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR THE FY22 DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT AGENCY, STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM
41. RESOLUTION ACCEPTING GRANT FROM THE NEW JERSEY OFFICE OF INFORMATION TECHNOLOGY - NEXT GENERATION 911 GRANTS PROGRAM *(\$195,135.73)*
42. RESOLUTION ACCEPTING LEAD REMEDIATION AND ABATEMENT GRANT AND AUTHORIZING GRANT/LOAN AGREEMENT BETWEEN THE CITY OF PASSAIC AND THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS *(\$480,189.00)*
43. RESOLUTION TO APPOINT REPRESENTATIVE TO THE PASSAIC COUNTY SOLID WASTE ADVISORY COUNCIL

**XI. ORDINANCE FOR INTRODUCTION AND FIRST READING:**

44. ORDINANCE AMENDING CHAPTER 189 OF THE CITY OF PASSAIC CODE TO REQUIRE THE INSPECTION OF RENTAL DWELLINGS FOR LEAD-BASED PAINT HAZARDS
45. ORDINANCE AMENDING THE DESIGNATION OF RESTRICTED PARKING FOR DISABLED PERSONS BY NJ LICENSE PLATE NUMBER
46. ORDINANCE AMENDING CHAPTER 75 "ALCOHOLIC BEVERAGES", ARTICLE I "SALE AND DISTRIBUTION", SECTION 21 "NUDE OR NEARLY NUDE ACTIVITY" OF THE CITY OF PASSAIC CODE
47. ORDINANCE AMENDING CHAPTER 129 "ENTERTAINMENT" TO ADD SECTION 15 "LEWD OR IMMORAL ACTIVITY"
48. ORDINANCE AMENDING CHAPTER 90A "BARBERSHOPS, COSMETOLOGY AND HAIRSTYLING", ARTICLE III "MASSAGE, BODYWORK, AND SOMATIC THERAPY ESTABLISHMENTS", SECTION 21 "VIOLATIONS AND PENALTIES" OF THE CITY OF PASSAIC CODE

**XII. PAYMENT OF BILLS**

**XIII. ADMINISTRATOR'S REPORT**

**XIV. MAYOR'S REPORT**

**XV. ADJOURNMENT**

*(Next meeting of the City Council – March 21, 2023, at 7:00 PM)*

JOIN MEETING LINK: <https://us02web.zoom.us/j/89892612341>

MEMBERS OF THE PUBLIC, WHO WOULD LIKE TO PARTICIPATE DURING THE PUBLIC PORTION FOR PUBLIC COMMENT, CAN CALL-IN AT 929 436 2866 US (New York) AND ENTER THE MEETING ID # **898 9261 2341**

For residents dialing in please be advised to  
Press \*6 to mute or unmute your phone  
Press \*9 to raise your hand and indicate you would like to speak