



Passaic City Council
April 27, 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 MARCH 24, 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:		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 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 March 2020 to April 27, 2021:
 - 8205 positive cases
 - 294 deaths
- The City of Passaic continues to provide free testing for COVID in all wards. The city continues providing four testing sites:

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- 122 8th Street
- corner of Jefferson and 1st Street
- 154 Main Avenue
- 390 Paulison Avenue

- The city is continuing to provide residents with free vaccines, working with partners North Hudson Community Action Corporation - 220 Passaic Street, St. Mary's Hospital located on Boulevard, 390 Paulison Avenue.
- The city's website has a portal to set up appointments, making it easier for residents to schedule their vaccines at St. Mary's Hospital at www.cityofpassaic.com. Passaic County has opened up walk-in, same day appointments.
- The mayor reminded residents that the city provides meal distribution every Wednesday at City Hall, Sundays at 122 8th Street.
- He congratulated the Board of Education commissioners on their re-election: President of Board of Education, Christina Schratz, Daniel Rodriguez, Judith Sanchez, Ronald Van Rensalier.
- Schools will be going into full classes for summer programs, including programs for the special needs.
- For residents who observe Ramadan, the mayor wishes the best during this time of reflection, prayer and faith.
- The mayor updated the City Council on events that have occurred:
 - On the April 15, 2021, the city had their Annual senior citizen trip to Atlantic City.
 - Skate with Characters in the ice skating rink at Third Ward Park; the rink will transition to dining outdoors for the summer.
 - The city was able to plant over 500 new trees at Pulaski Park and Third Ward Memorial Park.
- The Posse Key Club and Youth Council partner with the City of Passaic and DPW to do community clean up in parks. They also set up donation day for the homeless, providing the homeless with shower days and providing them with resources, including mailbox, clothes, food.
- The city was able to provide jobs for two individuals from the homeless community with DPW as DNC. One of the individuals was able to attend Community College.
- The mayor thanked Human Services, Police Department, Fire Department, and everyone who assisted.

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- Clean sweep began. The mayor travels around the city with DPW and Code officials reminding people about our City Ordinance and giving out warnings. He wants to remind residents to make sure they do not leave loose garbage in garbage bins.
- Recreation Department was able to expand their children's programs by opening up clinics for Baseball, Lacrosse, Soccer, Football, Cheerleading programs, trips for Children with special needs, and Zumba Class for those with autism. Recreation has weekly giveaways. There are programs for volleyball and tennis now that the courts have been updated.
- The City was able to do a Zoom presentation for Autism Awareness month with Cindy Gelormini as she read *Robbie's World and His Spectrum of Adventures!*
- The Optimist youth appreciation award - children were given awards by the youth Optimist club.
- Hatzolah Passaic/Clifton EMS Support week: The mayor wants to thank Hatzolah Passaic/Clifton EMS for all the support and help that they provide with their volunteer work to our city.
- During Covid, the city has been able to expand on the services provided to the public with rental assistance, being able to access additional funds on the State level with the help of the County and Assembly Member Schaer.
- He thanked Council Members Love, Garcia, and Schwartz for their help with food distribution. He also thanked Council Members Melo, Munk, CP Schaer, and Patel for working very hard.
- He thanked the City Hall staff, Health Department, Directors, City Clerk Amada Curling and her staff on the School Board Election.
- He wants to remind the residents that there is a need for Election Poll Workers.

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MINUTES

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

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

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

Hugh Giordano, 57 Argyle Ave, Blackwood NJ

- As union representative of UFCW #152, representing National Cannabis Union, happy that Passaic is not banning entire industry. Please allow medical sales of marijuana since it is highly regulated industry.

Aryeh Mack, 187 Howard Ave

- Questions regarding election: The last election had 908 or 2% of the population. Is it possible to get more advertisements on upcoming elections?

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Taylor Burkowitz, 285 Aycrigg Ave

- 208 Passaic Avenue property next to 285 Aycrigg Avenue continues to be in disrepair.
- He is against banning recreational marijuana.

Alice Einhorn, 285 Aycrigg Ave

- She commends the mayor and council on organizational response to covid.
- She would like to see Passaic offer the opportunity to buy medical marijuana.
- She still sees cleanup issues at 208 Passaic Avenue.

Cecilia Kingsley, 285 Aycrigg Ave

- She commends mayor on the rollout of Covid vaccine.
- She has not noticed a big improvement at 208 Passaic Avenue.
- 285 Aycrigg has had a huge population of mice, maybe from the unoccupied 208 Passaic Avenue.
- She commends Third Ward Park cleanup and beautification efforts.
- Can skating rink be painted to blend in with the rest of the park?
- Can Third ward park renamed to something nicer?
- Waterlilies have not returned to the pond in the park.
- She hopes the city will consider recreational and medical cannabis as it could provide tax relief and source of income for the city.

Edward Leftycross, 84 Hanover Rd, East Hanover NJ

- He would like more wheelchair access in the city.
- He would like to see help for smaller businesses providing recreational marijuana.

Paula Catrice – 285 Aycrigg Ave

- She thanked the mayor and council for Covid organization and keeping residents updated on Covid.
- She would like to see signage at Third Ward park.
- What public notice was placed to ban recreational marijuana?
- Are legal delivery services being put in place?
- What studies were done to measure potential for negative impact on city on legalizing recreational marijuana.

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 (VIA ZOOM)

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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. 2295-21**

**ORDINANCE AMENDING THE CITY CODE OF
 THE CITY OF PASSAIC TO CREATE CHAPTER 232
 "RECREATIONAL CANNABIS ESTABLISHMENTS"**

Council Member Love moved a public hearing to be held on Ordinance. Motion was seconded by Council Member Schwartz, 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			

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

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

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

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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

**CITY OF PASSAIC
ORDINANCE NO. 2297-21**

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

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

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 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 Melo and adopted upon a call of the roll.

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

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

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

CITY OF PASSAIC
ORDINANCE NO. 2298-21

ORDINANCE AMENDING CITY CODE OF THE CITY OF PASSAIC,
CHAPTER 39, "POLICE DEPARTMENT" ARTICLE VI,
"OFF-DUTY POLICE SERVICES" SECTION 39-16,
"PAYMENT FOR OFF-DUTY POLICE SERVICES"

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

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 closed

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

Council Member Schwartz 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 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.

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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

New Jersey Department of Environmental Protection submitting the following:

- Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 21-03-31-1024-12
- Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 21-04-06-1443-11
- Suspected Hazardous Substance Discharge Notification NJDEP Case Number: 21-04-16-12221-04

Passaic Valley Water Commission submitting the following:

- Notice of Special Meeting for March 31, 2021
- Agenda of their March 31, 2021
- Agenda of their April 14, 2021

County of Passaic submitting the following:

- Mosquito Control Fact Sheets

PSE&G submitting notice of a filling and public hearing in the matter of petition of public service electric and gas company for approval of change in electric and gas societal benefits charge

Passaic Housing Authority, submitting the following:

- Notice of their April 21, 2021 Public Meeting

Redevelopment Meeting submitting the following:

- Notice of Cancellation for their April 8, 2021 meeting

ROLL CALL (VIA ZOOM)							
AYES:		Love	Melo		Schwartz	Garcia	CP Schaer
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 APRIL 27, 2021 AT 7:00 PM

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

OR ANYTIME THEREAFTER TO DISCUSS PENDING LITIGATION,
CONTRACT NEGOTIATIONS AND PERSONNEL MATTERS

THE FOLLOWING ITEM WAS 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 #21-04-108**

**RESOLUTION AUTHORIZING A CHANGE ORDER TO DECREASE
CONTRACT WITH RIEFOLO CONSTRUCTION
WESTSIDE FIREHOUSE BATHROOM RENOVATIONS**

WHEREAS, on December 17, 2019, the City Council of the City of Passaic adopted Resolution #19-12-394 (attached) approving a contract with Riefolo Construction in the amount of \$ 202,000.00 for Westside Firehouse Bathroom Renovations; and

WHEREAS, the contractor's work throughout the contract was inferior to both Coppa Montalbano Architects and the City of Passaic; and

WHEREAS, a mutual agreement was decided upon by all parties to terminate the contract; and

WHEREAS, this resulted in a \$ 7,500.00 reduction in the contract; and

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

Original Contract	\$ 202,000.00
Change Order #1 (decrease)	- 7,500.00
Total New Contract	<u>\$ 194,500.00</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 Riefolo Construction for Westside Firehouse Bathroom Renovations is ratified and accepted,

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

adjusting the contract to the revised total amount of \$ 194,500.00.

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 #21-04-109**

**RESOLUTION AUTHORIZING THE PURCHASE
OF TRASH RECEPTACLES
CITY OF PASSAIC**

WHEREAS, the City of Passaic wishes to purchase Trash Receptacles under NJ State Contract #T0103 from General Recreation, Inc., Newton Square, PA; and

WHEREAS, N.J.S.A. 40A:11-12 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 City wishes to purchase thirty (30) 40 Gal. Trash Receptacles @\$1,350.00 per receptacle with a shipping charge of \$1,690.00 for a total cost of \$ 42,190.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Passaic that the contract for the purchase of thirty (30) 40 Gal. Trash Receptacles be awarded to General Recreation, Inc., of Newton Square, PA in the amount of \$ 42,190.00.

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

CERTIFICATION OF FUNDS

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

Funds for the above are available in the Cost Related to
Coronavirus Response Acct. No. 0-01-30-430-000-046

CITY OF PASSAIC
RESOLUTION #21-04-110

RESOLUTION AWARDING CONTRACT FOR
RENOVATIONS TO PUBLIC WORKS GARAGE AND OFFICES
870 MAIN AVENUE, PASSAIC, NJ

WHEREAS, bids were received by the Business Administrator on Tuesday, April 6, 2021 for Renovations to Public Works Garage and Offices, 870 Main Avenue, Passaic, NJ; and

WHEREAS, the attached bids were received; and

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

EACM Corp Sea Bright, NJ 07760	Frankoski Construction Co., Inc. East Orange, NJ 07017	Bismark Construction Corp Newark, NJ 07107
MJM impressions Fair Lawn, NJ	Insulators Local 32 Highland Park, NJ	Certapro Painters of North Waldwick, NJ
ZN construction LLC Elmwood Park, NJ	Delgado Brothers General Contractors, LLC Passaic, NJ	Alexander the Great Inc. Fairfield, NJ
A&M Contracting, LLC Edison NJ	DPI Electric and Communications Inc. Flemington, NJ	Falak Construction, Inc. NJ 08902
GDS Mechanical, INC. Morris Plains, NJ	Billy Contracting & Restoration Inc. Paterson, NJ	APS Contracting Inc Paterson, NJ
Accurate Construction Inc. Wayne, NJ	J.R. Contracting & Environmental Consulting, Inc. Wayne, NJ 07470	Apex Enterprises of Union Inc. Neptune City, NJ
CIS Kinnelon, NJ	AB Contracting LLC Wharton, NJ	Molba Construction Little Ferry, NJ

WHEREAS, it is the recommendation of Coppa Montalbano Architects, Totowa, NJ that the lowest responsible, responsive bidder, Daskal, LLC of Garfield, NJ be awarded the contract in the amount of \$ 2,309,000.00 inclusive of

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

Alternate 1 (First Floor Office Fit Up \$ 118,000.00) Alternate 2 (Second Floor Office Fit Up \$ 139,000.00) Alternate 3 (Office Basement Dehumidifier, Painting and Exhaust System \$ 30,000.00) and Alternate 4 (Conduit Relocation \$ 17,000.00).

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for Renovations Public Works Garage and Offices, 870 Main Avenue, Passaic, NJ be awarded to Daskal, LLC of Garfield, NJ in the amount of **\$ 2,309,000.00** inclusive of Alternate 1 (First Floor Office Fit Up \$ 118,000.00) Alternate 2 (Second Floor Office Fit Up \$ 139,000.00) Alternate 3 (Office Basement Dehumidifier, Painting, and Exhaust System \$ 30,000.00) and Alternate 4 (Conduit Relocation \$ 17,000.00).

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

CERTIFICATION OF FUNDS

Funds for the above are available in Bond Ord. #2169-18 - Acct. #C-04-55-980-018-DPW.

**CITY OF PASSAIC
RESOLUTION # 21-04-111**

**RESOLUTION AWARDING CONTRACT
FOR THIRD PARTY BILLING FOR
CORONAVIRUS VACCINATION SERVICES
CITY OF PASSAIC**

WHEREAS, proposals were received by the Director of Purchasing on Wednesday, March 17, 2021 for Third Party Billing for Corona Virus Vaccination Services; and

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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; and

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

Stone Network Inc.	Sutherland Healthcare	Med US Industries
Chalfont, PA	Clifton, NJ	Miami, FL

WHEREAS, the anticipated amount of revenue to be collected is approximately \$15,000.00 - \$ 25,000.00/month; and

WHEREAS, the Evaluation Committee reviewed the proposal received and recommends that the contract for Third Party Billing for Corona Virus Vaccination Services be awarded to Bills Right, Brooklyn, NY for a period of two (2) years with the option to renew for an additional one (1) year term for a percentage rate of 95% revenue to be paid to the City; and

WHEREAS, the contract is to run for a period of two (2) years with the option to renew for an additional one (1) year term.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that Bills Right, Brooklyn, NY be awarded a contract for a two year period with the option to renew for an additional one (1) year term for a percentage rate of 95% revenue to be paid to the City.

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

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

CITY OF PASSAIC
RESOLUTION NO. 21-04-112

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION
FOR PREVENTION OF ALCOHOLISM AND DRUG ABUSE
GRANT PROGRAM FY 2022

WHEREAS, the City of Passaic has applied for funding to the Governor's Council on Alcoholism and Drug Abuse ("GCADA") through the County of Passaic; and

WHEREAS, the Passaic Municipal Alliance wishes to submit an update to the FY 2021 grant documentation relative to the FY 2022 application for the Prevent Alcoholism and Drug Abuse Grant Program ("Program") that is being offered through the GCADA; and

WHEREAS, the Passaic Municipal Alliance's designated allocation for FY 2022 for four (4) Fiscal Quarters is \$17,311.87 in DEDR fund, with the stipulation the Municipal Alliance provides the required 25% cash match (\$4,327.97) and 75% in-kind (\$12,983.90) for the FY 2022 grant period of July 1, 2021 to June 30, 2022; and

WHEREAS, any award amount is contingent upon the availability of funds and is subject to the rules of the New Jersey Department of Treasury; and

WHEREAS, the Passaic Municipal Alliance wishes to submit a strategic plan for the grant period in the following amounts:

DEDR Funds	\$17,311.87
Cash Match	\$4,327.97
In-Kind	\$12,983.90

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Passaic that the Passaic Municipal Alliance is hereby authorized to submit an application, updated or otherwise, for the Governor's Council on Alcoholism and Drug Abuse Prevention of Alcoholism and Drug Abuse Grant Program for FY 2022, inclusive of any forms required of the application process, for the aforementioned amounts; and

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BE IT FURTHER RESOLVED that the City of Passaic acknowledges the terms and conditions for administering this grant, including the administrative compliance and audit requirements; 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 purpose of this Resolution.

**CITY OF PASSAIC
RESOLUTION # 21-04-113**

**RESOLUTION DIRECTING A RECOMMENDATION FROM
THE PASSAIC CITY PLANNING BOARD REGARDING
BLOCK 2197.01, LOTS 1 & 32
(452-454 PAULISON AVENUE AND 439 OAK STREET)
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 452-454 Paulison Avenue and 439 Oak Street (Block 2197.01 Lots 1 & 32) 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

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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 Block 2197.01 Lots 1 & 32 (452-454 Paulison Avenue & 439 Oak Street), as an Area in Need of Redevelopment/Rehabilitation.

CITY OF PASSAIC
RESOLUTION NO. 21-04-114

**RESOLUTION AUTHORIZING SUBMISSION OF
AN APPLICATION FOR AND ACCEPTANCE OF
DRUNK DRIVING ENFORCEMENT FUND GRANT FY 2020**

WHEREAS, the City of Passaic Police Department wishes to submit an application for the Drunk Driving Enforcement Fund Grant ("DDEF") being offered through the New Jersey Division of Highway Traffic Safety ("DHTS"); and

WHEREAS, as a municipal law enforcement agency in the state of New Jersey, the City of Passaic Police Department is eligible to apply to DHTS to use DDEF monies for additional DWI enforcement patrols and any appropriate measures pertaining to other DWI enforcement activities authorized by the DDEF administrative regulations, N.J.A.C. 13:86-1.1 et seq. and approved Director; and

WHEREAS, the primary use of these monies is dedicated for overtime salaries for additional DWI patrols and checkpoints at peak violation periods; and

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

WHEREAS, the remainder of the grant can be used to purchase equipment, provide training and other tasks related to drunk driving enforcement, subject to prior approval from the Director of the DHTS; and

WHEREAS, at least 50 percent of the funds shall be allocated and expended for overtime paid to law enforcement personnel assigned to conduct additional law enforcement patrols or DWI checkpoint programs to increase the enforcement of N.J.S.A. 39:4-50; and

WHEREAS, the City of Passaic Police Department wishes to apply for and accept the maximum grant award being allotted through the DDEF.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Passaic that the City of Passaic Police Department is hereby authorized to submit an application for the Drunk Driving Enforcement Fund Grant subject to the terms and conditions set forth in the grant guidance and thereafter accept all awarded funds; and

BE IT FURTHER RESOLVED that the Mayor, City Clerk and Police Department 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. 21-04-115

RESOLUTION AUTHORIZING PASSAIC ALLIANCE TO ENTER SERVICE AGREEMENT WITH AMMON ANALYTICAL LABORATORIES, LLC

WHEREAS, the Passaic Alliance, having an office at 286 Passaic Street, Passaic, New Jersey, 07055 wishes to enter into a Service Agreement ("Agreement") with Ammon Analytical Laboratories, LLC, having an office at 35 East Blancke Street, Linden, New Jersey 07036 (collectively the "parties"); and

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

WHEREAS, under this Agreement, Analytical Laboratories, LLC shall provide clinical laboratory services, including confirmation testing, and results to the Passaic Alliance; and

WHEREAS, the parties have set forth their intentions within the Agreement attached hereto and mutually agree to be subject to the terms and conditions therein.

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

BE IT FURTHER RESOLVED that the Mayor, City Clerk and the Passaic Alliance are hereby authorized to execute the Agreement attached hereto and/or undertake any and all such actions necessary to effectuate the purpose of this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution and a copy of the executed Agreement shall be forwarded to Ammon Analytical Laboratories, LLC.

CITY OF PASSAIC
RESOLUTION# 21-04-116

RESOLUTION AWARDING CONTRACT FOR
2020 ROADWAY IMPROVEMENTS
CITY OF PASSAIC

WHEREAS, bids were received by the Business Administrator on Thursday, April 15, 2021 for 2020 Roadway Improvements, City of Passaic; and

WHEREAS, bids were received as per the attached; and

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

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

JA Alexander Bloomfield, NJ	American Asphalt Kearny, NJ	D&L Paving Nutley, NJ	AJM Contractors Clifton, NJ
J.C. Contracting Rahway, NJ	Road Safety System Shamong, NJ	Bright View Engineering Livingston, NJ	

WHEREAS, the lowest responsible, responsive Bid was received from Smith Soudy Asphalt, Wallington, NJ in the amount of \$ 630,538.50 ; and

WHEREAS, it is the recommendation of Joe Golden, City Engineer, that the contract be awarded to Smith Soudy Asphalt, Wallington, NJ for 2020 Roadway Improvements in the amount of \$ 630,538.50 .

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Passaic that the contract for 2020 Roadway Improvements be awarded to Smith Soudy Asphalt, Wallington, NJ in the amount of \$ 630,538.50.

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 in DOT Grant Account # G-02-40-346-020-9RD.

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

ORDINANCE FOR INTRODUCTION AND FIRST READING:

Council President Schaer read said Ordinance by title.

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

CITY OF PASSAIC
ORDINANCE NO. 2299-21

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 432 Handicapped Parking Spaces.

WHEREAS the total number of Handicapped Parking Spaces Restricted by New Jersey License Plate Number as per this ordinance is 431 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>
111 Columbia Avenue	West	Beginning at a point 61 feet south of the southerly curblineline of Rosz Place and extending to a point 22 feet southerly therefrom	9086HE
184 Gregory Avenue	East	Beginning at a point 159 feet south of the southerly curblineline of Passaic Avenue and extending to a point 22 feet southerly therefrom	2537HE
155 Jackson Street	South	Beginning at a point 152 feet west of the westerly curblineline of Lexington	BD90LE

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

Avenue and extending to a point 25 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>
72 Fourth Street	East	Beginning at a point 110 feet north of the northerly curblineline of Essex Street and extending to a point 22 feet northerly therefrom	G48NCT
158 Jackson Street	North	Beginning at a point 196 feet west of the westerly curblineline of Lexington Avenue and extending to a point 22 feet westerly therefrom	D98KGV

Council Member Love moved the Ordinance be approved on first reading. Motion was seconded by Council Member Melo the public hearing be held on May 13, 2021.

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

Council President Schaer read said Ordinance by title.

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

CITY OF PASSAIC
ORDINANCE NO# 2300-21

ORDINANCE AMENDING CHAPTER 295-36
OF THE CITY CODE LOADING ZONES

BE IT ORDAINED by the City Council of the City of Passaic and State of New Jersey that:

SECTION I

Chapter 295 of the Code of the City of Passaic be amended by the inclusion of the following descriptions of loading zone location:

<u>NAME OF STREET</u>	<u>SIDE</u>	<u>LOCATION</u>
11-13 Avenue	Central West	Beginning at a point 254 feet south of the southerly curblineline of Monroe Street and extending to a point 42 feet southerly therefrom

SECTION II

BE IT FURTHER ORDAINED that the loading zone locations referenced in this ordinance shall be added to the existing list of loading zone locations designated and be included in the Code of Passaic Chapter 295 (Part 4 - Art XV, Section 295-36).

SECTION III

This ORDINANCE shall take effect based upon the provisions of law regarding final passage and required publication.

Council Member Love moved the Ordinance be approved on first reading. Motion was seconded by Council Member Melo the public hearing be held on May 13, 2021.

ROLL CALL (VIA ZOOM)

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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

Council President Schaer read said Ordinance by title.

CITY OF PASSAIC
ORDINANCE # 2301-21

**AN ORDINANCE AMENDING ORDINANCE NO. 2257-20
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**

WHEREAS, PENNINGTON PASSAIC, LLC ("Owner") is the owner of certain property located at and commonly known 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 on the Tax Assessor's Map ("Property"); and

WHEREAS, Owner filed an application with the City of Passaic for approval of a Long Term Tax Exemption to construct a residential development consisting of 146 rental units and 20 townhouse units pursuant to N.J.S.A.40A:20-1 et seq.; and

WHEREAS, the City reviewed the application, approved the construction of the improvements and authorized the execution of a Financial Agreement by the adoption of Ordinance No. 2257-20 on March 17, 2020; and

WHEREAS, after a full review of all information provided by Owner, it is now necessary to amend the Financial Agreement to clarify the property that is subject to the said Agreement and eliminate certain credits against the Annual Service Charge; and

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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

Section 1.

1. The Mayor or City Administrator is hereby authorized to execute an amendment to the Financial Agreement which shall contain at a minimum, the following terms and conditions:

(a) All references to 191 Pennington Avenue, Block 3236 Lot 36 are hereby omitted from the Financial Agreement.

(b) Section 4.3a Land Taxes and Land Tax Credit of the Financial Agreement is hereby amended to omit the following "The Entity shall be entitled to a credit against the Annual Service Charge for the first five (5) years at a rate of \$60,000 per year. Therefore, the land taxes for the first five (5) years shall be \$100,000.00 per annum."

2. The form of Amendment to the Financial Agreement is attached hereto as Exhibit A, subject to such modification as the City Attorney or City Administrator deem necessary.

3. The City Administrator shall send a copy of the fully executed Amended Financial Agreement to the Director of the Division of Local Government Services in the Department of Community Affairs within thirty (30) days of execution pursuant to N.J.S.A.40A:21-11(d).

Section 2.

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 3.

This ordinance shall take effect at the time and in the manner provided by law.

Council Member Schwartz moved the Ordinance be approved on first reading. Motion was seconded by Council Member Love the public hearing be held on May 13, 2021.

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

MEETING WAS CONDUCTED AS A ZOOM LIVE STREAM VIA FACEBOOK

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:		Love	Melo		Schwartz	Garcia	CP Schaer
ABSENT:	Munk			Patel			

MAYOR'S REPORT

Mayor reminded citizens to vote in the Board of education elections.

ADJOURNMENT

There being no further business to come before the Council on a motion by Council Member Garcia and seconded by Council Member Melo the meeting was adjourned at 9:09 p.m.

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

ATTEST:

APPROVED:

Amada D. Curling,
City Clerk

Gary S. Schaer,
Council President