

## **PUBLIC NOTICE**

**PLEASE TAKE NOTICE:** The Board of County Commissioners of the County of Passaic adopted Resolution No. R20210001 at its January 7, 2021 meeting setting the regular meeting schedule for calendar year 2021 in compliance with N.J.S.A. 10:4-18. On August 11, 2021, the Board of County Commissioners of the County of Passaic adopted Resolution No. R20210724 authorizing the resumption of in-person meetings of the Board, at the following dates, times, and locations:

<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
September 8, 2021	5:30 PM	300 Oldham Road, Wayne, New Jersey 07470
September 28, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
October 26, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
November 9, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
November 23, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
December 14, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
December 28, 2021	10:00 AM	401 Grand Street, Paterson, New Jersey 07505

Members of the public can attend the meetings in-person in compliance with the COVID-19 safety protocol practices in place at all County facilities. Additionally, a member of the public may submit a comment electronically during the public portion of the meeting by submitting same by no later than 5:30 PM to [public@passaiccountynj.org](mailto:public@passaiccountynj.org) of the date of the scheduled meeting, and include his/her name, address, and matter to be addressed by the Board. The Clerk of the Board shall include the comment in the meeting minutes kept pursuant to N.J.S.A. 10:4-12 and it will become an official part of the record. This notice is being issued pursuant to the Open Public Meetings Act, P.L. 1975, Chapter 231, N.J.S.A. 10:4-06, et seq. Official action will be taken.

### **BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS**

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Louis E. Imhof III, Clerk of the Board

Dated: August 25, 2021

Published in: Herald News  
Bergen Record

On File with the Passaic County Clerk

**Louis E. Imhof III**  
**Clerk of the Board**  
**Board of County Commissioners**  
**County of Passaic**  
**(973) 881-4412 or [Louisi@passaiccountynj.org](mailto:Louisi@passaiccountynj.org)**

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Meeting Venue

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

### A. Roll Call:

1. Akhter
2. Bartlett
3. Best
4. Duffy
5. Lazzara
6. Deputy Director James
7. Director Lepore

### B. Announcement of the Open Public Meeting Law

### C. Invocation:

### D. Pledge of Allegiance

### E. Moment of silence to remember all the men and women who have died while serving in the United States Armed Forces and all who have died from COVID-19, especially the 1,839 residents of Passaic County.

### F. Approval of Minutes: November 23, 2021

G. Approval of Proclamation:

1. The Passaic County Board of County Commissioners wishes to recognize and congratulate Mayor Richard S. Goldberg for his retirement after 13 years as Mayor of the Borough of Hawthorne.
2. The Passaic County Board of County Commissioners wishes to congratulate the Rutgers Cooperative Extension Food Waste Team for being awarded four significant awards recognizing the team's educational efforts regarding reducing food waste in Paterson Public Schools and beyond
3. The Passaic County Board of County Commissioners wishes to congratulate Andrew Thompson for being named "Architect of the Year" for 2021 by the AIA (American Institute of Architects).
4. The Passaic County Board of County Commissioners wishes to congratulate Kelly Ruffel for being one of the award recipients for the 2021 New Jersey Historical Commission (NJHC) and New Jersey Studies Academic Alliance (NJSA).

H. Administrator's Report:

1.
  1. The Rutgers Cooperative Extension Food Waste Team for being awarded four significant awards recognizing the team's educational efforts regarding reducing food waste in Paterson Public Schools and beyond.
  2. Andrew Thompson for being named "Architect of the Year" for 2021 by the AIA (American Institute of Architects).
  3. Kelly Ruffel for being one of the award recipients for the 2021 New Jersey Historical Commission (NJHC) and New Jersey Studies Academic Alliance (NJSA).
2. Update on County of Passaic response to the Covid-19 Pandemic by Charlene Gungil, Director of Health.

I. County Commissioner Reports:

1. Commissioner Director Pasquale "Pat" Lepore
2. Commissioner Deputy Director Bruce James
3. Commissioner Assad R. Akhter
4. Commissioner John W. Bartlett
5. Commissioner Theodore O. Best, Jr.
6. Commissioner Terry Duffy
7. Commissioner Cassandra "Sandi" Lazzara

J. Communications: None

K. Oral Portion:

1. Motion to Open the Public Portion of the meeting\_\_\_\_\_
2. Motion to Close the Public Portion of the meeting\_\_\_\_\_

L. 2/3 Vote:

1. RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXECUTE BUDGET TRANSFERS BETWEEN 2021 BUDGET APPROPRIATIONS, PURSUANT TO N.J.S.A. 40A:4-58, ALL AS NOTED IN THE RESOLUTION.

M. Consent Agenda:

**ADMINISTRATION AND FINANCE**

1. RESOLUTION FIXING THE 2022 REORGANIZATION MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40:45A-1, ALL AS NOTED IN THE RESOLUTION.
2. REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2021 BUDGET PURSUANT TO N.J.S. 40A:4- 87 (Chapter 159 P.L. 148) PS-22-45-01-03, ALL AS NOTED IN THE RESOLUTION.
3. REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2021 BUDGET PURSUANT TO N.J.S. 40A:4- 87 (Chapter 159 P.L. 148) 2021-NJIT-STP, ALL AS NOTED IN THE RESOLUTION.
4. RESOLUTION AUTHORIZING THE PASSAIC COUNTY EMPLOYEE POLICIES AND PROCEDURES MANUAL, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.
5. RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED, PATEL V. COUNTY OF PASSAIC, CLAIM PETITION NO. 2018-2803, PENDING IN THE NEW JERSEY DIVISION OF WORKERS' COMPENSATION, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.
6. RESOLUTION QUALIFYING LAW FIRMS FOR BOND COUNSEL IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.

7. RESOLUTION QUALIFYING LAW FIRMS FOR LABOR COUNSEL, WORKPLACE INVESTIGATIONS, AND EMPLOYMENT TRAINING IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.

#### ADMINISTRATION AND FINANCE

8. RESOLUTION QUALIFYING LAW FIRMS FOR OUTSIDE LEGAL COUNSEL IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.
9. RESOLUTION RETAINING FRIEND & WENZEL, LLC FOR OUTSIDE LEGAL SERVICES IN THE MATTER OF DONDERO V. COUNTY OF PASSAIC, ET AL., DOCKET NO. PAS-L-3950-21, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.
10. RESOLUTION RETAINING WISNIEWSKI & ASSOCIATES, LLC FOR OUTSIDE LEGAL SERVICES IN THE MATTER OF CAMEL V. OFFICE OF THE PASSAIC COUNTY SHERIFF, ET AL., DOCKET NO. PAS-L-3321-21, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.
11. RESOLUTION AUTHORIZING A COST OF LIVING ADJUSTMENT FOR THE BASE SALARIES OF NON-UNION EMPLOYEES HIRED PRIOR TO JULY 1, 2021 FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.
12. RESOLUTION APPROVING STOP LOSS INSURANCE COVERAGE POLICY WITH SUN LIFE ASSURANCE COMPANY OF CANADA FOR CALENDAR YEAR 2022 FOR THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:11-5 (m), ALL AS NOTED IN THE RESOLUTION.
13. RESOLUTION REAPPOINTING LAURA LEE HARDING AS AN AT-LARGE PUBLIC MEMBER TO THE PASSAIC COUNTY OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND ADVISORY COMMITTEE, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.
14. RESOLUTION REAPPOINTING DAMARIS SOLOMON AND MICHAEL COSCIA AND APPOINTING ALEKSANDRA TASIC TO THE PASSAIC COUNTY TECHNICAL-VOCATIONAL SCHOOLS BOARD OF EDUCATION TO FOUR-YEAR TERMS AS PRESCRIBED UNDER THE LAW, PURSUANT TO N.J.S.A. 18A:54-16, ALL AS NOTED IN THE RESOLUTION.
15. RESOLUTION QUALIFYING RELIANCE GRAPHICS AND ROYAL PRINTING SERVICES FOR ELECTION PRINTING SERVICES FOR THE COUNTY OF PASSAIC IN CALENDAR YEAR 2022; AUTHORIZING THE AWARD OF CONTRACTS TO RELIANCE GRAPHICS AND ROYAL PRINTING SERVICES FOR SAME, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

16. RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF PASSAIC AND COUNTY OF BERGEN FOR THE PROVISION OF CORRECTIONAL SERVICES, PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

#### **ADMINISTRATION AND FINANCE**

17. RESOLUTION AMENDING THE CASH MANAGEMENT PLAN TO APPROVE KEARNY BANK AS A DEPOSITORY FOR THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:5-14, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
18. RESOLUTION CANCELING UNEXPENDED BALANCES OF APPROPRIATIONS MADE IN THE OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND BUDGET, PURSUANT TO N.J.S.A. 40A:4-60, ALL AS NOTED IN THE RESOLUTION.
19. RESOLUTION CANCELLING A GRANT RECEIVABLE AND APPROPRIATION BALANCE FROM THE AMERICAN RESCUE PLAN, PURSUANT TO LOCAL FINANCE NOTICES, ALL AS NOTED IN THE RESOLUTION.
20. RESOLUTION AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS ISSUED PRIOR TO JUNE 30, 2021 BY THE CHIEF FINANCIAL OFFICER, ALL AS NOTED IN THE RESOLUTION.
21. RESOLUTION TO RATIFY THE ACTION TAKEN BY THE PASSAIC COUNTY ADMINISTRATOR ENTERING INTO VARIOUS EMERGENCY CONTRACTS IN RESPONSE TO TROPICAL STORM IDA, PURSUANT TO SECTION 5.3 OF THE PASSAIC COUNTY ADMINISTRATIVE CODE AND N.J.S.A. 40A:11-6
22. RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED ROGERS V. COUNTY OF PASSAIC, ET AL. DOCKET NO. PAS-L-000037-21, PENDING IN THE SUPERIOR COURT OF NEW JERSEY, PURSUANT TO N.J.S.A. 40:20-1
23. RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXECUTE BUDGET TRANSFERS BETWEEN PREVIOUSLY APPROVED OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND BUDGETS, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

#### **HEALTH & HUMAN SERVICES**

24. RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO INTERSECTION MEDIA, LLC FOR BUS TAIL ADVERTISING FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM, PURSUANT TO N.J.S.A. 40A:11-6.1(a), ALL AS NOTED IN THE RESOLUTION.

25. RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT FOR THE INTENSIVE CASE MANAGEMENT GRANT FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

**HEALTH & HUMAN SERVICES**

26. RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY SERVICES FOR THE PERSONAL ASSISTANT SERVICES PROGRAM, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
27. RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT FOR THE SOCIAL SERVICES FOR THE HOMELESS GRANT FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
28. RESOLUTION APPROVING AN AMENDMENT TO MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND STRAIGHT & NARROW, INC. TO CONTINUE TO OPERATE THE INTOXICATED DRIVER RESOURCE CENTER VIRTUALLY, PURSUANT TO N.J.S.A. 39:4-50(f), ALL AS NOTED IN THE RESOLUTION.
29. RESOLUTION AUTHORIZING THE COUNTY OF PASSAIC TO APPLY FOR AND ACCEPT A GRANT FROM THE NEW JERSEY DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES FOR THE COUNTY COMPREHENSIVE ALCOHOLISM AND DRUG ABUSE SERVICES FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
30. RESOLUTION QUALIFYING GRACE HEALTH CARE SERVICES. TO PROVIDE HOSPICE SERVICES FOR PREAKNESS HEALTHCARE CENTER AND AUTHORIZING AN AWARD OF CONTRACT, PURSUANT TO N.J.S.A. 40A:11-5 (1), ALL AS NOTED IN THE RESOLUTION.
31. RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO UNIPAK AND ALLSTATE MEDICAL SUPPLIES FOR MEDICAL AND DENTAL SUPPLIES AT PREAKNESS HEALTHCARE CENTER, PURSUANT TO N.J.S.A. 40A:11-4, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
32. RESOLUTION QUALIFYING PULSE MEDICAL TRANSPORTATION, INC., TLC MOBILE HEALTHCARE, LLC AND NJ MOBILE HEALTHCARE TO PROVIDE MEDICAL TRANSPORTATION SERVICES FOR RESIDENTS OF PREAKNESS HEALTHCARE CENTER FOR CALENDAR YEAR 2022 AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$15,000 FOR SAME, PURSUANT TO N.J.S.A. 40A:11-5(1), ALL AS NOTED IN THE RESOLUTION.

## **HEALTH & HUMAN SERVICES**

33. RESOLUTION QUALIFYING MEDHAT ISMAIL, INC. TO PROVIDE VENTILATOR SPECIALIST SERVICES FOR PREAKNESS HEALTHCARE CENTER AND AUTHORIZING AN AWARD OF CONTRACT, PURSUANT TO N.J.S.A. 40A:11-5 (1), ALL AS NOTED IN THE RESOLUTION.
  
34. RESOLUTION AMENDING GRANT AGREEMENT DOAS21AAA012 FROM THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING SERVICES FOR 2021, AS AUTHORIZED BY 42 U.S.C.A. SEC.3001, ET. SEQ, ALL AS NOTED IN THE RESOLUTION.
  
35. RESOLUTION AUTHORIZING THE DEPARTMENT OF WEATHERIZATION AND HOME ENERGY TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM AMERICAN RESCUE PLAN ARREARAGE ASSISTANCE 2022 GRANT, PURSUANT TO N.J.S.A. 40A:5-30, ALL AS NOTED IN THE RESOLUTION.

## **PUBLIC WORKS**

36. RESOLUTION AMENDING RESOLUTION NO. R20210248 AUTHORIZING AN AWARD OF CONTRACT TO ACE SECURITY INC., FOR DOOR LOCKS HARDWARE CATALOG% DISCOUNT AND LOCKSMITH SERVICES AT VARIOUS PASSAIC COUNTY FACILITIES, PURSUANT TO N.J.S.A. 40A:11-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
37. RESOLUTION AUTHORIZING ONE-YEAR OPTION WITH THE VENDORS FOR CATALOG % DISCOUNTS FOR ELECTRICAL SUPPLIES AND EQUIPMENT FOR THE COUNTY OF PASSAIC DEPARTMENTS AND INSTITUTIONS AS PER BID SB-21-001 AND PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
38. RESOLUTION AUTHORIZING CHANGE ORDER NO. 5 TO JOHN O'HARA COMPANY INC. FOR THE LAMBERT CASTLE RESTORATION & REHABILITATION PROJECT, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
39. RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TANDEM DUMP TRUCK AND ONE (1) SINGLE AXLE DUMP TRUCK FROM BEYER BROTHERS CORPORATION FOR USE BY THE ROADS DEPARTMENT, PURSUANT TO N.J.S.A. 40A:11-10, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
40. RESOLUTION AUTHORIZING CONTRACT MODIFICATION NO. 2 TO BOSWELL ENGINEERING FOR THE DUNDEE ISLAND PARK PHASE II IMPROVEMENT PROJECT, PURSUANT TO N.J.A.C 5:30-11.6 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

41. RESOLUTION AMENDING RESOLUTION AUTHORIZING ACCEPTANCE OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2022 LOCAL BRIDGE FUND PROGRAM GRANT OF \$2,932,169.00 AND TO SUBMIT APPLICATIONS FOR THE PASSAIC AVENUE CULVERT, DOTY ROAD BRIDGE AND THE OTTERHOLE ROAD CULVERT PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

#### **PUBLIC WORKS**

42. RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO KEEGAN TECHNOLOGY & TESTING ASSOCIATES, INC., T/A KEY TECH FOR ON-CALL GEOTECHNICAL TESTING SERVICES FOR THE VEHICLE STORAGE BUILDING PROJECT IN THE TOWNSHIP OF WEST MILFORD, PURSUANT TO N.J.S.A. 40A:11-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
43. RESOLUTION AUTHORIZING AWARD OF CONTRACT TO ON-LINE CONTRACTING FOR ON CALL DRAINAGE REPAIRS AT UNION AVENUE AND MAIN STREET IN THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY, PURSUANT TO N.J.S.A 40A: 11-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
44. RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO GOLIATH TECH KEYSTONE FOR INSTALLATION OF HELICAL PILE FOUNDATION FOR NEW GOLF COURSE BRIDGES #2 AND #3 AT THE PREAKNESS VALLEY GOLF COURSE, WAYNE, NEW JERSEY, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
45. RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO ON-LINE CONTRACTING FOR 2021 PHASE I - ON CALL DRAINAGE REPAIRS AT VARIOUS PASSAIC COUNTY LOCATIONS ON AN AS-NEEDED BASIS, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
46. RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 FOR THOMAS & SONS BUILDERS, LLC FOR THE GOFFLE BROOK PARK IMPROVEMENTS – SOUTH OF DIAMOND BRIDGE AVENUE PROJECT IN THE BOROUGH OF HAWTHORNE, NEW JERSEY, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
47. RESOLUTION AUTHORIZING ENCROACHMENT PERMIT FOR KINGWOOD FLEX, LLC 1590-1610 UNION VALLEY ROAD FOR INSTALLATION OF DECORATIVE STREET LIGHTIN WITHIN A COUNTY ROAD LOCATED AT 1590-1610 UNION VALLEY ROAD (BLOCK 6401 LOT 1) IN THE TOWNSHIP OF WEST MILFORD, NEW JERSEY PURSUANT TO N.J.S.A.40:20-1, ALL AS NOTED IN THE RESOLUTION.
48. RESOLUTION AUTHORIZING THE EXECUTION OF TRAFFIC SIGNALIZATION AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE TOWNSHIP OF WAYNE AS PART OF THE RECONSTRUCTION OF THE PATERSON HAMBURG TURNPIKE AND ALPS ROAD INTERSECTION PROJECT, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

## **PUBLIC WORKS**

49. RESOLUTION AUTHORIZING FINAL PAYMENT AND PROJECT CLOSE OUT TO TSUJ CORPORATION FOR TSUJ CORPORATION FOR THE PASSAIC COUNTY JAIL GENERATOR REPLACEMENT PROJECT IN THE CITY OF PATERSON, PURSUANT TO N.J.S.A. 40A:11-16.3 (b) ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
50. RESOLUTION QUALIFYING REAL ESTATE APPRAISERS FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
51. RESOLUTION EXPANDING THE POOL OF REAL ESTATE TITLE SEARCHERS AND EXAMINERS FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
52. RESOLUTION AUTHORIZING A FEE SCHEDULE FOR THE GOLF OUTINGS AT THE PREAKNESS VALLEY GOLF COURSE FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:37-7.12, ALL AS NOTED IN THE RESOLUTION.
  
53. RESOLUTION AMENDING RESOLUTION NO. R20200989 AUTHORIZING UPDATING THE FEE SCHEDULE FOR EVENTS HELD AT THE PASSAIC COUNTY PARKS INCLUDING EDUCATIONAL CLASSES, SENIOR PROGRAMS, ATHLETIC PROGRAMS AND FITNESS CLASSES FOR 2022, PURSUANT TO N.J.S.A. 40:32-7.7, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
54. RESOLUTION AMENDING RESOLUTION NO. R20210076 AUTHORIZING UPDATE OF THE PARKS AND RECREATION PERMIT INFORMATION PACKET, PURSUANT TO N.J.S.A. 40:32-7.7, ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
55. RESOLUTION AUTHORIZING AN AMENDMENT TO THE PASSAIC COUNTY PARK SYSTEM ORDINANCE, PURSUANT TO N.J.S.A. 40:32-7.12, ALL AS NOTED IN THE RESOLUTION.
  
56. RESOLUTION AUTHORIZING A ONE YEAR OPTION WITH THE VENDORS LISTED BELOW FOR CATALOG % DISCOUNTS FOR IRRIGATION AND DRAINAGE SUPPLIES TO BE USED THROUGHOUT THE PARK SYSTEM TO REPAIR AND MAINTAIN THE EXISTING IRRIGATION AND DRAINAGE SYSTEMS, PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
  
57. RESOLUTION AMENDING RESOLUTION R20211097 AUTHORIZING AWARD OF CONTRACT TO THE VENDORS LISTED BELOW FOR WINTER PRODUCTS AS PER BID SB-21-058 AND PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

## **LAW AND PUBLIC SAFETY**

58. RESOLUTION APPROVING THE BID RECEIVED FROM WINNER FORD FOR THE PASSAIC COUNTY SHERIFF'S OFFICE BID # SB-21-063 PURSUANT TO N.J.S.A 40A: 11-4, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

**LAW AND PUBLIC SAFETY**

59. RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY THE PASSAIC COUNTY SHERIFF'S OFFICE, PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
60. RESOLUTION AUTHORIZING THE PASSAIC COUNTY OFFICE OF EMERGENCY MANAGEMENT TO ACCEPT FUNDS FROM THE STATE OF NEW JERSEY OFFICE OF HOMELAND SECURITY AND PREPAREDNESS URBAN AREAS SECURITY INITIATIVE (UASI) PROGRAM, ALL AS NOTED IN THE RESOLUTION.
61. RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY THE PASSAIC COUNTY OFFICE OF EMERGENCY MANAGEMENT, PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
62. RESOLUTION AUTHORIZING THE PASSAIC COUNTY PROSECUTOR'S OFFICE TO APPLY FOR AND ACCEPT FUNDS FROM THE COUNTY PROSECUTOR INSURANCE FRAUD REIMBURSEMENT PROGRAM, ALL AS NOTED IN THE RESOLUTION.
63. RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY THE PASSAIC COUNTY PROSECUTOR'S OFFICE, PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ, ALL AS NOTED IN THE RESOLUTION.
64. RESOLUTION AMENDING PREVIOUSLY ADOPTED RESOLUTION R2019-1069 TO INCLUDE ACTUAL GRANT AWARD AMOUNT RECEIVED BY THE PASSAIC COUNTY PROSECUTOR'S OFFICE, ALL AS NOTED IN THE RESOLUTION.
65. RESOLUTION AUTHORIZING THE PASSAIC COUNTY PROSECUTOR'S OFFICE TO AMEND RESOLUTION 20201203 AND AWARD ADDITIONAL FUNDS TO MORRIS COUNTY PREVENTION IS KEY, INC. FOR CASE MANAGEMENT SERVICES, PURSUANT TO N.J.S.A. 40A:11-4.1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

**PLANNING AND ECONOMIC DEVELOPMENT**

66. RESOLUTION AUTHORIZING THE REVISED COUNTY OF PASSAIC SECTION 3 PLAN AND APPOINTING A SECTION 3 COORDINATOR IN ACCORDANCE WITH THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED, 12 U.S.C. 1701u, AND ITS ASSOCIATED REGULATIONS, 24 C.F.R. PART 75., ALL AS NOTED IN THE RESOLUTION.

67. RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$3,500.00 FROM THE PASSAIC COUNTY CULTURAL AND HERITAGE COUNCIL TO SUPPORT THE PASSAIC COUNTY 2022 FILM FESTIVAL PURSUANT TO N.J.S.A. 40:20-1., ALL AS NOTED IN THE RESOLUTION.

N. New Business:

1. Personnel:

2. Bills:

O. Adjournment:

**PASSAIC COUNTY BOARD OF COUNTY COMMISSIONERS  
MINUTES FOR REGULAR MEETING HELD ON**

**November 23<sup>rd</sup>, 2021**

A regular meeting of the Passaic County Board of County Commissioners was held this day via WebEx at 5:30 PM.

Louis E. Imhof, III, Clerk of the Board, read the announcement on the Open Public Meeting Law.

**Roll Call:**

1. Akhter
2. Bartlett
3. Best
4. Duffy
5. Lazzara
6. Deputy Director James
7. Director Lepore

**Invocation:** Louis E. Imhof, III

**Pledge of Allegiance**

**Approval of Minutes:**

Motion made by County Commissioner Bartlett, second by County Commissioner Best, that the minutes for November 9<sup>th</sup>, 2021, be approved which the motion was carried on a roll call of five (5) votes in the affirmative with County Commissioners Akhter and Lazzara absent.

**Administrator's Report:**

**Presentation of a Board of County Commissioners Certificate of Appreciation and Thank You to Mr. and Mrs. Hitesh and Kim Bhatt for their very generous donation of FDA Approved Medical Hand Sanitizer through their Bhatt Foundation to the County of Passaic.**

**COVID-19 Update:** At this time, an update on the County of Passaic's response to the COVID-19 pandemic was given by Araceli Pintle, the Coordinator of Community Health Services and Patrick Anderson, an Epidemiologist.

At this time Director Lepore, asked if there were any County Commissioner Reports.

1. County Commissioner Director Pasquale "Pat" Lepore
2. County Commissioner Deputy Director Bruce James
3. County Commissioner Assad R. Akhter
4. County Commissioner John W. Bartlett
5. County Commissioner Theodore O. Best, Jr.
6. County Commissioner Terry Duffy
7. County Commissioner Cassandra "Sandi" Lazzara

**COMMUNICATION:**

**ORAL PORTION:**

Duffy: Motion to open the public portion.  
Akhter: Second.

ROLL CALL: Akhter, Yes: Bartlett, Yes: Best, Yes: Duffy, Yes: James, Yes: Director Lepore, Yes: Lazzara, Absent

At this time, ten members from the audience issued their comments to the Board:

1. Ken Dolsky from Parsippany, NJ
2. Elaine Dolsky from Parsippany, NJ
3. Barbara Stomber from Wayne, NJ
4. Thomas Conway from Ringwood, NJ
5. Ted Glick from Bloomfield, NJ
6. Paula Rogovin from Teaneck, NJ
7. Samantha DiFalco from New Brunswick, NJ
8. Jeff Rapaport from Wayne, NJ
9. Christina Montorio, Port Monmouth, NJ
10. Margaret Wood, West Milford, NJ

Duffy: Motion to close the Public Portion of the Meeting.  
James: Second

ROLL CALL: Akhter, Yes: Bartlett, Yes: Best, Yes: Duffy, Yes: James, Yes: Director Lepore, Yes: Lazzara, Absent

**2/3 Vote Resolution:**

A motion was made by Deputy Director James, seconded by County Commissioner Duffy to adopt Resolution L-1, which motion was approved, with six (6) votes in the affirmative with County Commissioner Lazzara absent.

**Resolution:**

A motion was made by County Commissioner Duffy, seconded by County Commissioner Akhter to adopt Resolution M-1, which motion failed, with three (3) votes in the affirmative with County Commissioners Best, Deputy Director James, and Director Lepore voting no and County Commissioner Lazzara absent.

**Consent Agenda Resolutions:**

A motion was made by County Commissioner Bartlett, seconded by Deputy Director James to amend Resolution N-34, in which the motion was carried on roll call with six (6) votes in the affirmative with County Commissioner Lazzara absent.

A motion was made by Deputy Director James, seconded by County Commissioner Bartlett to adopt Resolutions N-1 through N-57 and pull resolutions N-8, N-9, and N-13 from the consent agenda, in which the motion was carried on a roll call with six (6) votes in the affirmative with County Commissioner Lazzara absent.

**“End of Consent Agenda”**

**New Business:**

**Personnel:**

A motion was made by Deputy Director James, Second by County Commissioner Bartlett, that all Personnel matters be approved that were submitted by the Office of Human Resources. Then the Office of Human Resources shall be directed to notify the County Finance Department and New Jersey Department of Personnel accordingly, which motion was approved, with six (6) votes in the affirmative with County Commissioner Lazzara absent.

**Bills:**

Motion made by Deputy Director James, seconded by County Commissioner Bartlett, that:

Current Fund	0-01	73,551.61
Current Fund	1-01	1,498,858.05
HUD Budget Expenditures	1-25	<u>7,945.90</u>

**Year Total: 1,506,803.95**

General Capital Fund Budget	C-04	1,749,126.84
State/Federal Grant Fund	G-01	1,231,443.52
Open Space Trust FY2018 Budget	O-18	490.00
Open Space Trust FY2019 Budget	O-19	253,268.20
Open Space Trust FY2020 Budget	O-20	8,700.00
Open Space Trust FY2021 Budget	O-21	1,870.00

**Year Total: 264,328.20**

Ded Trust – Homelessness Trust	T-12	5,276.40
Professional Liability Trust	T-19	48,706.34
Trust Fund Other	T-20	223,328.16
Prosecutor's Confiscated Funds	T-23	4,000.00

**Year Total: 281,310.90**

Private Industry Council	Z-81	300.00
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**Total of All Funds \$5,106,865.02**

Current Fund	1-01	10,851,690.76
Payroll Agency Deductions	1-05	2,534,070.33
HUD Budget Expenditures	1-25	12,950.63
General Capital Fund Budget	C-04	2,568,600.01
State/Federal Grant Fund	G-01	3,472,928.77
Open Space Trust FY2019 Budget	O-19	5,500.00
Private Industry Council	Z-81	12,614.01

**Total All Funds: \$19,458,354.51**

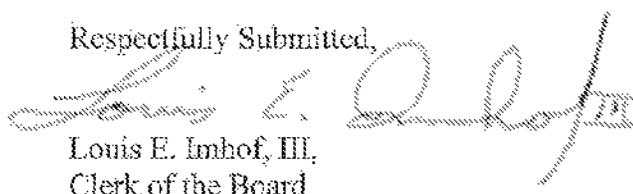
Be approved which motion was carried on roll call with six (6) votes in the affirmative, with County Commissioner Lazzara absent.

### Adjournment

Motion Deputy Director James, seconded by County Commissioner Akhter that the regular meeting be adjourned at 6:49 PM, and the motion was carried on roll call with six (6) votes in the affirmative with County Commissioner Lazzara absent.

**(The proceedings of this meeting were both audio and video taped recorded)**

Respectfully Submitted,



Louis E. Imhof, III,  
Clerk of the Board

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXECUTE BUDGET TRANSFERS BETWEEN 2021 BUDGET APPROPRIATIONS, PURSUANT TO N.J.S.A. 40A:4-58, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

FINANCE DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211116</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	I-1							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXECUTE BUDGET TRANSFERS BETWEEN 2021 BUDGET APPROPRIATIONS, PURSUANT TO N.J.S.A. 40A:4-58**

**WHEREAS**, the County of Passaic (hereafter "County") adopts a yearly budget in compliance with N.J.S.A. 40A:4-1, et seq., commonly known as the Local Budget Law; and

**WHEREAS**, pursuant to N.J.S.A. 40A:4-58, Should it become necessary, during the last 2 months of the fiscal year, to expend for any of the purposes specified in the budget an amount in excess of the respective sums appropriated therefor and there shall be an excess in any appropriations over and above the amount deemed to be necessary to fulfill the purpose of such appropriation, the governing body may, by resolution setting forth the facts, adopted by not less than 2/3 vote of the full membership thereof, transfer the amount of such excess to those appropriations deemed to be insufficient; and

**WHEREAS**, the Chief Financial Officer is recommending the below budget transfers to be made between 2021 budget appropriations; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:4-58, that the following transfer of budget appropriations within the 2021 County budget are approved:

ACCOUNT	TITLE	FROM	TO
	<b>OPERATIONS WITHIN CAP</b>		
1-01-22-130-001-219	SHERIFF'S OFFICE- Other Expenses	40,000.00	
1-01-25-157-001-233	JAIL-Other Expenses	420,000.00	
1-01-20-111-001-101	PURCHASING-Salaries & Wages	20,000.00	
1-01-22-145-001-101	OEM-Salaries & Wages	125,000.00	
1-01-27-170-001-101	YOUTH SERVICES-Salaries & Wages	85,000.00	
1-01-27-172-001-101	PREAKNESS-Salaries & Wages	830,000.00	
1-01-28-198-001-101	PARKS-Salaries & Wages	300,000.00	
1-01-20-112-001-101	BUILDINGS & GROUNDS-Salary & Wages		30,000.00
1-01-22-130-001-101	SHERIFF'S OFFICE-Salaries & Wages		60,000.00
1-01-25-157-001-101	JAIL-Salaries & Wages		1,600,000.00
1-01-27-162-001-101	MENTAL HEALTH-Salaries & Wages		130,000.00
	<b>TOTAL OPERATIONS WITHIN CAP</b>	<b>1,820,000.00</b>	<b>1,820,000.00</b>
	<b>CAPITAL</b>		
1-01-44-900-003-002	CARPET REPLACEMENT	9,680.06	
1-01-44-900-003-003	MIS STORAGE UPGRADES	2,393.48	
1-01-44-900-003-000	ACQUISITION OF EQUIPT & IMPVTS		12,073.54
	<b>TOTAL CAPITAL</b>	<b>12,073.54</b>	<b>12,073.54</b>
	<b>TOTAL OPERATIONS AND CAPITAL</b>	<b>1,832,073.54</b>	<b>1,832,073.54</b>

**LET IT BE FURTHER RESOLVED** that the Chief Financial Officer of the County of Passaic is authorized to take any and all action necessary to effectuate the purposes of this resolution.

RC/MPJ

December 14, 2021

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211116

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION FIXING THE 2022 REORGANIZATION MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40:45A-1, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY ADMINISTRATOR

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211117</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-1							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION FIXING THE 2022 REORGANIZATION MEETING OF THE BOARD OF  
COUNTY COMMISSIONERS OF THE COUNTY OF PASSAIC,  
PURSUANT TO N.J.S.A. 40:45A-1**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40:45A-1, the Board is required by resolution to fix a date and time of its annual reorganization meeting at 12 o’clock noon on January 1, or at some other hour on any day during the first week in January; and

**WHEREAS**, this matter was discussed by the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:45A-1 that the Board of County Commissioners of the County of Passaic fixes the reorganization meeting January 6, 2022 at 5:30 PM to be held at the Administration Building, 401 Grand Street, Paterson, New Jersey 07505.

**LET IT BE FURTHER RESOLVED** that the Clerk of the Board, County Administrator, and County Counsel, are authorized to take any action necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2021 BUDGET PURSUANT TO N.J.S. 40A:4- 87 (Chapter 159 P.L. 148) PS-22-45-01-03, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

FINANCE DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211118</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-2							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO  
REQUEST APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
PURSUANT TO NJS 40A:4-87 (Chapter 159 P.L. 158)**

WHEREAS N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget, and

WHEREAS the County is desirous at this time to anticipate and appropriate a sum of \$50,000.00 for the program noted below, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the County of Passaic hereby requests the Director of the Division of Local Government Services to approve the insertion of an additional item of revenue in the budget for the year 2021

In the sum of \$50,000.00

Which item is now available as revenue from a grant award from the U.S. DOT/National Highway Traffic Safety Administration, Pedestrian Safety Grant  
(FEB-2022-Passaic County-00003/PS-22-45-01-03)

**SECTION II.**

BE IT FURTHER RESOLVED that a like sum of \$50,000.00 be and the same is hereby appropriated under the caption U.S. DOT/National Highway Traffic Safety Administration, Pedestrian Safety Grant  
(FEB-2022-Passaic County-00003/PS-22-45-01-03)

BE IT FURTHER RESOLVED that an electronic copy of this resolution be forwarded to the Division of Local Government Services.

This resolution was requested by:  
Richard Cahill  
CHIEF FINANCIAL OFFICER

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: REQUESTING APPROVAL FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2021 BUDGET PURSUANT TO N.J.S. 40A:4- 87 (Chapter 159 P.L. 148) 2021-NJIT-STP, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

FINANCE DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211119</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-3							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO  
REQUEST APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION  
PURSUANT TO NJS 40A:4-87 (Chapter 159 P.L. 158)**

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget, and

WHEREAS the County is desirous at this time to anticipate and appropriate a sum of \$132,048.00 for the aforementioned program, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the County of Passaic hereby requests the Director of the Division of Local Government Services to approve the insertion of an additional item of revenue in the budget for the year 2021

In the sum of \$132,048.00

Which item is now available as revenue from a grant award from the North Jersey Transportation Planning Authority, Subregional Transportation Planning Program [2021-NJIT-STP]

**SECTION II.**

BE IT FURTHER RESOLVED; that a like sum of \$132,048.00 be and the same is hereby appropriated under the North Jersey Transportation Planning Authority, Subregional Transportation Planning Program [2021-NJIT-STP]

BE IT FURTHER RESOLVED; that a like sum of \$33,012.00 representing the amount required for the county's share of the aforementioned undertaking appears in the budget of the year 2021 under the caption of "County Matching Funds" and is hereby appropriated under the caption of;

Subregional Transportation Planning Program "County Matching Funds [0-01-30-203-001-MGU]"

BE IT FURTHER RESOLVED that an electronic copy of this resolution be forwarded to the Division of Local Government Services.

This resolution was requested by:  
Richard Cahill  
CHIEF FINANCIAL OFFICER

# County of Passaic Board of County Commissioners

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County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE PASSAIC COUNTY EMPLOYEE POLICIES AND PROCEDURES MANUAL, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211120</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-4							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE PASSAIC COUNTY EMPLOYEE POLICIES AND PROCEDURES MANUAL, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, on June 9, 2015, the Board approved Resolution No. R20150377, authorizing an amended Employee Policies and Procedures Manual (hereafter “Personnel Manual”), governing, and summarizing conditions and benefits of employment with the County; and

**WHEREAS**, the Department of Human Resources, County Counsel, County Administrator, and County’s labor counsel undertook a comprehensive review of the Personnel Manual, which is attached to and made part of this Resolution, amending various personnel policies for employees; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1 that the Board of County Commissioners of the County of Passaic authorizes the following:

1. The Passaic County Employee Policies and Procedures Manual attached to and made part of this Resolution is hereby approved.
2. That any other resolution authorized by the Board of County Commissioners that is inconsistent with the policies and procedures as set forth in the Passaic County Employee Policies and Procedures Manual attached to and made part of this Resolution are hereby repealed.
3. That copies of the Passaic County Employee Policies and Procedures Manual shall be distributed to all County employees by the Department of Human Resources.
4. That this Resolution and the policies as set forth in the Passaic County Employee Policies and Procedures Manual shall take effect immediately.

**LET IT BE FURTHER RESOLVED**, that all appropriate County officials, as set forth in the Passaic County Employee Policies and Procedures Manual, are authorized and directed to implement the policies and conditions as set forth therein.

MPJ

December 14, 2021



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## EMPLOYEE POLICIES AND PROCEDURES MANUAL

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### BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PASSAIC

Pasquale Lepore, Director  
Bruce James, Deputy Director  
Theodore Best  
Cassandra Lazzara  
Terry Duffy  
Assad Akhter  
John Bartlett

Table of Contents

<b>Article I. General Information</b> .....	1
<b>Section 1.01</b> Authority .....	1
<b>Section 1.02</b> At-Will Statement and Disclaimer .....	1
<b>Section 1.03</b> Standard of Conduct .....	2
<b>Section 1.04</b> Management Rights .....	3
<b>Section 1.05</b> Administration of Personnel Policies .....	4
<b>Section 1.06</b> Violation of Personnel Policies .....	4
<b>Section 1.07</b> Civil Service Commission .....	4
<b>Section 1.08</b> Collective Negotiations Agreements .....	5
<b>Section 1.09</b> Code of Ethics .....	5
<b>Section 1.10</b> Definitions .....	5
<b>Article II. Employee Rights and Obligations</b> .....	7
<b>Section 2.01</b> State Residency Requirement .....	7
<b>Section 2.02</b> Equal Employment Opportunity Policy .....	7
<b>Section 2.03</b> Accommodation Policy .....	8
<b>Section 2.04</b> Workplace Safety Policy .....	9
<b>Section 2.05</b> Alcohol and Drug-Free Policy .....	10
<b>Section 2.06</b> Workplace Violence Policy .....	11
<b>Section 2.07</b> Domestic Violence Policy .....	12
<b>Section 2.08</b> Prohibited Behaviors in the Workplace .....	16
<b>Section 2.09</b> Conscientious Employee Protection Act .....	20
<b>Section 2.10</b> Employee Discipline Policy .....	22
<b>Section 2.11</b> Personnel File .....	23
<b>Section 2.12</b> Political Activity .....	23
<b>Section 2.13</b> Resignation Policy .....	24
<b>Section 2.14</b> Parking Policy .....	25
<b>Section 2.15</b> Dress Code Policy .....	25
<b>Section 2.16</b> County Identification Policy .....	25
<b>Section 2.17</b> No-Smoking Policy .....	25
<b>Section 2.18</b> Bulletin Board Policy .....	25
<b>Section 2.19</b> Use of County Property .....	25
<b>Section 2.20</b> Workforce Reduction Policy .....	25
<b>Article III. Employee Classification and Workplace Policies</b> .....	25
<b>Section 3.01</b> Employee Classification .....	25
<b>Section 3.02</b> Working Test Period .....	26
<b>Section 3.03</b> Attendance Policy .....	26
<b>Section 3.04</b> Overtime .....	27
<b>Section 3.05</b> Payroll Policy .....	28
<b>Section 3.06</b> Breastfeeding Policy .....	28
<b>Section 3.07</b> County Vehicle Policy .....	29
<b>Section 3.08</b> Inclement Weather Policy .....	31
<b>Section 3.09</b> Indemnification Policy .....	32
<b>Section 3.10</b> Outside Employment Policy .....	35
<b>Section 3.11</b> Anti-Nepotism Policy .....	36
<b>Section 3.12</b> Computer Use, Electronic Mail, and Internet Policy .....	36
<b>Section 3.13</b> Social Media and Marketing Materials Policy .....	37
<b>Article IV. Leaves of Absence and Paid Time Off</b> .....	38
<b>Section 4.01</b> Paid Holidays .....	38
<b>Section 4.02</b> Vacation Leave .....	38
<b>Section 4.03</b> Personal Days .....	39

<b>Section 4.04</b>	Compensatory Time.....	39
<b>Section 4.05</b>	Sick Leave.....	40
<b>Section 4.06</b>	Earned Sick Leave Law Policy.....	41
<b>Section 4.07</b>	Bereavement Leave.....	44
<b>Section 4.08</b>	Jury Duty.....	44
<b>Section 4.09</b>	Incremental Use of Paid Leave.....	44
<b>Section 4.10</b>	Medical Documentation.....	44
<b>Section 4.11</b>	Donated Leave Policy.....	44
<b>Section 4.12</b>	Workers' Compensation Leave.....	47
<b>Section 4.13</b>	Federal Family and Medical Leave.....	49
<b>Section 4.14</b>	New Jersey Family Leave Act.....	52
<b>Section 4.15</b>	New Jersey Family Leave Insurance.....	54
<b>Section 4.16</b>	Temporary Disability Insurance.....	55
<b>Section 4.17</b>	Military Leave.....	55
<b>Section 4.18</b>	New Jersey Security and Financial Empowerment Act Leave.....	58
<b>Section 4.19</b>	Volunteer Emergency Responders Leave.....	60
<b>Article V.</b>	<b>Employee Benefits.....</b>	<b>61</b>
<b>Section 5.01</b>	Medical Benefits.....	61
<b>Section 5.02</b>	Chapter 78.....	63
<b>Section 5.03</b>	Life Insurance.....	63
<b>Section 5.04</b>	Longevity.....	63
<b>Section 5.05</b>	Deferred Compensation.....	63
<b>Section 5.06</b>	Retirement.....	63
<b>Section 5.07</b>	Employee Assistance Program.....	65
<b>Section 5.08</b>	Professional Development.....	65
<b>Section 5.09</b>	Conference and Seminar Policy.....	66

## Article I. General Information

### Section 1.01 Authority.

The Board is authorized to manage the property, finances, and affairs of the County, and delegate such executive and administrative powers, duties, functions, and responsibilities to the County Administrator. See N.J.S.A. 40:20-1. The Employee Policy and Procedures Manual has been adopted by the Board to ensure an efficient and productive County government, in compliance with State and federal laws.

ADOPTION	DATE	RESOLUTION NUMBER
Approval of Personnel Manual	September 14, 2010	R10569
Approval of Personnel Manual	June 9, 2015	R20150377
Approval of Indemnification Policy	December 29, 2016	R20161055
Earned Sick Leave Policy	March 12, 2019	R20190213

### Section 1.02 At-Will Statement and Disclaimer.

The contents of the Personnel Manual summarize the current benefits and guidelines within the County and are intended as guidelines only. The County reserves the right to change, delete, suspend, or discontinue any part or parts of the Personnel Manual at any time, without prior notice, and any such action shall apply to existing and future employees. Employees should be aware that these benefits and guidelines may be changed at any time, and that depending upon the circumstances of a given situation, the County's actions may vary from the provisions of the Personnel Manual. As such, the contents of the Personnel Manual do not constitute the terms of a contract of employment.

It should be noted that nothing contained in the Personnel Manual should be construed as a guarantee of continued employment. Employment with the County is on an at-will basis. This means that either the employee or the County, with or without cause, may terminate the employment relationship at any time with or without notice, for any reason not expressly prohibited by law. Any exception must be expressly authorized and signed by the County Administrator.

The Personnel Manual supersedes and replaces all prior personnel policy and benefit statements, whether oral or in writing. While some of the provisions contained herein refer specifically only to federal law, employees should be aware that the County will comply with all federal, State, and local laws. Should any provision in this Manual be found to be unenforceable and/or invalid, such finding does not invalidate the entire Personnel Manual, but only the subject provision.

The Personnel Manual has been written so as not to conflict with the collective negotiations agreements between the County and its unionized employees. **If there is a conflict between the Personnel Manual and any collective negotiations agreement, the provisions of the collective negotiations agreement will prevail with respect to unionized employees.**

The Personnel Manual has been written so as not to conflict with the provisions and mandates of the laws and regulations governing civil service employment in the State of New Jersey. If there is a conflict between the Personnel Manual and any such mandate, rule, or regulation made by the Civil Service Commission, same will prevail for Classified employees.

Upon being hired or following an amendment to the Personnel Manual, employees are required to execute the Acknowledgment of Receipt of Personnel Manual available on the County website.

**Section 1.03** Standard of Conduct.(a) Policy.

It is the policy of the County that certain rules and regulations regarding employees' behavior are necessary for the efficient operation of the County government and for the benefit and safety of its employees and the public it serves. Conduct by an employee that interferes or disrupts the operation of the workplace will not be tolerated.

(b) Supervisors.

Employees serving in a supervisory role are responsible for communicating acceptable and unacceptable standards of conduct, exemplifying acceptable standards of conduct, and fairly and equitably enforcing such regulations as outlined in the Personnel Manual. Failure of a supervisor to take appropriate action regarding the policies as outlined in the Personnel Manual may result in disciplinary action.

(c) General Duties and Responsibilities.

All County employees shall:

- i. Observe and respect the civil and constitutional rights of all persons.
- ii. Obey all federal, State, County, or local laws, including, but not limited to, the Administrative Code adopted by the Board.
- iii. Obey all lawful orders, written or oral, issued to them by a competent authority or supervisor, including any order relayed on behalf of a supervisor by an employee of the same or lesser rank or position.
- iv. Address supervisors, subordinates, associates, and members of the public courteously and do not use abusive, insulting, or provoking language.
- v. Always be civil and courteous, maintain an even disposition and remain calm, regardless of provocation, in executing their duties.
- vi. Assist the public in any reasonable request.
- vii. Cooperate and coordinate efforts with other employees and other governmental agencies to ensure efficient governmental operations.
- viii. Not knowingly lie, provide misleading information, or falsify oral or written communications in any official report when it is reasonable to expect that the information may be relied upon because of the employee's affiliation with the County.
- ix. Not be a member of or support any organization that advocates for the violent overthrow of the government of the United States, State of New Jersey, or any unit of local or county government.

- x. Not be a member of or support any organization that is designated by the federal or State government as a foreign and/or domestic terrorist organization.
- xi. Not incur any financial obligation on behalf of the County without proper authorization and in compliance with the policies as set forth in the Purchasing Manual.
- xii. Not accept or imply acceptance of financial liability for loss or damage on behalf of the County without proper authorization.
- xiii. Not utilize the County's name, affiliation, emblem, logo, or reasonable facsimile thereof, in furtherance of any personal or familial business, outside employment, venture, or objective.
- xiv. Exercise proper care and use of County property and equipment assigned to or used by the employee, and promptly report any loss, damage, destruction, or defect to their supervisor.
- xv. Assume financial responsibility for loss, damage, or destruction of County property resulting from the intentional misuse of or for purposefully causing damage to County property.

(d) Reporting Procedures.

Any employee who has been subject to or is aware of a fellow employee engaging in conduct in violation of the policies in the Personnel Manual should report it immediately to his/her supervisor and/or department head. If the supervisor and/or department head is the offending person, the employee can report the matter to the Director of Human Resources, County Administrator, or County Counsel. Employees may be required to follow any additional reporting requirements as listed in other policies, in the Personnel Manual, or by law.

**Section 1.04** Management Rights.

The County retains and reserves all power, rights, authority, duties, and responsibilities conferred upon and vested in it by law and the Constitution of the United States and State of New Jersey, including, but not limited to, the following:

- (a) To manage and control the County, its properties and facilities, the operation of its departments, and the activity of its employees.
- (b) To hire all employees and, subject to rules and regulations promulgated by the Civil Service Commission for classified employees, to determine:
  - i. Qualifications.
  - ii. Standards of performance.
  - iii. Conditions for continued employment or assignment, promotion, and transfer of employees.

- (c) To layoff, suspend, demote, discharge, or take disciplinary action against employees pursuant to the law.
- (d) To create and enforce rules, regulations, policies, and procedures to ensure the orderly and effective administration of the County.

**Section 1.05** Administration of Personnel Policies.

The Personnel Manual is administered and implemented by the Department of Human Resources. If there are any questions regarding any of the policies in the Personnel Manual and/or adherence to same, contact the Director of Human Resources.

**Section 1.06** Violation of Personnel Policies.

Employees who exhibit any behavior contrary to the policies outlined in the Personnel Manual may be subject to disciplinary action, up to and including termination.

**Section 1.07** Civil Service Commission.

The County is a participant in the Civil Service Commission. The Civil Service Commission was established pursuant to N.J.S.A. 11A:1-1, et seq., and mandates certain procedures and policies with respect to the hiring and discipline of County employees, which are set forth in N.J.A.C. 4A:1-1.1, et seq.

(a) Civil Service Category of Employees.

The Civil Service Commission has three (3) categories of employees, each with different rights under N.J.S.A. 11A:1-1, et seq. and N.J.A.C. 4A:1-1.1, et seq.

- i. "Classified" employees are individuals who are employed in positions and job titles subject to the tenure provisions of N.J.S.A. 11A:1-1, et seq.
- ii. "Provisional" employees are individuals who are employed in a competitive division of the career service pending the appointment of a person from an eligible list.
- iii. "Unclassified" employees are individuals who are in positions and job titles outside of the senior executive service, not subject to the tenure provisions of N.J.S.A. 11A:1-1, et seq. and N.J.A.C. 4A:1-1.1, et seq.

(b) Discipline of Classified Employees.

Classified employees shall be disciplined in compliance with N.J.A.C. 4A:2-2.1, et seq., as follows:

i. Major Discipline.

A major discipline is defined as the County seeking removal, demotion, suspension, or fine for more than five (5) working days at any one time for a violation of the general causes set forth in N.J.A.C. 4A:2-2.3, or violation of any policy as set forth in the Personnel Manual. An employee will be served with a Preliminary Notice of Disciplinary Action setting forth the charges and a statement of facts supporting the charges. Prior to the imposition of major discipline, the employee is afforded a right to a hearing, if

requested within five (5) days of receipt of the PNDA, unless the employee is deemed unfit for duty or is a hazard to any person if permitted to remain on the job, or an immediate suspension is necessary to maintain safety, health, order, or effective direction of public services, or when the employee is formally charged with a crime of the first, second, third, or fourth degree, while on the job or which is directly related to the job.

ii. Minor Discipline.

A minor discipline is defined as the County seeking formal written reprimand, suspension or fine of five working days or less for a violation of the general causes set forth under N.J.A.C. 4A:2-2.3, or violation of any policy as set forth in the Personnel Manual.

(c) Resignation.

Any permanent employee in the career service may resign in good standing by giving the County at least fourteen (14) days written or verbal notice, unless the County consents to a shorter notice. The resignation shall be considered accepted by the County upon receipt of the notice of resignation. A request to rescind the resignation prior to its effective date may be consented to by the County. Where it is alleged that a resignation was the result of duress or coercion, an appeal may be made to the Civil Service Commission under N.J.A.C. 4A:2-1.1.

**Section 1.08** Collective Negotiations Agreements.

The employment terms set out in the Personnel Manual work in conjunction with, and do not replace, amend, or supplement any contrary terms or conditions stated in any collective negotiations agreement that a union has with the County. Wherever employment terms in the Personnel Manual differ from the terms expressed in the applicable collective negotiations agreement with the County, employees should refer to the specific terms of the collective negotiations agreement, which will control.

**Section 1.09** Code of Ethics.

All employees are subject to the Code of Ethics adopted by the Board pursuant to the Local Government Ethics Law. Employees who exhibit any behavior contrary to the policies outlined in the Code of Ethics may be subject to disciplinary action, up to and including termination.

**Section 1.10** Definitions.

- (a) "ADA" shall mean the Americans with Disability Act of 1990, 42 U.S.C. 12101, et seq.
- (b) "Administrative Code" shall mean the Passaic County Administrative Code adopted pursuant to N.J.S.A. 40:20-1.3.
- (c) "Board" shall mean Board of County Commissioners of the County of Passaic.
- (d) "CEPA" or "Conscientious Employee Protection Act" shall mean the Conscientious Employee Protection Act, N.J.S.A. 34:19-1, et seq.
- (e) "Chapter 78" shall mean P.L. 2011, c. 78.

- (f) “COBRA” shall mean the Consolidated Omnibus Budget Reconciliation Act, which gives employees and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events.
- (g) “Code of Ethics” shall mean the Passaic County Ethics Code adopted pursuant to N.J.S.A. 40A:9-22.15.
- (h) “County” shall mean the County of Passaic.
- (i) “EAP” shall mean the Passaic County Employee Assistance Program.
- (j) “Earned Sick Leave Law” shall mean the Earned Sick Leave Law, N.J.S.A. 34:11D-1, et seq.
- (k) “Elected Official” shall mean any official whose position is regularly filled at an election by the voters but does not include any officer whose position is established by the State Constitution.
- (l) “Emergency Responders Employment Protection Act” shall mean N.J.S.A. 40A:14-213, et seq.
- (m) “Essential Employee” shall mean public safety workers, first responders, employees providing medical or other healthcare services, emergency transportation, social services, or other care services, or employees who are otherwise deemed essential.
- (n) “Family and Medical Leave Act” or “FMLA” shall mean 29 U.S.C. 2601, et seq.
- (o) “FNDA” shall mean Final Notice of Disciplinary Action.
- (p) “Hatch Act” shall mean An Act to Prevent Pernicious Political Activities, 5 U.S.C. 7321, et seq.
- (q) “HIPPA” shall mean the Health Insurance Portability Protection Act, 42 U.S.C. 1320d, et seq.
- (r) “Gubernatorial Appointees” shall mean the Passaic County Board of Taxation, the Passaic County Superintendent of Elections, the Passaic County Prosecutor, and the Passaic County Superintendent of Schools.
- (s) “Insurance Commission” shall mean the County of Passaic Insurance Commission.
- (t) “Insurance Division” shall mean the County of Passaic Insurance Division.
- (u) “LAD” shall mean the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1, et seq.
- (v) “Local Government Ethics Law” shall mean the Local Government Ethics Law, N.J.S.A. 40A:9-22.1, et seq.
- (w) “New Jersey Family Leave Act” or “NJFLA” shall mean N.J.S.A. 34:11B-1, et seq.
- (x) “New Jersey Family Leave Insurance” or “NJFLI” shall mean N.J.S.A. 43:21-39.1, et seq.

- (y) "NJ SAFE Act" shall mean the New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq.
- (z) "OPRA" shall mean the Open Public Records Act, N.J.S.A. 47:1A-1, et seq.
- (aa) "PEOSHA" shall mean the New Jersey Public Employees' Occupational Safety and Health Act, N.J.S.A. 34:6A-25, et seq.
- (bb) "Personnel Manual" shall mean the County of Passaic Employee Policies and Procedures Manual.
- (cc) "PNDA" shall mean Preliminary Notice of Disciplinary Action.
- (dd) "Protected Categories" shall mean sex, race, creed, color, religion, national origin, ancestry, age, marital/domestic partnership/civil union status, familial status, affectional or sexual orientation, atypical heredity cellular or blood trait, genetic information, disability, hair style, gender identity or expression, or liability for service in the Armed Forces of the United States, as well as any other characteristic protected by State or federal law.
- (ee) "Purchasing Manual" shall mean the County of Passaic Purchasing Manual.
- (ff) "State" shall mean the State of New Jersey.
- (gg) "Temporary Disability Insurance" or "TDI" shall mean N.J.S.A. 43:21-25, et seq.
- (hh) "Uniformed Services Employment and Recemployment Rights Act" or "USERRA" shall mean 38 U.S.C. 4301, et seq.
- (ii) "Workers' Compensation Act" shall mean N.J.S.A. 34:15-1, et seq.

## **Article II. Employee Rights and Obligations**

### **Section 2.01 State Residency Requirement.**

- (a) In accordance with N.J.S.A. 52:14-7 (P.L. 2011, c. 70), every County employee shall have his/her principal place of residence in the State of New Jersey. New Hires shall have one year from the time of taking office, employment, or position to satisfy the requirement of principal residency. Failure to satisfy the requirement shall render the employee unqualified for holding office, employment, or position with the County.
- (b) If a County employee held his/her office, employment, or position with the County prior to September 1, 2011 (the effective date of P.L. 2011, c. 70), then he or she is not subject to the residency requirement so long as he or she continues to hold the office, employment, or position. A break in service of more than seven (7) days will void this exception.

### **Section 2.02 Equal Employment Opportunity Policy.**

- (a) The County is committed to providing an equal employment opportunity for all employees and applicants seeking employment opportunities, which includes but is not limited to, recruitment, selection, hiring, training, transfer, layoff, return from layoff, compensation, and fringe benefits.

- (b) Consistent with the laws set forth in Title VII of the 1964 Civil Rights Act, as amended by the Equal Employment Opportunity Act of 1972 and the New Jersey Law Against Discrimination as well as any other applicable State or federal law, under no circumstances will the County discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital/domestic partnership/civil union status, familial status, affectional or sexual orientation, atypical heredity cellular or blood trait, genetic information, disability, hairstyle, gender identity or expression, or liability for service in the Armed Forces of the United States as well as any other characteristic protected by State or federal law (hereinafter the "Protected Categories"). Accordingly, all employment opportunity will be based solely on the qualifications and performance of the employee or prospective employee.
- (c) If any employee or prospective employee feels he or she has been treated unfairly, he or she has the right to address his or her concerns with his/her supervisor, or if he/she prefers, the department head, the Director of Human Resources, the County Administrator, County Counsel, or any other supervisor with whom he or she feels comfortable. All complaints should be made in accordance with the procedure set forth in the Personnel Manual.
- (d) Employees with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring their concerns to the attention of the Director of Human Resources, County Administrator, or County Counsel.

### **Section 2.03**    Accommodation Policy.

The County will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability, or because they are pregnant, and the employee can perform the essential job functions.

- (a) ADA and LAD Accommodation Policy.
  - i. While both of these laws create protections for people with disabilities, the LAD's more expansive definition defines "disability" as a physical or sensory disability, infirmity, malformation, or disfigurement which is caused by bodily injury, birth defect, or illness, including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, muteness or speech impairment, or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological, or developmental disability, including autism spectrum disorders, resulting from anatomical, psychological, physiological, or neurological conditions which prevents the typical exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection. See N.J.S.A. 10:5-5(q).
  - ii. The County endeavors to make every work environment accessible to persons with disabilities and all future construction and renovations of facilities will be in accordance with applicable barrier-free federal and State regulations, as well as the Americans with Disabilities Standards for Accessible Design. In the interim, all requests to address a physical plan issue shall be addressed through the reasonable accommodation process outlined below.

(b) Pregnancy, Childbirth, and Related Medical Conditions Accommodation Policy.

In accordance with the LAD, the County will endeavor to provide a reasonable accommodation to pregnant employees and those who suffer medical conditions related to pregnancy and childbirth. The accommodations may include, but are not limited to bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work, so long as the accommodation does not create an undue hardship to the County.

(c) Requesting an Accommodation.

- i. An applicant or employee who requires an accommodation for a recognized disability to perform the essential functions of the job he or she holds, or desires, should contact the Director of Human Resources and complete the Reasonable Accommodation Form, available on the County website. The request for accommodation may be oral or written and can be made by the employee or someone acting on behalf of the employee.
- ii. The County will consider all requests for reasonable accommodation. The request triggers an interactive process between the County and the employee to determine what accommodation, if any, may exist to meet the needs of the employee. As part of this process, the County may ask for additional information about the job performance difficulties. This may include the request of a doctor's note sufficient to substantiate that a qualified disability exists and that there is a need for an accommodation. Employees are expected to fully cooperate in the interactive process, including making every effort to provide the medical documentation needed.
- iii. The process may not result in the specific accommodation requested if such a request would result in an undue hardship to the County. The County may propose an alternative to the requested accommodation or substitute one reasonable accommodation for another, but the County retains the ultimate discretion as to what accommodation, if any, may be approved.
- iv. The Director of Human Resources shall be responsible for overseeing and engaging in the interactive process, and for communicating with employees and applicants with disabilities to identify reasonable accommodations. All decisions about reasonable accommodations shall be made by the Director of Human Resources. An employee will be informed of the decision regarding the request for a reasonable accommodation after being issued the Reasonable Accommodation Determination Form, available on the County website.

**Section 2.04** Workplace Safety Policy.

- (a) The County attempts to provide a safe and healthy work environment for all employees and shall comply with the requirements of the Public Employees' Occupational Safety and Health Act.
- (b) The County is equally concerned about the safety of the public. Consistent with this policy, employees will receive periodic safety training and will be provided with appropriate safety equipment. Employees are responsible for observing safety rules and using available safety devices,

including personal protective equipment. Failure to do so constitutes grounds for disciplinary action.

- (c) Any occupational of unsafe public condition, practice, procedure, or act must be immediately reported to the supervisor or department head. Employees are encouraged to discuss their safety concerns with supervisory personnel.
- (d) Any on-the-job accident or any accident involving County facilities, equipment, or motor vehicles must also be reported to the supervisor or department head and Insurance Division within twenty-four (24) hours, or the next business day (e.g., if the accident occurs on a weekend, it must be reported on Monday). Failure to do so may result in disciplinary action.

**Section 2.05** Alcohol and Drug-Free Policy.

- (a) The County is committed to protecting the safety, health, and well-being of all County employees as well as members of the public within our workplace. It is recognized that alcohol and drug abuse pose a significant threat to the safety of the workplace. As such, the County has established an alcohol and drug-free workplace policy that balances the respect for individual privacy with the need to maintain an environment free of alcohol and drug use.
- (b) At the onset, we encourage County employees to voluntarily seek help with drug and/or alcohol problems. If an employee feels that he or she needs help dealing with a drug or alcohol related issue, he or she can utilize the services of the EAP.
- (c) Being under the influence of as well as manufacturing, distributing, dispensing, being in possession of, or using alcohol and/or unlawful drugs on County premises or during work hours is strictly prohibited and may subject the employee to discipline, up to and including termination.
- (d) Any employee who is observed by a supervisor or department head to be under the influence of unlawful drugs and/or alcohol during working hours, or whose conduct otherwise causes a reasonable suspicion of same, shall be removed from duty and may be subject to discipline, up to and including termination.
- (e) Where there is a reasonable suspicion that an employee is under the influence of alcohol, cannabis, and/or unlawful drugs based on the employee's work performance, or in cases where employment has been conditioned upon remaining alcohol and/or drug free following treatment, the employee may be required to submit to drug/alcohol testing. An employee may also be sent for drug/alcohol testing where a workplace accident has occurred and there is reasonable suspicion to believe that an employee's use of such substances contributed to the cause of the accident. Refusal to submit to testing when required may result in disciplinary action, up to and including termination.
- (f) Any accident which occurs while operating a motor vehicle shall also be governed by the County Vehicle Policy. See Section 3.07. Employees with a Commercial Driver's License shall also be subject to drug testing, including random testing, as a condition of holding that license and as governed by federal law.
- (g) Any supervisor or department head who observes behavior constituting reasonable suspicion shall contact the Director of Human Resources immediately. The supervisor or department head may not send the employee home as an alternative to testing.

(h) Procedures for Drug and Alcohol Testing.

- i. If reasonable suspicion exists, the County shall test an employee for the following substances: Amphetamines, Cannabinoids (THC), Cocaine, Opiates, Phencyclidine (PCP), Alcohol, Barbiturates, Benzodiazepines, Methaqualone, and Propoxyphene. Details regarding the procedure and method(s) for testing are available from the Department of Human Resources.
- ii. The County may require follow-up testing for an employee whose employment is maintained after testing positive for one of the substances listed above. The County also reserves the right to require return-to-duty testing prior to recommencing employment with the County after a positive test result.

(i) Prescription Drug Use by Employees.

- i. Employees using prescription drugs that may affect job performance or safety shall notify the Director of Human Resources or his/her designee who is required to maintain the confidentiality of any information regarding an employee's medical condition in accordance with applicable law.
- ii. No prescription drug should be used by any person other than the individual to whom it is prescribed. Such substances or non-prescription drugs should only be used as prescribed or directed. Employees are prohibited from consuming prescription drugs that are not prescribed in their name on County property or while performing County business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited. Any violations of these requirements may result in disciplinary action, up to and including termination.

(j) Confidentiality.

All information received by the County as it relates to drug and/or alcohol use and testing will remain confidential and will be maintained in a separate file within the Department of Human Resources. Access to this information will be limited to those who have a legitimate need to obtain the information and as set forth in relevant law.

**Section 2.06** Workplace Violence Policy.

- (a) The County will not tolerate any violence in the workplace. Violent acts or threats of violence made by an employee against any other person or property will be cause for immediate termination and the matter may be referred to local authorities for potential criminal action. This includes any violent acts or threats of violence made on County property, on County time, or while conducting County business.
- (b) Any violent acts or threats of violence should be reported immediately. Reports may be made to a supervisor, department head, the Director of Human Resources, or any one in a supervisory position with whom the employee is comfortable reporting the information to. In an emergency, employees should call 911.

- (c) Any violent acts or threats of violence will be investigated and may result in disciplinary action, up to and including termination.

**Section 2.07** Domestic Violence Policy.

- (a) Purpose.

The purpose of the Domestic Violence Policy is to set forth a uniform domestic violence policy for the County in accordance with N.J.S.A. 11A:2-6a, to encourage employees who are victims of domestic violence and those impacted by domestic violence to seek assistance from the Department of Human Resources, and to provide a standard for the Human Resources Officer to follow when responding to employees.

- (b) Definitions.

The following definitions are applicable to the Domestic Violence Policy:

- i. "Domestic Violence" shall mean acts or threatened acts that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes, but is not limited to, the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.
- ii. "Abuser" or "Perpetrator" shall mean an individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals.
- iii. "Human Resources Officer" or "HRO" shall mean the Director of Human Resources, or his/her designee in the Department of Human Resources, who is responsible for orienting, training, counseling, and appraising staff, and is designated by the County as the primary or secondary contact to assist employees in reporting domestic violence incidents.
- iv. "Intimate Partner" shall mean partners of any sexual orientation or preference who have been legally married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together as well as persons who are dating or have dated in the past.
- v. "Temporary Restraining Order" or "TRO" shall mean a civil court order issued by a judge to protect the life, health, or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs can also prohibit offenders from a victim's

home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately ten (10) business days or until a court holds a hearing to determine whether a Final Restraining Order is needed. In New Jersey, there is no expiration of a Final Restraining Order.

- vi. "Final Restraining Order" or "FRO" shall mean a more detailed and often permanent replacement of TROs.
- vii. "Victim" shall mean a person who is eighteen (18) years of age or older or an emancipated minor who has been subject to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and or a person with whom the victim has had a dating relationship.
- viii. "Workplace Related Incidents" shall mean incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property that imperil the safety, well-being, or productivity of any person associated with a public employee in the State, regardless of whether the act occurred in or outside the employee's physical workplace. An employee is in the workplace while in or using the resources of the County. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work related travel.

(c) Persons Covered by this Policy.

All County employees are covered by the Domestic Violence Policy.

(d) Designation of Human Resources Officer.

- i. The Director of Human Resources is designated by the County as the Human Resources Officer to assist employees who are the victims of domestic violence. The HRO is required to receive training on responding to and assisting employees who are domestic violence victims in accordance with the Domestic Violence Policy.
- ii. If the Director of Human Resources is unavailable, he/she shall designate an employee in the Department of Human Resources to serve as the HRO who must also be appropriately trained to respond and assist domestic violence victims pursuant to the Domestic Violence Policy.
- iii. Employees serving in a managerial or supervisory role for the County are required to refer any employee who is experiencing domestic violence or who reported witnessing domestic violence to the HRO. Employees making such referrals must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

- iv. The Domestic Violence Policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.

(e) Domestic Violence Reporting Procedures.

Employees who are the victims of domestic violence are encouraged to seek immediate assistance from the HRO. Employees who have information about or witnessed an act of domestic violence against an employee are encouraged to report that information to the HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedure, internal affairs policies, or New Jersey Attorney General directives or guidelines that impose a duty to report, in which case the employee must so report to the appropriate authority in addition to reporting to the HRO. Nothing in the Domestic Violence Policy shall preclude an employee from contacting 911 in emergency situations, and employees should contact 911 if they are in immediate danger.

(f) Duties of the Human Resources Officer.

When an employee reports an incident of domestic violence, the HRO shall:

- i. Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
- ii. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
- iii. Provide the employee with resource information and a confidential telephone line to make the appropriate calls for services for emergent intervention and supportive services, when appropriate. The HRO or employee can contact the Employee Assistance Program to assist with securing resources and confidential services.
- iv. Refer the employee to the provisions and protections of the NJ SAFE Act.
- v. In cases where the domestic violence involved a sexual touching or sexual assault between County employees, the HRO is required to report the incident to the County's Equal Employment Officer or Title IX Officer, as appropriate.
- vi. If there is a report of sexual assault or abuse, the victim should be offered the services of the Passaic County Prosecutor's Office Sexual Assault Response Team.
- vii. Maintain the confidentiality of the employee and all parties involved, to the extent practicable and appropriate, pursuant to the Domestic Violence Policy.
- viii. Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the workplace

and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at County locations while the employee who sought the restraining order is present. All copies of TROs and FROs must be kept in a separate confidential personnel file.

(g) Confidentiality Policy.

- i. In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and as permitted by the law. The Domestic Violence Policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.
- ii. The Confidentiality Policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be released to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employees and others, and to comply with the law.
- iii. The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties to maintain safety in the workplace or elsewhere. The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure.
- iv. The Confidentiality Policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report.

(h) Confidentiality of Employee Records.

To ensure confidentiality and accuracy of information, the Domestic Violence Policy requires the HRO to keep all documents and reports of domestic violence in a confidential personnel file separate from the employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

(i) The New Jersey Security and Financial Empowerment Act.

The NJ SAFE Act is a law that provides employment protection for victims of domestic or sexual violence. Please see Section 4.18 for the requirements and leave benefits available to employees under the NJ SAFE Act.

(j) Domestic Violence Action Plan.

The County's Domestic Violence Action Plan shall identify, respond to, and correct employee performance issues caused by domestic violence, in accordance with the following guidelines:

- i. Designating the Director of Human Resources as the County's Human Resources Officer to administer the Domestic Violence Policy.
- ii. Provide reasonable accommodations for employees who are the victims of domestic violence if they are experiencing temporary difficulty fulfilling job responsibilities.
- iii. Provide reasonable accommodations to ensure an employee's safety, which may include, but are not limited to the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or workstation location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure; or other accommodation approved by the County.
- iv. Advise the employee of information concerning the NJ SAFE Act, Family and Medical Leave Act, Family Leave Act, Temporary Disability Insurance, ADA, or other reasonable flexible leave options when an employee or his/her child, parent, spouse, domestic partner, civil union partner, or other relationships defined in applicable statutes is a victim of domestic violence.
- v. Implementation of the provisions of the SAFE Act, including that the County shall not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in the Domestic Violence Policy, if the victim provides notice to the HRO of the status or if the HRO has reason to believe an employee is a victim of domestic violence.
- vi. Advise any employee, who believes he/she has been subjected to adverse action because of making a report pursuant to the Domestic Violence Policy, of the civil right of action under the NJ SAFE Act.
- vii. Provide the Domestic Violence Policy to all employees upon being hired and place any future information and resources about domestic violence in visible areas in the County.

(k) Resources.

There are resources available to employees and program information to assist employees who may be the victims of domestic violence on the County website.

**Section 2.08** Prohibited Behaviors in the Workplace.(a) Discrimination and Harassment.

- i. The County is committed to maintaining a work environment in which all individuals are treated with respect and dignity. All employees as well as members of the public served

by employees of the County have the right to be in a professional atmosphere that promotes equal opportunities and prohibits discriminatory and/or harassing practices based on a person's race, color, religion, national origin, sex, age, disability, veteran status, sexual orientation, hairstyle, or any other classification protected by federal, State, or local law.

- ii. Unlawful discrimination and harassment undermine the integrity of the employment relationship. Such conduct, in any form, is a violation of both State and federal law. Such activity and/or conduct debilitates morale, is offensive, interferes with work productivity, and may lead to or create a hostile and intimidating work environment.
- iii. Employees are hereby advised that a single inappropriate remark or act can give rise to a charge of discrimination or harassment, even if the intent behind such a remark or act was entirely innocent. Consequently, all employees should be mindful of their comments and actions.
- iv. The prohibition against unlawful discrimination and harassment applies to all employees as well as all elected and appointed officials, customers, vendors, and guests. It is the primary responsibility of supervisory personnel to ensure that the work environment is free from unlawful discrimination and harassment for all employees as well as the public we serve.

(b) Types of Claims.

i. Quid Pro Quo.

This type of harassment occurs when a supervisor or someone with authority over the employee makes a sexual or other demand based upon the employee's protected category and there is an express or implied threat that the employee will be adversely impacted if the employee does not submit to the demand.

ii. Hostile Work Environment.

This type of harassment occurs when the conduct of a supervisor, co-worker, or someone else the employee encounters unreasonably interfere with an employee's work performance, thus creating an intimidating, hostile or offensive working environment based on sex, race, age, or other protected category. The offending conduct does not need to be directed at the individual who is offended, or any individual at all.

iii. Sexual Harassment.

Under the two (2) types of harassment set forth above, sexual harassment may take different forms, including but not limited to:

- Verbal Sexual Harassment. Sexual innuendoes, unwelcome derogatory comments, suggestive slurs of a sexual nature about an individual's body, appearance, or dress, questions about another's sexual activity, sexually suggestive "jokes", threats, and unwelcome persistent requests for dates or sex.

- Non-Verbal Sexual Harassment. Leering, ogling, whistling, suggestive or insulting sounds, sexual gestures, visible or accessible sexually explicit or sexually derogatory objects, pictures, posters, cartoons, magazines, videos, etc., none of which should be on County premises or work site at which the employee is representing the County.
- Physical Sexual Harassment. Assault, rape, impeding or blocking movement, or any other unwelcome physical contact of a sexual nature such as pinching, holding, hugging, massaging, pushing, brushing, or rubbing against another individual's body.

(c) Consensual and/or Private Conversations.

- i. It is understood that individuals choose to engage in private conversation, which may include sexually explicit language or content. No employer can police all inter-personal relationships to the point that these conversations can be eliminated. However, that it was a consensual and/or private conversation will not mitigate any discipline that may result should another person overhear the conversation and find it offensive.
- ii. County employees are hereby placed on notice that they must be mindful of all conversations in the workplace and should not include sexually crude terms or the use of derogatory terms based on sexual orientation or gender in any conversations in the workplace.

(d) Other Prohibited Forms of Discrimination and Harassment.

- i. The County explicitly prohibits unlawful harassment and discrimination that may stem from any discriminatory conduct directed against another person because of their race, nationality, religion, age, disability, sex, sexual orientation, or any other Protected Category.
- ii. This policy applies to all aspects of a person's employment, including, but not limited to opening positions, posting positions, advertising positions, interviewing, testing, filling positions, hiring decisions, opportunities for job training, advancement and promotions, transfers, job benefits, discipline, and removal.
- iii. The County explicitly prohibits any type of unlawful disparate treatment of an employee, prospective employee, or member of the public because of their race, religion, nationality, age, disability, sex or sexual orientation, or any other Protected Category.

(e) Complaint Procedure.

- i. If an employee believes he or she has been subject to unlawful harassment or discrimination, he or she should immediately report the behavior to his or her immediate supervisor, department head, the Director of Human Resources, or any other manager with whom the employee feels comfortable, up to and including the County Administrator.

- ii. An employee who witnesses any incident of unlawful harassment or discrimination must report the incident observed, even if he/she was not the target or the victim.
  - iii. An employee should report incidents of unlawful harassment or discrimination in writing using the Employee Discrimination/Harassment Complaint Form, available on the County website. While an employee is urged to place the complaint in writing, he or she may also make a verbal report of the incident(s).
  - iv. Any supervisor who is made aware of an incident(s) of unlawful harassment or discrimination is obligated to document the incident in writing, regardless of whether the employee made a verbal complaint, and should notify the Director of Human Resources or, if more comfortable, the County Administrator or County Counsel.
  - v. If an employee has a question about what constitutes unlawful harassment or discrimination, the employee may request guidance from the Director of Human Resources.
  - vi. All complaints of harassment or discrimination will be promptly and thoroughly investigated. To the extent practicable, the County will attempt to maintain the confidentiality of the investigation and those involved. Any individual participating in an investigation is expected to give a complete and truthful account to the investigator, shall not discuss the investigation, and shall follow the instructions of the investigator.
  - vii. If it is determined that inappropriate conduct has occurred, the County will act properly to eliminate the offending conduct, which may include disciplinary action as appropriate under the circumstances. Such action may range from counseling to termination of employment and may include such other forms of disciplinary action as the County deems appropriate to prevent future acts of unlawful harassment and discrimination.
  - viii. Employees who knowingly make false or frivolous accusations may be subject to discipline, up to and including termination.
- (f) Responsibility of Employee's to Read and Understand the Discrimination and Harassment Policy.
- i. Employees have a responsibility to read and be sure they understand the discrimination and harassment policy, in addition to all other policies contained in the Personnel Manual. Employees must understand that they are responsible for respecting the rights of co-workers and members of the public and are required to comply with this policy. Likewise, failure to adhere to this policy may result in disciplinary action, up to and including termination.
  - ii. Additionally, an unreasonable failure to utilize the complaint procedure can adversely affect an individual's rights and the County's ability to address the issues. The prevention of harassment and discrimination is a shared responsibility between the County and its employees. As such, employees have an obligation to make a complaint about facts known at the earliest possible time and to cooperate fully with any investigation.

- iii. An employee is required, upon being hired or following an amendment to the Personnel Manual, to execute the Acknowledgment of Receipt of the Discrimination and Harassment Policy available on the County website.

(g) Protection from Retaliation.

- i. Retaliation is any job-related adverse action against an individual because of the filing of a good-faith complaint or participation in an investigation. Any form of retaliation is expressly prohibited and constitutes a violation of this policy.
- ii. Threats and other forms of intimidation and/or retaliation may be cause for disciplinary action, up to and including termination. Any complaint of retaliation should be reported to the employee's immediate supervisor, department head, the Director of Human Resources, or any other manager with whom the employee feels comfortable, up to and including the County Administrator.

**Section 2.09** Conscientious Employee Protection Act.

(a) Definitions.

The following definitions are applicable to the CEPA Policy:

- i. "Employee" means any individual who performs services for and under the control and direction of an employer for wages or other remuneration.
- ii. "Supervisor" means any individual with the County who has the authority to direct and control the work performance of the affected employee; who has authority to take corrective action regarding a violation of the law, rule, or regulation of which the employee complains; or who has been designated by the County on the notice required under N.J.S.A. 34:19-7.
- iii. "Retaliatory Action" means the discharge, suspension or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

(b) Retaliatory Action Prohibited.

The County shall not take any retaliatory action against an employee because the employee does any of the following:

- i. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the County, or another employer, with whom there is a business relationship, that the employee reasonably believes: (1) is in violation of a law, or a rule or regulation promulgated pursuant to law; (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.

- ii. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated pursuant to law by the County, or another employer, with whom there is a business relationship, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into the quality of patient care.
- iii. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes: (1) is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care; (2) is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity; or (3) is incompatible with a clear mandate of public policy concerning the public health, safety, welfare or protection of the environment.

(c) Written Notice Required.

- i. The protection against retaliatory action provided by CEPA pertaining to disclosure to a public body shall not apply to an employee who makes a disclosure to a public body unless the employee has brought the activity, policy, or practice in violation of a law, or a rule or regulation promulgated pursuant to law to the attention of a supervisor of the employee by written notice and has afforded the County a reasonable opportunity to correct the activity, policy, or practice.
- ii. Disclosure shall not be required where the employee is reasonably certain that the activity, policy, or practice is known to one or more supervisors of the County or where the employee reasonably fears physical harm because of the disclosure provided, however, that the situation is emergent in nature.

(d) Posting of Notices.

The County shall conspicuously display, and annually distribute to all employees, written or electronic notices of its employees' protections, obligations, rights, and procedures under CEPA, and use other appropriate means to keep employees so informed. Each notice posted or distributed pursuant to this section shall be in English, Spanish and at, the County's discretion, in any other language spoken by the majority of the County's employees. The notice shall include the name of the person or persons the employer has designated to receive written notifications pursuant to CEPA.

**Section 2.10** Employee Discipline Policy.(a) Purpose.

- i. It is expected that every employee of the County act in a professional manner, meets performance standards, and adheres to the County policies contained in the Personnel Manual. Such behavior enhances the quality of the work environment. Therefore, disciplinary measures must be applied when County policies are violated, regardless of whether the violation was careless or intentional.
- ii. The purpose of disciplinary action is to correct the problem, prevent reoccurrence, and prepare the employee for satisfactory service in the future. The County expects employees to fully cooperate in meeting their responsibilities as employees so that the County can continue to maintain a positive, constructive atmosphere for both the employees and the public.

(b) Conduct Subject to Disciplinary Action.

In addition to a violation of any of the County policies outlined in the Personnel Manual, an employee can be disciplined for the following reasons:

- i. Incompetency, inefficiency, or failure to perform duties.
- ii. Insubordination.
- iii. Inability to perform duties.
- iv. Chronic or excessive absenteeism or lateness.
- v. Conviction of a crime.
- vi. Conduct unbecoming an employee.
- vii. Neglect of duty.
- viii. Misuse of County property, including motor vehicles.
- ix. Discrimination that effects equal employment opportunity, as defined under N.J.A.C. 4A:7-1.1, including sexual harassment.
- x. Violation of federal regulations concerning drug and alcohol use and testing of employees who perform functions related to the operation of commercial motor vehicles as well as violation of State and local policies issued thereunder.
- xi. Violation of the New Jersey residency requirement as set forth in N.J.S.A. 52:14-7 (P.L. 2011, c. 70).
- xii. Other sufficient cause.

(c) Disciplinary Procedures.i. Corrective Action.

In cases of employee misconduct, the County believes in corrective action for the purpose of rectifying undesirable behavior and preventing reoccurrence of such behavior. Employees who receive discipline that is based on a behavioral issue may be required to meet with a representative(s) from the EAP. The EAP may have the discretion to recommend a course of corrective training or counseling which may, at the County's discretion, be considered a mitigating factor in the determination of any formal discipline the employee may receive.

ii. Progressive Discipline.

Absent exigent circumstances or other good cause, the County shall implement progressive discipline for employees as follows:

- Verbal, Written and Final Warnings. This may include a written notice documenting the warning.
- Minor Discipline. This includes a formal written reprimand, suspension, or fine of five (5) working days or less.
- Major Discipline. This includes removal, disciplinary demotion, suspension, or fine of more than five (5) working days at any one time.

**Section 2.11** Personnel File.

The Director of Human Resources shall maintain the official personnel file for each employee. Personnel files are treated as confidential records that must be secured in the Department of Human Resources and will only be available to authorized managerial and supervisory personnel as needed. Records related to any medical condition will be maintained in a separate file, which will also be treated as confidential. Any employee who wishes to review his or her personnel file may do so in the presence of a Department of Human Resources employee as requested<sup>1</sup>.

**Section 2.12** Political Activity.(a) General.

- i. Employees are afforded the same right as any other citizen to join political organizations and participate in political activities if they maintain a clear separation between their official responsibilities and political affiliations.
- ii. Employees are prohibited from engaging in political activities while performing their public duties and from using County time, supplies, or equipment in any political activity.

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<sup>1</sup> Please note, employees that work for a Gubernatorial Appointee and/or Elected Official may need to issue a request to review his/her personnel file from same.

- iii. No County employee shall make, either directly or indirectly or through any political organization, any threats or intimidations to any County employee relating to his/her employment with the County for the purpose of receiving political contributions.
- iv. The County strictly prohibits the receipt of political contributions in any building or room occupied for the discharge of official County business.
- v. No employee may directly or indirectly use his or her position to control or affect the political action of another person or engage in political activity during working hours.
- vi. Any violation of this policy must be reported to the Department of Human Resources.

(b) Hatch Act.

Pursuant to the Hatch Act, no employee whose principal employment is in connection with a program financed in whole or in part by federal funds or loans may engage in any of the following prohibited activities:

- i. Be a candidate for public office in a partisan election.
- ii. Use official authority or influence that interferes with or affects the results of an election or a nomination for office.
- iii. Directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

**Section 2.13** Resignation Policy.

- (a) An employee who intends to resign or retire must notify the Director of Human Resources as soon as possible, but no later than two (2) weeks prior to the proposed separation.
- (b) Department and division heads are required to submit a resignation letter to the County Administrator setting forth their proposed last day of work.
- (c) After giving notice of resignation, an employee is expected to assist their supervisor and co-workers by providing information concerning their current projects and help in the training of a replacement.
- (d) During the last two (2) weeks of employment, the employee may not use accrued leave time, except for verified medical reasons.
- (e) Upon separation, the department head shall prepare a personnel action form showing any pay or other monies owed to the employee. The Director of Human Resources or his/her designee will conduct an exit interview, which shall include, but is not limited to the return by the employee of his/her County identification card and all County-owned property and equipment.
- (f) The County's Third Party Administrator will send a COBRA notification letter to the employee's home address.

**Section 2.14** Parking Policy.

The County is not obligated to provide any employee with parking. If an employee is assigned a parking space, said employee must park in the provided space. County parking spaces should not be used by members of the public, an employee shall not offer County parking spaces to anyone, except in furtherance of County business.

**Section 2.15** Dress Code Policy.

Employees are required to dress in an appropriate and professional manner as required by the position in which the individual is employed. As applicable, employees shall be required to wear uniforms in compliance with departmental mandates. Employees shall not wear the following in the workplace: jeans, athletic clothing, shorts, tank tops, sneakers, flip flops, t-shirts, novelty buttons, or any other items that are not business-like apparel. Employees wearing such prohibitive clothing may be sent home without pay and/or subject to disciplinary action.

**Section 2.16** County Identification Policy.

Employees are required to wear and display their County issued identification badges during work hours.

**Section 2.17** No-Smoking Policy.

Smoking is prohibited in all County facilities pursuant to N.J.S.A. 26:3D-58.

**Section 2.18** Bulletin Board Policy.

Bulletin boards located in and on County property are for official County notices only. No employee is authorized to post, remove, or alter any such notices.

**Section 2.19** Use of County Property.

An employee shall not use County materials, property, or facilities for any personal purpose.

**Section 2.20** Workforce Reduction Policy.

If required by economy, efficiency, or other related reasons, the County shall institute layoff actions in compliance with N.J.A.C. 4A:8-1.1, et seq.

**Article III.** **Employee Classification and Workplace Policies****Section 3.01** Employee Classification.

- (a) "Full Time Employees" are individuals whose standard work week is thirty-five (35) hours or more.
- (b) "Part Time Employees" are individuals whose standard work week is between twenty-four (24) and thirty-two (32) hours.
- (c) "Temporary Employees" are individuals who are seasonal employees hired for a period of less than six (6) months in duration, and are not eligible for County benefits, except as required by law.

- (d) "Per Diem Employees" are individuals who work on an as-needed basis to supplement an employee, or to replace or substitute for a temporarily absent employee, who only works when an employee indicates to a supervisor that he/she is unable to work, and who has no obligation to work when the employee does not indicate availability. Per Diem Employees are not eligible for County benefits, except as required by law.
- (e) "Non-Exempt Employees" are individuals entitled to overtime for each hour worked in excess of forty (40) hours per week, except those exemptions set forth in N.J.S.A. 34:11-56a4, or as provided in N.J.A.C. 12:56-7.1; the County shall pay its employees' wages at a rate of not less than one and one half (1 ½) times such employees' regular hourly wage for each hour worked in excess of forty (40) hours per week.
- (f) "Exempt Employees" are individuals employed in a bona fide executive, administrative, or professional capacity as defined pursuant to N.J.A.C. 12:56-7.1, who are exempt from the overtime requirements of N.J.A.C. 12:56-6.1 and are not entitled to overtime computation and/or compensatory time for same.

### **Section 3.02**    Working Test Period.

All new employees and all employees who are transferred, promoted, or demoted to a new job, or receive a Civil Service Commission certification to a new position will be monitored and evaluated for a working test period of ninety (90) days.

Except when governed by a collective negotiations agreement or other applicable regulation or law, employment with the County is at-will and may be terminated at any time, with or without cause or notice, by the County or employee.

### **Section 3.03**    Attendance Policy.

#### (a) Work Hours.

The normal work hours for County employees are 8:30 AM to 4:30 PM, with a one (1) hour lunch break. The one (1) hour lunch break is scheduled at the discretion of the department director to ensure operational efficiency. In some instances, department directors can establish alternative work hours that must be approved by the County Administrator.

#### (b) Timekeeping for Employees.

All employees are required to record his/her time in the County's attendance system at least four (4) times daily as follows: (1) when an employee reports to work; (2) when an employee leaves for lunch; (3) when an employee returns from lunch; and (4) when an employee leaves work for the day. When recording his/her time in the County's attendance system, the following procedures must be followed to ensure an accurate record of attendance by the employee:

- i. An employee must only utilize the attendance system to which he/she is assigned;
- ii. If an employee is unable to record his/her time, his/her supervisor must be immediately notified; and

- iii. Employees are not permitted to utilize the attendance system for another employee.

Breaks from work longer than 20 minutes are non-compensable for non-exempt employees. Non-exempt employees who anticipate a break of a length greater than 20 minutes should punch-out when they begin breaks of this anticipated length, and punch back in again upon return to work.

(c) Reporting an Absence, Late Arrival, or Early Departure.

- i. Employees are expected to maintain regular and on-time attendance. When an employee cannot avoid being late to work, is unable to work as scheduled, or needs to depart early, the employee must provide at least one (1) hour of notice prior to his/her scheduled start time.
- ii. If an employee fails to report an absence for three (3) consecutive workdays, the employee's absence may be considered a voluntary resignation. The County, at its discretion, may require medical documentation for consecutive absences by an employee.

(d) Discipline for Absentecism, Tardiness, or Early Departure.

An employee may be disciplined for the following reasons:

- i. Failure to report an absence before an employee's scheduled start time.
- ii. Utilizing sick time immediately preceding or following a paid holiday or scheduled vacation, absent medical documentation.
- iii. Patterned absentecism.
- iv. Tardiness.
- v. Early departure without authorization from a supervisor.

Chronic, habitual, or excessive absentecism, tardiness, or early departures may result in disciplinary action up to and including termination of the employee. However, this does not include absences under FMLA or NJFLA, military leave or worker's compensation leaves, or any other leave that is authorized by the County.

**Section 3.04** Overtime.

(a) Authorization of Overtime.

Employees are not permitted to work overtime unless approved by the department head. Employees working overtime without prior authorization are subject to disciplinary action, up to and including termination.

(b) Compensation for Overtime.

- i. Employees shall be compensated at his/her regular hourly rate for every hour worked between thirty-five (35) or forty (40) hours in a work week.

- ii. Employees shall receive additional compensation at the rate of one and a half (1 ½) hours for each hour worked after forty (40) hours in a work week, based upon his/her regular hourly rate.
- iii. If an employee works on Sunday, or a paid holiday for which the employee is not regularly scheduled to work, the employee shall receive compensation at a rate of two (2) hours for each hour worked.
- iv. Exempt employees are not entitled to overtime.

**Section 3.05** Payroll Policy.

Employees shall be compensated on a bi-monthly basis. Rates of pay for non-union employees shall be determined by the Board. If an employee feels that a paycheck was issued incorrectly, said employee must contact the Payroll Division immediately. All pay shall be remitted via direct deposit into the employee's designated bank account. Except for payroll deductions required by federal, state, or local law, or health insurance, no deductions shall be made without authorization from an employee.

**Section 3.06** Breastfeeding Policy.

Pursuant to N.J.S.A. 10:5-12(s), the County shall adhere to the following for accommodations for employee's breastfeeding:

- (a) Shall not treat, for employment-related purposes, an employee that the County knows, or should know, is pregnant or breastfeeding in a manner less favorable than the treatment of other persons not affected by pregnancy or breastfeeding but similar in their ability or inability to work.
- (b) The County shall, to an employee who is pregnant, make available to the employee reasonable accommodation in the workplace, such as bathroom breaks, breaks for increased water intake, periodic rest, assistance with manual labor, job restructuring or modified work schedules, and temporary transfers to less strenuous or hazardous work, for needs related to the pregnancy when the employee, based on the advice of their physician, requests the accommodation, and, in the case of an employee breast feeding their infant child.
- (c) The accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, near the work area for the employee to express breast milk for the child, unless the County can demonstrate that providing the accommodation would be an undue hardship on the business operations of the County.
- (d) The County shall not in any way penalize the employee in terms, conditions, or privileges of employment for requesting or using the accommodation. Workplace accommodation provided pursuant to this subsection and paid, or unpaid leave provided to an employee who is pregnant or breastfeeding shall not be provided in a manner less favorable than accommodations or leave provided to other employees who is not pregnant or breastfeeding but similar in their ability or inability to work.

**Section 3.07** County Vehicle Policy.(a) Introduction.

The County owns and maintains a fleet of vehicles that are used in furtherance of general operations. The County Vehicle Policy governs use of all County vehicles and supersedes all other vehicles policies adopted by the Board previously in effect.

(b) Driving Privileges and Licensure.

- i. The use of a County vehicle by an employee is subject to the approval and discretion of the County Administrator, Elected Official, or Gubernatorial Appointee.
- ii. Any employee operating a County vehicle must have, in his or her possession, a valid driver's license.
- iii. Licenses issued by any territory or possession of the United States, the District of Columbia, or any international agency, including any province of the Dominion of Canada, must be expressly approved by the Insurance Commission before any employee is permitted to operate a County vehicle.
- iv. Employees are required to file a copy of a valid driver's license with the County Insurance Division prior to the use of a County vehicle, and any renewal of the license during the employee's term of employment with the County. Upon request, an employee must provide a copy of his or her driver's license or other required documentation to operate a vehicle in the State of New Jersey within twenty-four (24) hours.
- v. Employees are required to inform the Insurance Division in writing within twenty-four (24) hours of any changes in the status or his or her driving privileges.
- vi. The County reserves the right to obtain a driving abstract from the New Jersey Motor Vehicle Commission or other regulatory or law enforcement agencies, as necessary.
- vii. The County reserves the right to suspend an employee's driving privileges if the County deems it necessary based on an employee's driving record.
- viii. The County shall utilize information obtained pursuant to the County Vehicle Policy only for the purposes as outlined herein, and for no other reason, and will not reveal personal or other information contained therein except when compelled to by law.
- ix. Employees, when ordered, are required to attend driver safety courses, or other similar road tests.
- x. In the event an employee is under the influence of any medication, either prescribed or otherwise, that might impair one's ability to operate a vehicle, an employee must refrain from driving a County vehicle and notify the Director of Human Resources.

(c) Official Use Only.

The use of County vehicles is limited to official County business. Employees are not permitted to use a County vehicle for travel or activity outside of the scope of his or her employment with the County. Likewise, supervisors are restricted from authorizing the use of County vehicles for anything outside the scope of an employee's job duties with the County. No employee shall authorize a non-employee to operate a County vehicle, or to ride as a passenger in a County vehicle, unless said passengers are assisting in the official business of the County.

(d) Location of County Vehicle.

Employees who are assigned the regular use of a County vehicle for official business may, with permission of his or her department, or the County Administrator as applicable, take the vehicle home during non-work hours. The Insurance Commission must be notified, in writing, when such permission is granted to an employee. An employee must surrender a vehicle when requested by a supervisor, department head, or County Administrator, as applicable.

(e) Commuting with County Vehicle.

The use of a County vehicle for purposes of commuting to and from work is voluntary and does not entitle an employee to compensation. Moreover, an employee is not considered as in compliance with the Attendance Policy while commuting.

(f) Accidents and Incidents with County Vehicle.

Employees must immediately contact his or her supervisor when involved in an accident and/or incident while operating a County vehicle. The supervisor is then required to notify the Insurance Division as soon as practicable of the accident and/or incident, and provide all applicable documentation, including but not limited to the police report for the accident and/or incident. An employee may be required to submit to an alcohol or drug screening test following an accident and/or incident.

(g) Citations and Violations with County Vehicle.

Employees must follow all the provisions as set forth in N.J.S.A. 39:1-1, et seq., and any other applicable rules and regulations for motor vehicles generally and traffic laws in the State of New Jersey. Employees are responsible to pay the fines for any moving violations issued pursuant to N.J.S.A. 39:1-1, et seq. Likewise, an employee is responsible for all delinquent toll payment violations. Employees must notify the Insurance Division of any moving violations or delinquent toll payment violations within forty-eight (48) hours of receipt of same.

(h) Use of County Pool Vehicles.

The use of a County pool vehicle is subject to approval by the County Administrator, or applicable department head.

(i) GPS Tracking System of County Vehicle.

The County, at its sole discretion, can install global positioning software on County vehicles to track and monitor the employee's use of said vehicles. Employees are prohibited from intentionally disabling or manipulating the function, operation, or location service of the global positioning software on the County vehicles and using the County vehicles for non-County business.

(j) General Policies and Procedures when operating a County Vehicle.

Employees are required to adhere to the following policies and procedures when operating a County vehicle:

- i. Ensure that all required documentation, including but not limited to the employee's driver's license, the vehicle's registration, and insurance card, are in the vehicle during operation of same.
- ii. Employees assigned the exclusive use of a County vehicle are responsible for scheduling all repairs, manufacturer recommended maintenance, and routine maintenance.
- iii. Employees are responsible to keep County vehicles in a clean and orderly manner.
- iv. Smoking is strictly prohibited in County vehicles.
- v. The use of a wireless telephone or electronic communication device in violation of N.J.S.A. 39:4-97.3.
- vi. Employees are required to always wear seat belts.
- vii. Employees are required to always operate vehicles in a safe and courteous manner and avoid tailgating and other unsafe driving practices.

(k) Discipline for Violation of County Vehicle Policy.

Any employee violating the provisions contained herein will be subject to disciplinary action, up to and including termination, in accordance with applicable laws and regulations. Violations of this policy may also result in the denial of indemnification and/or defense by the County to the employee in any civil or criminal matter brought in any court arising from improper use of a County vehicle. The County also expressly reserves its right to seek indemnification and/or contribution from employees, including his or her personal automobile insurance policies, found to have acted in violation of this policy to the maximum extent permitted by law.

**Section 3.08** Inclement Weather Policy.(a) County Closure.

The County is only closed when the Governor of the State of New Jersey via Executive Order bans travel on public roadways. Notice of closure shall be issued by the County Administrator and posted on the County website and social media channels. If an employee elects not to report to work, the employee has the option of using a vacation day, personal day, or compensatory time. Employees are only authorized to use a sick day if medical documentation is provided.

(b) Essential Employees.

Essential employees are required to report to work, regardless of any closure of the County, during emergency situations, including but not limited to extreme weather, as determined by the County Administrator. Essential employees are those individuals whose job duties include responsibilities for the health and safety of the public, the protection of County property, or the property of the public. All employees in the following County departments are deemed essential: (1) Buildings and Grounds Department; (2) Office of Emergency Management; (3) Parks and Recreation Department; (4) Health Department; (5) Road Division; (6) Preakness Healthcare Center; (7) Sheriff's Office; (8) Mosquito Division. The County Administrator, at his/her discretion, can deem an employee essential for the purposes as set forth herein. Violation of this policy may result in disciplinary action up to and including termination of the employee.

(c) Acknowledgement of Essential Employee Status.

All essential employees are required to acknowledge same by executing the Essential Employee Acknowledgement Form available on the County website.

**Section 3.09** Indemnification Policy.(a) Covered Employees.

The County recognizes the value and importance of having its employees diligently and faithfully execute their respective duties for the benefit of the County and its residents. Therefore, to further the objectives of County, and in accordance with applicable law, it is the policy of the County to indemnify and defend its officers and employees against legal action brought against them in connection with their official duties and responsibilities to the maximum extent provided by law, pursuant to the procedures as set forth in the Indemnification Policy.

(b) Mandatory Indemnification.i. Obligation to Indemnify.

The County recognizes that it may be required by law to indemnify and defend certain employees against criminal and civil actions brought against them in the course of their duties. In cases in which the County is required by law to provide such indemnification and defense, the following principles shall apply.

ii. Procedures.

Any employee seeking indemnification and/or legal defense from the County under the terms of any constitutional provision, statute, regulation, or other applicable law requiring same shall promptly make a written request for legal representation to the County Counsel. The written request shall include the following information: (1) the nature of the matter for which indemnification is sought; (2) a concise summary of the facts concerning the matter; and (3) copies of any pleadings, complaints, subpoenas, or other legal documents or process issued to the employee requesting indemnification.

iii. Investigation by County Counsel.

Upon receiving a written request for indemnification in accordance with the Indemnification Policy, the County Counsel shall investigate the facts surrounding the request for indemnification. Said investigation shall include, but shall not be strictly limited to, a request for a certification from the supervisor or department head for the employee that contains a statement that the matter for which indemnification and/or a defense is sought arose from the employee's official duties. Upon receipt and review of such a certification, together with such other information as the County Counsel may in his/her discretion require, the County Counsel shall promptly inform the employee of the disposition of the request for indemnification. At that time, the County Counsel shall determine whether to (1) grant the request for indemnification and/or a defense in its entirety; (2) deny the request for indemnification and/or a defense in its entirety; or (3) grant or deny the request for indemnification and/or a defense in part and reserve the County's rights as to the balance of the request, to the extent appropriate. In circumstances where County Counsel has granted a defense and request for indemnification, same may be revoked if the employee refuses or otherwise conducts him or herself in a manner uncooperative in his or her own defense.

iv. Choice of Counsel – Civil Matters.

In civil cases in which an employee is named as a defendant in actions for damages related to personal injury, property damage, or other civil actions, the County Counsel shall, upon determining that the case arises within the scope of employee's employment, refer the matter to counsel selected by the Board. However, nothing in the Indemnification Policy shall be construed as limiting the discretion of the County Counsel to assign any case to attorney(s) employed by the County in the Office of the County Counsel when the County Counsel deems it appropriate. Regardless, of counsel selected, the County shall have the sole discretion to settle, compromise or otherwise dispose of any claim for which it grants indemnity and/or a defense under the Indemnification Policy.

v. Conflict of Interest.

In civil cases in which both the County and the employee are named defendants, and in which it is determined that the matter arose within the scope of the official duties of the employee in the manner provided herein, and the County Counsel or the attorney assigned to defend the matter reasonably believes, pursuant to the Rules of Professional Conduct as adopted by the court in which the matter is pending, that an actual or potential conflict of interest exists which warrants that the County and the employee be represented by separate counsel, the following procedures shall apply.

In all cases to which this subsection applies, the County Counsel shall: (1) advise the employee that a conflict or potential conflict exists; and (2) advise the employee that the County will provide a defense by approved counsel selected by the County in accordance with the County's procedures for assigning outside counsel. In all such cases, the County shall retain the sole discretion to settle, compromise or otherwise dispose of any claim for which it grants indemnity and/or a defense under the Indemnification Policy, including those in which counsel is assigned pursuant to this section.

vi. Choice of Counsel – Criminal Matters.

Employees seeking statutory indemnification and defense in criminal actions or proceedings directly arising from their official duties shall be entitled to representation by an attorney designated by the County Counsel, in accordance with the County's procedures for assigning outside counsel. Employees seeking indemnification in criminal actions shall retain the option of seeking counsel of their own choosing. However, nothing in the Indemnification Policy shall require the County to reimburse the employee for legal fees or expenses for representation retained outside of the procedures as set forth in the Indemnification Policy.

vii. Reservation of Rights.

Nothing in the Indemnification Policy shall be construed to impose any liability on the County for damages or attorney's fees incurred by an officer or employee in either of the following situations: (1) any criminal case in which the employee is found guilty or any wrongdoing; or (2) any criminal or civil case in which the employee is found to be acting outside the scope of his or her official duties for an unlawful purpose. In addition, nothing in the Indemnification Policy shall be construed to impose any direct liability on the County for punitive damages assessed against any employee.

(c) Permissive Indemnification.i. Policy in Favor of Indemnification.

The Indemnification Policy shall be applicable only to civil and criminal cases which arise directly from an employee's official duties. The Indemnification Policy shall not apply to any situation in which an employee is subpoenaed, or otherwise requested to appear before a federal or State grand jury.

ii. Procedures.

Employees seeking permissive indemnification shall adhere to the procedures as set forth in Section 3.09.

iii. Choice of Counsel.

All provisions set forth in Section 3.09 shall apply when a request is made by an employee for permissive indemnification.

iv. Reservations of Rights.

In accordance with N.J.S.A. 59:10-4, nothing in the Indemnification Policy shall be construed to impose any liability on the County for damages or attorney's fees in the following situations: (1) in any criminal case in which the employee is found guilty of any criminal charge; (2) in any criminal or civil case in which the employee is found to have acted outside the scope of his or her official duties, or for any unlawful purpose; or (3) in any criminal or civil case in which the County Counsel determines the employee seeking indemnification and/or defense committed acts and/or omissions constituting actual fraud, actual malice, willful misconduct, or an intentional wrong.

**Section 3.10** Outside Employment Policy.(a) Purpose.

- i. All full-time employees consider the County as his/her primary employer. Employees who are engaged in outside employment, or hold other jobs, are subject to certain restrictions, as outlined below. An employee who holds outside employment shall be required to fill out the Outside Employment Questionnaire available on the County website.
- ii. Under no circumstances shall a County employee conduct employment activity while on duty or utilize County time, supplies, equipment, or resources for outside employment activities.

(b) Conflict of Interest.

For the purposes of the Outside Employment Policy, a conflict of interest shall exist when an employee proposes to act on any issue, matter, or transaction in which the employee has an interest, and the County has an interest, and the employee's interest may compromise or appear to compromise the employee's judgment in the performance of his/her duties, create actual or apparent abusiveness, create negative publicity and/or potential loss or harm to the County, including, but not limited to, loss of public confidence in the County, monetary loss, or erosion of employee morale.

(c) Conditions for Outside Employment.

Employees are authorized to hold outside employment, subject to the following conditions:

- i. Employee's activities and conduct in the outside employment must not compete with, conflict with, or compromise the County's interests, or adversely affect job performance or the ability of an employee to fulfill all responsibilities to the County. If there is a factual question related to whether outside employment by an employee conflicts with the employee's duties, same will be referred to the Ethics Board for an Advisory Opinion.
- ii. The County Administrator or his/her designee may restrict outside employment if the quality of an employee's work diminishes or is unsatisfactorily.
- iii. Full-time employees must be available and able to perform all the duties of their position as required by the County and be able to work overtime if requested or required.
- iv. Outside employment shall not compromise an employee's position through a conflict of interest, as defined above, or used by an employee as justification for poor work performance.
- v. Any employee holding an interest in or employed by a company and/or entity doing business with the County must submit a written notice of the outside interest to the County Administrator or his/her designee and cease any involvement with such company and/or entity.

- vi. Full-time employees are prohibited from seeking or accepting a second full-time position with the County.
- vii. Employees are required to disclose outside employment to the Director of Human Resources upon the acceptance of same.

### **Section 3.11 Anti-Nepotism Policy.**

(a) Purpose.

It is the policy of the County that no employee is authorized to provide supervision over a relative. A relative is defined as two (2) or more persons related by blood or affinity, including, but not limited to, father or mother, spouse, person with whom the employee has an intimate relationship, stepfather or stepmother, child or stepchild, sibling or stepsibling, grandparent, grandchild, mother in-law, father in-law, brother in-law, sister in-law, son in-law, daughter in-law.

(b) Prohibited Employment Relationship.

A prohibited employment relationship is created when:

- i. One relative would have the authority to supervise, directly or indirectly, appoint, remove, discipline, evaluate, or otherwise affect or influence the work or employment of another relative; or
- ii. The relative would be responsible for auditing or evaluating the work or performance of another relative; or
- iii. Other circumstances exist that could place the relatives in a situation of actual or reasonably foreseeable conflict between the County's interest of their own.

### **Section 3.12 Computer Use, Electronic Mail, and Internet Policy.**

(a) Purpose.

The County's electronic mail, voicemail, computer equipment, and internet service are for official County business. All electronic records are government records under OPRA and may be subject to release if requested under the law, absent an exemption under the law.

(b) Standard of Conduct.

The use of electronic mail, voicemail, computer equipment, and internet service are essential tools for employees. An employee is required to use electronic mail, voicemail, computer equipment, and internet service, subject to the following conditions:

- i. Computer equipment and telephone and electronic communication equipment owned by the County and are to be used for business purposes only. An employee has no expectation that any information stored in a County computer is private.
- ii. Downloading or misusing software available through the internet could violate copyright laws or licensing requirements. An employee should not download software on County property without prior approval from the Department of Information Technology.

- iii. Personal use of any electronic equipment is strictly prohibited.
- iv. The County reserves the right to block or cancel an employee's access to the internet or to specific sites, at its discretion.
- v. All electronic mail, and any other communication composed on County equipment are the property of the County.
- vi. The County reserves its right to monitor its computer systems, including, but not limited to, electronic mail messages, computer files, internet usage, with or without notice, at any time, at its discretion. An employee has no expectation of privacy in any transmissions made or receiving using County computer equipment or electronic communication services.
- vii. An employee shall not share access codes or passwords, provide access to an unauthorized user, or access another employee's e-mail or internet without prior authorization.
- viii. An employee is prohibited from sending or posting on the internet, privileged and/or confidential communications, including, but not limited to, social security numbers, medical documents or other HIPPA protected information, or other information protected from unlawful disclosure, via e-mail or by way of the internet, unless the message is properly encrypted.
- ix. An employee is prohibited from using e-mail or the internet to connecting, posting, or downloading obscene, pornographic, violent, sexually suggestive, or discrimination based material; attempting to disable or compromise the security of information contained on the County's computer systems; or sending or receiving obscene, violent, harassing, sexual, or discrimination based messages.

**Section 3.13** Social Media and Marketing Materials Policy.

(a) County Social Media Channels.

All social media channels are managed by the County Administrator's Office. No department or employee shall create a social media channel purporting to represent the County, without written approval by the County Administrator.

(b) Marketing Materials.

If a department or employee requires marketing materials, a request must be made to [media@passaiccountynj.org](mailto:media@passaiccountynj.org). The request should include all relevant information to create the marketing materials and should be made at least five (5) days prior to when the marketing materials are needed to be distributed to the public. Departments and employees are prohibited from creating and disseminating marketing materials without approval by the County Administrator.

(c) Media Inquiries.

All media inquiries should be referred to the County Administrator's Office, and employees must refrain from speaking on the record with a media outlet concerning the scope of his or her employment.

(d) Personal Use of Social Media.

If an employee identifies him or herself as a County employee in any manner on the internet, comment on any aspect of official County business, or links to the County website, the employee must include the following disclaimer: *"the views expressed on this post are mine, and do not reflect the views of the County of Passaic or Passaic County Board of County Commissioners, or anyone associated with the County of Passaic or Passaic County Board of County Commissioners."*

**Article IV. Leaves of Absence and Paid Time Off.****Section 4.01 Paid Holidays.**

## (a) Employees are entitled to the following paid holidays:

New Year's Day  
 Martin Luther King's Birthday  
 President's Day  
 Good Friday  
 Memorial Day  
 Independence Day  
 Labor Day  
 Columbus Day  
 Veterans Day  
 Election Day  
 Thanksgiving Day  
 Day after Thanksgiving  
 ½ day Christmas Eve  
 Christmas Day  
 ½ day New Year's Eve

## (b) A paid holiday falling on a Saturday will be recognized in the preceding Friday, and a holiday falling on a Sunday will be recognized on the following Monday.

**Section 4.02 Vacation Leave.**

## (a) Full-time employees shall accrue vacation leave based on the following schedule:

1 <sup>st</sup> year	1 working day for each full month of continuous service
2 – 5 years	12 working days during each year of service
6 – 10 years	15 working days during each year of service
11 – 15 years	18 working days during each year of service
16 – 20 years	20 working days during each year of service
21 years and over	22 working days during each year of service

- (b) During an employee's ninety (90) day probationary period, no vacation time is earned or available. Upon completion of the probationary period, one day will be credited for each month calculated back to the employee's date of hire.
- (c) After the first year of employment, vacation leave is credited at the beginning of the calendar year in anticipation of continued employment, based on the employee's years of continuous County service.
- (d) Part time employees shall accrue vacation leave on a prorated basis.
- (c) An employee's supervisor must approve the use of vacation time in advance. While the approval of vacation leave shall not be unreasonably withheld, the use of vacation leave shall be subject to staffing levels as solely determined by the department head or supervisor. Employees are encouraged to submit vacation leave requests as early as possible to ensure adequate staffing levels, and absent emergent circumstances, no less than three (3) days prior to the requested day off.
- (f) Employees shall be permitted to carry a maximum of one (1) year's accrued vacation time in addition to the employee's allotted time for the current year. No employee can carry more than one year's worth of accrued vacation leave in the following calendar year without written approval of the County Administrator.

**Section 4.03** Personal Days.

- (a) Upon completion of the ninety (90) day probationary period, a full-time employee is entitled to three (3) personal days per year which shall accrue on the first day of January, May, and September of each calendar year.
- (b) If a personal day is not scheduled in advance, employees are required to notify his/her department head and/or supervisor at least thirty (30) minutes prior to the scheduled start of the workday.
- (c) During an employee's first year of service, personal days shall accrue at the rate of one (1) day per four months of service.
- (d) Any unused personal days are forfeited at the end of each calendar year.
- (e) Part-time employees shall accrue personal days on a pro-rated basis.

**Section 4.04** Compensatory Time.

- (a) Department heads may choose to require compensatory time be paid in lieu of overtime pay to applicable employees in the form of overtime pay based on the employees' regular hourly rate of one and one half hours of compensatory time off for every hour worked in excess of forty (40) hours in the work week.
- (b) A civilian employee may accrue no more than two hundred and forty (240) hours and an employee working in a public safety activity may accrue four hundred and eight (480) hours.
- (c) Compensatory time must be used within ninety (90) days of receiving same.

- (d) An employee wishing to utilize compensatory time must notify his/her supervisor at least two (2) days in advance.
- (c) Exempt employees are not entitled to compensatory time.

**Section 4.05** Sick Leave.

Employees shall accrue up to fifteen (15) working days of sick leave per calendar year, pursuant to the conditions as set forth herein.

(a) Accrual of Sick Leave.

- i. An employee shall accrue one (1) working day for the initial month of employment if they begin work on the 1<sup>st</sup> through the 8<sup>th</sup> day of the calendar month, and one half (1/2) working day if they begin on the 9<sup>th</sup> through the 23<sup>rd</sup> day of the month.
- ii. After the initial month of employment and up to the end of the first calendar year, an employee shall be credited with one (1) working day for each month of service. Thereafter, at the beginning of each calendar year in anticipation of continued employment, employees shall be credited with fifteen (15) sick days. If an employee is separated from employment with the County after using accrued leave that was credited and not earned, he/she shall be responsible to reimburse the County for same.
- iii. Part-time employees shall accrue sick leave on a prorated basis.
- iv. An employee who exhausts all paid sick days in a calendar year shall not be credited with additional paid sick leave until the beginning of the next calendar year. Under no circumstance may an employee borrow sick leave time from a future year.
- v. Sick leave shall not accrue during a leave of absence without pay or suspension but shall continue to accrue during a voluntary furlough or furlough extension leave.

(b) Carry-Over Sick Leave.

Unused sick leave shall accrue from year-to-year without limit. The accrual shall continue until the time of the employee's retirement. Upon retirement, an employee shall be paid for one half (1/2) of the accrued sick leave in an amount not to exceed twelve thousand dollars (\$12,000.00). Elected Officials and Gubernatorial Appointees are not eligible for the payment of accrued sick leave as set forth herein. An employee is not entitled to payment for earned sick leave if he/she is separated for any other reason but retirement.

(c) Permissible Use of Sick Leave.

An employee may use sick leave for the following purposes:

- i. Personal illness of the employee or the employee's family member.
- ii. For medical care for a personal illness or injury of the employee, or the employee's family member.

- iii. Exposure to a contagious disease.
- iv. To provide care, for a reasonable period, of an ill member of the employee's immediate family, which is defined as the employee's spouse, domestic partner, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father in-law, mother in-law, and other relative residing in the employee's household.
- v. Death of a family member if the leave exceeds three (3) consecutive days and the employee exhausts his/her Bereavement Leave.
- vi. By an employee with a disability for absences related to the acquisition or use of an aid for the disability when the aid is necessary to function on the job. In such cases, reasonable proof may be required by the County.
- vii. Any other purpose as permitted or required by law.

(d) Reporting Sick Leave.

- i. An employee utilizing sick leave is required to notify his/her supervisor and/or department head thirty (30) minutes prior to the scheduled start of the workday.
- ii. Upon request, an employee shall be required to produce verification to substantiate the need for and the appropriate use of sick time.

**Section 4.06** Earned Sick Leave Law Policy.

Under the Earned Sick Leave Law, specified employees that are not members of a collective bargaining unit, are not a party to a duly authorized employment agreement, per diem health care employees defined by N.J.S.A. 34:11D-1.1, or an employee who is provided sick leave with full pay pursuant to any other law, rule, or regulation of the State are entitled to earned sick leave, as set forth herein.

(a) Benefit Year.

The benefit year for accruing earned sick leave is January 1 to December 31. Employees covered under the Earned Sick Leave Law Policy shall accrue sick leave on a prorated basis pursuant to his/her hire date in compliance with the terms as set forth herein.

(b) Employee Classification and Accrual of Earned Sick Leave.

Employees are entitled to the following earned sick leave as follows:

- i. Gubernatorial Appointees and Elected Officials are classified as full time, thirty-five (35) hour employees, entitled to accrue eight (8) working days of sick leave per benefit year.
- ii. Temporary Employees are entitled to accrue one (1) hour of sick leave for every thirty (30) hours worked per benefit year.
- iii. Seasonal Employees are entitled to accrue one (1) hour of sick leave for every thirty (30) hours worked per benefit year.

- iv. Per Diem Employees are entitled to accrue one (1) hour of sick leave for every thirty (30) hours worked per benefit year.
- v. An employee shall not earn sick leave days during a leave of absence without pay or suspension, other periods of inactive service unless required by the law, or when an employee has resigned or retired and said employee is exhausting vacation or compensatory leave and remains on the County's payroll.

(c) Permissible Use of Earned Sick Leave.

Employees who are entitled to sick leave under the Earned Sick Leave Policy are entitled to use the sick leave for the following purposes:

- i. Time needed for diagnosis, care, or treatment of, or recovery from, an employee's mental or physical illness, injury, or other adverse health condition, or for preventative medical care for the employee.
- ii. Time needed for the employee to aid or care for a family member<sup>2</sup> of the employee during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury, or other adverse health condition, or during preventative medical care for the family member.
- iii. Absence necessary due to circumstances resulting from the employee, or a family member of the employee, being a victim of domestic or sexual violence, if the leave is to allow the employee to obtain for the employee or the family member: medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence.
- iv. Time during which the employee is not able to work because of a closure of the employee's workplace, or the school or place of care of a child of the employee, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the employee, or a member of the employee's family in need of care by the employee, would jeopardize the health of others.

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<sup>2</sup> "Family member" for Gubernatorial Appointments, Elected Officials, Temporary Employees, Seasonal Employees, and Per Diem Employees means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

- v. Time needed by the employee in connection with a child of the employee to attend a school-related conference, meeting, function, or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

(d) Notification of Sick Leave.

An employee utilizing sick leave pursuant to the Earned Sick Leave Policy must contact his/her department head and/or supervisor at least thirty (30) minutes prior to the scheduled start of the workday. If the sick leave time is foreseeable, the employee must submit the earned sick leave request to the department head and/or supervisor seven (7) days prior to the sick leave start date.

(e) Documentation of Qualified Earned Sick Leave Condition.

Employees who utilize three (3) or more consecutive earned sick leave days can be required to produce reasonable documentation that the sick leave is being taken for the purposes permitted herein. Any employee who uses earned sick leave immediately before or after a paid holiday, vacation day, personal day, or any other paid leave shall be required to produce medical documentation justifying same. If the employee fails to produce adequate documentation, said employees' pay will be docked.

(f) Prohibited Use of Earned Sick Leave.

The County may prohibit employees from using foreseeable earned sick leave on certain dates and require reasonable documentation if sick leave that is not foreseeable if used during those dates. Essential employees required to report to duty because of an emergency or weather-related event are not allowed to use sick leave during certain blacked out periods. Any essential employee using an earned sick leave day during a blacked-out period shall be required to produce documentation. If no documentation is provided, the employee's pay will be docked.

(g) Use of Earned Sick Leave.

Gubernatorial Appointees, Elected Officials, temporary employees, seasonal employees, and per diem employees shall be eligible to use the earned sick leave on the one hundred and twentieth (120<sup>th</sup>) day of employment.

(h) Incremental Use of Earned Sick Leave.

Employees are entitled to use earned sick leave in half (1/2) day increments.

(i) Unused and Accumulated Earned Sick Leave.

- i. Gubernatorial Appointees, Elected Officials, Temporary Employees, Seasonal employees, and Per Diem Employees shall use and accrue no more than forty (40) hours of earned sick leave per benefit year, in compliance with N.J.S.A. 34:11D-2(a).
- ii. Gubernatorial Appointees, Elected Officials, Temporary Employees, Seasonal employees, and Per Diem Employees that are separated from employment with the

County but rehired within six (6) months of separation shall be credited the previously accrued earned sick leave upon reinstatement of employment with the County.

**Section 4.07** Bereavement Leave.

Employees are entitled to three (3) consecutive calendar days leave of absence for the death of an employee's immediate relative. Bereavement leave shall not extend beyond three (3) consecutive calendar days immediately following the death of a family member unless approved by the County Administrator. "Immediate relative" includes spouse, civil union partner, child, parent, stepchild, stepparent, sibling, grandparents, mother in-law, father in-law, daughter in-law, son in-law, grandchildren, niece, nephew, uncle, aunt, or any person related by blood or marriage residing in an employee's household. Employees are paid for all working days during the Bereavement Leave. Employees may be asked for proof of the immediate relative at the discretion of the Director of Human Resources or County Administrator.

**Section 4.08** Jury Duty.

County employees are encouraged to fulfill their civic duty and serve as a juror when summoned by the courts. An employee required to render jury service shall be entitled to be absent from work during that service and will be paid their usual pay for each required day of jury service. If an employee is notified prior to the date of service that they are not required to report to the court, that employee must report to work. Employees summoned to jury duty must notify their supervisor as soon as possible, but no later than one (1) week of receiving notice. Following completion of jury duty, employees shall submit official confirmation of service provided by the vicinage to the Department of Human Resources.

**Section 4.09** Incremental Use of Paid Leave.

An employee is permitted to use vacation, personal, or sick days in one half (1/2) day increments.

**Section 4.10** Medical Documentation.

Employees who call in sick the day before or after a paid holiday, approved vacation day, personal day, compensatory day, or any other approved day of absence are required to submit a physician's statement to the Director of Human Resources. Any employee who does not submit medical document will have his/her pay docked.

**Section 4.11** Donated Leave Policy.

(a) Definitions.

The following definitions are applicable to the Donated Leave Policy:

- i. With respect to an employee, a "catastrophic health condition or injury" shall mean a life-threatening condition or combinate of conditions, or a period of disability required by his/her mental or physical health or the health of the employee's fetus requiring the care of a physician who provides medical verification of the need for the employee's absence from work for sixty (60) or more days.
- ii. With respect to an employee's immediate family member, "catastrophic health condition or injury" shall mean a life-threatening condition or combination of conditions or a period of disability required by his/her mental or physical health and requiring the care of a

physician who provides medical verification of the need from the family member's care by the employee for sixty (60) or more days.

- iii. The term "Immediate Family Member" shall mean the employee's father, mother, father in-law, mother in-law, spouse, civil union partner, child, son in-law, daughter in-law, grandparent, grandchild, or sibling. Any interpretation of this definition shall be made at the sole discretion of the County Administrator.
- iv. The term "Leave Recipient" shall mean an employee of the County who is desirous of accepting leave time accrued and donated by a fellow employee.
- v. The term "Leave Donor" shall mean an employee of the County who is desirous of providing, without compensation, accrued sick, vacation, or personal days to a fellow employee dealing with a catastrophic health injury or condition.

(b) General.

The County will permit an employee to voluntarily donate accrued sick or vacation days to a fellow employee of the County who has exhausted his/her own earned leave because of a catastrophic health condition or injury suffered by themselves or an immediate family member which is expected to require a prolonged absence from work. The Donated Leave Policy will be administered in a manner as to ensure the goals of the policy are met without interfering with an employee's right to privacy as otherwise protected by federal and State law, rules, or regulations.

(c) Eligibility.

A permanent full-time employee of the County shall be eligible to receive donated sick or vacation leave if the employee:

- i. Has completed one year of continuous service;
- ii. Has exhausted all accrued sick, vacation, personal, compensatory, or other leave as granted under the law or in the Personnel Manual;
- iii. Has not, in the two (2) year period immediately preceding the employee's need for donated leave, been disciplined for chronic or excessive absenteeism, chronic or excessive tardiness, or for the abuse of paid leave; and
- iv. Either: (a) suffers from a catastrophic health condition or injury; (b) is needed to provide care to a member of the employee's immediate family who is suffering from a catastrophic health condition or injury; or (c) requires absence from work due to the donation of an organ.

(d) Participation Requirements.

If an employee wishes to donate accrued sick, vacation, or personal days to a fellow employee dealing with a catastrophic health injury or condition, the following is required:

- i. A Leave Recipient must receive at least five (5) sick days, vacation days, personal days, or a combination thereof from one or more leave donors to participate in the donated leave program.
- ii. A Leave Recipient may not collect temporary disability insurance or workers' compensation insurance benefits while utilizing donated leave time under this policy.
- iii. A Leave Recipient is limited to a lifetime maximum of two hundred and sixty (260) donated sick days, vacation days, or personal days, and shall not receive any such days on a retroactive basis.
- iv. A Leave Donor shall have remaining at least twenty (20) days of accrued sick leave if donating sick leave and at least twelve (12) days of accrued vacation leave if donating vacation leave.
- v. A Leave Donor shall donate only whole sick days or whole vacation days and may not donate more than thirty (30) such days to any one recipient.
- vi. A Leave Donor shall not revoke the leave donation.
- vii. While using donated leave time, the Leave Recipient shall accrue sick leave and vacation leave under the normal County policies and shall be entitled to retain such leave upon his or her return to work.
- viii. Upon a Leave Recipient's return to work or separation from County employment for any reason, any unused, donated leave shall be returned to the Leave Donors on a prorated basis upon the Leave Recipient's return to work, except that if the proration of leave days results in less than one day per donor to be returned, that the leave time shall not be returned.
- ix. Upon retirement, the Leave Recipient shall not be granted supplemental compensation on retirement for any unused days, which he or she had received through the leave donation program.
- x. An employee shall be prohibited from threatening or coercing or attempting to threaten or coerce another employee for the purpose of interfering with rights involving the voluntary donation, receipt or use of donated leave time. Such prohibited acts shall include, but not be limited to, promising to confer, or conferring a benefit such as an appointment or promotion or making a threat to engage in, or engaging in, an act of retaliation against an employee.
- xi. Upon receipt of a request to donate time, the Director of Human Resources will verify that the Leave Donor is eligible to donate time and said department will deduct appropriate time from the Leave Donor.
- xii. A Leave Recipient may use donated leave in half day or whole day increments. Recipients may return to work on a part time, or intermittent basis, and remain eligible

for the donated leave program if they do not exceed two hundred and sixty (260) days in a lifetime.

- xiii. A catastrophic health condition or injury is considering closed when the Leave Recipient is medically cleared to return to work without restrictions.
- xiv. If the Leave Recipient returns to work or otherwise terminates employment, the remaining balance of unused donated leave must be equally returned to all Leave Donors in whole day increments only. Partial day increments will not be restored to the Leave Donor nor remain credited to the recipient.
- xv. An illness or injury of an immediate family member requiring an employee's absence from work to provide care must meet the same criteria applicable to an employee's own medical necessity.

(c) Procedure.

If an employee wishes to donate accrued sick, vacation, or personal days to a fellow employee dealing with a catastrophic health injury or condition, the following steps must be completed:

- i. Written Request. An employee may submit a request, in writing, to his/her department head to participate in the Donated Leave Program as either a Leave Recipient or Leave Donor. The department head shall then forward the request to the Director of Human Resources who will verify whether the employee is eligible to participate, before sending the request to the County Administrator for final approval. A supervisor may submit a request on behalf of an employee unable to make the request.
- ii. Medical Verification. An employee requesting the employee's acceptance as a Leave Recipient shall submit to the Director of Human Resources medical verification, signed by a physician licensed by the State of New Jersey, concerning the nature and anticipated duration of the disability resulting from either the catastrophic health condition or injury, or the donation of an organ, as may be the case. The medical verification required for the receipt of donated leave shall include the nature and anticipated duration of the catastrophic health condition or injury, or the donation of an organ. The same medical documentation set forth above shall be required whether applying for donated leave to care for oneself or immediate family member. The medical verification form should be directly submitted to the Department of Human Resources.
- iii. Notice. Upon approval by the County Administrator, the department head or supervisor shall, with the Leave Recipient's consent, post or circulate the employee's name, along with those of other eligible employees, in a conspicuous manner to encourage the donation of leave time. If the employee is unable to consent to the posting or circulation, the employee's family may consent on his/her behalf.

**Section 4.12** Workers' Compensation Leave.

(a) Policy.

- i. An employee who suffers a job-related injury or illness may be entitled to medical expenses, lost wages, and other compensation under the Workers' Compensation Act.

- ii. Workers' compensation benefits shall not be paid until the employee has been disabled for a period of seven (7) calendar days from the job-related injury, unless otherwise required by law, except for medical bills.
- iii. Any occupation injury or illness must be immediately reported to a supervisor or department head.
- iv. All required medical treatment must be performed by a workers' compensation physician appointed by the County.
- v. If an employee is receiving workers' compensation payments, the County is responsible for payment of the employee's pension contributions because the employee is not collecting a salary. However, if an employee is receiving workers' compensation with full pay, the employee is responsible for all payroll deductions. If on an unpaid workers' compensation leave of absence, the employee is also responsible for paying any health benefits contributions directly to the County.
- vi. Benefits received by an employee under the Workers' Compensation Act is not a leave entitlement, but only a wage replacement arrangement.

(b) Unauthorized Medical Treatment.

The County shall not render payment for unauthorized medical treatment.

(c) Light Duty Policy.

- i. The County will endeavor to bring an employee with a temporary job-related injury or illness back to work as soon as possible. As such, the County recognizes that it may be necessary to allow an employee to undertake a temporary light duty position who has suffered an occupational injury or illness.
- ii. The County shall grant a request for a light duty assignment on a case-by-case basis, taking into consideration reports issued by the workers' compensation physician, and staffing needs of the employee's department.
- iii. The County reserves the right to grant, refuse, or terminate a light duty assignment at any time without cause, unless it conflicts with State or federal law.
- iv. A light duty assignment may be within the employee's department, or in another department, at the County's discretion.

(d) Retaliation Prohibited.

The County shall not take any retaliatory action against an employee because the employee has filed for workers' compensation benefits, including, but not limited to, denying or limiting a request for a leave of absence, because an employee asserted a claim for workers' compensation benefits.

**Section 4.13** Federal Family and Medical Leave.(a) Definitions.

The following definitions are applicable to Federal Family and Medical Leave:

- i. "Covered Service Member" shall mean a member of the Armed Forces, including a member of the National Guard or Reserves, or a recent veteran who has been discharged, other than dishonorably, within the five years preceding the family member's initial request for leave, who has a serious injury or illness who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
- ii. "Eligible Employee" shall mean an individual who has been employed by the County for at least twelve (12) months, has worked at least one thousand two hundred and fifty (1,250) hours during the preceding twelve (12) month period, and is employed at a worksite with at least fifty (50) employees within seventy-five (75) miles of that worksite.
- iii. "Next of Kin" shall mean the nearest blood relative of the employee.
- iv. "Qualifying Exigency" shall mean broad categories of reasons and activities, including short-notice deployment to a foreign country, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-dept activities, and additional activities agreed to by the County and the employee.
- v. "Serious Health Condition" shall mean an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. It generally includes a period of incapacity due to pregnancy, prenatal care, a chronic health condition, a permanent or long-term health condition, or restorative or preventive treatment.
- vi. "Serious Injury or Illness" shall mean an injury or illness incurred by a Covered Servicemember in the line of duty or on active duty in the Armed Forces, National Guard of Reserves, incurred in the line of duty on active duty or whose pre-existing condition has been aggravated by his/her active-duty service, that may render the servicemember medically unfit to perform the duties of the member's office, grade, rank, or rating.

(b) Policy.

In accordance with the FMLA, the County shall provide an eligible employee up to twelve (12) weeks of unpaid medical and family leave during any twelve (12) month period and up to twenty-six (26) workweeks to care for a Covered Service Member. At the conclusion of FMLA leave, subject to certain restrictions, an employee generally has the right to return to the same or equivalent position.

(c) Permissible Use of FMLA Leave.

An eligible employee may take FMLA for any one or more of the following reasons:

- i. The birth, adoption, or placement for foster care of the son or daughter of an employee, and to care for such child.
- ii. A Serious Health Condition of a spouse, son, daughter, or parent of an employee if the employee is needed to care for such family member.
- iii. A Serious Health Condition of an employee that makes an employee unable to work. Generally, the incapacity must result in the employee's inability to work for more than three consecutive days, although certain exceptions to this rule.
- iv. Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is a member of the armed forces, National Guard or reserves on active-duty status during the deployment to a foreign country, and or has been notified of an impending call to active-duty status as such in support of a contingency operation

(d) Eligibility.

An employee who has been employed by the County for twelve (12) months or more and worked one thousand two hundred and fifty (1,250) hours or more in the preceding twelve (12) month period preceding the first day of the requested FMLA leave. The twelve (12) month period shall be determined by using a rolling (12) month period that commences with the first day leave is taken.

(c) Notice.

When the FMLA leave is foreseeable, an employee is required to provide at least thirty (30) days' notice to the Director of Human Resources.

(f) Certification.

- i. When an employee is taking FMLA leave, a medical certification is required, and periodic recertification may be required.
- ii. When an employee is taking a FMLA leave because of the employee's Serious Health Condition, a certification of fitness to return to work is required. The County, at its own expense, may require an examination by a second healthcare provider designated by the County. If the second healthcare provider's opinion conflicts with the original medical certification provided by the employee, the County, at its expense, may require a third, mutually agreeable healthcare provider to conduct an examination and provide a final and binding opinion.
- iii. For an employee that is a Covered Service Member, a certification is required that the employee is a member of the regular armed forces, National Guard or Reserves, who is on active duty or called to active duty in support of a contingency operation. Absent exigent circumstances, the certification must be provided within fifteen (15) days.
- iv. The County will require periodic status reports from the employee concerning their intended return date. An unexcused failure to provide requested documents may result in the denial of FMLA leave.

(g) Intermittent Leave.

When necessary, an employee may be eligible to use FMLA leave on an intermittent or reduced work schedule basis. The employee and the County shall attempt to work out an intermittent schedule that meets the employee's needs without unduly disrupting County operations, subject to approval by the employee's healthcare provider. The County may require an employee taking intermittent or reduced work schedule leave to transfer temporarily to an alternate position with equivalent pay and benefits that is better suited to the leave schedule.

(h) Employment and Benefits Protection.

- i. During the FMLA leave, an employee's health benefits shall continue under the same conditions as if the employee were reporting to work. During any portion of unpaid FMLA leave that is taken by the employee, the employee is required to pay for any healthcare contribution deductions. If an employee fails to report to work after the FMLA leave, the employee will be responsible for any unpaid health insurance premiums.
- ii. If the FMLA is unpaid, an employee is required to pay his/her contribution pursuant to Chapter 78, and any voluntary supplemental benefits the employee may have. An employee's health coverage will cease if the premium payment owed is more than thirty (30) days late.
- iii. If the FMLA leave is unpaid, an employee is required to pay any pension contribution to receive pension credit during the period of the leave. If the 12 weeks' FMLA entitlement is exhausted and the employee wishes to maintain health coverage while on leave, the employee will be required to pay the full cost of their health benefits through COBRA.
- iv. Subject to certain exceptions, when the FMLA leave ends, an employee will be returned to the position they left, or to a position equivalent in pay, benefits, and other terms of employment.<sup>3</sup>
- v. An employee shall not accrue vacation, sick, or personal time when the FMLA leave is unpaid.
- vi. An employee's failure to return from FMLA leave for reasons other than the employee's Serious Health Condition may result in termination of employment. In the event an employee cannot return to employment at the end of the approved FMLA leave, he/she must contact the Department of Human Resources to discuss options available to the employee under State and federal law.

(i) Coordination with State Leave Policies.

As set forth in the Personnel Manual, the State offers various leave benefit programs for eligible employees. The Department of Human Resources will work individually with each employee to

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<sup>3</sup> Employees identified as "key employees" which is defined as the highest paid ten percent (10%) of salaried employees of the County who live within a seventy-five (75) mile radius of the County may not be returned to their former or equivalent position if restoration will cause substantial economic injury to the County. An employee will be informed of their status as a "key employee" prior to the beginning of the leave period.

determine the appropriate leave program for an employee to maximize the benefits available under the law.

(j) Utilization of Paid Leave.

An employee is required to exhaust all accrued sick time during the FMLA leave. Once an employee's accrued sick time is exhausted, the employee has the option of utilizing other accrued benefit time, or to take the balance of the FMLA unpaid.

If an employee does not qualify for FMLA and is approved for a personal illness leave of absence, the employee will be required to exhaust all accrued sick time during the personal illness leave. Once an employee's accrued sick time is exhausted, the employee may request approval to utilize other accrued benefit time or take the balance of the leave unpaid.

(k) Coordination with other Leave Policies

The period attributable to the employee's absence due to any workers' compensation, disability, or sick time, will be counted against available leave under this policy to the extent permitted by law. If additional family, medical or sick leave is available pursuant to state laws, this leave will also run concurrently with FMLA leave to the extent permitted by law.

**Section 4.14** New Jersey Family Leave Act.

(a) Policy.

In accordance with the NJFLA, the County shall provide an eligible employee with up to twelve (12) weeks of unpaid, job-protected leave for specified family reasons under the law in a rolling twenty four (24) month period that commences on the first day an approved NJFLA leave is taken.

(b) Permissible Use of NJFLA Leave.

An eligible employee may take NJFLA for any one or more of the following reasons:

- i. The birth or adoption of a child, but the NJFLA leave must be taken within twelve (12) months of the birth of the child or placement of the child for adoption.
- ii. The care by an employee of an immediate family member<sup>4</sup> with a physical or mental impairment who is incapable of self-care with a serious health condition.

(c) Use of NJFLA Leave.

An employee may take NJFLA leave in the following ways:

- i. As a single block of time.
- ii. By reducing an employee's normal work week for no more than twenty four (24) consecutive weeks in a twenty four (24) month period.

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<sup>4</sup> An "immediate family member" is defined as an employee's spouse, civil union partner, child under eighteen (18) years old, parent, or parent in-law.

- iii. Intermittently in increments lasting at least one (1) week, but less than twelve (12) weeks in a consecutive twelve (12) month period, when medically necessary.

An employee taking NJFLA leave in an intermittent or reduced schedule manner must first be approved by the County. Intermittent leaves taken in connection with more than one serious health condition episode must be taken within a consecutive twenty four (24) month period, or until such time as the employee's twelve (12) week NJFLA leave is exhausted, whichever is shorter.

An employee taking a family leave on a reduced leave schedule shall not be entitled to such leave for more than a consecutive twenty four (24) week period. An eligible employee shall be entitled to only one leave on a reduced leave schedule during any consecutive twenty four (24) month period. Any remaining NJFLA leave to which the employee is entitled subsequent to the expiration of a leave taken on a reduced leave schedule may be taken on a consecutive or intermittent basis.

(d) Eligibility.

To be eligible for NJFLA leave, an employee must have worked at least twelve (12) months for the County with at least one thousand (1,000) hours worked in the previous twelve (12) month period.

(e) Notice.

When the NJFLA leave is foreseeable, an employee is required to provide at least thirty (30) days' notice to the Director of Human Resources.

(f) Certification.

- i. When an employee is taking NJFLA leave, a medical certification is required, and periodic recertification may be required.
- ii. The County will require periodic status reports from the employee concerning their intended return date. An unexcused failure to provide requested documents may result in the denial of NJFLA leave.

(g) Employment and Benefits Protection.

- i. During the NJFLA leave, an employee's health benefits shall continue under the same conditions as if the employee were reporting to work. During any portion of the NJFLA leave that is taken by the employee unpaid, the employee is required to pay for any healthcare contribution deductions. If an employee fails to report to work after the NJFLA leave, the employee will be responsible for any unpaid health insurance premiums.
- ii. If the NJFLA is unpaid, an employee is required to pay his/her contribution pursuant to Chapter 78, and any voluntary supplemental benefits the employee may have. An employee's health coverage will cease if the premium payment owed is more than thirty (30) days late.
- iii. If the NJFLA leave is unpaid, an employee is required to pay any pension contribution to receive pension credit during the period of the leave. If the 12 weeks' NJFLA entitlement

is exhausted and the employee wishes to maintain health coverage while on leave, the employee will be required to pay the full cost of their health benefits through COBRA.

- iv. Subject to certain exceptions, when the NJFLA leave ends, an employee will be returned to the position they left, or to a position equivalent in pay, benefits, and other terms of employment.
- v. An employee shall not accrue vacation, sick, or personal time when the NJFLA leave is unpaid.
- vi. An employee's failure to return from NJFLA leave for reasons other than the employee's Serious Health Condition may result in termination of employment. In the event an employee cannot return to employment at the end of the approved NJFLA leave, he/she must contact the Department of Human Resources to discuss options available to the employee under State and federal law.

(h) Utilization of Paid Leave.

An employee is required to exhaust all accrued sick time during the NJFLA leave. Once an employee's accrued sick time is exhausted, the employee has the option of utilizing other accrued benefit time, or to take the balance of the NJFLA unpaid.

If an employee does not qualify for NJFLA and is approved for a personal leave of absence, the employee will be required to exhaust all accrued sick time during the personal leave of absence. Once an employee's accrued sick time is exhausted, the employee may request approval to utilize other accrued benefit time or take the balance of the leave unpaid.

(i) Retaliatory Action Prohibited.

The County shall not take any retaliatory action against an employee because the employee is taking NJFLA leave. Any allegations of retaliation because an employee is taking NJFLA leave must be reported to the Department of Human Resources.

**Section 4.15** New Jersey Family Leave Insurance.

(a) Policy.

The State provides up to twelve (12) consecutive weeks in a twelve (12) month period, or up to eight (8) weeks, if the NJFLI is taken in a non-continuous manner, of replacement wages for employees who need to care for seriously ill or injured family member, or bond with a newborn, newly adopted, or newly placed foster child. NJFLI complements the Temporary Disability Insurance program, which partially replaces wages during an employee's own injury, illness, or other disability, including pregnancy. NJFLI is a wage replacement benefit, not a leave of absence entitlement.

(b) Eligibility.

An employee is eligible for NJFLI based upon salary earnings during a twenty (20) week period, as determined by the State Division of Temporary Disability and Family Leave Insurance. NJFLI is subject to approval by the State.

(c) Notice.

An employee must give the County thirty (30) days' notice if taking a leave of absence for bonding in one continuous period, and fifteen (15) days' notice if taking your leave in a non-continuous manner. If you plan to care for a family member and take your leave all at once, you must give the County reasonable notice, unless there are unforeseen or emergency circumstances and fifteen (15) days' notice for separate periods of leave. If you do not give the County adequate notice, an employee's benefit entitlement may be reduced by fourteen (14) days.

**Section 4.16** Temporary Disability Insurance.(a) Policy.

The State provides TDI to eligible employees in the form of cash benefits to an employee who must stop working due to a physical or mental health condition, or other disability related to their work. TDI is subject to approval by the State.

(b) Eligibility.

To have a valid claim for TDI, an employee must have paid into the program through their employment with the County and meet minimum gross earnings requirements. An employee is eligible for TDI based upon salary earnings during a twenty (20) week period, as determined by the State Division of Temporary Disability and Family Leave Insurance. TDI is subject to approval by the State.

(c) Notice.

An employee has thirty (30) days from the first date of his/her disability to file an application for TDI with the State. If the application is received more than thirty (30) days from the first day of an employee's disability, you must provide a reason why the claim was not filed on time. Benefits may be reduced or denied by the State for late applications.

**Section 4.17** Military Leave.(a) Uniform Services Employment and Reemployment Rights Act.(i) Policy.

The County shall provide leave for an employee who is performing uniformed service as provided under the USERRA, and the job protections as set forth therein.

(ii) Eligibility.

An employee is eligible for leave under the USERRA who perform duty, voluntarily or involuntarily, in the "uniformed services," which include the Army, Navy, Marine Corps, Air Force, Coast Guard, and Public Health Service commissioned corps, as well as the reserve components of each of these services. Federal training or service in the Army National Guard and Air National Guard also gives rise to rights under USERRA. In addition, under the Public Health Security and Bioterrorism Response Act of 2002, certain disaster response work (and authorized training for such work) is considered "service in the uniformed services." Uniformed service

includes active duty, active duty for training, inactive duty training (such as drills), initial active duty training, and funeral honors duty performed by National Guard and reserve members, as well as the period for which a person is absent from a position of employment for the purpose of an examination to determine fitness to perform any such duty.

(iii) Employee Rights.

The USERRA provides that returning servicemembers are to be reemployed in the job that they would have attained had they not been absent for military service, (the "escalator" principle), with the same seniority, status and pay, as well as other rights and benefits determined by seniority. USERRA also requires that reasonable efforts (such as training or retraining) be made to enable returning servicemembers to qualify for reemployment. If the servicemember cannot qualify for the "escalator" position, he or she must be reemployed, if qualified, in any other position that is the nearest approximation to the escalator position and then to the pre-service position. USERRA also provides that while an individual is performing military service, he or she is deemed to be on a furlough or leave of absence and is entitled to the non-seniority rights and benefits accorded other similarly-situated individuals on non-military leaves of absence.

(iv) Time Limits for Returning to work with the County.

An employee who is returning from an approved USERRA leave must return to work with the County as follows:

- *Less than 31 Days Service:* by the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight-hour rest period. If this is impossible or unreasonable, then as soon as possible.
- *31 to 180 Days Service:* The employee must apply for reemployment no later than 14 days after completion of military service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
- *181 Days or More of Service:* The employee must apply for reemployment no later than 90 days after completion of military service.
- *Service-Connected Injury or Illness:* Reporting or application deadlines are extended for up to two years for persons who are hospitalized or convalescing.

(v) Prohibition of Employment Discrimination or Retaliation.

The USERRA prohibits employment discrimination against a person based on past military service, current military obligations, or intent to serve. The County must not deny initial employment, reemployment, retention in employment, promotion, or any benefit of employment to a person because of a past, present, or future service obligation. In addition, the County must not retaliate against a person because of an action taken to enforce or exercise any USERRA right or for assisting in an USERRA investigation. An employee must report to the Department of Human Resources if they feel they are being discriminated or retaliated against because of leave as granted under the USERRA.

(b) Leave of Absence for County Employees Entering Military Service, National Guard pursuant to N.J.S.A. 38:23-4.

In compliance with N.J.S.A. 38:23-4, an employee is entitled to a leave of absence when entering military service, or service with the National Guard, pursuant to the following conditions:

- i. An employee who has entered, or hereafter shall enter, the active military or naval service of the United States or the National Guard, in time of war or an emergency, including a state emergency, or for or during any period of training, or pursuant to or in connection with the operation of any system of selective service, or who, after July first, one thousand nine hundred and forty, has entered or hereafter, in time of war, shall enter the active service of the United States Merchant Marine, or the active service of the Women's Army Auxiliary Corps, the Women's Reserve of the Naval Reserve or any similar organization authorized by the United States to serve with the Army or Navy, shall be granted leave of absence for the period of such service and for a further period of three months after receiving his discharge from such service.
- ii. If any such person shall be incapacitated by wound or sickness at the time of his discharge from such service, his leave of absence shall be extended until three months after his recovery from such wound or sickness, or until the expiration of two years from the date of his discharge from such service, whichever shall first occur.
- iii. In no case shall such person be discharged or separated from his office, position, or employment during such period of leave of absence because of his entry into such service, or because of reasons of economy or efficiency or other related reason if entry into active military service in the Armed Forces of the United States, or the National Guard, was in time of war or an emergency, including a state emergency.
- iv. During the period of such leave of absence such person shall be entitled to all the rights, privileges, and benefits that he would have had or acquired if he/she had actually served in such office, position, or employment during such period of leave of absence except, unless otherwise provided by law, the right to compensation. Such leave of absence may be granted with or without pay as provided by law. Such person shall be entitled to resume the office, position or employment held by him/her at the time of his/her entrance into such service, provided he/she shall apply therefor before the expiration of his/her said leave of absence.
- v. If the County's circumstances have so changed for reasons of economy or efficiency or other related reason as to make it impossible or unreasonable for such person who entered service in time of war or other emergency to resume the office, position or employment held prior to entrance into such service, the County shall restore such person to a position of like seniority, status and pay, or any position available, if requested by such person, for which the person is able or qualified to perform the duties.
- vi. Upon resumption of his/her office, position or employment, the service in such office, position or employment of the person temporarily filling the same shall immediately cease. No person who, after entry into such service, shall have been separated from any such service by a dishonorable discharge shall be entitled to any of the rights, privileges or benefits herein conferred.

**Section 4.18** New Jersey Security and Financial Empowerment Act Leave.(a) Definitions.

The following definitions are applicable to NJ SAFE Act Leave:

- i. "Employee" shall mean a person who is employed by the County for at least twelve (12) months for not less than one thousand (1,000) base hours during the immediately preceding twelve (12) month period.
- ii. "Domestic Violence" shall mean the occurrence of one (1) or more of the following acts inflicted upon a person by a spouse, domestic partner, civil union partner, cohabitant, or emancipated minor child: homicide; assault; terroristic threats; kidnapping; criminal restraint; false imprisonment; sexual assault; criminal sexual contact; lewdness; criminal mischief; burglary; criminal trespass; harassment; or stalking.
- iii. "Sexually Violent Offense" shall mean aggravated sexual assault; sexual assault; aggravated criminal sexual contact; kidnapping and endangering the welfare of a child; criminal sexual contact; felony murder if the underlying crime is sexual assault; an attempt to commit any of these enumerated offenses; or any offense for which a court makes a specific finding on the record that, based on the circumstances of the case, the person's offense should be considered a sexually violent offense.
- iv. "Certified Domestic Violence Specialist" shall mean a person who has fulfilled the requirements of certification as a Domestic Violence Specialist established by the New Jersey Association of Domestic Violence Professionals.
- v. "Designate Domestic Violence Agency" shall mean a county-wide organization with a primary purpose to provide services to victims of domestic violence, and which provides services that conform to the core domestic violence services profile as defined by the New Jersey Division of Child Protection and Permanency in the Department of Children and Families and is under contract with the division for the express purpose of providing the services.
- vi. "Rape Crisis Center" shall mean an office, institution, or center offering assistance to victims of sexual offenses through crisis intervention, medical and legal information, and follow-up counseling.

(b) Policy.

In accordance with the NJ SAFE Act, an eligible employee can take up to twenty (20) days of unpaid leave during any twelve (12) month period to attend to a variety of matters related an act of domestic violence or sexual assault committed against the employee or a family or household member, including the following activities:

- i. Seeking medical attention for, or recovering from, physical or psychological injuries caused by the incident.
- ii. Obtaining services from a victim services organization.

- iii. Obtaining psychological or other counseling.
- iv. Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the victim's safety or to ensure his or her economic security.
- v. Seeking legal assistance, including preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic or sexual violence.
- vi. Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or an equivalent position. Each incident of domestic violence or any sexually violent offense shall constitute a separate offense for which an employee is entitled to unpaid leave, provided that the employee has not exhausted the allotted twenty (20) days in any twelve (12) month period.

(c) Notice.

When the necessity for NJ SAFE Act Leave is foreseeable, an employee must provide written notice to the Department of Human Resources as far in advance as is reasonably and practical under the circumstances.

(d) Certification and Reporting.

An employee will be required to produce documentation to the County of the domestic violence or sexually violent offense which is the basis for the NJ SAFE Act Leave, which includes one or more of the following:

- i. A domestic violence restraining order or other documentation of equitable relief issued by a court of competent jurisdiction.
- ii. A letter or other written documentation from the county or municipal prosecutor documenting the domestic violence or sexually violent offense.
- iii. Documentation of the conviction of a person for the domestic violence or sexually violent offense.
- iv. Medical documentation of the domestic violence or sexually violent offense.
- v. A certification from a Certified Domestic Violence Specialist or the director of a designated domestic violence agency or Rape Crisis Center, that the employee or employee's child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense.
- vi. Other documentation or certification of the domestic violence or sexually violent offense provided by a social worker, member of the clergy, shelter worker, or other professional who has assisted the employee or employee's child, parent, spouse, domestic partner, or civil union partner in dealing with the domestic violence or sexually violent offenses.

(c) Utilization of Paid Time Off.

NJ SAFE Act Leave is unpaid. However, depending on the circumstances, an employee may be entitled to receive State-sponsored wage replacement benefits. These benefits would run concurrently with an employee's unpaid leave. An employee who is eligible for NJ SAFE Act Leave may also choose to use accumulated leave during his or her unpaid leave. Employees may not receive more than one hundred percent (100%) of salary at any time. If an employee is not eligible for State-sponsored wage replacement benefits, they are required to accumulate leave during the approved unpaid leave. Use of paid time off will not serve to extend the length of the employee's leave under this policy.

(f) Intermittent Leave.

NJ SAFE Act Leave may be taken intermittently in intervals of no less than one (1) day.

(g) Employment and Benefits Protection.

During an approved NJ SAFE Act Leave, an employee's health benefits shall continue under the same conditions as if the employee were not on an unpaid leave. If an employee fails to return from the NJ SAFE Act Leave, an employee may be terminated.

(h) Federal and Other State Leave Laws

The County will comply with any federal or state leave laws to the extent they provide for more generous benefits. State and federal leave law benefits will run concurrently with NJ SAFE Act benefits to the extent permitted by law.

**Section 4.19** Volunteer Emergency Responders Leave.(a) Eligibility.

An employee who is a volunteer emergency responder is eligible for an unpaid leave when serving in that capacity in response to a state of emergency declared by the President of the United States or Governor of the State. Volunteer emergency responder is defined as an active member in good standing of a volunteer fire company, a volunteer member of a duly incorporated first aid, rescue or ambulance squad, or a member of any county or municipal volunteer Office of Emergency Management, provided the member's official duties include responding to a fire or emergency call.

(b) Policy.

The County shall not terminate, dismiss, or suspend an employee who fails to report for work at his place of employment because he is serving as a volunteer emergency responder during a state of emergency declared by the President of the United States or the Governor of this State or is actively engaged in responding to an emergency alarm.

(c) Notice.

An employee must provide notice, at least one (1) hour before he or she is scheduled to report to work at the County, that the employee is rendering emergency services in response to a declared state of emergency or emergency alarm.

(d) Certification.

Upon returning to the County, an employment shall provide a copy of the incident report and a certification by the incident commander, or other official or officer in charge, affirming that the volunteer emergency responder was actively engaged in, and necessary for, rendering emergency services and setting forth the date and time the volunteer emergency responder was relieved from emergency duty by that officer or official.

(e) Unpaid Leave.

Emergency Responders Leave is unpaid. However, an employee absent from work because of service as a voluntary emergency responder may charge his or her absence to accumulated leave previously accrued.

(f) Essential Employee.

Volunteer Emergency Responders Leave shall not apply to essential employees.

**Article V. Employee Benefits.****Section 5.01 Medical Benefits.**(a) Health Insurance and Prescription Benefits.

Upon completion of a ninety (90) day probationary period:

- i. Full-time employees and their immediate family members, including civil union partners, are offered health insurance and prescription drug coverage as provided by the County.
- ii. Part-time employees working twenty-four (24) hours or more are only entitled to single health insurance and prescription drug coverage as provided by the County.

Co-pays and premiums shall be determined by the plan the employee chooses to join. The County may make several plans available to employees and the employee can choose said plan upon hire and during the open enrollment periods. The County reserves the right to change network providers, claims agents and insurance mechanisms. The County also reserves the right to modify benefit levels for non-unionized employees at any time. The health insurance and prescription benefit plans are on file in the County Department of Human Resources. The Summary Plan Description is provided to all employees upon hire and during open enrollment periods.

(b) Status of Medical Benefits Upon Separation from County Service.

Health and prescription coverage for employees who separate employment with the County will terminate at the end of the month when the separation date is prior to the 10<sup>th</sup> day of same month, or the end of the following month if separation is after the 10<sup>th</sup> day of the month.

(c) COBRA Benefits.

Upon termination of coverage, employees may be able to extend health insurance coverage for themselves and/or their dependents by taking advantage of the provisions of COBRA. Upon separation, employee shall receive a notice of COBRA rights. For more information, consult the Department of Human Resources.

(d) Dental Insurance.

Upon completion of a ninety (90) day probationary period, full-time employees, and their immediate family members, including civil union partners, are offered dental insurance coverage as provided by the County. Co-pays and premiums shall be determined by the plan the employee chooses to join. The County may make several plans available to employees and the employee can choose said plan upon hire and during the open enrollment periods. The County reserves the right to change network providers, claims agents and insurance mechanisms. The County also reserves the right to modify benefit levels for non-unionized employees at any time. The dental plans are on file in the County Department of Human Resources. The Summary Plan Description is provided to all employees upon hire and during open enrollment periods.

(e) Status of Dental Insurance Upon Separation from County Service.

Dental coverage for employees who separate employment with the County will terminate at the end of the month when the separation date is prior to the 10<sup>th</sup> day of same month, or the end of the following month if separation is after the 10<sup>th</sup> day of the month.

(f) COBRA Benefits

Upon termination of dental insurance coverage, employees may be able to extend dental insurance coverage for themselves and/or their dependents by taking advantage of the provisions of COBRA. Upon separation, employee shall receive a notice of COBRA rights. For more information, consult the County Department of Human Resources.

(g) Prescription Eyeglasses Benefit.

The County offers employees a voluntary eyeglass plan. If an employee elects such coverage, the employee pays the entire cost of such coverage. Contact the Department of Human Resources for more information.

(h) Military Leave.

Employees on Military Leave receive full medical benefits for the duration of their active-duty service.

(i) Appeal.

If an employee wishes to appeal a decision regarding the coverage of services under the health insurance plan following an exhaustion of the appeal process with the County's medical insurance provider, it must complete the Health Insurance Benefit Appeal Form available on the County website and submit same to the Insurance Division. As soon as practicable, the Insurance Commission shall consider the appeal, and inform the employee in writing on its decision.

**Section 5.02** Chapter 78.

Employees shall make contributions towards the cost of their health insurance at Tier IV levels in an amount set forth pursuant to Chapter 78, P.L. 2021 and any amendments thereto, regardless of statutory sunset

**Section 5.03** Life Insurance.

An employee is granted a life insurance policy in the amount of four thousand dollars (\$4,000.00).

**Section 5.04** Longevity.

- (a) An employee is entitled to longevity benefits for active continuous years of service to the County, and shall receive additional compensation as follows:

Two percent (2%) of base pay after completion of seven (7) years.

Four percent (4%) of base pay after completion of ten (10) years.

Six percent (6%) of base pay after completion of fifteen (15) years.

Eight percent (8%) of base pay after completion of twenty (20) years.

Ten percent (10%) of base pay after completion of twenty-five (25) years.

- (b) Part-time employees shall receive longevity benefits on a prorated basis based on the schedule set forth herein.
- (c) An employee receiving a longevity benefit that has a break in service to the County greater than one (1) year shall complete one (1) full year of active service to the County prior to resuming longevity benefits.
- (d) Effective July 1, 1998, an employee hired by the County shall not receive longevity benefits based upon prior employment with any other public entity, other than the County, its agencies, or its instrumentalities.
- (e) gubernatorial Appointees and Elected Officials are not entitled to longevity benefits.

**Section 5.05** Deferred Compensation.

The County shall make available to employees various deferred compensation plans in which they can voluntarily enroll to be paid solely by the employee. The Board may add and remove deferred compensation providers at its discretion. For more information regarding voluntary deferred compensation plans, please contact the Department of Human Resources.

**Section 5.06** Retirement.

- (a) Retirement Policy.

- i. Under State law, all eligible employees must enroll in the New Jersey Public Employees Retirement System, Defined Contribution Retirement Program or the Police and Fire Fighters Retirement System, as applicable. The employee's contribution to the plan will be via a payroll deduction.

- ii. Retirement benefit options are available to employees who meet the eligibility requirements under the State of New Jersey Division of Pensions and Benefits law. For your eligibility requirements, contact the County Finance Department's Pension Division.
- iii. Employees who decide to file retirement paperwork must do so through their Pension MBOS account. Employees who chose to do so without the assistance of the County Pension Division shall be required to notify the County Pension Division and their Department Head within 10 working days from the date they file for retirement regarding their plans to retire.
- iv. The State retirement plans request six (6) months advance notice to process the application. After giving notice of retirement, employees are expected to assist their supervisor or co-workers by providing information concerning their current projects and help in training of a replacement. The department head shall prepare an Employee Personnel Action Form showing any pay or other money owed to the employee.
- v. The Director of Human Resources or designee will conduct a confidential exit interview to discuss benefits including COBRA options, appropriate retirement issues and pay due. A COBRA notification letter will be sent to the employee's address on record. On the last day of work, the employee must return their employee identification card, keys, and all County owned equipment.

Upon submitting the retirement application to the New Jersey Pension and Benefits, the employee shall be considered terminated from employment.

(b) Retiree Health Benefits.

- i. Certain employees may be eligible to continue to receive health insurance coverage paid for by the County upon retirement.
- ii. Pursuant to Chapter 78, P.L. 2011, certain employees will be required to make contributions to health care benefits coverage upon retirement.
- iii. For more information regarding eligibility for such benefits, employees should refer directly to the County's Resolutions governing retiree health benefits available from the Department of Human Resources or refer to their respective applicable collective negotiations agreement.
- iv. Contact the Department of Human Resources for information on whether you qualify for retiree health benefits.
- v. Employees receiving retiree health benefits prior to December 31, 2013 must notify the Employee Benefits Clerk in writing with proof of enrollment, when they become eligible for Medicare Part A and B. Pursuant to Resolution No. R13338, dated May 28, 2013, the County shall reimburse employees qualifying for retiree health benefits for the cost of Medicare Part B. For more information consult the Employee Benefits Clerk in the department of human resources.

(c) Ordinary Disability Retirement.

- i. For your eligibility requirements, contact the County Finance Department's Pension Division.
- ii. Upon submitting the retirement application to the New Jersey Division of Pensions and Benefits, the employee shall be considered terminated from employment.
- iii. Employees that are approved for an Ordinary Disability Retirement may also qualify for retiree health benefits. Contact the Department of Human Resources on whether you qualify for retiree health benefits.

(d) Accidental Disability Retirement.

- i. For your eligibility requirements, contact the County Finance Department's Pension Division.
- ii. Upon submitting the retirement application to the New Jersey Division of Pensions and Benefits, the employee shall be considered terminated from employment.
- iii. Employees that are approved for an Accidental Disability Retirement may also qualify for retiree health benefits. Contact the Department of Human Resources on whether you qualify for retiree health benefits.

**Section 5.07** Employee Assistance Program.

(a) Policy.

It is the policy of the County to provide an employee assistance program to assist employees and their families in resolving personal issues. In limited circumstances, an employee may be compelled to seek services through the EAP.

(b) General.

The County provides a nationally certified EAP staffed by credentialed professionals. It is the intent of the EAP to provide strict confidentiality to its clients in a non-threatening environment. An employee is encouraged to seek assistance from the EAP if they are experiencing personal problems, such as financial, elder care, marital, gambling, emotional, or substance abuse.

**Section 5.08** Professional Development.

(a) Eligibility.

Employees are eligible for educational training, college courses, or seminars, directly related to an employee's work, subject to approval by an employee's department director. The County Administrator has the sole discretion to determine if an educational course is directly related to an employee's work.

(b) Tuition Reimbursement.

- i. Employees must obtain written approval prior to enrolling in an educational course to be eligible for reimbursement.

- ii. College courses taken at accredited higher education institutions shall be reimbursed based on the following scale: one hundred percent (100%) for an “A” grade; ninety percent (90%) for a “B” grade; and eighty percent (80%) for a “C” grade, or any course taken Pass/Fail. Employees receiving a grade lower than a “C” shall not be eligible for tuition reimbursement.
- iii. If an employee separates from employment with the County within twenty-four (24) months of receipt of tuition reimbursement, the employee is required to repay the County the cost of same.

**Section 5.09** Conference and Seminar Policy.

A request to attend a conference or seminar must be approved by an employee’s department director and the County Administrator at least thirty (30) days prior to same. Conferences and seminars are meant for professional development, and employees are expected to participate in same. Copies of any certifications must be provided to the Department of Human Resources, and employees may be required to provide proof of attendance

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505

Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

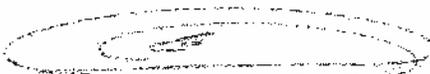
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED, PATEL V. COUNTY OF PASSAIC, CLAIM PETITION NO. 2018-2803, PENDING IN THE NEW JERSEY DIVISION OF WORKERS' COMPENSATION, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211121</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-5							
CAF #	T-18-56-850-000-801							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED, PATEL V. COUNTY OF PASSAIC, CLAIM PETITION NO. 2018-2803, PENDING IN THE NEW JERSEY DIVISION OF WORKERS' COMPENSATION, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County is the respondent in Hasumati Patel v. County of Passaic, Claim Petition No. 2018-2803, pending in the New Jersey Division of Workers' Compensation; and

**WHEREAS**, the County's outside legal counsel for workers' compensation matters and third party administrator for general liability and workers' compensation claims are recommending a settlement in this matter in an amount not to exceed one hundred thirty seven thousand six hundred and sixty four dollars (\$137,664.00); and

**WHEREAS**, funds are available in Account No. T-18-56-850-000-801, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 2, 2021 meeting of the Insurance Commission and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, that the Board of County Commissioners of the County of Passaic authorizes the settlement of Hasumati Patel v. County of Passaic, Claim Petition No. 2018-2803, pending in the New Jersey Division of Workers' Compensation, in an amount not to exceed one hundred thirty seven thousand six hundred and sixty four dollars (\$137,664.00).

**LET IT BE FURTHER RESOLVED** that the Clerk of the Board, County Counsel, Chief Financial Officer, and Director of the Board of County Commissioners are authorized to take all steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

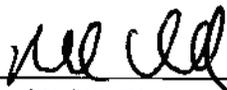
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$137,664.00

APPROPRIATION: T-18-56-850-000-801

PURPOSE: Authorize the settlement of Pavel v. County of Passaic., et al., Claim Petition No. 2018-2803.

  
Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING LAW FIRMS FOR BOND COUNSEL IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211122</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-6							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING LAW FIRMS FOR BOND COUNSEL IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County requires qualified law firms to serve as bond counsel and provide outside legal counsel for various financial transactions in calendar year 2022; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the Purchasing Agent issued RFQ-22-011, Bond Counsel (hereafter “RFQ-22-011”) seeking qualifications for a pool of bond counsel for calendar year 2022, to be hired on an as-needed basis, to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the RFQ-22-011 for the pool of bond counsel for calendar year 2022 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the responses submitted in compliance with the law to RFQ-22-011 are attached hereto as **Schedule A**, were reviewed by the County Counsel, and are being recommended for qualification by the Board for approval as bond counsel in calendar year 2022; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED** pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic is qualifying the law firms for calendar year 2022 as set forth in **Schedule A**, attached to and made part of this resolution, to be hired on an as-needed basis to serve as bond counsel, as recommended by the County Counsel.

**LET IT BE FURTHER RESOLVED** that the County Counsel is hereby authorized and directed to recommend law firms from the qualified list, as needed, in calendar year 2022 for the Board to retain bond counsel.

MPJ

December 14, 2021

**SCHEDULE A**

<b>RFQ-22-011, BOND COUNSEL</b>	
<b>FIRM</b>	<b>ADDRESS</b>
Gluck Walrath, LLP	4 Paragon Way, Suite 400, Freehold, New Jersey 07728
Wilentz Goldman & Spitzer P.A.	90 Woodbridge Center Drive, Suite 900, Woodbridge, New Jersey 07068
McManimon, Scotland & Baumann, LLC	75 Livingston Ave, Roseland, New Jersey 07068
Rogut McCarthy, LLC	37 Alden Street, Cranford, New Jersey 07016
Archer & Greiner, P.C.	1 Centennial Square, Haddonfield, New Jersey 08033
Gibbons, P.C.	One Gateway Center, Newark, New Jersey 07102
Dario, Albert, Metz, & Eyerman, LLC	314 48 <sup>th</sup> Street, 2 <sup>nd</sup> Floor, Union City, New Jersey 07087
Waters, McPherson, McNeill, PC	300 Lighting Way, Secaucus, New Jersey 07096

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505

Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING LAW FIRMS FOR LABOR COUNSEL, WORKPLACE INVESTIGATIONS, AND EMPLOYMENT TRAINING IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211123</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-7							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING LAW FIRMS FOR LABOR COUNSEL, WORKPLACE INVESTIGATIONS, AND EMPLOYMENT TRAINING IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County requires qualified law firms to undertake representation in labor matters, conduct internal investigations, and provide employment trainings for calendar year 2022; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the Purchasing Agent issued RFQ-22-010, Labor Counsel, Workplace Investigations, and Employment Training (hereafter “RFQ-22-010”) seeking qualifications for a pool of outside labor counsel for calendar year 2022, to be hired on an as-needed basis, to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the RFQ-22-010 for the pool of labor counsel for calendar year 2022 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the responses submitted in compliance with the law to RFQ-22-010 are attached hereto as Schedule A, were reviewed by the County Counsel, and are being recommended for qualification by the Board for approval as labor counsel in calendar year 2022; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED** pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic is qualifying the law firms for calendar year 2022 as set forth in Schedule A, attached to and made part of this resolution, to be hired on an as-needed basis to serve as labor counsel, as recommended by the County Counsel.

**LET IT BE FURTHER RESOLVED** that the County Counsel is hereby authorized and directed to recommend law firms from the qualified list, as needed, in calendar year 2022 for the Board to retain as labor counsel.

MPJ

December 14, 2021

**SCHEDULE A**

<b>RFQ-21-010, LABOR COUNSEL, WORKPLACE INVESTIGATIONS, AND EMPLOYMENT TRAINING</b>	
<b>FIRM</b>	<b>ADDRESS</b>
Eric M. Bernstein & Associates, LLC	34 Mountain Boulevard, Building A, PO Box 4922, Warren, New Jersey 07059
Chasan Lamparello Mallon & Cappuzzo, PC	300 Lighting Way, Suite 300, Secaucus, New Jersey 07094
Cleary Giacobbe Alferi Jacobs, LLC	169 Ramapo Valley Road, Upper Level 105, Oakland, New Jersey 07436
KS Branigan Law, PC	105 Grove Street, Suite 9, Montclair, New Jersey 07042
McCusker, Anselmi, Rosen & Carvelli, PC	210 Park Avenue, Suite 301, Florham Park, New Jersey 07932
Weiner Law Group, LLP	629 Parsippany Road, Parsippany, New Jersey 07054
Shain Schaffer PC	150 Morristown Road, Bernardsville, New Jersey 07924
Aloia Law Firm, LLC	2 Broad Street, Suite 510, Bloomfield, New Jersey 07003
Inglesino Webster Wyciskala Taylor, LLC	600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054
Florio Kenny Raval, LLP	125 Chubb Avenue, Suite 310-N, Lyndhurst, New Jersey 07071
Florio Perrucci Steinhardt Cappelli Tipton & Taylor, LLC	430 Mountain Avenue, Suite 103, New Providence, New Jersey 07974

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505

Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING LAW FIRMS FOR OUTSIDE LEGAL COUNSEL IN CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211124</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-8							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING LAW FIRMS FOR OUTSIDE LEGAL COUNSEL IN  
CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County requires qualified law firms to undertake representation in various litigation matters and serve as outside legal counsel for calendar year 2022; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the Purchasing Agent issued RFQ-22-009, Outside Legal Counsel (hereafter “RFQ-22-009”) seeking qualifications for a pool of outside legal counsel for calendar year 2022, to be hired on an as-needed basis, to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the RFQ-22-009 for the pool of outside legal counsel for calendar year 2022 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the responses submitted in compliance with the law to RFQ-22-009 are attached hereto as **Schedule A**, were reviewed by the County Counsel, and are being recommended for qualification by the Board for approval as outside legal counsel in calendar year 2022; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED** pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic is qualifying the law firms for calendar year 2022 as set forth in **Schedule A**, attached to and made part of this resolution, to be hired on an as-needed basis to serve as outside legal counsel, as recommended by the County Counsel.

**LET IT BE FURTHER RESOLVED** that the County Counsel is hereby authorized and directed to recommend law firms from the qualified list, as needed, in calendar year 2022 for the Board to retain as outside legal counsel.

MPJ

December 14, 2021

**SCHEDULE A**

## RFQ-22-009, OUTSIDE LEGAL COUNSEL

FIRM	ADDRESS
Aloia Law Firm, LLC	2 Broad Street, Suite 510, Bloomfield, New Jersey 07003
Antonelli Kantor, PC	354 Eisenhower Parkway, Suite 1000, Livingston, New Jersey 07039
Buglione, Hutton & DeYoe, I.J.C	401 Hamburg Turnpike, Suite 206, P.O. Box 2449, Wayne, New Jersey 07474
Carmagnola & Ritardi, I.J.C	60 Washington Street, Morristown, New Jersey 07960
Chasan Lamparello Mallon & Cappuzzo, PC	300 Lighting Way, Suite 200, Secaucus, New Jersey 07094
Cleary Giacobbe Alfieri Jacobs, LLC	169 Ramapo Valley Road, Suite 105, Oakland, New Jersey 07436
Dario, Albert, Metz, Eyerman, Canda, Concannon, Ortiz & Krouse	314 48th Street, Union City, New Jersey 07087
Eric M. Bernstein & Associates, LLC	34 Mountain Boulevard, Building A, P.O. Box 4922, Warren, New Jersey 07059
Florio Kenny Raval, LLP	125 Chubb Avenue, Suite 310-N, Lyndhurst, New Jersey 07071
Florio Perrucci Steinhardt Cappelli Tipton & Taylor, LLC	430 Mountain Avenue, Suite 103, New Providence, New Jersey 07974
Friend & Wenzel, LLC	1000 Clifton Avenue, New Jersey 07013
GluckWalrath, LLP	4 Paragon Way, Suite 400, Freehold, New Jersey 07728
Hoagland, Longo, Moran, Dunst & Doukas, LLC	40 Paterson Street, P.O. Box 480, New Brunswick, New Jersey 08901
Hunt, Hamlin & Ridley	Military Park Building, 60 Park Place 16th Floor, Newark, New Jersey 07102
Inglesino Webster Wyciskala Taylor, LLC	600 Parsippany Road, Suite 204, Parsippany, New Jersey 07054
Lum, Drasco & Positan, LLC	103 Eisenhower Parkway, Suite 401, Roseland, New Jersey 07068
Mariniello & Mariniello, PC	265 Columbia Avenue, Fort Lee, New Jersey 07024
McCusker, Anselmi, Rosen & Carvelli, PC	210 Park Avenue, Suite 301, Florham Park, New Jersey 07932
Shain Schaffer, PC	150 Morristown Road, Suite 105, Bernardsville, New Jersey 07924
Waters, McPherson, McNeill, PC	300 Lighting Way, Secaucus, New Jersey 07096
Weber Dowd Law, LLC	365 Rifle Camp Road, Woodland Park, New Jersey 07424
Weiner Law Group, LLP	629 Parsippany Road, Parsippany, New Jersey 07054
Wisniewski & Associates, LLC	17 Main Street, Sayreville, New Jersey 08872

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505

Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION RETAINING FRIEND & WENZEL, LLC FOR OUTSIDE LEGAL SERVICES IN THE MATTER OF DONDERO V. COUNTY OF PASSAIC, ET AL., DOCKET NO. PAS-L-3950-21, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>		<b>R20211125</b>						
Meeting Date		12/14/2021						
Introduced Date		12/14/2021						
Adopted Date		12/14/2021						
Agenda Item		m-9						
CAF #		T-19-56-850-000-801						
Purchase Req. #								
Result		Adopted						
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION RETAINING FRIEND & WENZEL, LLC FOR OUTSIDE LEGAL SERVICES  
IN THE MATTER OF DONDERO V. COUNTY OF PASSAIC, ET AL., DOCKET NO. PAS-L-  
3950-21, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County is a named defendant in Dondero v. County of Passaic, et al., Docket No. PAS-L-3950-21, pending in Superior Court, requiring the retention of outside legal counsel; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the County issued RFQ-21-001, seeking qualifications for a pool of outside legal counsel for calendar year 2021, to be hired on an as-needed basis, to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County's request for qualifications is a fair and open process, specifically, the qualification for the pool of outside legal counsel for calendar year 2021 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, on November 16, 2020 the Board passed Resolution No. R20200937 qualifying a pool of outside legal counsel for calendar year 2021, as recommended by the County Counsel, to be hired on an as-needed basis, which included the law firm of Friend & Wenzel, LLC; and

**WHEREAS**, the Passaic County Counsel is recommending to the Board to retain Friend & Wenzel, LLC for an amount not to exceed fifty thousand dollars (\$50,000.00), to provide outside legal counsel in this matter; and

**WHEREAS**, funds are available in Account No. T-19-56-850-000-801, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic is retaining Friend & Wenzel, LLC to provide outside legal counsel in the matter of Dondero v. County of Passaic, et al., Docket No. PAS-L-3950-21, pending in Superior Court, for an amount not to exceed fifty thousand dollars (\$50,000.00).

**LET IT BE FURTHER RESOLVED**, the Clerk of the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and amount of the contract to Friend & Wenzel, LLC, and maintain a copy of the Resolution on file and available for public inspection in the Office of the Clerk of the Board.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, and Director of the Board of County Commissioners are authorized to execute the contract and take any other steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

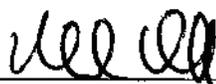
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$50,000.00

APPROPRIATION: T-19-56-850-000-801

PURPOSE: Award contract to Friend & Wenzel, LLC to provide outside legal services in the matter of Dondero v. County of Passaic., et al., Docket No. PAS-L-3950-21.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

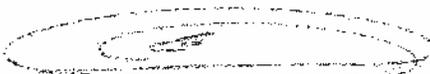
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION RETAINING WISNIEWSKI & ASSOCIATES, LLC FOR OUTSIDE LEGAL SERVICES IN THE MATTER OF CAMEL V. OFFICE OF THE PASSAIC COUNTY SHERIFF, ET AL., DOCKET NO. PAS-L-3321-21, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211126</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-10							
CAF #	T-19-56-850-000-801							
Purchase Req. #	R1-15782							
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION RETAINING WISNIEWSKI & ASSOCIATES, LLC FOR OUTSIDE LEGAL SERVICES IN THE MATTER OF CAMEL V. OFFICE OF THE PASSAIC COUNTY SHERIFF, ET AL., DOCKET NO. PAS-L-3321-21, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County is a named defendant in Camel v. Office of the Passaic County Sheriff, et al., Docket No. PAS-L-3321-21, pending in Superior Court, requiring the retention of outside legal counsel; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the County issued RFQ-21-001, seeking qualifications for a pool of outside legal counsel for calendar year 2021, to be hired on an as-needed basis, to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County's request for qualifications is a fair and open process, specifically, the qualification for the pool of outside legal counsel for calendar year 2021 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, on November 16, 2020 the Board passed Resolution No. R20200937 qualifying a pool of outside legal counsel for calendar year 2021, as recommended by the County Counsel, to be hired on an as-needed basis, which included the law firm of Wisniewski & Associates, LLC; and

**WHEREAS**, the Passaic County Counsel is recommending to the Board to retain Wisniewski & Associates, LLC for an amount not to exceed one hundred thousand dollars (\$100,000.00), to provide outside legal counsel in this matter; and

**WHEREAS**, funds are available in Account No. T-19-56-850-000-801, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic is retaining Wisniewski & Associates, LLC to provide outside legal counsel in the matter of Camel v. Office of the Passaic County Sheriff, et al., Docket No. PAS-L-3321-21, pending in Superior Court, for an amount not to exceed one hundred thousand dollars (\$100,000.00).

**LET IT BE FURTHER RESOLVED**, the Clerk of the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and amount of the contract to Wisniewski & Associates, LLC, and maintain a copy of the Resolution on file and available for public inspection in the Office of the Clerk of the Board.

**LET IT BE FURTHER RESOLVED**, that Resolution No. R20211002 authorized by the Board of County Commissioners on November 9, 2021 is hereby repealed.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, and Director of the Board of County Commissioners are authorized to execute the contract and take any other steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$100,000.00

APPROPRIATION: T-19-56-850-000-801

PURPOSE: Award contract to Wisniewski & Associates, LLC to provide outside legal services in the matter of Camel v. Office of the Passaic County Sheriff, et al., Docket No. PAS-L-3321-21.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505

Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING A COST OF LIVING ADJUSTMENT FOR THE BASE SALARIES OF NON-UNION EMPLOYEES HIRED PRIOR TO JULY 1, 2021 FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY ADMINISTRATOR

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211127</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-11							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING A COST OF LIVING ADJUSTMENT FOR THE BASE SALARIES OF NON-UNION EMPLOYEES HIRED PRIOR TO JULY 1, 2021 FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County Administrator is recommending that all part-time and full-time salaried non-union employees, who are not otherwise members of collective bargaining units, hired prior to July 1, 2021 be granted a two and one-half percent (2.5%) cost of living adjustment on said employees base salaries for calendar year 2022; and

**WHEREAS**, any full-time and part-time non-union salaried employees who were afforded merit salary increases after July 1, 2021 are not eligible for the cost of living adjustment as set forth herein; and

**WHEREAS**, this matter was discussed at the December 1, 2021 Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1 that the Board of County Commissioners of the County of Passaic authorizes a two and one-half percent (2.5%) cost of living adjustment on base salaries for all full-time and part-time salaried non-union employees, who are not otherwise members of collective bargaining units, that were hired prior to July 1, 2021, for calendar year 2022.

**LET IT BE FURTHER RESOLVED**, that any full-time and part-time salaried non-union employees who were afforded merit salary increases after July 1, 2021 are not eligible for the cost of living adjustment as set forth herein.

**LET IT BE FURTHER RESOLVED**, that the County Administrator, Chief Financial Officer, and Payroll Division Director are authorized to take any other steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

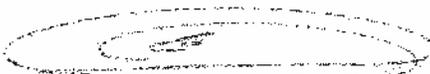
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION APPROVING STOP LOSS INSURANCE COVERAGE POLICY WITH SUN LIFE ASSURANCE COMPANY OF CANADA FOR CALENDAR YEAR 2022 FOR THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:11-5 (m), ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY ADMINISTRATOR

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211128</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-12							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION APPROVING STOP LOSS INSURANCE COVERAGE POLICY WITH SUN LIFE ASSURANCE COMPANY OF CANADA FOR CALENDAR YEAR 2022 FOR THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:11-5 (m)**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(m), any contract the amount of which exceeds the bid threshold may be negotiated and awarded by the Board without public advertising of bids and bidding thereof, if it is for insurance, including the purchase of insurance coverage and consultant services; and

**WHEREAS**, the Board approved Resolution No. R20180407 retaining Fairview Insurance Agency Associates, Inc. (hereafter “Fairview”) for insurance consulting services, who serves as the insurance broker for the County; and

**WHEREAS**, Fairview solicited quotes from qualified insurance companies, which is attached to and made part of this resolution, and is recommending Sun Life Assurance Company of Canada for stop loss insurance coverage for the County for a premium amount of three million six hundred thousand dollars (\$3,600,000.00) a term beginning January 1, 2022 to December 31, 2022; and

**WHEREAS**, Sun Life Assurance Company of Canada executed and notarized the County’s Business Entity Disclosure Certification for non-fair and open contracts required pursuant to N.J.S.A. 19:44A-20.8, which is attached to and made part of this resolution; and

**WHEREAS**, funds are available in Account No. 2-01-20-120-001-213, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 2, 2021 Insurance Commission meeting and is being recommended to the Board approval; and

**NOW, THEREFORE, LET IT BE RESOLVED** pursuant to N.J.S.A. 40A:11-5(m) that the Board of County Commissioners of the County of Passaic authorizes the purchase of stop loss insurance coverage from Sun Life Assurance Company of Canada for a premium amount of three million six hundred thousand dollars (\$3,600,000.00) for a term beginning January 1, 2022 to December 31, 2022.

**LET IT BE FURTHER RESOLVED** the Clerk to the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and amount of the contract to Sun Life Assurance Company of Canada, and maintain a copy of the resolution on file and available for public inspection in the Office of the Clerk to the Board.

**LET IT BE FURTHER RESOLVED** that the Clerk of the Board, Chief Financial Officer, County Administrator, and County Counsel are authorized to take any other steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021



December 3, 2021

Passaic County  
401 Grand Street  
Paterson, NJ 07505  
Anthony DeNova, County Administrator

Dear Mr. DeNova:

The following is a summary of the Passaic County Reinsurance Renewal effective January 1, 2022, and Renewal recommendation. The current Sun Life reinsurance contract is based on a Paid in 12-month basis for the Individual Specific Coverage. The Individual Specific limit is \$350,000. The coverage covers Medical and Prescription Drug claims. The renewal was based on 3,567 covered lives.

The following reinsurance carriers submitted proposal:

1. Sun Life - Paid Contract - \$350,000 ISL - \$3,389,282 Annual Premium -- No New Laser contract & 50% Rate Cap
2. US Fire -- 24/12 Contract - \$350,000 ISL - \$3,340,504 Annual Premium -- No New Laser contract & 50% Rate Cap
3. Anthem - 24/12 Contract - \$350,000 ISL - \$3,059,203 Annual Premium -- Illustrative pending updated claim data
4. Berkshire Hathaway -- Decline
5. Berkley A & H - Decline
6. IOA Re - Decline

My recommendation is to renew with Sun Life and maintain the Individual Specific Level \$350,000. The contract is a Paid in 12 Contract covering Medical and Prescription Drugs and no new lasers at renewal and 50% Rate Cap. Sun Life's renewal is a 0.0% increase to current premium. Sun Life has a proving record of great service in payments of large claimants over specific we currently have 7 participants that have hit the \$350,000 threshold totaling \$1,071,979.68 over specific as of November 1, 2021. Also, Sun Life has an excellent working relationship with Meritain and staying with Sun Life creates stability for the plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mike Atkinson', is written over a horizontal dotted line.

Mike Atkinson  
Account Executive

CC: File

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211128



# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

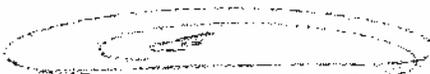
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION REAPPOINTING LAURA LEE HARDING AS AN AT-LARGE PUBLIC MEMBER TO THE PASSAIC COUNTY OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND ADVISORY COMMITTEE, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY ADMINISTRATOR

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211129</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-13							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION REAPPOINTING LAURA LEE HARDING AS AN AT-LARGE PUBLIC MEMBER TO THE PASSAIC COUNTY OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND ADVISORY COMMITTEE, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Board established the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund Advisory Committee (hereafter “Advisory Committee”) to review and make recommendations to the Board on the disbursement of grant awards to qualified local government units and nonprofits; 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 (hereafter “Rules”); and

**WHEREAS**, Chapters 15 of the Rules establishes the membership criteria of the Advisory Committee and sets forth a three (3) year term for any duly appointed member; and

**WHEREAS**, on December 10, 2019 the Board approved Resolution No. R20191104, appointing Laura Lee Harding of North Haledon, New Jersey to an unexpired term as an At-Large Public Member of the Advisory Committee, for a term expiring January 23, 2021; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic authorizes the following reappointment of Laura Lee Harding as an At-Large Public Member to the Passaic County Open Space, Farmland, and Historic Preservation Trust Fund Advisory Committee, as set forth in Chapter 15, Part 1, Section (viii) of the Rules.

**LET IT BE FURTHER RESOLVED** pursuant to Chapter 15, Part 2 of the Rules that term of Laura Lee Harding shall be for three (3) years term beginning retroactively on January 23, 2021 and expiring on January 23, 2024.

**LET IT BE FURTHER RESOLVED** that the Clerk of the Board, County Counsel, and Director of the Board of County Commissioners are authorized to take any action necessary to carry out the purpose of this Resolution, including swearing-in the reappointed member to the Advisory Committee.

MPJ

December 14, 2021

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211129

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION REAPPOINTING DAMARIS SOLOMON AND MICHAEL COSCIA AND APPOINTING ALEKSANDRA TASIC TO THE PASSAIC COUNTY TECHNICAL-VOCATIONAL SCHOOLS BOARD OF EDUCATION TO FOUR-YEAR TERMS AS PRESCRIBED UNDER THE LAW, PURSUANT TO N.J.S.A. 18A:54-16, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY ADMINISTRATOR

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211130</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-14							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION REAPPOINTING DAMARIS SOLOMON AND MICHAEL COSCIA AND APPOINTING ALEKSANDRA TASIC TO THE PASSAIC COUNTY TECHNICAL-VOCATIONAL SCHOOLS BOARD OF EDUCATION TO FOUR-YEAR TERMS AS PRESCRIBED UNDER THE LAW, PURSUANT TO N.J.S.A. 18A:54-16**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 18A:54-11, et seq., the Board established the Passaic County Technical-Vocational Schools (hereafter “PCTVS”), offering comprehensive academics, diverse career and technical programs, and character-building extracurricular activities to Passaic County high school students; and

**WHEREAS**, pursuant to N.J.S.A. 18A:54-16, the PCTVS Board of Education is comprised of the County Superintendent of Schools and four (4) persons to be appointed by the Director of the Board, with the advice and consent of the Board; and

**WHEREAS**, in accordance with the law, annually during the month of October a member or members, as the case may be, of the PCTVS Board of Education shall be appointed to serve for a term of four (4) years, and thereafter until the appointment and qualification of his respective successor, to take the place of the member or members, as the case may be, whose term or terms shall expire on November 1 then next ensuing; and

**WHEREAS**, pursuant to N.J.S.A. 18A:54-17, each member of the PCTVS Board of Education shall be a citizen and resident of the County and shall have been such citizen and resident for at least three (3) years immediately preceding his becoming a member of same; and

**WHEREAS**, on June 14, 2016, the Board approved Resolution No. R20160452, appointing Damaris Solomon to serve as a member of the PCTVS Board of Education for a term beginning November 1, 2015 and expiring October 31, 2019; and

**WHEREAS**, on February 27, 2018, the Board approved Resolution No. R20180689, appointing Michael Coscia to serve as a member of the PCTVS Board of Education for a term beginning November 1, 2016 and expiring October 31, 2020; and

**WHEREAS**, on February 27, 2018, the Board approved Resolution No. R20180131, appointing Al Alexander to serve as a member of the PCTCS Board of Education for a term beginning November 1, 2017 and expiring October 31, 2021; and

**WHEREAS**, the Director of the Board is reappointing Damaris Solomon and Michael Coscia, and appointing Aleksandra Tasic to replace Mr. Alexander, for terms as prescribed under the law, and submitting the appointments to the Board for advice and consent of same; and

**WHEREAS**, Damaris Solomon, Michael Coscia, and, Aleksandra Tasic meet the qualifications to serve on the PCTVS Board of Education, as set forth under N.J.S.A. 18A:54-17; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 18A:54-16, the Board of County Commissioners of the County of Passaic ratifies the following reappointments and appointment of members to the Passaic County Technical-Vocational Schools Board of Education as made by the Director:

1. Damaris Solomon to a four-year term beginning retroactively on November 1, 2019 and expiring on October 31, 2023.
2. Michael Coscia to a four-year term beginning retroactively on November 1, 2020 and expiring on October 31, 2024.
3. Aleksandra Tasic to a four-year term beginning retroactively on November 1, 2021 and expiring on October 31, 2025.

**LET IT BE FURTHER RESOLVED** that Damaris Solomon, Michael Coscia, and, Aleksandra Tasic meet the qualifications to serve on the PCTVS Board of Education, as set forth under N.J.S.A. 18A:54-17.

**LET IT BE FURTHER RESOLVED** that the Clerk of the Board shall send a certified copy of this Resolution to the Secretary of the Passaic County Technical-Vocational Schools Board of Education.

MPJ

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING RELIANCE GRAPHICS AND ROYAL PRINTING SERVICES FOR ELECTION PRINTING SERVICES FOR THE COUNTY OF PASSAIC IN CALENDAR YEAR 2022; AUTHORIZING THE AWARD OF CONTRACTS TO RELIANCE GRAPHICS AND ROYAL PRINTING SERVICES FOR SAME, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PURCHASING

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211131</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-15							
CAF #	2-01-22-139-001-231							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING RELIANCE GRAPHICS AND ROYAL PRINTING SERVICES FOR ELECTION PRINTING SERVICES FOR THE COUNTY OF PASSAIC IN CALENDAR YEAR 2022; AUTHORIZING THE AWARD OF CONTRACTS TO RELIANCE GRAPHICS AND ROYAL PRINTING SERVICES FOR SAME, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the Purchasing Agent issued RFQ-22-025, Election Printing Services for the County of Passaic (hereafter "RFQ-22-025") seeking qualifications for vendors to provide election printing services for the Board of Elections, County Clerk, and Superintendent of Elections in calendar year 2021, to be hired on an as-needed basis; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County's request for qualifications is a fair and open process, specifically, the qualification for vendors to provide election printing services for the Board of Elections, County Clerk, and Superintendent of Elections is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, Reliance Graphics and Royal Printing Services responded to RFQ-22-025, and are being recommended for qualification by the Office Administrator of the Board of Elections and the County Clerk for election printing services in calendar year 2022; and

**WHEREAS**, the Office Administrator for the Board of Elections is recommending to award a contract to Royal Printing Services in an amount not to exceed thirty eight thousand dollars (\$38,000.00) for the production of voting authority books for elections being held in the County; and

**WHEREAS**, the County Clerk is recommending to award a contract to Reliance Graphics in an amount not to exceed three hundred thousand dollars (\$300,000.00) for printing sample, emergency ballots, and tally sheets for elections being held in the County; and

**WHEREAS**, the County Clerk is recommending to award a contract to Royal Printing Services in an amount not to exceed seven hundred thousand dollars (\$700,000.00) for printing vote by mail ballots, provisional ballots, and provisional envelopes for elections being held in the County; and

**WHEREAS**, funds are available in Account No. 2-01-22-139-001-231 and Account No. 2-01-20-107-002-E01, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this was discussed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-5 (l) that the Board of County Commissioners of the County of Passaic authorizes the following:

1. Reliance Graphics and Royal Printing Services are qualified to provide election printing services to the County of Passaic in calendar year 2022 pursuant to RFQ-22-025.
2. An award of contract to Royal Printing Services in an amount not to exceed thirty eight thousand dollars (\$38,000.00) for the production of voting authority books for elections being held in the County of Passaic in calendar year 2022.
3. An award of contract to Reliance Graphics in an amount not to exceed three hundred thousand dollars (\$300,000.00) for printing sample, emergency ballots, and tally sheets for elections being held in the County of Passaic in calendar year 2022.

4. An award of contract to Royal Printing Services in an amount not to exceed seven hundred thousand dollars (\$700,000.00) for printing vote by mail ballots, provisional ballots, and provisional envelopes for elections being held in the County of Passaic in calendar year 2022.

**LET IT BE FURTHER RESOLVED** the Clerk of the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and amount of the contracts awarded herein, and maintain a copy of the Resolution on file and available for public inspection in the Office of the Clerk of the Board.

**LET IT BE FURTHER RESOLVED** that the Clerk of the Board, County Counsel, and Director of the Board of County Commissioners are authorized to execute the contract and take any other steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

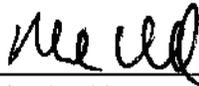
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$1,038,000.00

APPROPRIATION: \*Contingent upon availability of funds in 2022 adopted budget.

PURPOSE: Award contracts to Reliance Graphics and Royal Printing Services for election printing services.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

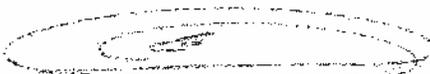
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF PASSAIC AND COUNTY OF BERGEN FOR THE PROVISION OF CORRECTIONAL SERVICES, PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

COUNTY ADMINISTRATOR

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211132</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-16							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BY AND BETWEEN THE COUNTY OF PASSAIC AND COUNTY OF BERGEN FOR THE PROVISION OF CORRECTIONAL SERVICES, PURSUANT TO N.J.S.A. 40A:65-1, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, on August 11, 2014, P.L. 2014 c. 31 (hereafter “Bail Reform Law”) was signed into law, leading to sweeping changes to New Jersey’s adult criminal justice system, and significantly reducing the number of inmates housed in county penal institutions; and

**WHEREAS**, since the Bail Reform Law was adopted, jail populations throughout New Jersey have significantly declined, including in Passaic County; and

**WHEREAS**, on August 10, 2021, the Board approved Resolution No. R20210733 authorizing the creation of the Passaic County Jail Assessment Committee (hereafter “Committee”) and directing the County Administrator to begin fact-finding, including negotiations with a local government unit to explore consolidating operations of the Passaic County Jail; and

**WHEREAS**, the Committee was comprised of a cross-section of stakeholders at the Passaic County Jail, including the Passaic County Sheriff, Warden of the Passaic County Jail, County Commissioners, collective bargaining unit representatives, Judiciary, Public Defender’s Office, and community representatives; and

**WHEREAS**, on October 18, 2021, the Committee unanimously approved regionalization of correctional services with another facility so long as all jobs, ranks, and salaries are maintained; and

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., the County is authorized to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

**WHEREAS**, a Shared Services Agreement by and between the County and County of Bergen for the Provision of Correctional Services (hereafter “Agreement”), attached to and made part of this Resolution, authorizing the transfer of seven hundred inmates from the Passaic County Jail to the Bergen County Jail, among other terms and conditions, is being recommended for approval by the County Administrator; and

**WHEREAS**, the Agreement with Bergen County maintains all jobs, ranks, and salaries of Passaic County Jail employees, and furthermore, allows the Passaic County Sheriff to expand public safety initiatives throughout the County, including the creation of new units to transport inmates for municipalities, address the opioid epidemic, and expand the police presence in the Passaic County Park System; and

**WHEREAS**, funds are available in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget (s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed by the Administration and Finance Committee and is being recommended to the Board approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:65-1, et seq. that the Board of County Commissioners of the County of Passaic authorizes a Shared Services Agreement by and between the County of Passaic and County of Bergen for the Provision of Correctional Services, attached to and made part of this Resolution.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Administrator, County Counsel, and Director of the Board of County Commissioners are authorized to take any other action necessary to carry out the purposes of this Resolution, including executing the Agreement.

MPJ

December 14, 2021

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**SHARED SERVICES AGREEMENT**

*by and between the*

**COUNTY OF BERGEN**

*and*

**COUNTY OF PASSAIC**

*for the*

**PROVISION OF CORRECTIONAL SERVICES**

---

Approved by Board of County Commissioners of the County of Bergen Resolution No. \_\_\_\_\_  
Approved by Board of County Commissioners of the County of Passaic Resolution No. \_\_\_\_\_

**PREPARED BY:**

The Office of the Passaic County Counsel  
401 Grand Street, Room 214  
Paterson, New Jersey 07505  
Phone: (973) 881-4466  
Fax: (973) 881-4072

The Office of the Bergen County Counsel  
One Bergen County Plaza, 5<sup>th</sup> Floor  
Hackensack, New Jersey 07601-7076  
Phone: (201) 336-6950  
Fax: (201) 336-6966

**SHARED SERVICES AGREEMENT – INMATE TRANSFER**

**THIS SHARED SERVICES AGREEMENT** (hereafter “Agreement”), dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between the County of Passaic, a body politic and corporate of the State of New Jersey (hereafter “PASSAIC”), with its principal offices located at 401 Grand Street, Room 205, Paterson, New Jersey 07505 and the County of Bergen, a body politic and corporate of the State of New Jersey (hereafter “BERGEN”), with its principal offices located at One Bergen County Plaza, Hackensack, New Jersey 07601. Passaic County and Bergen shall be collectively referred to as the “Counties” throughout the Agreement.

**RECITALS:**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., allows for any local unit to enter into an agreement with any other local unit or unites provide or receive any services that each participating in the Agreement is empowered to provide or receive within its own jurisdiction, as set forth in N.J.S.A. 40A:65-7; and

**WHEREAS**, pursuant to N.J.S.A. 30:8-17, the Passaic County Sheriff (hereafter “Sheriff”) has the care, custody, and control of the Passaic County Jail, and is responsible for the operations therein; and

**WHEREAS**, on August 11, 2014, P.L. 2014 c. 31 (“Bail Reform Law”) was signed into law, leading to sweeping changes to New Jersey’s adult criminal justice system, and significantly reducing the number of inmates housed in county penal institutions; and

**WHEREAS**, since the Bail Reform Law was adopted, jail populations throughout New Jersey have significantly declined, including in Passaic County; and

**WHEREAS**, consequently, on August 10, 2021 the Board of County Commissioners of the County of Passaic adopted Resolution No. R20210733, authorizing the creation of the Passaic County Jail Assessment Committee and directing the Passaic County Administrator to begin fact finding, including negotiations with a local government unit to explore consolidating operations of the Passaic County Jail; and

**WHEREAS**, PASSAIC and BERGEN agreed, pursuant to the terms and conditions as set forth in this Agreement, to regionalize correctional services, whereby PASSAIC would transport inmates to the Bergen County Jail, to undertake the care, custody, and control of PASSAIC inmates, pursuant to applicable law; and

**WHEREAS**, pursuant to N.J.S.A. 40A:65-5, PASSAIC and BERGEN each adopted resolutions authorizing entry into this Agreement, copies of which are annexed hereto and made part of this Agreement; and

**NOW, THEREFORE, BE IT AGREED**, in consideration of the promises and of the covenants, terms, and conditions hereinafter set forth, PASSAIC and BERGEN agree to perform in accordance with the provisions, terms, and conditions set forth in this Agreement as follows:

**I. DEFINITIONS.**

As used in this Agreement, unless the context indicates otherwise, the following terms shall have the following meanings and are to be interpreted consistent with the context of this Agreement in which each term is used.

- A. “COVID-19” means Coronavirus disease 2019, a contagious, and at times fatal respiratory disease caused by SARS-CoV-2 virus.
- B. “Effective Date” means the date identified in this Agreement which reflects the date on which the last party to this Agreement executed this Agreement, following the adoption of resolutions by BERGEN and PASSAIC authorizing entry into this Agreement.
- C. “Law” means any statute, regulation, executive order, procurement policy or rule of any department, subdivision, board, commission, agency, or instrumentality of the State of New Jersey.
- D. “Shared Services Agreement” means this Agreement and document(s) executed herein by and between BERGEN and the PASSAIC as provided under N.J.S.A. 40A:65-1 et seq.

**II. TERM AND ADDITIONAL CONDITIONS.**

- A. The within Agreement shall allow for the transfer of PASSAIC inmates to the Bergen County Jail over a period of ten (10) years commencing January 1, 2022 and terminating December 31, 2031. PASSAIC is authorized to transfer a maximum of seven hundred (700) inmates.
- B. PASSAIC agrees that it will pay BERGEN the fees described herein for a minimum of five hundred (500) inmates (hereafter “Guaranteed Minimum”) even if the actual number of inmates at any time is less than five hundred (500) inmates. The Guaranteed Minimum does not go into effect until such time that at least five hundred (500) inmates are transferred from PASSAIC to BERGEN. In the event BERGEN accepts more than five hundred (500) inmates, PASSAIC shall pay fees on a per inmate basis for the actual number of inmates provided.

**III. SERVICES AND COMPENSATION.**

- A. BERGEN shall provide all PASSAIC inmates, except as may be modified herein, with the same services required by Federal and/or State Law, and which BERGEN currently provides to its inmates within the Jail in accordance with N.J.A.C. 10A:1-1 et seq.
- B. PASSAIC shall be responsible for the transportation to the Bergen County Jail of all inmates accepted by BERGEN pursuant to this Agreement.
- C. PASSAIC will pay to BERGEN a housing fee per day, or for any part of a day, pursuant to the following payment schedule, for each PASSAIC inmate housed at the Bergen County Jail:

TERM	PER DIEM RATE
January 1, 2022 to December 31, 2022	\$104.00
January 1, 2023 to December 31, 2023	\$104.00
January 1, 2024 to December 31, 2024	\$105.00

January 1, 2025 to December 31, 2025	\$105.00
January 1, 2026 to December 31, 2026	\$106.00
January 1, 2027 to December 31, 2027	\$107.00
January 1, 2028 to December 31, 2028	\$109.00
January 1, 2029 to December 31, 2029	\$109.00
January 1, 2030 to December 31, 2030	\$110.00
January 1, 2031 to December 31, 2031	\$112.00

- D. BERGEN shall submit monthly bills to PASSAIC detailing the amount due for the housing fee, plus any reimbursable expenses incurred by BERGEN pursuant to this Agreement which shall be paid on or before the 30<sup>th</sup> day of the following month. PASSAIC inmates will be listed individually with their length of stay on a Passaic County purchase order. All PASSAIC payments shall be made to the “Treasurer, County of Bergen” and mailed to One Bergen County Plaza, Hackensack, New Jersey.
- E. The Parties agree that no more than fifty (50) inmates may be transferred from PASSAIC to BERGEN on any one day.
- F. BERGEN, except for female inmates, shall not place any PASSAIC inmates in any facility or program at a cost of less than the per diem rate set forth in this Agreement without the prior written consent of PASSAIC. Should the Counties agree on any such alternative facility or program, BERGEN shall reimburse PASSAIC for the difference between the per diem rates.

#### IV. MEDICAL TREATMENT OF INMATES.

- A. Prior to the transfer of PASSAIC inmates, PASSAIC shall conduct a full intake medical screening on each inmate to be transferred to BERGEN and each inmate must be medically cleared for release into the general population at the Bergen County Jail. BERGEN agrees to accept the results of an examination for inmates only if completed thirty (30) days prior to the date of transfer of said inmate. BERGEN will conduct physical examinations for any inmates who are new commitments not previously confined to the Passaic County Jail. PASSAIC shall offer inmates proposed for transfer a flu shot prior to transfer and provide those inmates with a flu shot prior to transfer.
- B. In accordance with the requirements of N.J.A.C. 10A:16-1.1, et seq., BERGEN shall provide PASSAIC inmates ordinary, routine, non-hospital, non-emergency care and treatment as part of the services provided pursuant to this Agreement. All ordinary, routine, non-hospital, non-emergency care or treatment shall be paid by BERGEN and not charged to PASSAIC.
- C. BERGEN shall provide all necessary transportation that occurs in the event of a medical emergency or hospitalization to a PASSAIC inmate, and shall be responsible for all appropriate oversight, security, and control of the inmate at the hospital or other destination.
- D. In the event of a medical emergency, a PASSAIC inmate that is housed at the Bergen County Jail shall be transported by BERGEN to Bergen New Bridge Medical Center. In the event of hospitalization or off-site treatment for a medical condition, a PASSAIC inmate shall be transported by BERGEN to Bergen New Bridge Medical Center.

- E. BERGEN shall be responsible to provide emergency medical response and care to all Passaic County inmates housed in the Bergen County Jail.

**V. TRANSPORTATION.**

- A. PASSAIC shall be responsible for all transportation of PASSAIC inmates from the PASSAIC County Jail to the Bergen County Jail and from the Bergen County Jail to Passaic County prior to release.
- B. PASSAIC shall be responsible for all transportation of PASSAIC inmates to and from the Bergen County Jail to make appearances in the Passaic County Superior Court or the Superior Court of any other County.
- C. PASSAIC shall be responsible for all transportation of PASSAIC inmates released on bail back to Passaic County.

**VI. PRE-APPROVAL FOR PASSAIC TRANSFERS.**

- A. Prior to the transfer of PASSAIC inmates, PASSAIC shall provide BERGEN with all inmates medical records, each inmates full file, all inmate disciplinary records, the classification of each inmate and any other pertinent inmate records. All information shall be provided no less than one (1) week prior to any proposed inmate transfer.
- B. PASSAIC shall provide BERGEN with a negative COVID-19 test for each proposed inmate transfer. Said test shall have been made within five (5) days of the date of proposed transfer for each inmate.
- C. In the event PASSAIC transfers an inmate's personal property for storage by BERGEN, PASSAIC shall provide BERGEN with a completed BERGEN Property Inventory Sheet.

**VII. ADDITIONAL OBLIGATIONS OF BOTH COUNTIES.**

- A. Both Counties shall appoint a liaison for this Agreement and shall provide each other with contact information for said individual.
- B. BERGEN shall maintain incident reports for PASSAIC inmates as with BERGEN inmates as required by law. PASSAIC inmate reports shall be made available to PASSAIC upon request.
- C. BERGEN shall conduct any required inmate disciplinary hearings and shall provide PASSAIC with all incident reports related to any hearings if requested by PASSAIC.
- D. PASSAIC inmates shall be permitted visits by family, attorneys, or personal visits in accordance with Bergen County Jail rules and regulations governing inmate visitation.
- E. BERGEN and PASSAIC shall name the other party on all existing insurance policies governing the services to be performed by both Counties and shall deliver to each other certificates of insurance naming the other.

**VIII. DISPUTE RESOLUTION.**

- A. Mandatory Mediation. In the event of a dispute, whether technical or otherwise, the objecting Party must request Non-Binding Mediation and the non-objecting party must participate in the mediation. The costs of the mediator shall be borne equally by the parties.
- B. Procedure. The Mediator shall be a retired Judge of the Superior Court of New Jersey or other professional mutually acceptable to the Parties and who has no current or on-going relationship to either Party. The Mediator shall have full discretion as to the conduct of the mediation. Each party shall participate in the Mediator's program to resolve the dispute until and unless the Parties reach agreement with respect to the disputed matter or one party determines in its sole discretion that its interests are not being served by the mediation. The Parties shall share equally in the costs of Mediation.
- C. Non-Binding Effect. Mediation is intended to assist the Parties in resolving disputes over the correct interpretation of this Agreement. No Mediator shall be empowered to render a binding decision.
- D. Judicial Proceedings. Upon the conclusion of Mediation, either party may commence judicial legal proceedings in the appropriate division of the Superior Court of New Jersey venued in Bergen County, however, it is anticipated that the Superior Court of either Bergen County or Passaic County will elect not to permit venue in either County and transfer any litigation to another County. BERGEN and PASSAIC agree not to object to any such venue determination.
- E. Temporary Injunctive Relief. Notwithstanding the foregoing, nothing herein shall prevent a party from seeking temporary injunctive relief to prevent irreparable harm in the appropriate division of the Superior Court of New Jersey venued in Bergen County.
- F. Payment Pending Dispute. In the event of any dispute as to the amount to be paid, the full amount shall be paid; but if through subsequent negotiation, arbitration, or litigation the amount due shall be determined, agreed, or adjudicated to be less than was actually so paid, then BERGEN shall forthwith repay the excess.

**IX. DEFENSE, INDEMNIFICATION, AND SUBROGATION.**

To the fullest extent allowable by law, each party, their successors and assigns, shall hold harmless, indemnify, defend and release the other party and their members, directors, officers, employees, agents and contractors, successors and assigns from and against all suits, liabilities, penalties, costs, losses, damages, expenses or claims, including ,without limitation, reasonable attorney's fees arising from or in any way connected with the other party's performance, or attempted performance, or failure to perform in connection with this Agreement or other activities as described in this Agreement, including, but not limited to, any injury to or the death of any person or any damage to any property resulting from any act, omission, condition or other manner related to this Agreement, regardless of cause, unless due to the negligence of any of the indemnified parties.

**X. EMPLOYMENT RECONCILIATION.**

PASSAIC represents that no employees are intended to be discharged and that there will be no layoff of employees pursuant to this Agreement. However, if a reconciliation plan is at any time

required as set forth under N.J.S.A. 40A:65-11, it shall be the responsibility of PASSAIC to prepare such plan, and, if required, to file same with the Civil Service Commission prior to commencement of services. In such case, BERGEN will cooperate with PASSAIC in the preparation and filing of the plan. PASSAIC hereby agrees to indemnify and hold BERGEN harmless with regard to any litigation arising by virtue of any employee actions or other litigation arising by virtue of this Agreement with said indemnification to include reasonable attorney fees, if any, incurred by BERGEN.

#### **XI. NOTICES.**

All notices, demand, consents, approvals, requests required or permitted to be given to or served upon the parties shall be in writing. Any such notice, demand, consent, approval, request, instrument, or document shall be sufficiently given or served if sent by certified or registered mail, postage prepaid, addressed at the address set forth below, or at such other address as it shall designate by notice, as follows

If to BERGEN:

COUNTY OF BERGEN  
One Bergen Plaza  
Hackensack, NJ 07601

*With a copy to:*

Bergen County Counsel  
County of Bergen  
One Bergen County Plaza – Room 580  
Hackensack, NJ 07601

If to PASSAIC

COUNTY OF PASSAIC  
401 Grand Street, Room 205  
Paterson, NJ 07505

*With a copy to:*

Passaic County Counsel  
County of Passaic  
401 Grand Street, Room 214  
Paterson, New Jersey 07505

#### **XII. TERMINATION.**

The parties agree that this Agreement will continue for a period of ten (10) years unless terminated by mutual agreement of the Parties.

#### **IX. MISCELLANEOUS.**

A. Authorization. All Parties hereto have the requisite power and authority to enter into this Agreement and it is the intention of the Parties to be bound by the terms hereof. The execution

and delivery of this Agreement is valid and binding upon the Parties hereto and the genuineness of all resolutions executed may be assumed to be genuine by the Parties in receipt thereof.

- B. Assignment. No Party may assign this Agreement or any rights or obligations hereunder without the prior written consent of the other Party and any such attempted assignment shall be void.
- C. Cooperation of the Parties. In performing any services pursuant to this Agreement, the performing Parties will act in a reasonably prudent manner to accommodate the common goals of the Parties toward implementation and effectuation of the stated purposes of this Agreement. No Party hereto shall be liable for failure to advise another Party of any adverse impact from action taken hereunder, unless such failure to advise shall be the result of bad faith or willful concealment of an impact known to the Party taking the action or omitting to take such action to be substantially averse to the other Parties. The fact that any act or omission should subsequently be determined to have an adverse impact shall not in itself be evidence of bad faith or willful concealment and the Party bringing an action shall be required to affirmatively establish, by independent sufficient evidence, that such Party acted in bad faith or willfully concealed an adverse impact of which it had actual knowledge.
- D. Limits of Delegation. To the extent this Agreement constitutes a delegation of authority by Passaic County and the Passaic County Sheriff, this Agreement shall not be construed to delegate any authority other than the authority to provide the services described herein, consistent with the terms and provisions of this Agreement. Neither BERGEN nor PASSAIC intend by this Agreement to create any agency relationship other than that which may be specifically required by this Agreement for the limited purpose of the provision of services provided by Bergen County pursuant to this Agreement.
- E. Benefit/No Third Party Beneficiaries. This Agreement shall inure to the benefit of the Parties hereto and their successors and permitted assignees. No other person, corporation, company, partnership, or other entity shall be deemed a third party or other beneficiary of this Agreement.
- F. Complete Agreement. This Agreement sets forth the entire understanding of the Parties, and supersedes and merges all prior proposals, understandings, and all other agreements, oral and written, between the Parties relating to the subject matter hereof. The Parties acknowledge and agree that they have not made any representations, including the execution and delivery hereof, except such representations as are specifically set forth herein.
- G. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
- H. Modification. This agreement may not be modified except in a writing executed by all Parties and resolutions authorizing same by the Parties respective Boards of County Commissioners.
- I. Governing Law/Venue/Construction. This Agreement and all amendments hereof shall be governed by and construed in accordance with the laws of the State of New Jersey applicable to contracts made and to be performed therein. The venue shall be the County of Bergen. The Parties acknowledge that they have been represented by counsel with respect to the negotiation and preparation of this Agreement and that, accordingly, this Agreement shall be construed in

accordance with its terms and without regard to or aid of cannons requiring construction against the drafting party.

- J. No Waiver. The failure of a Party to insist on strict performance of any or all the terms of this Agreement, or to exercise any right or remedy under this Agreement, shall not constitute a waiver or relinquishment of any nature regarding such right or remedy or any other right or remedy. No waiver of any breach or default hereunder shall be considered valid unless in writing and signed by the Party giving such waiver, and no such waiver shall be deemed a waiver of any subsequent breach or default of the same or similar nature.
- K. Relationship of the Parties. Except as otherwise provided herein, nothing shall create any association, joint venture, partnership, or agency relationship of any kind between the parties. Neither party may create or assume any liability, obligation, or expense on behalf of the other, to use the other's monetary credit in conducting any activities under this Agreement.
- L. Severability. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction; such holding shall not invalidate or render unenforceable any other provision hereof.
- M. Title and Headings. Titles and headings to sections or paragraphs herein are inserted merely for convenience of reference and are not intended to be a part of or to affect the meaning or interpretation of this Agreement.
- N. Recitals. The recitals set forth above are incorporated into the body of this Agreement as if set forth at length herein.
- O. Agreement Filed with the DLGS. Pursuant to N.J.S.A. 40A:65-4(b), PASSAIC shall file this Agreement, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs, together with an estimate of the cost savings anticipated to be achieved by the Counties.

*[Signature page to follow]*

**IN WITNESS WHEREOF**, the Parties hereto have caused these presents to be signed and attested to by their proper corporate officers, and their respective seals to be affixed the day and year first written above.

**Attest:**

**COUNTY OF PASSAIC**

\_\_\_\_\_  
Louis E. Imhof, III  
Clerk, Board of County Commissioners

\_\_\_\_\_  
Pasquale Lepore  
Director, Board of County Commissioners

**As to form and legality:**

\_\_\_\_\_  
Matthew P. Jordan, Esq.  
Passaic County Counsel

**Attest:**

**COUNTY OF BERGEN**

\_\_\_\_\_  
Lara Rodriguez  
Clerk, Board of County Commissioners

\_\_\_\_\_  
James Tedesco  
County Executive

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505

Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING THE CASH MANAGEMENT PLAN TO APPROVE KEARNY BANK AS A DEPOSITORY FOR THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:5-14, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

FINANCE DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211133</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-17							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING THE CASH MANAGEMENT PLAN TO APPROVE KEARNY BANK AS A DEPOSITORY FOR THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:5-14, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40A:5-14, et seq., the County is required to adopt a cash management plan, and shall deposit, or invest, or both deposit and invest, its funds pursuant to that plan, and among other requirements, designate a public depository of its funds; and

**WHEREAS**, on January 7, 2021, the Board approved Resolution No. R20210015 adopting a cash management plan, that among other items, included a list of banking institutions that were designated as depositories for County funds; and

**WHEREAS**, the Chief Financial Officer is requesting an amendment of the list of designated depositories in the approved cash management plan to include Kearny Bank; and

**WHEREAS**, Kearny Bank is qualified under the Governmental Unit Depository Act to be a depository of government funds, including the County; and

**WHEREAS**, this matter was discussed at the December 1, 2021 Administration and Finance Committee, and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:5-14, et seq. that the Board of County Commissioners of the County of Passaic is amending its cash management plan to include Kearny Bank as a designated depository of County funds; and

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, Chief Financial Officer, and County Administrator are authorized to take any other steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION CANCELING UNEXPENDED BALANCES OF APPROPRIATIONS MADE IN THE OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND BUDGET, PURSUANT TO N.J.S.A. 40A:4-60, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

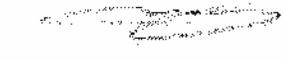
FINANCE DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211134</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-18							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION CANCELING UNEXPENDED BALANCES OF APPROPRIATIONS MADE IN  
THE OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND  
BUDGET, PURSUANT TO N.J.S.A. 40A:4-60**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40A:4-60 any unexpended balances of appropriations, by resolution of the Board, may be canceled prior to the end of the fiscal year; and

**WHEREAS**, after a review by the Chief Financial Officer the following appropriations can be cancelled because same is no longer needed for the purpose in which it was appropriated:

<u>Account #</u>	<u>Project/Account Name</u>	<u>Amount</u>
T-16-56-850-003-DPM	Discretionary/Admin. Fund	\$ 9,533.13
O-16-56-760-000-603	Rea/Vanderhoef Impvts.	3,836.51
O-17-56-630-000-608	Trail Feasibility Study	564.92
O-17-56-640-000-604	Matching Grant Funds	26,700.00
O-18-56-770-005-603	2018 Open Space Grants	2,063.65
O-19-56-660-001-602	Impvts. To Trail Network	321.61
O-20-56-601-000-604	City Green Dig-in Program	6,500.00
O-20-56-635-001-602	Various Park Impvts.	3,405.89
O-20-56-645-002-602	Bunker Restoration	189.30
O-20-56-645-004-603	Park Fencing	1.75
O-20-56-645-002-602	Impvts. To Trail Network	145.27
O-20-56-770-005-603	2020 Open Space Grants	10,626.16
O-21-56-770-005-603	2021 Open Space Grants	10,445.06
		-
		<u>\$ 74,333.25</u>

**WHEREAS**, the matter has been reviewed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET BE IT RESOLVED**, pursuant to N.J.S.A. 40A:4-60 that the unexpended balances of appropriations from the Open Space, Farmland, and Historic Trust Fund Budget as set forth herein in the amount of seventy three thousand three hundred thirty three dollars and twenty five cents (\$74,333.25) that are no longer needed for the purpose in which it was appropriated are hereby canceled.

**LET IT BE FURTHER RESOLVED**, that the Chief Financial Officer and County Treasurer are authorized to take any action necessary in furtherance of this resolution including reallocating the canceled appropriations into a reserve to be reappropriated at the discretion of the Board of County Commissioners of the County of Passaic.

MPJ

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION CANCELLING A GRANT RECEIVABLE AND APPROPRIATION BALANCE FROM THE AMERICAN RESCUE PLAN, PURSUANT TO LOCAL FINANCE NOTICES, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

FINANCE DEPARTMENT

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211135</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-19							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION CANCELLING A GRANT RECEIVABLE AND APPROPRIATION BALANCE  
FROM THE AMERICAN RESCUE PLAN, PURSUANT TO LOCAL FINANCE NOTICES**

**WHEREAS** the County of Passaic (the “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereinafter the “Board”) is vested with decision making powers on behalf of the County; and

**WHEREAS**, any unexpended balances of appropriations may, by resolution of the Board, be canceled prior to the end of the fiscal year; and

**WHEREAS**, on June 22, 2021, the Board approved Resolution No. R20210583, amending the 2021 County budget to include the appropriation of ninety-seven million four hundred seventy three thousand eight hundred and eighteen dollars (\$97,473,818.00) received by the County as a grant from the American Rescue Plan Act, Pub. L. No. 117-2 (hereafter “American Rescue Plan”); and

**WHEREAS**, the Department of Community Affairs, Division of Local Government Services, adopted Local Finance Notices 2021-11, 13, and 21 (hereafter “LFNS”), regarding the use of American Rescue Plan funds; and

**WHEREAS**, the LFNS do not allow for the full appropriation of the American Rescue Plan funds at this time and a portion of it must be cancelled; and

**WHEREAS**, the Chief Financial Officer has reviewed the American Rescue Plan appropriation, as set forth herein, and is recommending to the Board that the difference of eighty million dollars (\$80,000,000.00) be cancelled; and

**WHEREAS**, this matter was reviewed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Board of County Commissioners of the County of Passaic authorizes the Chief Financial Officer to cancel the following Grant appropriation as well as the Grant receivable in the same amount:

Grant	Amount
American Rescue Program	\$80,000,000

**LET IT BE FURTHER RESOLVED** that the Chief Financial Officer and County Treasurer are authorized to take any action necessary to carry out the purpose of this Resolution.

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*

Matthew P. Jordan, Esq.  
*County Counsel*

Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS ISSUED PRIOR TO JUNE 30, 2021 BY THE CHIEF FINANCIAL OFFICER, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

FINANCE DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211136</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-20							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE CANCELLATION OF OLD OUTSTANDING CHECKS  
ISSUED PRIOR TO JUNE 30, 2021 BY THE CHIEF FINANCIAL OFFICER**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Chief Financial Officer has advised the Board there are bank reconciliations that contain outstanding checks issued by the County prior to June 30, 2021 that are old, and need to be cancelled; and

**WHEREAS**, this matter was discussed at the December 1, 2021 Administration and Finance Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of the County of Passaic that the following checks issued prior to June 30, 2021 can be cancelled by the Chief Financial Officer:

<b>ACCOUNT NO.</b>	<b>RECIPIENT</b>	<b>AMOUNT</b>
Account #622408984	Clearing A/C	\$27,505.50
Account #622400326	Payroll Agency	\$10.00
Account #622409085	Net Payroll	\$13,116.59
Account #622409069	Bergen Risk	\$50,220.86

**LET IT BE FURTHER RESOLVED**, that if a future claim is received, the County of Passaic will refund such funds from its current year operating account and a listing of these checks will be retained by the County Treasurer.

**LET IT BE FURTHER RESOLVED**, that the Chief Financial Officer and County Treasurer are authorized to take any and all action necessary to carry out the purposes of this Resolution.

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION TO RATIFY THE ACTION TAKEN BY THE PASSAIC COUNTY ADMINISTRATOR ENTERING INTO VARIOUS EMERGENCY CONTRACTS IN RESPONSE TO TROPICAL STORM IDA, PURSUANT TO SECTION 5.3 OF THE PASSAIC COUNTY ADMINISTRATIVE CODE AND N.J.S.A. 40A:11-6

THIS RESOLUTION WAS REQUESTED BY:

PURCHASING

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211137</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-21							
CAF #	T-20-56-880-022-801							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION TO RATIFY THE ACTION TAKEN BY THE PASSAIC COUNTY ADMINISTRATOR ENTERING INTO VARIOUS EMERGENCY CONTRACTS IN RESPONSE TO TROPICAL STORM IDA, PURSUANT TO SECTION 5.3 OF THE PASSAIC COUNTY ADMINISTRATIVE CODE AND N.J.S.A. 40A:11-6**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, on September 2, 2021, New Jersey Governor Phillip Murphy signed Executive Order No. 259 declaring a state of emergency in response to Tropical Storm Ida, a flood and tornado event that impacted Passaic County; and

**WHEREAS**, Tropical Storm Ida caused extensive damage to various County facilities and property, requiring emergency action to be taken to protect the health, safety, and welfare of County residents; and

**WHEREAS**, N.J.S.A. 40A:11-6 provides that during times of emergency any contract may be negotiated or awarded for a contracting unit without public advertising for bids and bidding when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

**WHEREAS**, in accordance with the Section 5.3 of the Passaic County Administrative Code which sets forth emergency powers, the County Administrator is empowered to enter contracts for goods or services needed to preserve the health, safety and welfare of the public, subject to ratification of the Board; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6 and the emergency powers vested in him, the County Administrator has entered various emergency contracts in response to Tropical Storm Ida, as outlined in the attached memorandum, which is attached to and made part of this Resolution, in an amount not to exceed one hundred seventy four thousand four hundred fifty seven dollars and fifty-five cents (\$174,457.55); and

**WHEREAS**, funds are available in Account No. T-20-56-880-022-801, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

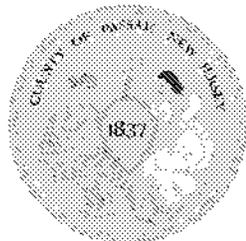
**WHEREAS**, the matter has been reviewed at the December 1, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for ratification; and

**NOW, THEREFORE, LET BE IT RESOLVED**, pursuant to N.J.S.A. 40A:11-6 and section 5.3 of the Passaic County Administrative Code, the action taken by the County Administrator entering various emergency contracts in response to Tropical Storm Ida, as outlined in the attached memorandum, which is attached to and made part of this Resolution, in an amount not to exceed one hundred seventy four thousand four hundred fifty seven dollars and fifty-five cents (\$174,457.55) is hereby ratified.

**LET IT BE FURTHER RESOLVED**, that all payments for the goods provided and services performed under this contract shall be paid in accordance with N.J.S.A. 40A:11-6(b).

MPJ

December 14, 2021



# County of Passaic

Administration Building Room 205  
401 Grand Street • Paterson, New Jersey 07505-2023

**Anthony J. DeNova**  
County Administrator

TEL: (973) 881-4405

FAX: (973) 881-2853

Email: [adenova@passaiccountynj.org](mailto:adenova@passaiccountynj.org)

December 1, 2021

Sent via email [sherryvafa@passaiccountynj.org](mailto:sherryvafa@passaiccountynj.org)

Sherry Arvanitakis, QPA  
Purchasing Agent  
County of Passaic – Division of Purchasing  
495 River Street  
Paterson, NJ 07524

**RE: Emergency Contract Awards in Response To Tropical Storm Ida pursuant to Section 5.3 of the Passaic County Administrative Code and N.J.S.A. 40A:11-6**

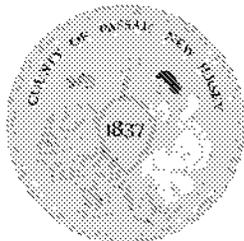
Dear Ms. Arvanitakis:

On September 2, 2021, New Jersey Governor Phillip Murphy signed Executive Order No. 259 declaring a state of emergency in response to Tropical Storm Ida, a flood and tornado event that impacted Passaic County. Tropical Storm Ida caused extensive damage to various County facilities and property, requiring emergency action to be taken to protect the health, safety, and welfare of County residents.

Consequently, and pursuant to the authority vested in the County Administrator pursuant to N.J.S.A. 40A:11-6, I authorized an award of contracts to the following vendors to protect the health, safety, and welfare of County residents in response to Tropical Storm Ida:

VENDOR	AMOUNT
AQUATIC ANALYSTS, INC.	\$ 1,060.00
BIRDS, BEES & TREES LANDSCAPE	\$ 1,450.00
CARRIER CORPORATION	\$ 7,958.84
CEDAR HILL NURSERY, INC.	\$ 350.00
CLAYTON SAND COMPANY	\$ 8,187.50
CONTINENTAL TRADING AND	\$ 1,648.80
DRAGONAGRO.COM LLC	\$ 8,978.00
DTS TRUCKING LLC	\$ 1,556.00
EAST COAST SOD, LLC	\$ 1,330.00
EASTERN CONCRETE MATERIAL, INC	\$ 12,541.55
EWING IRRIGATION PRODUCTS INC.	\$ 31,051.30
FISHER & SON COMPANY, INC.	\$ 21,607.50
GRASS ROOTS TURF PRODUCTS, INC	\$ 187.20
H & M ROHSLER NURSERY, INC.	\$ 1,958.97
HARRILL'S, LLC	\$ 16,685.00
J & M TOWING	\$ 12,085.00

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211137



# County of Passaic

Administration Building Room 205

401 Grand Street • Paterson, New Jersey 07505-2023

**Anthony J. DeNova**

*County Administrator*

TEL: (973) 881-4405

FAX: (973) 881-2853

Email: adenova@passaiccountynj.org

M & S MACHINE AND TOOL CORP.	\$	2,400.00
MITCHELL PRODUCTS, LLC	\$	17,290.00
PARTAC PEAT CORPORATION	\$	7,354.84
PC SAND & GRAVEL LLC	\$	1,800.00
SIT:ONE LANDSCAPE SUPPLY, LLC	\$	840.36
STONE INDUSTRIES, INC.	\$	12,755.00
STONE TEK CONTRACTING &	\$	1,746.65
VAN ORDEN SAND & GRAVEL	\$	1,635.04
<b>Total:</b>	<b>\$</b>	<b>174,457.55</b>

The County Counsel, Chief Financial Officer, and Purchasing Agent are authorized to take all necessary action to ensure performance of the contract with JA Food Service, and specifically, pursuant to N.J.S.A. 40A:11-6(b), once the goods are received, the Chief Financial Officer is authorized to render payment for same.

Thank-you for your anticipated cooperation.

Sincerely,

Anthony J. DeNova, III  
County Administrator

cc: Board of County Commissioners (sent via email)  
Matthew P. Jordan, County Counsel (sent via email)  
Richard Cahill, Chief Financial Officer (sent via email)

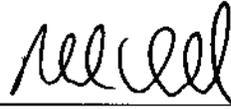
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$174,457.55

APPROPRIATION: T-20-56-880-022-801

PURPOSE: Authorize the award of various emergency contracts in response to Tropical Storm Ida.



---

Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
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Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED ROGERS V. COUNTY OF PASSAIC, ET AL. DOCKET NO. PAS-L-000037-21, PENDING IN THE SUPERIOR COURT OF NEW JERSEY, PURSUANT TO N.J.S.A. 40:20-1

THIS RESOLUTION WAS REQUESTED BY:

COUNTY COUNSEL

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211138</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-22							
CAF #	T-19-56-850-000-801							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE SETTLEMENT OF LITIGATION ENTITLED ROGERS V. COUNTY OF PASSAIC, ET AL. DOCKET NO. PAS-L-000037-21, PENDING IN THE SUPERIOR COURT OF NEW JERSEY, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County is a named defendant in the lawsuit entitled Rogers v. County of Passaic, et al., Docket No. PAS-L-000037-21, filed in the Superior Court of New Jersey; and

**WHEREAS**, the County and Plaintiff amicably resolved the dispute, and same is being recommended for approval by the County’s outside counsel and County Counsel; and

**WHEREAS**, funds are available in Account No. T-19-56-850-000-801, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the September 2, 2021 meeting of the Insurance Commission and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic authorizes the settlement of the litigation entitled Rogers v. County of Passaic, et al., Docket No. PAS-L-000037-21, filed in the Superior Court of New Jersey, pursuant to the terms and conditions as set forth in a Settlement Agreement and Release as approved by the County Counsel.

**LET IT BE FURTHER RESOLVED** that the County Administrator, County Counsel, Clerk of the Board, Chief Financial Officer, and Director of the Board are authorized to take all necessary action to carry out the purpose of this resolution.

MPJ

December 14, 2021

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$35,000

APPROPRIATION: T-19-56-850-000-801

PURPOSE: Resolution authorizing a settlement of litigation in the  
Case of Rogers v. County of Passaic



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

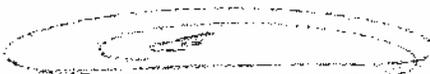
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXECUTE BUDGET TRANSFERS BETWEEN PREVIOUSLY APPROVED OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND BUDGETS, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

FINANCE DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Administration and Finance

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211139</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-23							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXECUTE BUDGET TRANSFERS BETWEEN PREVIOUSLY APPROVED OPEN SPACE, FARMLAND, AND HISTORIC PRESERVATION TRUST FUND BUDGETS, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter “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 (hereafter “Rules”); and

**WHEREAS**, Chapters 16 of the Rules requires the Board to pass a yearly budget for appropriations from the Open Space, Farmland, and Historic Preservation Trust Fund, outlining improvement projects and other allowable expenses within the Passaic County Park System; and

**WHEREAS**, on January 28, 2020, the Board approved Resolution No. R20200030, authorizing the 2020 Open Space, Farmland, and Historic Preservation Trust Fund Budget (hereafter “2020 OSTF Budget”); and

**WHEREAS**, on January 26, 2021, the Board approved Resolution No. R20210038, authorizing the 2021 Open Space, Farmland, and Historic Preservation Trust Fund Budget (hereafter “2021 OSTF Budget”); and

**WHEREAS**, because of the completion of various improvement projects approved by the Board from the 2020 OSTF Budget and 2021 OSTF Budget, it is being recommended that funds be reappropriated, as set forth below; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Administration and Finance Committee, and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, that the Board of County Commissioners of the County of Passaic authorizes the Chief Financial Officer to amend the appropriations in the Open Space, Farmland, and Historic Preservation Trust Fund Budget as follows:

ACCOUNT	TITLE	FROM	TO
O-20-56-651-003-603	VANDERHIOEF LANSCAPING RESTORATION	49,000	
O-21-56-650-000-602	HISTORIC PRESERVATION CONSTRUCTION		49,000
	<b>TOTAL</b>	<b>\$ 49,000</b>	<b>\$ 49,000</b>

**LET IT BE FURTHER RESOLVED** that the Chief Financial Officer is authorized to take any other steps necessary to carry out the purpose of this Resolution.

MPJ

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

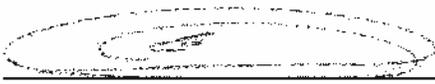
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO INTERSECTION MEDIA, LLC FOR BUS TAIL ADVERTISING FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM, PURSUANT TO N.J.S.A. 40A:11-6.1(a), ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

HUMAN SERVICES

REVIEWED BY:



Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:



Matthew P. Jordan, Esq.

COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211140</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-24							
CAF #	G-01-41-917-021-213							
Purchase Req. #	R1-15775							
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO INTERSECTION MEDIA, LLC FOR BUS TAIL ADVERTISING FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM, PURSUANT TO N.J.S.A. 40A:11-6.1(a)**

**WHEREAS**, the County of Passaic (the “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereinafter the “Board”) are vested with decision making powers on behalf of the County; and

**WHEREAS**, the Department of Human Services (hereafter “Department”) is an umbrella social service agency concerned with planning and funding services for the County’s disadvantaged and homeless citizens; and

**WHEREAS**, by virtue of Resolution No. R20210809 dated September 8, 2021, the County established policies and procedures related to the administration of the County’s Emergency Rental Assistance Program; and

**WHEREAS**, the Department desires to place advertisements on public transportation busses to raise awareness of the Emergency Rental Assistance Program within the community; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6.1(a), the Department solicited three quotes from local vendors to display bus tail advertising of the Emergency Rental Assistance Program on behalf of the County; and

**WHEREAS**, the Department desires to award a contract to Intersection Media, LLC to produce bus tail advertisements of the County’s Emergency Rental Assistance Program in an amount not to exceed fourteen thousand four hundred thirty-nine dollars and forty-four cents (14,439.44); and

**WHEREAS**, funds are available in Account No. G-01-41-917-021-213 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 1, 2021 Health and Human Services Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-6.1(a), the Board of County Commissioners of the County of Passaic authorizes an award of contract to Intersection Media, LLC to produce bus tail advertisements of the County’s Emergency Rental Assistance Program in an amount not to exceed fourteen thousand four hundred thirty-nine dollars and forty-four cents (14,439.44).

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, and the Director of the Board of County Commissioners are authorized to take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021

**COUNTY OF PASSAIC**  
 HUMAN SERVICES, CO OF PASSAIC  
 (Q) 973-881-2834  
 401 GRAND ST. ROOM 506  
 PATERSON, NJ 07505

REQUISITION	
NO.	R1-15775

S H I P T O	COUNTY OF PASSAIC-HUMAN SERV HUMAN SERVICES 401 GRAND ST. ROOM 506 PATERSON, NJ 07505
V E N D O R	VENDOR #: 13979 INTERSECTION MEDIA, LLC 10 HUDSON YARDS 26TH FLOOR NEW YORK, NY 10001-2159

ORDER DATE: 11/23/21  
 DELIVERY DATE:  
 STATE CONTRACT:  
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	NJ Bus Tail Advertising- Erap NJ Bus Tail (14 1/2 x 52 7/8)Production 90 Units = \$1350.00 + \$89.44 = \$1439.44  NJ Bus Tail (14 1/2 x52 7/8) 65 units = \$13,000.00  Contract Amount \$14,350.00 Tax \$ 89.44  Net Amount Due \$14,439.44	G-01-41-917-021-213	14,439.4400	14,439.44
			TOTAL	14,439.44

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211140

\_\_\_\_\_  
 REQUESTING DEPARTMENT DATE

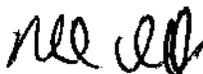
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$14,439.44

APPROPRIATION: G-01-41-917-021-213

PURPOSE: Award contract to Intersection Media, LLC for bus tail advertisements of the County's Emergency Rental Assistance Program.



---

Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
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*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT FOR THE INTENSIVE CASE MANAGEMENT GRANT FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

HUMAN SERVICES

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211141</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-25							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT FOR THE INTENSIVE CASE MANAGEMENT GRANT FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter “Board”) are vested with decision making powers on behalf of the County; and

**WHEREAS**, the Department of Human Services (hereafter “Department”) is an umbrella social service agency concerned with planning and funding services for disadvantaged and homeless citizens; and

**WHEREAS**, the Department was informed by the State of New Jersey, Department of Human Services, Division of Family Development that the County is eligible to apply for and accept a grant in the amount of six hundred seventy-eight thousand dollars (\$678,000.00) for intensive case management; and

**WHEREAS**, there is no dollar match to accept these funds; and

**WHEREAS**, this matter was discussed for the December 1, 2021 meeting of Health and Human Services Committee and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, that pursuant to N.J.S.A. 40:20-1 et seq. the Board of County Commissioners of the County of Passaic hereby authorizes the application and accepts the grant funding from the State of New Jersey, Department of Human Services, Division of Family Development in the amount of six hundred seventy-eight thousand dollars (\$678,000.00) for intensive case management.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Board of County Commissioners of the County of Passaic are authorized to take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES  
ANNEX B-2: CONTRACT RATE INFORMATION SUMMARY

PROVIDER: Passaic  
CONTRACT NUMBER: SH22016  
FEDERAL ID NUMBER: 22-6002466 46  
Duns Number: 063 148 811

DATE: THIS ANNEX B-2 SUPERCEDES THE ANNEX B-2 DATED:

## SECTION I: RATES

PROGRAM/ SERVICE	UNIT OF SERVICE	RATE* PER UNIT	TYPE OF RATE	MAXIMUM BILLABLE UNITS	EFFECTIVE PERIOD	
					FROM	TO
Case Manager (salary/fringe/ICR)	Cases	\$ 100,000.00	Fixed	1	1/1/22	12/31/22
Prevention - rent, security dep, etc	Actual Costs	\$ 578,000.00	Fixed	1	1/1/22	12/31/22

\* THESE RATES ARE SUBJECT TO THE CONDITIONS IN SECTIONS II AND III

## SECTION II: CONTRACT STIPULATIONS

- A. The service capacity of the Provider Agency is \_\_\_\_\_ for the term of this contract. (Check here if not applicable )
- B. The Provider Agency shall submit to the Department a ( ) monthly, (X) quarterly, ( ) semi-annual, ( ) annual report certifying to the actual program expenditures consistent with the Provider's approved budget set forth in the Contract Budget. This report is due \_\_\_\_\_ days after the end of the reporting period. (Check here if periodic expenditure reporting is not applicable: )
- C. The Provider Agency shall submit to the Department a ( ) monthly, (X) quarterly, ( ) semi-annual, ( ) annual report certifying to the actual units of service delivered during the reporting period. This report is due 10 days after the end of the reporting period. (Check here if periodic units of service reporting is not applicable )
- D. Other: (Specify reporting requirements if B and C above are not applicable.)

## SECTION III: GENERAL

- A. Limitations: Use of the rate(s) contained in this Annex is subject to any statutory or administrative limitations. Acceptance of the rate(s) agreed to herein is predicated on the condition that no information furnished by the Provider Agency and used in the establishment of the rate(s) is subsequently found to be materially incomplete or inaccurate. In addition, if the rate(s) agreed to herein was/were calculated based on costs contained in the Contract Budget (Annex B), acceptance of the rate(s) is predicated on the conditions that: (1) no costs other than Provider Agency costs were included in the Annex B as finally accepted; (2) all costs reflected in the Contract's Reimbursement Ceiling are allowable under the governing costs principles; and (3) similar types of costs were accorded consistent accounting treatment.
- B. Types of rates:
- Provisional: A provisional rate is a temporary or interim rate and is subject to adjustment on the basis of a final rate calculated when actual costs are reported.
  - Fixed: A fixed rate is a permanent rate, not subject to adjustment, which is agreed to for a specific future period, usually one year.
- C. Notification of State agencies: Copies of this document may be furnished to other State agencies as a means of notifying them of the information it contains.
- D. Other:

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211141

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY SERVICES FOR THE PERSONAL ASSISTANT SERVICES PROGRAM, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

HUMAN SERVICES

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211142</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-26							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY SERVICES FOR THE PERSONAL ASSISTANT SERVICES PROGRAM, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter "Board") are vested with decision making powers on behalf of the County; and

**WHEREAS**, the Department of Human Services (hereafter "Department") is an umbrella social service agency concerned with planning and funding services for disadvantaged and homeless citizens; and

**WHEREAS**, by virtue of Resolution No R20200974 dated November 16, 2020, the Board authorized the Department to apply for and accept a grant from the State of New Jersey, Department of Human Services, Division of Disability Services in the amount of fifty-four thousand five hundred and four dollars (\$54,504.00) for the Personal Assistant Services Program for calendar year 2021; and

**WHEREAS**, in a letter dated November 17, 2021, the State of New Jersey, Department of Human Services, Division of Disability Services, the County was informed that the Personal Assistant Services Program Grant was being extended for an additional six month term, to expire on June 30, 2022, and that the County was entitled to apply for and accept an extension of the grant in the amount of twenty-seven thousand two hundred fifty-two dollars (\$27,252.00) bringing the total grant award under the Personal Assistant Services Program to eighty-one thousand seven hundred fifty-six dollars (\$81,756.00); and

**WHEREAS**, there is no dollar match to accept these funds; and

**WHEREAS**, this matter was discussed for the December 1, 2021 meeting of Health and Human Services Committee and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, that pursuant to N.J.S.A. 40:20-1 et seq. the Board of County Commissioners of the County of Passaic hereby authorizes the application and accepts the additional grant funding from the State of New Jersey, Department of Human Services, Division of Disability Services under the Personal Assistant Services Program in the amount of twenty-seven thousand two hundred fifty-two dollars (\$27,252.00) for the additional grant period beginning on January 1, 2022 through June 30, 2022.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Board of County Commissioners of the County of Passaic are authorized to take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021



**State of New Jersey**  
**Department of Human Services**  
**Division of Disability Services**

**PHILIP D. MURPHY**  
 Governor

P.O. BOX 705  
 TRENTON, NJ 08625-0705

**SARAH ADELMAN**  
 Acting Commissioner

**SHEILA Y. OLIVER**  
 Lt. Governor

**PERI L. NEARON**  
 Executive Director

November 17, 2021

Erin Mooney  
 County of Passaic Department of Human Services  
 401 Grand Street, Room 506  
 Paterson, NJ 07505

**Modification #1 – Contract Extension**

Contract Number:	21PASS
Contract Term:	1/1/21 – 6/30/22
Contract Allocation:	\$81,756

Dear Ms. Mooney:

As you have been previously informed, your agency's contract to administer PASP has been extended by six months. Allocated dollars have been increased proportionately to fund the extended time frame. Revised details of the contract are shown above.

There are two documents required to execute this extension. They are as follows:

- P1.10 Contract Modification Form – this form, attached, has been completed with the specifics of your contract. Please review, sign and return for DDS approval.
- Annex B – revise to accommodate your increased allocation. Please take this opportunity to make any other changes to your budget as necessary. Take care to change dates where applicable. When complete, please sign and return for DDS approval.

Please e-mail the required forms to me as soon as possible, however, no later than December 3<sup>rd</sup>. Be aware, January 2022 contract payments cannot be made without DDS' approval and execution of this extension.

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211142

I am available for help with any questions or concerns you may have. Feel free to e-mail me, or give me a call, at 609-631-2494

Thank you for your cooperation.



Michael Korman  
Administrative Analyst 3 – Fiscal Management

Cc: S. Combs  
D. Maurone  
J. Moskowitz  
T. Wojtowicz

# County of Passaic Board of County Commissioners

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*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT FOR THE SOCIAL SERVICES FOR THE HOMELESS GRANT FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

HUMAN SERVICES

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211143</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-27							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE DEPARTMENT OF HUMAN SERVICES TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT FOR THE SOCIAL SERVICES FOR THE HOMELESS GRANT FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter "Board") are vested with decision making powers on behalf of the County; and

**WHEREAS**, the Department of Human Services (hereafter "Department") is an umbrella social service agency concerned with planning and funding services for disadvantaged and homeless citizens; and

**WHEREAS**, the Department was informed by the State of New Jersey, Department of Human Services, Division of Family Development that the County is eligible to apply for and accept a grant in the amount of one million four hundred twenty-nine thousand nine hundred and fourteen dollars (\$1,429,914.00) for social services for the homeless; and

**WHEREAS**, there is no dollar match to accept these funds; and

**WHEREAS**, this matter was discussed for the December 1, 2021 meeting of Health and Human Services Committee and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, that pursuant to N.J.S.A. 40:20-1 et seq. the Board of County Commissioners of the County of Passaic hereby authorizes the application and accepts the grant funding from the State of New Jersey, Department of Human Services, Division of Family Development in the amount of one million four hundred twenty-nine thousand nine hundred and fourteen dollars (\$1,429,914.00) for social services for the homeless.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Board of County Commissioners of the County of Passaic are authorized to take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES  
ANNEX B-2: CONTRACT INFORMATION SUMMARY

Provider Agency: Passaic County  
Contract#: SH22016  
Federal I.D. #: 226002466 48  
Duns Number 063 148 811  
Contract Term: 1/1/2022-12/31/2022

This Annex B-2 supersedes the Annex B-2 dated:

N/A  
Date

**SECTION I: CONTRACT FUNDING BY SERVICE CLUSTER**

SERVICE CLUSTER	STATE MAX FUNDING	TANF FEDERAL MAX FUNDING	TRANSPORTATION FUNDING	TOTAL BY SERVICE
Food	\$334,000	\$0	\$0	\$334,000
Shelter - includes Emergency Shelter, Hotel/Motel, Domestic Violence	\$145,000	\$116,000	\$0	\$264,000
Case Management	\$34,000	\$0	\$0	\$34,000
Prevention:- includes Rent, Mortgage, Utilities, Security Deposit	\$215,200	\$82,800	\$0	\$298,000
Transportation	\$0	\$0	\$404,914	\$404,914
<b>TOTALS BY SERVICE</b>	<b>\$731,200</b>	<b>\$198,800</b>	<b>\$404,914</b>	<b>\$1,334,914</b>
Administration	\$75,100	\$19,900	\$0	\$95,000
<b>TOTAL AWARD</b>	<b>\$806,300</b>	<b>\$218,700</b>	<b>\$404,914</b>	<b>\$1,429,914</b>

ALL FUNDING IS SUBJECT TO THE CONDITIONS IN SECTIONS II AND III

**SECTION II: CONTRACT STIPULATIONS**

- A. The service capacity of the Provider is \_\_\_\_\_ for the term of this Contract. (Check here if not applicable: )
- B. The Provider Agency shall submit to the Department a ( ) monthly,  quarterly, ( ) semi-annual, ( ) annual report, certifying to the actual program expenditures, consistent with the Provider's approved budget set forth in this document. This report is due 30 days after the end of the reporting period. (Check if periodic reporting is not applicable: )
- C. The Provider Agency shall submit to the Department a ( ) monthly,  quarterly, ( ) semi-annual, ( ) annual report certifying to the actual units of service delivered during the reporting period. This report is due 30 days after the end of the reporting period. (Check if periodic level of service reporting is not applicable )
- D. Other: (Specify reporting requirements if B and C above are not applicable.)

**SECTION III: GENERAL**

- A. **Limitations:** The funding sources in this Annex are subject to statutory or administrative limitations. Expenditures for Shelter and Hotel/Motel must adhere to approved rates per DFDI.
- B. **Within 30 days** of the end of the Quarter, the Provider shall submit the documents listed below to [dfdcontracts@dhs.state.nj.us](mailto:dfdcontracts@dhs.state.nj.us). *Please note that these documents should be for the quarterly reporting period only and not cumulative.*
- HMIS "SSH - Level of Service Report," by funding source (SSH and SSH-TANF), with the exception of Domestic Violence, Hotline, and Food. Each HMIS Report must be approved and signed by the designated Provider Agency's program staff.
  - Paper Level of Service (LOS) Report for Domestic Violence, Hotline, and Food, by funding source (SSH-STATE and SSH-TANF). Each Paper LOS Report must be approved and signed by the designated Provider Agency's program staff.
  - NJ Payment Voucher

The terms and conditions of this Contract Summary have been read and understood by the Provider Agency's designee, whose signature appears below. The Provider Agency agrees to comply with all terms and conditions, as set forth on this page.

\_\_\_\_\_  
Provider Agency Authorized Signatory

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211143

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

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Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION APPROVING AN AMENDMENT TO MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND STRAIGHT & NARROW, INC. TO CONTINUE TO OPERATE THE INTOXICATED DRIVER RESOURCE CENTER VIRTUALLY, PURSUANT TO N.J.S.A. 39:4-50(f), ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

HUMAN SERVICES

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211144</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-28							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION APPROVING AN AMENDMENT TO MEMORANDUM OF AGREEMENT  
BETWEEN THE COUNTY OF PASSAIC AND STRAIGHT & NARROW, INC. TO  
CONTINUE TO OPERATE THE INTOXICATED DRIVER RESOURCE CENTER  
VIRTUALLY, PURSUANT TO N.J.S.A. 39:4-50(f)**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter “Board”) are vested with decision making powers on behalf of the County; and

**WHEREAS**, the Department of Human Services (hereafter “Department”) is an umbrella social service agency concerned with planning and funding services for the County’s disadvantaged and homeless citizens; and

**WHEREAS**, pursuant to N.J.S.A. 39:4-50(f), each county in the State of New Jersey is required to designate and establish an Intoxicated Driver Resource Center (hereafter “IDRC”) subject to the approval of the New Jersey Division of Mental Health and Services; and

**WHEREAS**, Straight & Narrow, Inc. is a New Jersey non-profit corporation that provides IDRC services to convicted first-time driving under the influence offenders sentenced to a twelve (12) hour or forty eight (48) hour IDRC at its Intoxicated Drivers Resources Center at 182 First Street, Passaic, New Jersey 07055; and

**WHEREAS**, by virtue of Resolution No. R20200976 dated November 16, 2020, and pursuant to N.J.S.A. 39:4-50(f) the Board approved the execution of a memorandum of agreement designating Straight & Narrow, Inc. as the County’s designated IDRC for offenders sentenced to a twelve-hour or forty-eight hour IDRC for the calendar years 2021 and 2022; and

**WHEREAS**, Coronavirus disease 2019 (hereafter “COVID-19”) is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

**WHEREAS**, on March 9, 2020, New Jersey Governor Philip Murphy, in order to protect the health, safety, and welfare of the people of the State of New Jersey, signed Executive Order No. 103, declaring a Public Health Emergency and State of Emergency exist in the State of New Jersey; and

**WHEREAS**, during the calendar year 2021, and in accordance with Executive Order No. 103, Straight & Narrow, Inc. has been operating its programs virtually, offering online classes to individuals in the program rather than in-person classes; and

**WHEREAS**, pursuant to Executive Order No. 103, the time in which Straight & Narrow is permitted to operate its programs virtually will expire on January 11, 2022, unless extended by the State of New Jersey, Division of Mental Health and Addiction Services; and

**WHEREAS**, provided the State of New Jersey, Division of Mental Health and Addiction Services approves the extension of the virtual IDRC program, the Division desires to modify the memorandum of agreement between the County and Straight & Narrow, Inc., to allow Straight & Narrow, Inc. to operate the IDRC program virtually past January 11, 2022; and

**WHEREAS**, this matter was discussed for the December 1, 2021 meeting of Health and Human Services Committee, and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 39:4-50(f), the Board of County Commissioners of the County of Passaic hereby authorizes the amendment of the memorandum of agreement between the County of Passaic and Straight & Narrow, Inc., to allow Straight & Narrow, Inc. to continue to operate the Intoxicated Driver Resource Center virtually during the calendar year 2022.

**LET IT BE FURTHER RESOLVED**, that the amendment to the memorandum of agreement between the County of Passaic and Straight & Narrow, Inc. is hereby approved, and the Clerk to the Board, County Counsel, and Director of the Board are authorized to take any other steps necessary to carry out the purpose of this resolution, including executing same.



Catholic Charities  
**STRAIGHT & NARROW, INC.**  
 "...Providing help - creating hope..."

Delivered via email: [Artik@passaiccountynj.org](mailto:Artik@passaiccountynj.org)  
[louisi@passaiccountynj.org](mailto:louisi@passaiccountynj.org)

Pasquale "Pat" Lepore  
 County Commissioner Director  
 401 Grand Street, Room 223  
 Paterson, NJ 07505

Arti Kakkar, Ed.S., LMFT  
 Human Services Director  
 401 Grand Street, Room 506  
 Paterson, NJ 07505

Date: 11/11/2021

Dear Commissioner Director Lepore and Mrs. Kakkar:

My name is Vito Andrisani and I am the Director of the County of Passaic Intoxicated Drivers Resource Center (IDRC) and I am contacting the Passaic County Board of County Commissioners as well as the Passaic County Department of Human Services to ask for support and advocacy as you were incredibly helpful in June of this year in advocating at the New Jersey Governor's Office, the New Jersey Department of Human Services and at the New Jersey Division of Mental Health and Addiction Services; for the Passaic County IDRC to continue virtual services per the enactment of bill A5820/S3866.

We would like to continue virtual services at least another 90 days beyond January 11, 2022 as per paragraph 3, point b of the Governors' Executive Order No. 103 of 2020. *"Notwithstanding subsection a. of this section, the Governor shall notify the Legislature by January 1, 2022 if the Governor determines that it is necessary or appropriate to continue for an additional 90 days beyond January 11, 2022 any administrative order, directive, or waiver issued by the head of a State agency that relied on the existence of the public health emergency declared by the Governor in Executive Order No. 103 of 2020, as extended. The administrative orders, directives, or waivers shall be extended for an additional 90 days if each House of the Legislature passes a concurrent resolution to continue any such administrative order, directive, or waiver. Any administrative order, directive, or waiver as to which the Governor does not provide notification to the Legislature or as to which both Houses of the Legislature do not pass a concurrent resolution to continue shall expire on January 11, 2022."*

In the State of New Jersey there is one County IDRC per County, some are run by the County and others are contracted out to different organizations. In Passaic County it is contracted out to Straight and Narrow, Inc.. We are different than most other Counties as we are the largest IDRC in the State as we are the Northern New Jersey Interregional 48-hour IDRC Program as well. So, we deliver the 12-hour Detention Program as well as the 48-hour Detention Program. Therefore, besides Passaic County, we also serve the following counties: Bergen, Cumberland, Essex, Gloucester, Hudson, Hunterdon, Morris,

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211144



*Catholic Charities*  
**STRAIGHT & NARROW, INC.**  
 "...Providing help ~ creating hope..."

Somerset, Sussex, Union and Warren. So, interruption of our services effects more than just Passaic County residents. Due to the COVID-19 pandemic and related restriction the service was initially shut down in March 2020, this closure led to the unexpected interruption of services for a majority of New Jersey residents that needed not only to serve their court mandated sentence of Detention but also education and screening leading to clinical assessment and possible treatment for the behavior that led to the Driving While Intoxicated charge and conviction. The successful solution to this problem has become

home detainment and all mandated service to be delivered via audio visual telehealth and telecommunication through a three-day program from Friday thru Sunday, same as was delivered pre-pandemic. This solution has led to hundreds of residents in the counties which we serve to obtain much needed help for the issues leading to DWI as well as satisfying court mandated requirements and restoration of driving privileges. Further, as virtual services continue, we have realized the following in support to maintaining the delivery of these services if not permanently in some fashion, at least for another 90 days after January 11, 2022.

A few reasons to maintain virtual services instead of the disruption of services to residents of the 12 of 21 Counties across New Jersey continue to be as follows:

- Accessible to serve clients with disabilities
- Accessibility to serve those with chronic medical conditions that would not otherwise attend in person furthering their non-compliance with legal obligations and driver's license restoration. • Ease for clients with transportation issues.
- Continue to deliver education only services to out-of-state clients that need to fulfill a 12-hour or 48-hour IDRC program.
- Overcome space constraints indoors due to COVID- 19 restrictions of social distancing, for example the sharing of sleeping quarters.
- No problems with meal preparations for the 48-hour clients for three days.
- Better turnout for class attendance, clients are more willing to attend virtual online classes than in-person classes.
- Resolve the backlog of client files for the 12- and 48-hour programs, and currently assisting other IDRC's that are further backlogged with their client files.

Finally, if this extension of 90 or more days of the current waiver regarding online classes and non-compliance processes does not allow services to be continued virtually, we may be forced to drastically reduce services that at this point are serving well and efficiently the constituency of New Jersey.

If you need to contact me in regard, I can be contacted at: [vandrisani@straightandnarrowinc.org](mailto:vandrisani@straightandnarrowinc.org) or 973-636-8110.

Sincerely,

Vito Andrisani, MA, MAOB, CCS, LCADC

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211144

# County of Passaic Board of County Commissioners

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Anthony J. De Nova III  
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Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE COUNTY OF PASSAIC TO APPLY FOR AND ACCEPT A GRANT FROM THE NEW JERSEY DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES FOR THE COUNTY COMPREHENSIVE ALCOHOLISM AND DRUG ABUSE SERVICES FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

HUMAN SERVICES

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211145</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-29							
CAF #	2-01-27-162-004-213							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE COUNTY OF PASSAIC TO APPLY FOR AND ACCEPT A GRANT FROM THE NEW JERSEY DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES FOR THE COUNTY COMPREHENSIVE ALCOHOLISM AND DRUG ABUSE SERVICES FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:20-1, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter "Board") are vested with decision making powers on behalf of the County; and

**WHEREAS**, the Department of Human Services (hereafter "Department") is an umbrella social service agency concerned with planning and funding services for disadvantaged and homeless citizens; and

**WHEREAS**, in a letter dated November 17, 2021, the State of New Jersey, Department of Human Services, Division of Mental Health and Addiction Services informed the County that it is eligible to apply for and accept the County Comprehensive Alcoholism and Drug Abuse Services Contract for the calendar year 2022 in the reimbursable amount of nine hundred eighty thousand one hundred eighty-eight dollars (\$980,188.00) for a period beginning January 1, 2022 and ending December 31, 2022, which is attached to and made part of this resolution; and

**WHEREAS**, the required County match to accept these funds is one hundred sixty-nine thousand six hundred fifty-one dollars (\$169,651.00); and

**WHEREAS**, funds are available in Account No. 2-01-27-162-004-213 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Health and Human Services Committee, and is being recommended to the Passaic County Board of County Commissioners for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, et seq., that the Board of County Commissioners of the County of Passaic hereby authorizes the Director of the Department of Human Services to submit an application to the State of New Jersey, Department of Human Services, Division of Mental Health and Addiction Services for the County Comprehensive Alcoholism and Drug Abuse Services Contract grant, and further authorizes the acceptance of grant funds under the County Comprehensive Alcoholism and Drug Abuse Services Contract grant in the reimbursable amount of nine hundred eighty thousand one hundred eighty-eight dollars (\$980,188.00) for a period beginning January 1, 2022 and ending December 31, 2022.

**LET IT BE FURTHER RESOLVED**, that Resolution No. R20210953 dated October 26, 2021 shall be and hereby is repealed.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, Director of Human Services, and the Director of the Board are authorized to take any other steps necessary to carry out the purpose of this resolution, including executing the grant agreement.

KJB

December 14, 2021



STATE OF NEW JERSEY

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF MENTAL HEALTH AND ADDICTIONS SERVICES  
PO Box 362  
5 COMMERCE WAY  
HAMILTON, NJ 08691

PHILIP MURPHY  
*Governor*

SARAH ADELMAN  
*Commissioner*

SHEILA Y. OLIVER  
*Lt. Governor*

VALERIE L. MIELKE, MSW  
*Assistant Commissioner*

November 17, 2021

Francine Vince, Director  
Mental Health and Addiction Services  
Passaic County Human Services  
401 Grand Street, Room 506  
Administration Bldg.,  
Paterson, NJ 07505

RE: Proposed Renewal Contract# 22-538-ADA-0

Dear Ms. Vince:

This letter is to notify you that the Division of Mental Health and Addiction Services (DMHAS) will accept an application for the County Comprehensive Alcoholism and Drug Abuse Services Contract for calendar year CY 2021, from January 1, 2022 through December 31, 2022. Your contract reimbursable ceiling in CY 2022 is \$980,188. Your County Match will be \$169,651. Your Prevention/Education reserve will be \$79,872.

It is expected the application will correspond with the 2022 goals and objectives stated in the CY 2020-2023 County Comprehensive Community-based Behavioral Health Plan. DMHAS requests that your county application be submitted through the Contract Information System (CIMS) by October 31, 2021 to allow for sufficient time to complete the application process.

Update Progress Reports (UPR's) for year 2021 should be submitted to the Division by the end of August, 2021. Kindly e-mail your UPR to [Jason.Bell@dhs.nj.gov](mailto:Jason.Bell@dhs.nj.gov).

**I. The following documents must be completed and submitted with your renewal contract application package:**

**A. Items that must be submitted/approved electronically through CIMS:**

Introduced on: 1 December 14, 2021  
Adopted on: 2 December 14, 2021  
Official Resolution#: R2021145  
2. Contract renewal budget (Annex B)

**B. Items that must be submitted to DMHAS in hard copy through USPS mail, or courier service:**

1. Standard Language Document for Social Service and Training Contracts  
Please note that two (2) Standard Language Documents (SLDs) must be signed and returned. DMHAS will return one (1) copy to you, the contractee, with required Departmental signatures, to retain for your records.
2. Executive Order 129  
To complete this form, fill in your agency name as "Bidder" and your contract number as "Solicitation Number." The modalities for which you provide Substance Abuse Treatment will be your "Description of Services" and the location where these will be performed should also be identified. Sign next to the "By" line. Return form with your application and retain a copy of the Memorandum for your records.
3. Business Associate Agreement  
Please be advised that on the Board Resolution under the Health Insurance Portability and Accountability Act if your agency is a non-covered entity under HIPPA you must complete the Business Associate Agreement.
4. Board Resolution  
Please have a Board Authorized signatory sign and date the first page. Please fill out the second page and return both pages with your application.
5. Cost Allocation Plan  
Agencies are required to submit Cost Allocation Plans for their entire organization, which shows how individual salaries and other costs categories are attributed to DMHAS and all other payers.

You may obtain all of these required forms at the following website:

<http://www.state.nj.us/humanservices/dmhas/home/>

**If you intend to allocate any of these contract dollars to support your county's direct provision of treatment and prevention/education services, you must provide:**

1. a separate breakout of budget pages for these services;
2. a narrative that describes the types of service(s) and number of people to be served; and
3. an outline of the basis for monitoring (who will be assigned to monitor and what mechanism will be employed).

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211145

As in previous years, the amount of your award is based upon availability of funds.

Please submit the required hard copy documents to your Contract Administrator at (choose according to delivery method):

US MAIL:

NJ Dept. of Human Services  
Division of Mental Health and  
Addiction Services  
P: O. Box 362  
Trenton, NJ 08625-0362

EXPRESS DELIVERY:

NJ Dept. of Human Services  
Division of Mental Health and  
Addiction Services  
120 South Stockton Street, 3<sup>rd</sup> Floor  
Trenton, NJ 08625

Sincerely,



Suzanne Borys, Ed. D.  
Assistant Division Director  
Office of Planning, Research, Evaluation, and Prevention  
Division of Mental Health and Addiction Services  
Department of Human Services  
120 S. Stockton St.  
Trenton, NJ 08625

c: Jason Bell, MPH, Program Manager  
Caitlin Corso, Director, Contract Administration

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211145

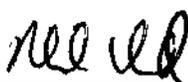
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$169,651.00

APPROPRIATION: \*Contingent upon availability of funds in 2022 adopted budget.

PURPOSE: Resolution certification matching funds required for Grant Contract #22-538-ADA-0.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING GRACE HEALTH CARE SERVICES. TO PROVIDE HOSPICE SERVICES FOR PREAKNESS HEALTHCARE CENTER AND AUTHORIZING AN AWARD OF CONTRACT, PURSUANT TO N.J.S.A. 40A:11-5 (1), ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PREAKNESS HC

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211146</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-30							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING GRACE HEALTH CARE SERVICES. TO PROVIDE HOSPICE SERVICES FOR PREAKNESS HEALTHCARE CENTER AND AUTHORIZING AN AWARD OF CONTRACT, PURSUANT TO N.J.S.A. 40A:11-5 (1)**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter “Board”) are vested with decision making powers on behalf of the County; and

**WHEREAS**, Preakness Healthcare Center (hereafter “Preakness”) is a New Jersey Department of Health licensed, 406-bed skilled nursing facility that is owned and operated by the Board, and is in need of hospice providers for residents of Preakness; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1), the Purchasing Agent issued RFQ-22-044, Preakness Healthcare Center Hospice Providers (hereafter “RFQ-22-044”), to be hired for a period beginning January 1, 2022 through December 31, 2022, to provide medical transportation services for residents of Preakness; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the qualification for hospice services at Preakness is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the Evaluation and Review Committee has found that Grace Health Care Services is qualified to provide hospice services for Preakness from January 1, 2022 through December 31, 2022; and

**WHEREAS**, neither Preakness nor the County will be the responsible payor for the services of Grace Hospice; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Health and Human Services Committee, and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic authorizes the following: (1) Grace Health Care Services is qualified to provide hospice services at Preakness Healthcare Center for the calendar year 2022, pursuant to RFQ-22-044; (2) Grace Health Care Services is awarded a contract for the calendar year 2022 on an as-needed basis.

**LET IT BE FURTHER RESOLVED**, the Clerk to the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and amount of the contract to Grace Health Care Services and maintain a copy of the resolution on file and available for public inspection in the Office of the Clerk to the Board.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Passaic County Board of County Commissioners are authorized to execute the contracts, and take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO UNIPAK AND ALLSTATE MEDICAL SUPPLIES FOR MEDICAL AND DENTAL SUPPLIES AT PREAKNESS HEALTHCARE CENTER, PURSUANT TO N.J.S.A. 40A:11-4, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PREAKNESS HC

REVIEWED BY:

Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Health & Human Services

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211147</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-31							
CAF #	1-01-27-172-001-M01							
Purchase Req. #	R1-15803; R1-15799							
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO UNIPAK AND ALLSTATE MEDICAL SUPPLIES FOR MEDICAL AND DENTAL SUPPLIES AT PREAKNESS HEALTHCARE CENTER, PURSUANT TO N.J.S.A. 40A:11-4, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter “Board”) is vested with decision making powers on behalf of the County; and

**WHEREAS**, Preakness Healthcare Center (hereafter “Preakness”) is a New Jersey Department of Health licensed, 406-bed skilled nursing facility that is owned and operated by the Passaic County Board of County Commissioners; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4, et seq., for every contract awarded by the County for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold established pursuant to N.J.S.A. 40A:11-3, shall be awarded by resolution of the Board to the lowest responsible bidder after public advertising for bids and bidding thereof; and

**WHEREAS**, the Purchasing Agent issued Expand Pool Medical and Dental Supplies and Durable Medical Equipment Catalog % Discount Pricing for the County of Passaic Departments and Institutions, SB-21-065 (hereafter “SB-21-065”), in compliance with N.J.S.A. 40A:11-4, et seq.; and

**WHEREAS**, the responses for SB-21-065 were reviewed by the Executive Director of Preakness who is recommending that the Board authorize awards of contract to Unipak and Allstate Medical Supplies to provide medical and dental supplies, and durable medical equipment, on an as-needed basis for a two (2) year term commencing on October 1, 2021 through September 30, 2023; and

**WHEREAS**, the Executive Director of Preakness is requesting that an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00) be appropriated by the Board for Preakness to contracts awarded under SB-21-065 on an as-needed basis for the period October 1, 2021 through September 30, 2022; and

**WHEREAS**, the Executive Director of Preakness is requesting that an amount not to exceed one million five hundred thousand dollars (\$1,500,000.00) be appropriated by the Board for Preakness to contracts awarded under SB-21-065 on an as-needed basis for the period October 1, 2022 through September 30, 2023; and

**WHEREAS**, funds are available in Account No. 1-01-27-172-001-M01 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 1, 2021 Health and Human Services Committee, and is being recommended to the Board for approval; and

**NOW, THEREFORE LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-4, et seq., that the Passaic County Board of County Commissioners hereby authorizes awards of contract to Unipak and Allstate Medical Supplies to provide medical and dental supplies, and durable medical equipment, on an as-needed basis for a two (2) year term commencing on October 1, 2021 through September 30, 2023.

**LET IT BE FURTHER RESOLVED**, that the Board hereby appropriates one million five hundred thousand dollars (\$1,500,000.00) annually to be used on an as needed basis for the contracts awarded herein.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and the Director of the Board are authorized to take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021

**COUNTY OF PASSAIC**  
 PREAKNESS HEALTH, Co of Passaic  
 (Q) 973-585-1493  
 305 OLDHAM RD - WYKENA GREEN  
 WAYNE, NJ 07470

REQUISITION	
NO.	R1-15803

SHIP TO	COUNTY OF PASSAIC PREAKNESS HEALTHCARE CENTER 305 OLDHAM ROAD WAYNE, NJ 07470
VENDOR	VENDOR #: 12760 UNIPAK CORP. P.O. BOX 300027 BROOKLYN, NY 11230

ORDER DATE: 11/29/21  
 DELIVERY DATE:  
 STATE CONTRACT:  
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	Medical, Durable, Dental Extend Effective 10/1/2021 - 9/30/2023  Resolution: _____ Date: _____	1-01-27-172-001-M01	50,000.0000	50,000.00
			TOTAL	50,000.00

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211147

\_\_\_\_\_  
 REQUESTING DEPARTMENT DATE

**COUNTY OF PASSAIC**  
 PREAKNESS HEALTH, Co of Passaic  
 (O) 973-585-1493  
 305 OLDHAM RD - WYKENA GREEN  
 WAYNE, NJ 07470

REQUISITION	
NO.	R1-15799

SHIP TO	COUNTY OF PASSAIC PREAKNESS HEALTHCARE CENTER 305 OLDHAM ROAD WAYNE, NJ 07470
VENDOR	VENDOR #: 11708 ALLSTATE MEDICAL SUPPLIES, LLC 34 35TH STREET BROOKLYN, NY 11232-2021

ORDER DATE: 11/29/21  
 DELIVERY DATE:  
 STATE CONTRACT:  
 F.O.B. TERMS:

QTY/UNIT	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL COST
1.00	Medical, Dental, Durable Extend Effective: 10/1/2021 - 9/30/2023  Resolution: _____ Date: _____	1-01-27-172-001-W01	100,000.0000	100,000.00
			TOTAL	100,000.00

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211147

\_\_\_\_\_  
 REQUESTING DEPARTMENT DATE

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$1,500,000.00

APPROPRIATION: 1-01-27-172-001-M01 - \$125,000.00  
\*Contingent upon availability of funds in the  
2022 and subsequent adopted budgets -  
\$1,375,000.00

PURPOSE: Award contracts to Unipak and Allstate Medical  
Supplies to provide medical and dental supplies and  
durable medical equipment.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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401 Grand Street  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING PULSE MEDICAL TRANSPORTATION, INC., TLC MOBILE HEALTHCARE, LLC AND NJ MOBILE HEALTHCARE TO PROVIDE MEDICAL TRANSPORTATION SERVICES FOR RESIDENTS OF PREAKNESS HEALTHCARE CENTER FOR CALENDAR YEAR 2022 AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$15,000 FOR SAME, PURSUANT TO N.J.S.A. 40A:11-5 (1), ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PREAKNESS HC

REVIEWED BY:

Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Health & Human Services  
COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211148</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-32							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING PULSE MEDICAL TRANSPORTATION, INC., TLC MOBILE HEALTHCARE, LLC AND NJ MOBILE HEALTHCARE TO PROVIDE MEDICAL TRANSPORTATION SERVICES FOR RESIDENTS OF PREAKNESS HEALTHCARE CENTER FOR CALENDAR YEAR 2022 AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$15,000 FOR SAME, PURSUANT TO N.J.S.A. 40A:11-5(1)**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter "Board") are vested with decision making powers on behalf of the County; and

**WHEREAS**, Preakness Healthcare Center (hereafter "Preakness") is a New Jersey Department of Health licensed, 406-bed skilled nursing facility that is owned and operated by the Board, and is in need of medical transportation services for residents of Preakness; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1), the Purchasing Agent issued RFQ-22-051, Preakness Healthcare Center Expand the Pool of Medical Transportation (hereafter "RFQ-22-051"), to be hired for a period beginning January 1, 2022 through December 31, 2022, to provide medical transportation services for residents of Preakness; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County's request for qualifications is a fair and open process, specifically, the qualification for medical transportation services at Preakness is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the Evaluation and Review Committee has found that Pulse Medical Transportation, Inc., TLC Mobile Health, LLC, and NJ Mobile Healthcare are qualified to perform the necessary medical transportation services for Preakness from January 1, 2021 through December 31, 2021 on an as-needed basis; and

**WHEREAS**, funds are available in any account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Health and Human Services Committee, and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-5(1), that the following respondents are qualified to provide medical transportation for Preakness Healthcare Center residents for calendar year 2021: (1) Pulse Medical Transportation, Inc.; (2) TLC Mobile Health, LLC and (3) NJ Mobile Healthcare as recommended by the Executive Director of Preakness Healthcare Center.

**LET IT BE FURTHER RESOLVED**, that the Board appropriates an amount not to exceed fifteen thousand dollars (\$15,000.00) to be used to provide medical transportation for residents at Preakness Healthcare Center on an as-needed basis in calendar year 2022.

**LET IT BE FURTHER RESOLVED**, the Clerk to the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and amount of the contracts to Pulse Medical Transportation, Inc., TLC Mobile Health, LLC and NJ Mobile Healthcare, respectively, and maintain a copy of the resolution on file and available for public inspection in the Office of the Clerk to the Board.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Passaic County Board of County Commissioners are authorized to execute the contracts, and take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021

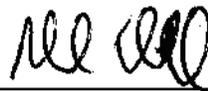
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$15,000.00

APPROPRIATION: \*Contingent upon availability of funds in 2022 adopted budget.

PURPOSE: Award contracts to Pulse Medical Transportation, Inc., TLC Mobile Health, LLC and NJ Mobile Healthcare to provide medical transportation services for residents of Preakness Healthcare Center.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

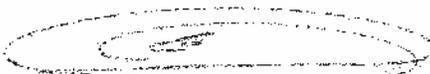
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING MEDHAT ISMAIL, INC. TO PROVIDE VENTILATOR SPECIALIST SERVICES FOR PREAKNESS HEALTHCARE CENTER AND AUTHORIZING AN AWARD OF CONTRACT, PURSUANT TO N.J.S.A. 40A:11-5 (1), ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PREAKNESS HC

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Health & Human Services  
COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211149</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-33							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING MEDHAT ISMAIL, INC. TO PROVIDE VENTILATOR SPECIALIST SERVICES FOR PREAKNESS HEALTHCARE CENTER AND AUTHORIZING AN AWARD OF CONTRACT, PURSUANT TO N.J.S.A. 40A:11-5 (1)**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic (hereafter “Board”) are vested with decision making powers on behalf of the County; and

**WHEREAS**, Preakness Healthcare Center (hereafter “Preakness”) is a New Jersey Department of Health licensed, 406-bed skilled nursing facility that is owned and operated by the Board, and is in need of ventilator specialist/pulmonologist services for residents of Preakness; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1), the Purchasing Agent issued RFQ-22-049, Re-Bid Preakness Healthcare Center Chief Pulmonologist Ventilator Special Care Unit (hereafter “RFQ-22-049”), to be hired for a period beginning January 1, 2022 through December 31, 2022, to provide medical transportation services for residents of Preakness; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the qualification for ventilator specialist/pulmonologist services at Preakness is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the Evaluation and Review Committee has found that Medhat Ismail, MD is qualified to perform the necessary ventilator specialist/pulmonologist services for Preakness from January 1, 2022 through December 31, 2022 on an as-needed basis for an amount not to exceed one hundred forty thousand four hundred dollars (\$140,400.00); and

**WHEREAS**, funds are available in any account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Health and Human Services Committee, and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic authorizes the following: (1) Medhat Ismail, MD is qualified to provide the necessary ventilator specialist/pulmonologist services at Preakness Healthcare Center for the calendar year 2022, pursuant to RFQ-22-049; (2) Medhat Ismail, Inc. is awarded a contract for the calendar year 2022 ventilator specialist/pulmonologist services in an amount not to exceed one hundred forty thousand four hundred dollars (\$140,400.00).

**LET IT BE FURTHER RESOLVED**, the Clerk to the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and amount of the contract to Medhat Ismail, MD and maintain a copy of the resolution on file and available for public inspection in the Office of the Clerk to the Board.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Passaic County Board of County Commissioners are authorized to execute the contracts, and take any other steps necessary to carry out the purpose of this resolution.

KJB

December 14, 2021

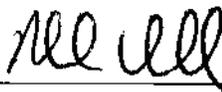
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$140,400.00

APPROPRIATION: \*Contingent upon availability of funds in 2022 adopted budget.

PURPOSE: Award contract to Medhat Ismail, MD to provide Ventilator Specialist Services for Preakness Healthcare Center.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
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Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING GRANT AGREEMENT DOAS21AAA012 FROM THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING SERVICES FOR 2021, AS AUTHORIZED BY 42 U.S.C.A. SEC.3001, ET. SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

OFFICE ON AGING

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Health & Human Services  
COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211150</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-34							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING GRANT AGREEMENT DOAS21AAA012 FROM THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING SERVICES FOR 2021, AS AUTHORIZED BY 42 U.S.C.A. SEC.3001, ET. SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter "Board") are vested with decision making powers on behalf of the County; and

**WHEREAS**, the County, through its Department of Senior Services, provides assistance with senior benefit programs, including home and community services to senior citizens throughout Passaic County; and

**WHEREAS**, by virtue of Resolution No. R20200899, dated October 27, 2020, the County accepted the final allocation of grant funds pursuant to DOAS20AAA014 (hereafter "2020 Area Plan Contract") in the total amount of \$5,654,246.00; and

**WHEREAS**, by virtue of Resolution No. R20200959, dated November 16, 2020, the County accepted the initial allocation of grant funds pursuant to Grant Agreement No. DOAS21AAA012 (hereafter "2021 Area Plan Contract") in the total amount of \$2,716,737.00; and

**WHEREAS**, by virtue of Resolution No. R20210200 dated March 9, 2021, the County authorized an amendment to the 2021 Area Plan Contract, carrying over funds from the 2020 Area Plan Contract and accepting additional funding under the Adult Protective Services grant; and

**WHEREAS**, by virtue of Resolution No. R20210806 dated September 8, 2021 the County authorized an additional amendment to the 2021 Area Plan Contract, reflecting the midyear amendments to the 2021 Area Plan Contract; and

**WHEREAS**, on November 18, 2021, the State of New Jersey, Department of Human Services, Division of Aging Services, released Policy Memorandum 2021-18, I-18, setting forth the final amendments to the 2021 Area Plan Contract; and

**WHEREAS**, pursuant to Policy Memorandum 2021-18, I-18, the grant under Title IIIB is being increased by \$2,274.00, for a new grant amount of \$625,543.00, the grant under Title IIIC1 is being increased by \$3,773.00, for a new grant amount of \$735,744.00, the grant under Title IIIC2 is being increased by \$2,008.00 for a new grant amount of \$444,132.00, the grant under Title IIID is being increased by \$121.00, for a new grant amount of \$38,225.00, the grant under Title IIIE is being increased by \$1,085.00, for a new grant amount of \$291,335.00, the State Match funds are being increased by \$759.00, for a new grant amount of \$185,006.00, and the Nutrition Services Incentive Program grant is being increased by \$543.00, for a new amount of \$174,301.00; and

**WHEREAS**, the dollar match under the 2021 Area Plan Contract remains unchanged; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Health and Human Services Committee and being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, the Board of County Commissioners of the County of Passaic, pursuant to the terms and conditions set forth above and in the 2021 Area Plan Contract, hereby authorizes an amendment to the 2021 Area Plan Grant Agreement No. DOAS21AAA012 for the Passaic County Area Agency on Aging, as authorized by 42 U.S.C.A. SEC.3001, et. seq., increasing the total award amount from \$4,972,813.00 to \$4,983,376.00, in the manner set forth above.

**LET IT BE FURTHER RESOLVED**, that the Director of the Board of County Commissioners, the County Counsel, and Clerk of the Board are hereby authorized to take the necessary actions to accept the changes authorized on behalf of the County of Passaic.

KJB

December 14, 2021



PHILIP D. MURPHY  
GOVERNOR

SHEILA Y. OLIVER  
LT. GOVERNOR

State of New Jersey  
Department of Human Services  
Division of Aging Services  
P.O. Box 807  
Trenton, N.J. 08625-0807

SARAH ADELMAN  
ACTING COMMISSIONER

LOUISE RUSH  
DIVISION DIRECTOR

DATE: November 18, 2021 NUMBER: 2021-18, 1-18  
TYPE: Policy Memorandum SUPERSEDES: None  
SUBJECT: Final Obligation and Allocation of Funds DISTRIBUTION CODE: 1  
for APC Year 2021

EFFECTIVE: Immediately

APPLICABILITY: Executive Directors, Area Agencies on Aging

POLICY: Attached is the final Area Plan Contract (APC) 2021 Area Agency on Aging (AAA) allocations and total AAA funding levels (Attachment A). Final AAA allocations include all approved transfers among Older Americans Act (OAA) Title III B, C1 and C2 as well as the final allocation of FFY 21 Title III, NSIP and related state matching funds. Administrative transfers and final local matching funds, as requested by the AAAs and approved by the Division, are included in the Final 2021 APC approved AAA budgets.

AAA's shall initiate a budget amendment request in SAGE to add the additional funds into the appropriate Integrated Program Summary (IPS). In the justification, AAA's shall:

- Indicate the amendment is to incorporate the Title III B, C1, C2, D and E and NSIP allocations, requested transfers and administrative allocations
- List the APC programs that will need revisions. AAA's do not need to list each IPS separately; AAA's shall list the programs that are changing.
- Any additional requests for changes.

AAA's shall submit the budget amendment request to the Division of Aging Services (Division) by **November 24, 2021**. Final amendments, with all of the appropriate IPS revisions, shall be submitted to the Division by **December 13, 2021**.

#### Supplemental Title III Funds

As of September 3, 2021, the ACL released Title III supplemental funding that is being obligated through this Policy Memorandum. In addition to this federal funding, AAAs are receiving additional State matching funds. AAA's shall obligate all funds allocated through this Policy Memorandum by **December 31, 2021** (See PM 2007-5, III-3 Title III Carryover Procedures). AAA's shall expend and liquidate all federal and state matching funds allocated through this Policy Memorandum by **September 30, 2022**.

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211150

Supplemental funds in Title III B, C1, C2, D and E and NSIP were calculated using the current Title III funding formula.

**Attachment A - 100% Allocation**

Attachment A provides each AAA's final allocation for APC 2021. These are the amounts the AAA has been allocated based upon the funds currently awarded. This allocation includes all transfers. If the AAA requested and received an adjustment after the Official Closeout Letter was issued, those changes in carryover and/or funding levels have been incorporated in this allocation.

The Division of Local Government Services is cognizant of these authorizations and will approve corresponding county budget appropriations for those counties receiving funds under this Policy Memorandum.

Questions regarding this Policy Memorandum may be directed to Warren Clanton at [Warren.Clanton@dis.nj.gov](mailto:Warren.Clanton@dis.nj.gov).



---

Louise Rush  
Division Director

TZ/bs/sw  
Attachments

Attachment A

FINAL CONTRACT Allocation Percentage (Fed & State):

100.00%

*Allocation Code:	02				03				04				10				08			
COUNTY	100% Title III B	Allowed C/O	Authorized Funds	100% Title III C1	Allowed C/O	Authorized Funds	100% Title III C2	Allowed C/O	Authorized Funds	100% Title III D	Allowed C/O	Authorized Funds	100% Title III E							
Atlantic	340,639	57,243	397,882	300,017	307,307	607,324	341,043	142,801	483,844	20,824	15,993	36,817	158,154							
Bergen	1,115,009	151,361	1,266,370	1,134,286	278,271	1,412,540	963,483	89,851	1,023,034	68,043	1,717	68,760	817,345							
Burlington	461,895	215,801	667,696	2,705	517,515	520,220	846,197	240,375	1,086,572	27,561	27,701	65,262	209,170							
Camden	582,617	81,021	643,638	298,378	117,846	416,224	798,223	0	798,223	35,666	58,458	84,026	270,531							
Cape May	174,801	30,286	205,067	181,801	51,608	182,899	118,391	3,443	119,634	16,887	0	16,887	65,418							
Cumberland	236,817	30,506	267,323	22,721	131,870	164,591	250,220	24,041	274,661	12,346	6,952	21,297	82,190							
Essex	1,026,469	128,363	1,148,652	941,784	600,770	1,542,582	1,038,086	171,054	1,207,120	63,378	5,882	70,260	484,697							
Gloucester	258,138	60,569	318,697	187,848	217,556	405,204	298,471	15,022	313,493	15,848	0	15,849	119,737							
Hudson	854,891	381,739	1,236,720	825,024	356,807	1,182,831	701,009	0	701,009	52,238	27	62,265	396,859							
Hunterdon	156,778	83,108	219,886	89,077	20,844	109,921	121,918	1,599	123,518	10,493	6,072	16,565	58,651							
Mercer	407,074	11,385	418,459	2,448	197,280	199,728	764,032	17,833	781,965	24,852	10,637	35,398	189,081							
Middlesex	759,968	72,656	832,524	560,831	396,198	957,020	1,269,808	212,298	1,482,106	54,785	40,933	95,718	417,563							
Monmouth	753,208	304,082	1,057,300	629,265	74,405	594,670	584,093	161,899	725,992	39,002	4,315	43,317	295,343							
Morris	378,481	116,181	492,662	211,393	161,084	352,467	804,320	0	804,320	23,629	48,923	78,452	223,647							
Ocean	1,353,585	61,689	1,415,254	393,272	195,417	568,689	482,800	88,167	592,967	48,751	1,475	48,226	353,006							
Passaic	515,415	16,536	531,951	113,801	248,499	362,400	1,176,103	0	1,176,103	38,225	0	38,225	291,335							
Seton	171,892	82,086	253,978	85,577	73,604	158,181	85,590	0	85,590	15,188	13,628	28,816	34,511							
Somerset	323,509	18,708	342,615	39,775	309,888	343,483	569,278	0	569,278	19,779	16,816	36,394	160,100							
Sussex	156,884	18,671	175,555	140,070	51,773	191,843	83,890	41,578	125,468	12,078	14,520	26,398	55,039							
Union	635,390	74,513	710,303	218,896	288,948	507,844	978,813	47,667	1,027,460	38,806	946	39,782	296,122							
Warren	157,085	40,424	197,509	133,748	0	133,748	72,758	11,041	83,797	11,124	9,295	20,419	47,759							
<b>TOTALS</b>	<b>10,804,018</b>	<b>2,007,216</b>	<b>12,811,234</b>	<b>6,364,290</b>	<b>4,581,209</b>	<b>10,935,499</b>	<b>12,365,505</b>	<b>1,231,069</b>	<b>13,616,574</b>	<b>652,045</b>	<b>289,969</b>	<b>939,034</b>	<b>4,711,217</b>							

\* Allocation Code for Title III Admin - 01, SHTP Admin - 12, SSBG Admin - 21 and FFP Admin - 31

STATE MATCH-100%														36
Allowed C/O	Authorized Funds	Title III Totals	Title III Total Authorized	Title III B-D	Allowed C/O	Authorized Funds	Title III E	Allowed C/O	Authorized Funds	State Match Allocated	State Match Authorized	100% Medicaid	Allowed C/O	
93,553	261,707	1,180,677	1,777,674	53,076	21,901	74,977	47,447	22,027	69,474	100,523	144,451	17,748	0	
146,977	664,322	3,799,149	4,438,026	173,690	0	173,690	155,204	83,171	298,375	329,894	412,065	57,636	65	
0	209,170	1,537,531	2,538,923	70,325	186,979	287,304	62,751	37,438	100,189	133,078	267,493	23,340	0	
88,068	358,598	1,985,317	2,311,710	80,783	0	80,783	81,159	0	81,159	171,942	171,942	30,161	0	
39,079	103,497	503,806	528,964	23,200	0	23,200	19,625	16,923	36,548	42,828	59,761	7,278	0	
12,204	84,394	504,293	512,486	27,641	0	27,641	24,657	3,282	27,939	52,288	65,580	9,233	229	
173,527	658,224	3,545,394	4,627,918	162,090	0	162,090	145,409	54,920	200,329	307,499	392,419	53,870	0	
0	119,737	880,823	1,173,970	40,293	0	40,293	35,821	0	35,821	78,214	78,214	13,367	0	
68,631	468,520	2,924,141	3,731,345	133,837	33,918	167,453	119,967	7,997	127,964	263,604	289,417	44,572	723	
36,214	88,955	429,918	559,755	20,025	14,782	34,808	13,185	12,397	27,592	35,221	62,400	5,894	6,526	
124,995	314,066	1,387,497	1,749,927	83,445	15,802	79,047	56,727	57,574	114,301	120,172	193,348	21,019	0	
252,250	689,763	3,062,895	4,037,141	140,050	47,520	187,570	125,251	68,173	193,424	265,301	390,894	46,205	5,151	
153,752	449,095	2,171,911	2,570,374	89,348	50,112	149,460	88,603	47,771	136,374	187,951	265,834	32,859	121	
27,703	251,350	1,645,370	1,989,271	75,268	3,645	78,913	67,094	1,899	69,093	142,382	148,066	24,810	125	
131,588	484,572	2,589,414	3,089,708	118,927	8,365	125,292	105,802	32,719	138,521	224,829	263,913	39,425	295	
24,529	316,954	2,134,979	2,424,643	97,605	0	97,605	87,401	0	87,401	185,096	185,096	32,348	0	
25,813	78,124	352,758	507,899	16,966	0	16,966	10,353	6,439	15,791	29,319	35,757	3,850	0	
33,813	183,913	1,192,941	1,476,689	50,439	0	50,439	45,030	0	45,030	95,459	85,469	18,887	3,904	
28,659	83,708	447,901	609,112	20,799	10,792	31,591	16,512	9,892	26,404	37,311	57,985	8,091	0	
33,725	329,850	2,169,127	2,616,329	98,199	12,989	112,148	88,837	31,651	120,496	187,996	232,836	32,875	129	
18,801	64,639	422,451	560,012	19,838	0	19,838	14,321	0	14,321	34,156	34,156	5,329	0	
1,620,782	6,234,999	34,907,075	44,537,340	1,598,608	414,503	2,013,111	1,413,368	494,372	1,907,738	3,011,974	3,920,849	524,090	17,269	

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211150

				39/31				48				50			
Authorized Funds	100% NSIP	Allowed C/O	Authorized Funds	FFP Reimbursement	Allowed C/O	Authorized Funds	FFCRA C1 Congr. Meals	Allowed C/O	Transfer	Authorized Funds	FFCRA C2 H.D. Meals	Allowed C/O	Transfer	Authorized Funds	CARES & Supp. Services
17,746	196,480	89,530	285,020	312,793	390,158	702,941	0	0	0	0	0	0	0	0	0
57,701	437,288	0	437,288	90,197	60,000	150,197	0	231,795	(231,795)	0	0	0	0	231,795	231,795
23,340	107,249	7,738	114,987	0	0	0	0	79,218	(79,218)	0	0	18,000	0	79,218	97,218
30,161	111,288	0	111,288	0	0	0	0	0	0	0	0	0	0	0	0
7,273	95,896	0	95,896	0	0	0	0	29,318	0	29,318	0	1	0	0	0
9,462	54,959	7,759	62,718	94,899	243,186	338,075	0	34,996	(34,996)	0	0	11,674	34,996	46,670	0
53,670	164,719	0	164,719	0	0	0	0	0	0	0	0	0	0	0	0
13,367	103,554	0	103,554	187,770	44,143	231,913	0	53,610	(28,610)	25,000	0	0	28,610	23,510	0
45,095	357,276	79,987	436,243	0	0	0	0	139,727	0	139,727	0	25,825	0	25,825	0
11,110	36,005	870	37,275	0	0	0	0	1,709	0	1,709	0	0	0	0	0
21,019	119,574	1,612	121,086	0	0	0	0	84,798	(84,798)	0	0	389	94,798	65,167	0
52,356	241,461	143,891	385,152	0	0	0	0	0	0	0	0	0	0	0	0
32,880	282,178	5,930	288,108	0	0	0	0	0	0	0	0	63,950	0	63,950	0
24,805	265,035	0	265,035	11,582	60,699	72,281	0	0	0	0	0	0	0	0	0
39,731	223,148	24,239	247,282	0	0	0	0	147,999	(133,786)	14,213	0	8,520	133,786	142,306	0
32,348	174,301	0	174,301	0	0	0	0	0	0	0	0	0	0	0	0
3,850	22,765	6,412	29,177	568	22,298	22,805	0	0	0	0	0	3,251	0	3,251	0
20,591	116,907	0	116,907	0	0	0	0	0	0	0	0	0	0	0	0
6,091	33,175	24,356	57,531	163,895	271,721	425,618	0	20,042	(20,042)	0	0	4,267	20,042	24,308	0
33,004	286,197	14,565	300,762	85,616	116,069	201,685	0	132,739	(132,739)	0	0	5,571	132,739	139,310	0
6,329	26,142	0	26,142	105,301	82,900	188,201	0	0	0	0	0	1,859	0	1,859	0
541,359	3,456,203	405,366	3,861,569	1,042,589	1,291,115	2,333,714	0	954,949	(745,984)	208,965	0	148,127	745,984	899,111	0

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211150

51			52			53			64		65		57	58	
Allowed C/O	Transfer	Authorized Funds	CARES CZ H.O. Meals	Allowed C/O	Transfer	Authorized Funds	CARES E Family Caregiver	Allowed C/O	Authorized Funds	CARES Admin C/O Authorized	ABRC Covid-19	Allowed C/O	Authorized Funds	CAA Supplemental HDM Allocation	CRRSA APS Allocation
104,885	0	104,966	0	37,125	0	37,125	0	83,471	83,471	0	0	5,850	5,850	148,603	71,475
380,853	0	360,063	0	75,221	0	75,221	0	129,080	129,080	0	0	0	0	487,316	200,734
37,908	0	37,908	0	128,671	0	128,671	0	27,938	27,938	0	0	45,522	45,522	196,977	89,854
280,498	(180,498)	100,000	0	693,580	180,498	874,078	0	145,629	145,629	0	0	56,883	56,883	254,791	119,362
74,338	0	74,338	0	87,387	0	87,387	0	29,302	29,302	0	0	15,893	15,893	81,632	29,948
22,334	0	22,334	0	9,301	0	9,301	0	97	97	0	0	14,521	14,521	77,162	38,576
181,068	0	181,068	0	0	0	0	0	130,511	130,511	0	0	78,825	78,825	458,883	196,822
82,014	0	82,014	0	63,992	0	63,992	0	64,419	64,419	5,437	0	25,746	25,746	112,707	59,654
217,132	0	217,132	0	448,460	0	448,460	0	118,244	118,244	0	0	87,138	87,138	377,044	181,862
29,894	0	29,894	0	0	0	0	0	24,652	24,652	0	0	9,593	9,593	47,824	24,664
196,264	0	196,264	0	2,683	0	2,683	0	101,898	101,898	17,663	0	41,200	41,200	179,276	82,867
434,197	0	434,197	0	806,178	0	806,178	0	225,426	225,426	0	0	81,147	81,147	394,404	166,804
453,291	0	453,291	0	375,284	0	375,284	0	137,304	137,304	0	0	84,306	84,306	278,288	135,043
183,833	(35,000)	148,833	0	78,481	35,000	113,481	0	89,412	89,412	50,026	0	30,917	30,917	211,050	96,446
218,326	0	218,326	0	774,374	0	774,374	0	129,384	129,384	17,600	0	76,742	76,742	332,071	158,183
5,035	0	5,035	0	0	0	0	0	0	0	0	0	37,281	37,281	274,784	125,632
47,850	(20,000)	27,850	0	29,812	20,000	49,812	0	18,572	18,572	0	0	5,315	5,315	32,493	16,380
76,862	0	76,862	0	108,676	0	108,676	0	72,840	72,840	0	0	32,724	32,724	141,589	60,136
18,850	0	18,850	0	34,285	0	34,285	0	13,987	13,987	11,188	0	16,867	16,867	61,969	28,221
149,179	200,000	349,179	0	600,918	(200,000)	400,918	0	139,972	139,972	0	0	64,482	64,482	279,054	115,263
13,467	0	13,467	0	952	0	952	0	22,659	22,659	0	0	14,884	14,884	44,932	23,464
3,188,058	(35,498)	3,152,560	0	4,386,368	35,498	4,403,886	0	1,683,775	1,683,775	101,942	0	814,824	814,824	4,439,739	2,000,000

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211150

60	59	19	06	11	14	20	17	48						
ADRC COVID-19 Vaccine Funding	VAC 5 COVID-19 Vaccine Funding	100% SHDM	100% SWHDM	SWHDM Required 25% Match ***	100% SHTP Allocation	SHTP Required 10% Match ***	100% APS Allocation	100% SASS Allocation	SASS Required 25% Match ***	100% Supp. Funds (COLA)	CMQA	100% CBSP	Non-Title III Allocated	Non-Title III Authorized
18,758	43,117	0	32,012	8,003	37,855	3,786	208,888	388,920	92,460	177,466	23,810	180,544	1,939,991	2,695,018
61,516	141,401	0	106,036	26,259	124,141	12,414	611,737	812,499	203,126	574,963	23,810	65,472	4,122,638	5,082,823
24,885	57,156	0	42,835	10,634	50,179	5,018	223,403	176,650	44,183	232,085	23,810	0	1,378,179	1,867,591
32,163	73,932	46,806	54,889	13,717	64,907	6,491	374,772	786,559	196,640	308,151	23,810	0	2,445,332	3,623,922
8,930	20,627	7,287	13,344	3,336	15,701	1,570	83,379	129,922	32,231	72,807	23,810	8,456	830,739	863,909
9,739	22,387	1,087	16,505	4,152	19,654	1,965	118,277	482,458	120,615	92,136	23,810	79,246	1,192,606	1,640,185
57,648	132,513	149,871	97,949	24,487	116,338	11,534	678,061	1,440,915	380,228	537,917	23,810	0	4,406,815	4,831,839
14,227	32,703	20,044	24,368	6,092	28,712	2,871	154,579	169,480	39,615	132,666	23,810	0	1,142,835	1,476,769
47,595	109,405	75,063	80,780	20,166	95,050	9,605	596,611	1,622,931	405,733	442,495	23,810	0	4,268,808	5,445,636
8,868	20,456	20,097	19,000	3,250	12,208	1,221	82,780	75,942	18,896	55,147	23,810	0	462,057	661,280
22,504	51,729	0	38,387	9,597	45,418	4,542	237,370	591,157	140,292	209,594	0	0	1,688,034	2,189,952
49,786	114,441	25,402	84,873	21,218	100,472	10,047	491,379	518,809	128,452	458,033	23,810	0	2,975,180	4,801,661
35,125	80,740	0	60,140	16,036	70,685	7,089	366,793	720,452	180,123	327,228	23,810	0	2,501,500	3,799,579
26,641	61,239	11,566	45,626	11,407	53,784	5,376	253,060	95,533	23,683	246,623	23,810	0	1,588,147	1,997,038
41,918	98,355	0	71,813	17,878	84,993	8,459	447,799	227,642	66,886	392,527	23,810	0	2,384,130	3,783,071
34,584	79,727	166,380	58,044	14,761	69,995	7,000	422,905	545,054	136,284	323,707	23,810	0	2,516,437	2,558,733
8,902	20,463	15,373	13,000	3,250	8,277	828	76,074	230,078	57,518	38,489	23,810	0	542,897	662,796
17,874	41,086	15,851	30,543	7,836	36,072	3,607	149,794	219,530	54,638	165,529	23,810	0	1,123,887	1,424,803
8,914	20,490	18,466	13,000	3,250	13,246	1,326	85,808	12,905	3,228	60,218	23,810	0	568,569	892,628
35,227	80,975	16,598	58,878	14,894	71,090	7,109	363,769	469,442	114,861	328,396	23,810	0	2,418,296	3,663,570
8,822	20,569	37,319	13,000	3,250	11,446	1,145	84,662	103,728	25,932	58,001	23,810	26,692	822,337	759,058
574,836	1,321,351	825,990	970,000		1,131,000		6,109,000	8,742,954		5,221,000	476,200	380,398	41,006,324	64,762,060

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211150

Grand Total Allocated	Grand Total Authorized	Fund Balance
3,100,888	4,472,592	1,371,524
7,920,787	9,498,849	1,578,062
2,916,710	4,498,514	1,580,804
4,430,848	6,936,632	1,504,883
1,134,427	1,820,883	386,466
1,797,099	2,352,851	555,552
7,968,009	9,488,987	1,503,946
2,023,868	2,660,729	627,071
7,212,848	6,176,880	1,964,031
890,075	1,120,036	229,060
3,076,631	3,839,678	864,048
5,039,075	8,838,802	2,799,727
4,773,411	6,569,953	1,896,542
3,213,617	3,886,309	772,762
4,563,644	6,862,779	1,609,295
4,651,418	4,883,378	331,980
936,665	1,290,486	354,820
2,232,728	2,900,566	667,828
1,016,470	1,695,740	679,270
4,696,423	6,298,889	1,713,478
1,044,788	1,268,060	214,252
<b>76,813,399</b>	<b>98,289,390</b>	<b>23,386,981</b>

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211150

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505

Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE DEPARTMENT OF WEATHERIZATION AND HOME ENERGY TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM AMERICAN RESCUE PLAN ARREARAGE ASSISTANCE 2022 GRANT, PURSUANT TO N.J.S.A. 40A:5-30, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

WEATHERIZATION

REVIEWED BY:

Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Health & Human Services  
COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211151</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-35							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE DEPARTMENT OF WEATHERIZATION AND HOME ENERGY TO APPLY FOR AND ACCEPT A GRANT FROM THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS FOR THE LOW INCOME HOME ENERGY ASSISTANCE PROGRAM AMERICAN RESCUE PLAN ARREARAGE ASSISTANCE 2022 GRANT, PURSUANT TO N.J.S.A. 40A:5-30**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners for the County of Passaic are vested with decision making powers on behalf of the County; and

**WHEREAS**, the County, through its Division of Weatherization and Home Energy (hereafter “Division”) of the Department of Senior Services administers various programs to reduce energy costs for low-income residents in Passaic County by improving energy efficiency; and

**WHEREAS**, the State of New Jersey, Department of Community Affairs, has informed the Division that it is eligible for a grant award for the Low Income Home Energy Assistance Program American Rescue Plan Arrearage Assistance 2022 Grant in the amount of two hundred twelve thousand seven hundred six dollars (\$212,706.00) for the grant period October 1, 2021 through September 30, 2022; and

**WHEREAS**, there exists a need to assist eligible low-income households within the County to reduce utility balances that are in arrears, and the Board desires to apply for and accept the Low Income Home Energy Assistance Program American Rescue Plan Arrearage Assistance 2022 Grant to meet this need; and

**WHEREAS**, there is no dollar match required to accept this award; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Health and Human Services Committee and being recommended to the Board of County Commissioners for the County of Passaic for approval; and

**NOW THEREFORE BE IT RESOLVED** that that Board of County Commissioners of the County of Passaic hereby authorizes the application for such a grant and recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement and also, upon receipt of the fully executed agreement from the department does further authorize the expenditure of funds pursuant to the terms of the agreement between the County of Passaic and the New Jersey Department of Community Affairs; and

**BE IT FURTHER RESOLVED** that the persons whose names and titles appear below are authorized to sign all necessary documents on behalf of the County of Passaic, and authorizes the Director of the Board of County Commissioners of the County of Passaic and Clerk of the Board of County Commissioners of the County of Passaic and any other County Official to execute the necessary agreements accordingly, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Kevin Batacchi, Director  
Weatherization & Home Energy  
County of Passaic

Pasquale Lepore, Commissioner Director  
Board of County Commissioners  
County of Passaic

KJB

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING RESOLUTION NO. R20210248 AUTHORIZING AN AWARD OF CONTRACT TO ACE SECURITY INC., FOR DOOR LOCKS HARDWARE CATALOG% DISCOUNT AND LOCKSMITH SERVICES AT VARIOUS PASSAIC COUNTY FACILITIES, PURSUANT TO N.J.S.A. 40A:11-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

BUILDINGS & GROUNDS

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211152</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-36							
CAF #	2-01-20-112-001-207							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING RESOLUTION NO. R20210248 AUTHORIZING AN AWARD OF CONTRACT TO ACE SECURITY INC., FOR DOOR LOCKS HARDWARE CATALOG % DISCOUNT AND LOCKSMITH SERVICES AT VARIOUS PASSAIC COUNTY FACILITIES, PURSUANT TO N.J.S.A. 40A:11-1, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, on March 9, 2021, the Board approved Resolution No. R20210248 authorizing an award of contract to Ace Security, Inc., of Haledon, New Jersey for Door Locks Hardware Catalog % Discount and Locksmith Services for Various Passaic County Department in an amount not to exceed thirty thousand dollars (\$30,000.00) for one year period beginning on March 10, 2021 and ending on March 10, 2022; and

**WHEREAS**, Resolution No. R20210248 failed to include the one (1) year option to renew for the period beginning March 10, 2022 and expiring Mach 9, 2023; and

**WHEREAS** the Superintendent of Buildings and Grounds is recommending that the one-year option be exercised by the Board with the Ace Security Inc., of Haledon, New Jersey, for the period beginning March 1, 2022 and expiring March 9, 2023, for an amount not to exceed thirty thousand dollars (\$30,000.00); and

**WHEREAS**, this matter was discussed at the December 1, 2021, Public Works Committee and is being recommended to the Board for approval.

**WHEREAS**, funds are available in Account No. 2-01-20-112-001-207 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-1 et seq. that the Board of County Commissioners of the County of Passaic amends Resolution No. R20210248 to include the one-year option beginning March 10, 22 and expiring March 9, 2023; and

**LET IT BE FURTHER RESOLVED**, that the Board authorizes the one-year option to renew with Ace Security, Inc., of Haledon, New Jersey in an amount not to exceed thirty thousand dollars (\$30,000.00).

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, Director of the Board of County Commissioners, and Purchasing Agent are authorized to take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

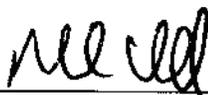
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$30,000.00

APPROPRIATION: \*Contingent upon availability of funds in the 2022 and subsequent adopted budgets

PURPOSE: Award contract to Ace Security Inc. for door locks hardware and locksmith services.



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Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

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*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING ONE-YEAR OPTION WITH THE VENDORS FOR CATALOG % DISCOUNTS FOR ELECTRICAL SUPPLIES AND EQUIPMENT FOR THE COUNTY OF PASSAIC DEPARTMENTS AND INSTITUTIONS AS PER BID SB-21-001 AND PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

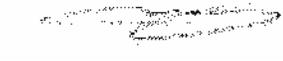
THIS RESOLUTION WAS REQUESTED BY:

BUILDINGS & GROUNDS

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211153</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-37							
CAF #	various accounts							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING ONE-YEAR OPTION WITH THE VENDORS FOR CATALOG % DISCOUNTS FOR ELECTRICAL SUPPLIES AND EQUIPMENT FOR THE COUNTY OF PASSAIC DEPARTMENTS AND INSTITUTIONS AS PER BID SB-21-001 AND PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of Commissioners for the County of Passaic (hereafter “Board”) is vested with decision making powers on behalf of the County; and

**WHEREAS**, on January 26, 2021, the Board approved Resolution R20210079 authorizing an award of contract to Feldman Brothers, Cooper Electric, and White & Shauger, Inc., for the period of March 1, 2021 through February 28, 2022 with one (1) year option to renew with purchases to be made on an as-needed basis for an amount not to exceed sixty thousand dollars (\$60,000.00), in accordance with N.J.S.A. 40:11-1, et seq.; and

**WHEREAS**, the Superintendent of Buildings and Grounds is recommending that the one-year option be exercised by the Board with the vendors listed below, for the period beginning March 1, 2022 and expiring February 28, 2023, for an amount not to exceed sixty thousand dollars (\$60,000.00); and:

Vendor	Category	Manufacturer Price Sheet & Date	Discount
Feldman Brothers Electrical Supply 26 Maryland Avenue Paterson, NJ 07503	ELECTRICAL	- Mulberry - Wiremold  Exceptions: NONE	- 48% - 42%
Cooper Electric 33 Dusko Drive Parlin, NJ 08859	ELECTRICAL & EQUIPMENT	- Sylvania - Square D. - Pass & Seymour - Bridgeport - 3M  Exceptions: NONE	- 20% - 10% - 15% - 10% - 10%
White & Shauger, Inc. P.O. Box 2695 Paterson, NJ 07509	ELECTRICAL & EQUIPMENT	- Victor’s Specialties  Exceptions: NONE	- 60%

**WHEREAS**, funds are available in Account No. C-04-55-166-002-906 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed on November 10, 2021 by the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-1, et seq., the Board of County Commissioners of the County of Passaic authorizes the one-year option with the above listed vendors, for the period beginning March 1, 2022, and expiring February 28, 2023, for an amount not to exceed sixty thousand dollars (\$60,000.00).

**LET IT BE FURTHER RESOLVED**, that the Chief Financial Officer is authorized to appropriate sixty thousand dollars (\$60,000.00) to be used by the Superintendent of Buildings and Grounds for electrical supplies and equipment, to be used on an as-needed basis.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, the Purchasing Agent and the Director of the Board are hereby authorized to execute all necessary agreements on behalf of the County of Passaic as prepared by the Office of County Counsel for said purpose.

NDA

December 14, 2021

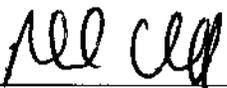
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$60,000.00

APPROPRIATION: \*Contingent upon availability of funds in the 2022 and subsequent adopted budgets

PURPOSE: Award contracts to Feldman Brothers Electrical Supply, Cooper Electric, and White & Shauger Inc. to provide electrical supplies and equipment on an as-needed basis.

  
\_\_\_\_\_  
Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING CHANGE ORDER NO. 5 TO JOHN O'HARA COMPANY INC. FOR THE LAMBERT CASTLE RESTORATION & REHABILITATION PROJECT, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

HISTORICAL SOCIETY

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211154</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-38							
CAF #	C-04-55-162-001-901							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 5 TO JOHN O'HARA COMPANY INC. FOR THE LAMBERT CASTLE RESTORATION & REHABILITATION PROJECT, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.3, et seq. the Board can authorize change orders pursuant to the conditions as set forth therein for work performed, services rendered, materials, supplies or equipment delivered or provided shall be authorized, permitted, or accepted except by the procedures established therein; and

**WHEREAS**, on December 8, 2020, the Board approved Resolution No. R 20201118 awarding a contract to John O'Hara for the Lambert Castle Restoration & Rehabilitation Project (hereafter "Project") for an amount not to exceed six million seven hundred ninety-two thousand four hundred and fifteen dollars (\$6,792,415.00) pursuant to N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Passaic County Director of Cultural and Historic Affairs is recommending that Change Order No. 5 be authorized for a net increase to the contract for the Project in the amount of ten thousand three hundred seventy-nine dollars (\$10,379.00), due to change to the installation and replacement of AWA 11, 12 and 13, which will result in an increase of the contract award to six million eight hundred forty-nine thousand seven hundred and ten dollars (\$6,849,710.00); and

**WHEREAS**, funds are available in Account No. C-04-55-162-001-901 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed on December 1, 2021, by the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.A.C. 5:30-11.3, et seq., the Board of County Commissioners of the County of Passaic approves Change Order No. 5 in the amount of ten thousand three hundred seventy-nine dollars (\$10,379.00) to John O'Hara Company, Inc. for the Lambert Castle Restoration & Rehabilitation Project, as recommended by the Director of Cultural and Historic Affairs.

**LET IT BE FURTHER RESOLVED**, that the Director of Cultural and Historic Affairs is authorized and directed to comply with the general requirements for change orders as set forth in N.J.A.C. 5:30-11.3, et seq.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, County Engineer, and Director of the Board of County Commissioners are authorized to execute and take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021



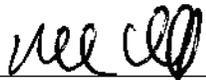
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$10,379.00

APPROPRIATION: C-04-55-162-001-901

PURPOSE: Authorize Change Order No. 5 to John O'Hara  
Company Inc. for the Lambert Castle Restoration and  
Rehabilitation Project.

  
Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

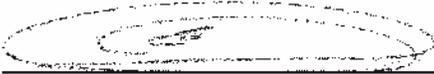
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TANDEM DUMP TRUCK AND ONE (1) SINGLE AXLE DUMP TRUCK FROM BEYER BROTHERS CORPORATION FOR USE BY THE ROADS DEPARTMENT, PURSUANT TO N.J.S.A. 40A:11-10, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

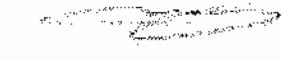
THIS RESOLUTION WAS REQUESTED BY:

ROADS & BRIDGES/OPERATIONS

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211155</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-39							
CAF #	1-01-44-900-003-000							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) TANDEM DUMP TRUCK AND ONE (1) SINGLE AXLE DUMP TRUCK FROM BEYER BROTHERS CORPORATION FOR USE BY THE ROADS DEPARTMENT, PURSUANT TO N.J.S.A. 40A:11-10, ET SEQ. AND N.J.S.A. 11-12, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Passaic Board of County Commissioners (hereafter "Board") is vested with decision making powers on behalf of the County; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-10, et seq., the governing bodies of two or more contracting units may provide by joint agreement for the provision and performance of goods and services for use by their respective jurisdiction; and

**WHEREAS**, the County is a member of the Educational Services Commission of New Jersey, (hereafter "ESCNJ"), a joint cooperative pricing system offering competitive pricing for various goods and services, established pursuant to N.J.S.A. 40A:11-10, et seq.; and

**WHEREAS**, in compliance with the law, ESCNJ issued and awarded a contract to various vendors pursuant Contract No. #65MCESCCPS (JOC Contract No. 20/21-55), which includes Cliffside Body Company; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-12, et seq., the County may, without advertising for bids, purchase goods or services under any contract or contracts for such goods or service entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

**WHEREAS**, Beyer Brothers Corporation submitted competitive pricing for Vehicles, Trucks, Class 4, Utility/Dump, with Snow Plow Option, Master Purchase Blanket Order No. 83470, to the State of New Jersey, Division of Purchase of Property in the Department of Treasury; and

**WHEREAS**, the Supervisor of Roads is seeking authorization for the purchase of two (2) Dump Trucks, one (1) Tandem Dump Truck 68,000 lb., GVWR Cab and Chassis with Conveyor Body in an amount not to exceed one hundred fifty-eight thousand three hundred twenty-eight dollars (\$158,328.00) from Breyer Brothers Corporation and Cliffside Body Company in an amount not to exceed one hundred twenty-five thousand two hundred ninety-nine dollars and fifty-nine cents (\$125,299.59) and one (1) Single Axle Dump Truck in an amount not exceed one hundred forty-three thousand eight hundred dollars (\$143,800.00) from Beyer Brothers Corporation and Cliffside Body Company in an amount not exceed one hundred five thousand one hundred fifty-three dollars and sixty cents (\$105,153.60); and

**WHEREAS**, funds are available in Account No. 1-01-44-900-003-000 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget (s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed at the meeting on December 1, 2021 by the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-10, et seq., that the Board of County Commissioners of the County of Passaic hereby authorizes the purchase of two (2) Dump Trucks, one (1) Tandem Dump Truck 68,000 lb., GVWR Cab and Chassis with Conveyor Body in an amount not to exceed one hundred fifty-eight thousand three hundred twenty-eight dollars (\$158,328.00) from Breyer Brothers Corporation and Cliffside Body Company in an amount not to exceed one hundred twenty-five thousand two hundred ninety-nine dollars and fifty-nine cents (\$125,299.59) and one (1) Single Axle Dump Truck in an amount not exceed one hundred forty-three thousand eight hundred dollars (\$143,800.00) from Beyer Brothers Corporation and Cliffside Body Company in an amount not exceed one hundred five thousand one hundred fifty-three dollars and sixty cents (\$105,153.60); and as recommended by the Supervisor of Roads.

**LET IT BE FURTHER RESOLVED**, that the Purchasing Agent and all other necessary officers and employees be and hereby are authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this Resolution, including but not limited to issuance of an appropriate Purchase Order.

NDA

December 14, 2021

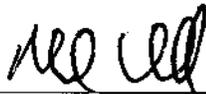
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$283,627.59

APPROPRIATION: 1-01-44-900-003-000

PURPOSE: Award contract to Beyer Brothers Corporation for the purchase of one (1) Tandem Dump Truck and one (1) Single Axle Dump Truck.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING CONTRACT MODIFICATION NO. 2 TO BOSWELL ENGINEERING FOR THE DUNDEE ISLAND PARK PHASE II IMPROVEMENT PROJECT, PURSUANT TO N.J.A.C 5:30-11.6 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211156</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-40							
CAF #	C-04-55-166-002-920							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING CONTRACT MODIFICATION NO. 2 TO BOSWELL ENGINEERING FOR THE DUNDEE ISLAND PARK PHASE II IMPROVEMENT PROJECT, PURSUANT TO N.J.A.C 5:30-11.6 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of Commissioners for the County of Passaic (hereafter “Board”) is vested with decision making powers on behalf of the County; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq., the County issued RFQ-21-0009 seeking qualifications for a pool of engineers, architects, land surveyors, planners, landscape architects, environmental health and safety/engineering consultants to be hired on an as-needed basis to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the qualification for the pool of engineers, architects, land surveyors, planners, landscape architects, and environmental health and safety engineers for calendar year 2021 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, on December 8, 2020 the Board passed Resolution No. R20201102 qualifying a pool of engineers, architects, land surveyors, planners, landscape architects, environmental health and safety/engineering consultants for calendar year 2021, as recommended by the Passaic County Engineer, to be hired on an as-needed basis, which included Boswell Engineering; and

**WHEREAS**, on April 27, 2021, the Board passed Resolution No. R20210437 awarding a contract to Boswell Engineering for consulting engineering services and Licensed Site Remediation Services for the Dundee Island Park Improvements Phase II Project in the City of Passaic in the amount of six hundred twenty-five thousand nine hundred seventy-five dollars (\$625,975.00.00); and

**WHEREAS**, on November 9, 2021, the Board approved Resolution No. R20211048 authorizing Contract Modification No. 1 to Boswell Engineer for Consulting Engineering Services and Licensed Site Remediation Services for the Dundee Island Park Improvements Phase II Project in an amount not to exceed six thousand five hundred dollars (\$6,500.00) which resulted in an increase to the original contract amount to six hundred thirty-two thousand four hundred seventy-five dollars (\$632,475.00); and

**WHEREAS**, the Passaic County Engineer is recommending that the Board approve Contract Modification No. 2 to Boswell Engineer for Consulting Engineering Services and Licensed Site Remediation Services for the Dundee Island Park Improvements Phase II Project in an amount not to exceed twenty-two thousand dollars (\$22,000.00) which will result in an increase to the original contract to six hundred fifty-four thousand four hundred seventy-five dollars (\$654,475.00); and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.6, the County can authorize contract modifications for professional services and extraordinary unspecifiable services when the change is within the scope of activities of the original contract, and not for the purpose of undertaking new or different work or projects; and

**WHEREAS**, funds are available in Account No. C-04-55-166-002-920 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years’ County budget (s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed on December 1, 2021 by the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.A.C. 5:30-11.6 that the Board of County Commissioners of the County of Passaic authorizes Contract Modification No. 2 to Boswell Engineer for Consulting Engineering Services and Licensed Site Remediation Services for the Dundee Island Park Improvements Phase II Project in an amount not to exceed twenty-two thousand five hundred dollars (\$22,000.00).

**LET IT BE FURTHER RESOLVED**, the Clerk of the Board shall print in the official newspaper a brief notice stating the nature, duration, service, and amount of the contract modification to Boswell Engineering and maintain a copy of the resolution on file and available for public inspection in the Office of the Clerk of the Board.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, and Director of the Board of County Commissioners are authorized to execute the contract modification and take any other steps necessary to carry out the purpose of this resolution.

NDA

December 14, 2021

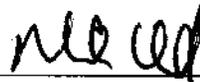
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$22,000.00

APPROPRIATION: C-04-55-166-002-920

PURPOSE: Authorize Contract Modification No. 2 to Boswell Engineering for the Dundee Island Park Phase II Improvement Project.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
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*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING RESOLUTION AUTHORIZING ACCEPTANCE OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2022 LOCAL BRIDGE FUND PROGRAM GRANT OF \$2,932,169.00 AND TO SUBMIT APPLICATIONS FOR THE PASSAIC AVENUE CULVERT, DOTY ROAD BRIDGE AND THE OTTERHOLE ROAD CULVERT PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

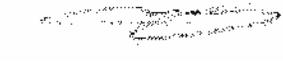
THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211157</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-41							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING RESOLUTION AUTHORIZING ACCEPTANCE OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2022 LOCAL BRIDGE FUND PROGRAM GRANT OF \$2,932,169.00 AND TO SUBMIT APPLICATIONS FOR THE PASSAIC AVENUE CULVERT, DOTY ROAD BRIDGE AND THE OTTERHOLE ROAD CULVERT PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the New Jersey Department of Transportation (hereafter "NJDOT") 2022 Local Bridge Fund Program Grant has provided the County of Passaic with a grant of \$2,932,169.00; and

**WHEREAS**, on November 9, 2021, the Board approved Resolution No. R20211043 authorizing the acceptance of the NJDOT Local Bridge Fund Program Grant and authorizing the County Engineer to submit application for the following projects: Passaic Avenue Culvert No. 1600-092 in the City of Passaic in the amount of five hundred thousand dollars (\$500,000.00); Doty Road Bridge No. 1600-147 in the Borough of Wanaque in the amount of one million nine hundred thirty-two thousand one hundred sixty-nine dollars (\$1,932,169.00) and Otterhole Road Culvert No. 1600-148 in the Township of West Milford in the amount of five hundred thousand (\$500,000.00); and

**WHEREAS**, the County Engineer is seeking authorization to amend Resolution R20211043 to remove Passaic Avenue Culvert No. 1600-092 in the City of Passaic and Otterhole Road Culvert No. 1600-148 in the Township of West Milford from the project applications for the NJDOT 2022 Local Bridge Fund Program and add the Deck Replacement of the Jackson Avenue Bridge No. 1600-026 in the Township of Wayne and repairs to the Paterson Hamburg Turnpike Bridge No. 1600-029 in the Borough of Bloomingdale.

**WHEREAS**, the County Engineer is seeking authorization to accept the NJDOT 2022 Local Bridge Fund Program Grant and submit the applications for the projects listed herein; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, that the Board of County Commissioners of the County of Passaic authorizes the removal of Passaic Avenue Culvert No. 1600-092 in the City of Passaic and Otterhole Road Culvert No. 1600-148 in the Township of West Milford from the project applications for the NJDOT 2022 Local Bridge Fund Program and the addition of Deck Replacement of the Jackson Avenue Bridge No. 1600-026 in the Township of Wayne and repairs to the Paterson Hamburg Turnpike Bridge No. 1600-029 in the Borough of Bloomingdale in the amount of one million four hundred thousand dollars (\$1,400,000.00); and amend the grant application amount to the Doty Road Bridge No. 1600-147 in the Borough of Wanaque to the adjusted amount of one million five hundred thirty two thousand one hundred sixty nine dollars (\$1,532,169.00).

**FURTHER RESOLVED**, that the Clerk of the Board, Chief Financial Officer, County Counsel, County Engineer, and Director of the Board are authorized to take any other steps necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

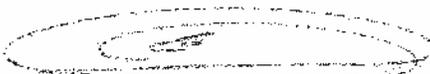
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO KEEGAN TECHNOLOGY & TESTING ASSOCIATES, INC., T/A KEY TECH FOR ON-CALL GEOTECHNICAL TESTING SERVICES FOR THE VEHICLE STORAGE BUILDING PROJECT IN THE TOWNSHIP OF WEST MILFORD, PURSUANT TO N.J.S.A. 40A:11-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211158</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-42							
CAF #	C-04-55-166-001-920							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING AN AWARD OF CONTRACT TO KEEGAN TECHNOLOGY & TESTING ASSOCIATES, INC., T/A KEY TECH FOR ON-CALL GEOTECHNICAL TESTING SERVICES FOR THE VEHICLE STORAGE BUILDING PROJECT IN THE TOWNSHIP OF WEST MILFORD, PURSUANT TO N.J.S.A. 40A:11-1, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Passaic Board of County Commissioners (hereafter "Board") is vested with decision making powers on behalf of the County; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4, et seq., every contract awarded by the County, for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold [40A:11-3], shall be awarded only by resolution of the Board to the lowest responsible bidder after public advertising for bids and bidding thereof; and

**WHEREAS**, the County received Bid SB-21-003 on January 12, 2021 for Construction and Geotechnical On-Call Testing Services for the County on an as-needed basis for the period March 1, 2021 to December 31, 2022; and

**WHEREAS**, on February 9, 2021, the Board passed Resolution R20210123 approving the pool of qualified testing companies and their unit prices; and

**WHEREAS**, the County Engineer is recommending the award of the Keegan Technology & Testing Associates, Inc., T/A Key Tech in the amount of two thousand nine hundred twenty dollars (\$2,920.00) for On-Call Geotechnical Engineering Services to perform geotechnical testing and concrete sampling at the West Milford Vehicle Storage Building; and

**WHEREAS**, funds are available in Account No. C-04-55-166-001-920 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget (s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed on December 1, 2021, by the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-1, et seq., Board of County Commissioners of the County of Passaic hereby authorizes an award of contract to the Keegan Technology & Testing Associates, Inc., T/A Key-Tech in the amount two thousand nine hundred twenty dollars (\$2, 920.00) for On-Call Geotechnical Engineering Services for On-Call Geotechnical Engineering Services to perform geotechnical testing and concrete sampling at the West Milford Vehicle Storage Building in the Township of West Milford.

**LET IT BE FURTHER RESOLVED**, that the Purchasing Agent, County Engineer, County Counsel, and all other necessary officers be and hereby are authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this Resolution, including but not limited to issuance of an appropriate Purchase Order.

NDA

December 1, 2021

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$2,920.00

APPROPRIATION: C-04-55-166-001-920

PURPOSE: Award contract to Keegan Technology & Testing Associates, Inc., T/A Key-Tech for on-call geotechnical testing services.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING AWARD OF CONTRACT TO ON-LINE CONTRACTING FOR ON CALL DRAINAGE REPAIRS AT UNION AVENUE AND MAIN STREET IN THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY, PURSUANT TO N.J.S.A 40A: 11-1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211159</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-43							
CAF #	C-04-55-163-002-906							
Purchase Req. #	R1-15790							
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING AWARD OF CONTRACT TO ON-LINE CONTRACTING FOR ON CALL DRAINAGE REPAIRS AT UNION AVENUE AND MAIN STREET IN THE TOWNSHIP OF LITTLE FALLS, NEW JERSEY, PURSUANT TO N.J.S.A. 40A: 11-1, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners for the County of Passaic (hereafter "Board") is vested with decision making powers on behalf of the County; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4, et seq., every contract awarded by the County, for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold [40A:11-3], shall be awarded only by resolution of the Board to the lowest responsible bidder after public advertising for bids and bidding thereof; and

**WHEREAS**, on January 28, 2020, the Board passed Resolution R20200081 qualifying a pool of construction companies and establishing unit prices for the On-Call Miscellaneous Drainage Repairs for a two-year period beginning on January 1, 2020 expiring on December 31, 2021 as recommended by the County Engineer, to be hired on an as-needed basis which included On-Line Contracting; and

**WHEREAS**, the County Engineer is recommending an award of contract to On-Line Contracting, Inc., in an amount not to exceed twenty-seven thousand nine hundred thirty-five dollars (\$27,935.00) for On Call Drainage Repairs for the following locations: (1) Union Avenue in the Township of Little falls and (4) Main Street in the Township of Little Falls; and

**WHEREAS**, funds are available in Account No. C-04-55-163-002-906 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget (s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed on December 1, 2021 by the Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-1 et seq. the Passaic County Board of Commissioners hereby authorizes an award of contract to On-Line Contracting in an amount not to exceed twenty-seven thousand nine hundred thirty-five dollars (\$27,935.00) for On Call Drainage Repairs for the following locations: (1) Union Avenue in the Township of Little falls and (4) Main Street in the Township of Little Falls as recommended by the County Engineer.

**LET IT BE FURTHER RESOLVED**, that the Chief Financial Officer is authorized to appropriate twenty-seven thousand nine hundred thirty-five dollars (\$27,935.00) to be used by the Engineering Department On Call Drainage Repairs at Union Avenue and Main Street in Little Falls.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, and Director of the Board of County Commissioners are authorized to execute an agreement and take any other steps necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

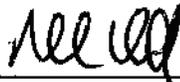
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$27,935.00

APPROPRIATION: C-04-55-163-002-906

PURPOSE: Award contract to On-Line Contracting for on-call drainage repairs.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO GOLIATH TECH KEYSTONE FOR INSTALLATION OF HELICAL PILE FOUNDATION FOR NEW GOLF COURSE BRIDGES #2 AND #3 AT THE PREAKNESS VALLEY GOLF COURSE, WAYNE, NEW JERSEY, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211160</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-44							
CAF #	C-04-55-986-002-901							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO GOLIATH TECH KEYSTONE FOR INSTALLATION OF HELICAL PILE FOUNDATION FOR NEW GOLF COURSE BRIDGES #2 AND #3 AT THE PREAKNESS VALLEY GOLF COURSE, WAYNE, NEW JERSEY, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.3, et seq. the Board can authorize change orders pursuant to the conditions as set forth therein for work performed, services rendered, materials, supplies or equipment delivered or provided shall be authorized, permitted, or accepted except by the procedures established therein; and

**WHEREAS**, on March 23, 2021, the Board approved Resolution R20210292 awarding a contract to Goliath Tech Keystone for the installation of helical piles foundation for the Preakness Valley Golf Course Prefabricated Composite Bridge at location # 2 and # 3 (hereafter "Project") in an amount not to exceed seventeen thousand one hundred dollars (\$17,100.00) pursuant to N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Passaic County Engineer is recommending that Change Order No. 1 be authorized for a net addition to the contract for the Project in an amount not to exceed three hundred and fifty dollars (\$350.00), due to additional layout that was required for the installation of the piles, which will result in an increase of the original contract to seventeen thousand four hundred fifty dollars (\$17,450.00); and

**WHEREAS**, funds are available in Account No. C-04-55-986-001-909 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget (s), which is attached to and made part of this Resolution.

**WHEREAS**, this matter was discussed on December 1, 2021, by the Public Works Committee, and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.A.C. 5:30-11.3, et seq., the Board of County Commissioners of the County of Passaic approves Change Order No. 1 in an amount not to exceed three hundred fifty dollars (\$350.00) Goliath Tech Keystone for the installation of helical piles foundation for the Preakness Valley Golf Course Prefabricated composite Bridge at location # 2 and # 3, as recommended by the County Engineer.

**LET IT BE FURTHER RESOLVED**, that the County Engineer is authorized and directed to comply with all of the general requirements for change orders as set forth in N.J.A.C. 5:30-11.3, et seq.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, County Engineer, and Director of Board of County Commissioners are authorized to execute the Change Order or take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$350.00

APPROPRIATION: C-04-55-986-002-901

PURPOSE: Authorize Change Order No. 1 to Goliath Tech  
Keystone for installation of helical piles foundation  
for the Preakness Valley Golf Course Prefabricated  
Composite Bridge at location #2 and #3.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO ON-LINE CONTRACTING FOR 2021 PHASE I - ON CALL DRAINAGE REPAIRS AT VARIOUS PASSAIC COUNTY LOCATIONS ON AN AS-NEEDED BASIS, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211161</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-45							
CAF #	C-04-55-166-002-906							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO ON-LINE CONTRACTING FOR 2021 PHASE I - ON CALL DRAINAGE REPAIRS AT VARIOUS PASSAIC COUNTY LOCATIONS ON AN AS-NEEDED BASIS, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.3, et seq. the Board can authorize change orders pursuant to the conditions as set forth therein for work performed, services rendered, materials, supplies or equipment delivered or provided shall be authorized, permitted, or accepted except by the procedures established therein; and

**WHEREAS**, on June 22, 2021, the Board approved Resolution R20210615 On-line Contracting, Inc., in an amount not to exceed seventy-five thousand four hundred thirty dollars (\$75,430.00) for 2021 Phase I – On Call Drainage Repairs for the following locations: (1) East 16<sup>th</sup> Street & Lafayette Avenue, City of Paterson; (2) East 8<sup>th</sup> Street & Lakeview, City of Clifton; (3) 1310 Route 23 North, Wayne Township; and (4) 527 East 18<sup>th</sup> Street, City of Paterson; (hereafter "Project") pursuant to N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Passaic County Engineer is recommending that Change Order No. 1 be authorized for a net addition to the contract for the Project in an amount not to exceed fourteen thousand five hundred forty-eight dollars and three cents (\$14,548.03), due to final quantity adjustments including supplemental pay items need to complete the project, which will result in an increase of the original contract to eighty-nine thousand nine hundred seventy-eight dollars and three cents (\$89,978.03); and

**WHEREAS**, funds are available in Account No. C-04-55-166-002-906 or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget (s), which is attached to and made part of this Resolution.

**WHEREAS**, this matter was discussed on December 1, 2021, by the Public Works Committee, and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.A.C. 5:30-11.3, et seq., the Board of County Commissioners of the County of Passaic approves Change Order No. 1 in an amount not to exceed fourteen thousand five hundred forty-eight dollars and three cents (\$14,548.03) to On-Line Contracting, Inc., for 2021 Phase I – On Call Drainage Repairs, as recommended by the County Engineer.

**LET IT BE FURTHER RESOLVED**, that the County Engineer is authorized and directed to comply with all of the general requirements for change orders as set forth in N.J.A.C. 5:30-11.3, et seq.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, County Engineer, and Director of Board of County Commissioners are authorized to execute the Change Orders and take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$14,548.03

APPROPRIATION: C-04-55-166-002-906

PURPOSE: Authorize Change Order No. 1 to On-Line Contracting  
for 2021 Phase I – On Call Drainage Repairs.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

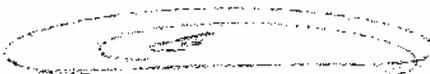
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 FOR THOMAS & SONS BUILDERS, LLC FOR THE GOFFLE BROOK PARK IMPROVEMENTS – SOUTH OF DIAMOND BRIDGE AVENUE PROJECT IN THE BOROUGH OF HAWTHORNE, NEW JERSEY, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211162</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-46							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 FOR THOMAS & SONS BUILDERS, LLC FOR THE GOFFLE BROOK PARK IMPROVEMENTS – SOUTH OF DIAMOND BRIDGE AVENUE PROJECT IN THE BOROUGH OF HAWTHORNE, NEW JERSEY, PURSUANT TO N.J.A.C. 5:30-11.3 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.3, et seq. the Board can authorize change orders pursuant to the conditions as set forth therein for work performed, services rendered, materials, supplies or equipment delivered or provided shall be authorized, permitted, or accepted except by the procedures established therein; and

**WHEREAS**, on August 13, 2019, the Board approved Resolution No. R20190732 awarding a contract to Thomas & Sons Builders, LLC for the Goffle Brook Park Improvements-South of Diamond Bridge Avenue (hereafter “Project”) in the amount nine hundred two thousand one hundred ninety dollars (\$902,190.00), pursuant to N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Passaic County Engineer is recommending that Change Order No. 4 be authorized for a net deduction to the contract for the Project in the amount thirty-one thousand eight hundred seventy-eight dollars and fifty cents (\$31,878.50) due to deletions of as-built quantities needed to complete the project, which will result in a decrease of the contract to nine hundred fifty-eight thousand nine hundred ninety-seven dollars and twenty cents (\$958,997.20); and

**WHEREAS**, this matter was discussed on December 1, 2021, by the Public Works Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.A.C. 5:30-11.3, et seq., the Board of County Commissioners of the County of Passaic approves Change Order No.4 in the amount thirty-one thousand eight hundred seventy-eight dollars and fifty cents (\$31,878.50) to Thomas & Sons Builders, LLC for the Goffle Brook Park Improvements-South of Diamond Bridge Avenue, as recommended by the County Engineer.

**LET IT BE FURTHER RESOLVED**, that the County Engineer is authorized and directed to comply with the general requirements for change orders as set forth in N.J.A.C. 5:30-11.3, et seq.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, County Engineer, and Director of the Board of County Commissioners are authorized to execute the Change Order and take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
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Tel: 973-881-4402  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING ENCROACHMENT PERMIT FOR KINGWOOD FLEX, LLC 1590-1610 UNION VALLEY ROAD FOR INSTALLATION OF DECORATIVE STREET LIGHTIN WITHIN A COUNTY ROAD LOCATED AT 1590-1610 UNION VALLEY ROAD (BLOCK 6401 LOT 1) IN THE TOWNSHIP OF WEST MILFORD, NEW JERSEY PURSUANT TO N.J.S.A.40:20-1, ALL AS NOTED IN THE RESOLUTION.

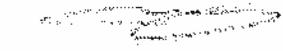
THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211163</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-47							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING ENCROACHMENT PERMIT FOR KINGWOOD FLEX, LLC  
1590-1610 UNION VALLEY ROAD FOR INSTALLATION OF DECORATIVE STREET  
LIGHTIN WITHIN A COUNTY ROAD LOCATED AT 1590-1610 UNION VALLEY ROAD  
(BLOCK 6401 LOT 1) IN THE TOWNSHIP OF WEST MILFORD, NEW JERSEY PURSUANT  
TO N.J.S.A.40:20-1**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County of Passaic has a policy which prohibits the placement of encroachments on rights-of-way of the County of Passaic; and

**WHEREAS**, the encroachment permit application as required for County Planning Board Application SP-19-008 is attached hereto and made a part hereof, has been made for property located at 294 Union Boulevard (Block 6401 Lot 1) in the Township of West Milford, New Jersey; and

**WHEREAS**, the encroachment is for the installation of decorative street lighting along Union Valley Road within the County Right-of-Way located at 1590-1610 Union Valley Road in the Township of West Milford; and

**WHEREAS**, Kingwood Flex, LLC (hereafter "Property Owner"), shall hold the County of Passaic and its agents and employees harmless for any damages incurred as a result of this encroachment. Upon proper notice from the County of Passaic, the Property Owner is to remove the encroachment at its expense should the County of Passaic require the use of the right-of-way for any other reason as may be required by the County of Passaic in the future; and

**WHEREAS**, should the Property Owner modify or abandon the need for this encroachment, the part containing the encroachment of the structures shall be removed and, thus, this encroachment permission within the County right-of-way shall cease to exist; and

**WHEREAS**, this matter was discussed at the December 1, 2021, meeting of the Public Works Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, that the Board of County Commissioners of the County of Passaic authorizes the encroachment permit for property located at 1590-1610 Union Valley Road, Block 6401 Lot 1 in the Township of West Milford, New Jersey subject to the above-stated terms and conditions.

**BE IT FURTHER RESOLVED**, that the aforesaid encroachment permit is not to be considered a change of policy by the County of Passaic and future requests for encroachment permit shall be considered on a case-to-case basis.

**BE IT FURTHER RESOLVED**, the Director, Clerk of the Board and County Counsel are hereby authorized to execute an Encroachment Agreement on behalf of Passaic County.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE EXECUTION OF TRAFFIC SIGNALIZATION AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE TOWNSHIP OF WAYNE AS PART OF THE RECONSTRUCTION OF THE PATERSON HAMBURG TURNPIKE AND ALPS ROAD INTERSECTION PROJECT, PURSUANT TO N.J.S.A. 40:20-1, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211164</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-48							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE EXECUTION OF TRAFFIC SIGNALIZATION AGREEMENT BETWEEN THE COUNTY OF PASSAIC AND THE TOWNSHIP OF WAYNE ASPART OF THE RECONSTRUCTION OF THE PATERSON HAMBURG TURNPIKE AND ALPS ROAD INTERSECTION PROJECT, PURSUANT TO N.J.S.A. 40:20-1**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS** as part of the Paterson Hamburg Turnpike and Alps Road Intersection Project, the County will install and replace traffic signals at the Paterson Hamburg Turnpike and Southern Jug handle and Alps Road Southern Jug handle and Grandview Drive; and

**WHEREAS**, the County will design and construct the actuated traffic signal and the Township has agreed to accept ownership and maintenance responsibility for all traffic control equipment and hold the County harmless of any actions of any nature; and

**WHEREAS**, the County Engineer is seeking authorization to execute the Traffic Signal Agreement; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Public Works Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, that the Board of County Commissioners of the County of Passaic authorizes the execution of Traffic Signalization Agreement by and between the County of Passaic and the Township of Wayne.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, County Engineer, and Director of the Board are authorized to take any other steps necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
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Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING FINAL PAYMENT AND PROJECT CLOSE OUT TO TSUJ CORPORATION FOR TSUJ CORPORATION FOR THE PASSAIC COUNTY JAIL GENERATOR REPLACEMENT PROJECT IN THE CITY OF PATERSON, PURSUANT TO N.J.S.A. 40A:11-16.3 (b) ET SEQ, ALL AS NOTED IN THE RESOLUTION.

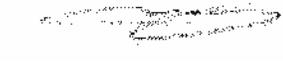
THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211165</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-49							
CAF #								
Purchase Req. #	19-04241							
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING FINAL PAYMENT AND PROJECT CLOSE OUT TO  
TSUJ CORPORATION FOR TSUJ CORPORATION FOR THE PASSAIC COUNTY  
JAIL GENERATOR REPLACEMENT PROJECT IN THE CITY OF PATERSON,  
PURSUANT TO N.J.S.A. 40A:11-16.3 (b) ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter "Board") is vested with decision making powers on behalf of the County; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-16.3 (b), et seq. the Board can authorize release and final payment upon acceptance of the work performed pursuant to the contract provided that the contract has been completed; and

**WHEREAS**, on May 14, 2019, the Board approved Resolution R20190437 awarding a contract to TSUJ Corp., for the Passaic County Jail Generator Replacement Project in the amount of one million five hundred fifty-eight thousand four hundred seventy-seven dollars (\$1,558,477.00) pursuant to N.J.S.A. 40A:11-1, et seq.; and

**WHEREAS**, the Passaic County Engineer is advising that this project is complete and conforms to Passaic County construction plans, standard specifications and other engineering standards, and is requesting that the Board approve project close out, final acceptance, release of retainage, and final payment to TSUJ Corporation in the amount of thirty ninety-six thousand eight hundred sixty-two dollars and nine cents (\$96,862.09); and

**WHEREAS**, this project was partially funded by a FEMA Grant of \$438,908.99; and

**WHEREAS**, this matter was discussed at the December 1, 2021, Public Works Committee meeting and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-16.3(b) et seq., by the Passaic County Board of County Commissioners hereby authorizes and approves project close out, final acceptance, release of retainage, and final payment to TSUJ Corp., for the Passaic County Jail Generator Replacement Project in Paterson, NJ in the amount of thirty ninety-six thousand eight hundred sixty-two dollars and nine cents (\$96,862.09) and the Director of Finance is hereby authorized to make payment to said company on the next bill list.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION QUALIFYING REAL ESTATE APPRAISERS FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

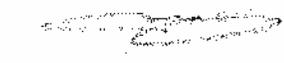
THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211166</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-50							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION QUALIFYING REAL ESTATE APPRAISERS FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County of Passaic (hereafter “County”) requires qualified real estate appraisers to undertake appraisals of real property in Passaic County, as necessary, for various County projects and real estate transactions; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the Purchasing Agent issued RFQ-22-022, Real Estate Appraisers (hereafter “RFQ-22-022”) seeking qualifications for a pool of outside real estate appraisers for calendar year 2022, to be hired on an as-needed basis, to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the qualification for the pool of real estate appraisers for calendar year 2022 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the responses submitted in compliance with the law to RFQ-22-022 are attached hereto as **Schedule A**, were reviewed by the County Counsel, and are being recommended for qualification by the Board of County of Commissioners of the County of Passaic (hereafter “Board”) for approval as real estate appraisers in calendar year 2022; and

**WHEREAS**, this matter was discussed on December 1, 2021 by the Public Works Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED** pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of County Commissioners of the County of Passaic is qualifying the real estate appraisers for calendar year 2022 as set forth in **Schedule A**, attached to and made part of this resolution, to be hired on an as-needed basis to serve as real estate appraisers, as recommended by the County Counsel.

**LET IT BE FURTHER RESOLVED** that the County Counsel is hereby authorized and directed to recommend real estate appraisers from the qualified list, as needed, in calendar year 2022 for the Board to retain same.

NDA

December 14, 2021

**SCHEDULE A**

<b>RFQ-22-022, REAL ESTATE APPRAISERS</b>	
<b>FIRM</b>	<b>ADDRESS</b>
Sterling DiSanto Associates, LLC	145 West End Ave, Somerville, New Jersey 08876
Wade Appraisal, LLC	460 Main Street, Somerville, New Jersey 08840
New Jersey Realty Advisory Group	178 Main Street, Woodbridge, New Jersey 07095
Integra Realty Resources	301 South Livingston Ave, Suite 104, Livingston, New Jersey 07039

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211166

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION EXPANDING THE POOL OF REAL ESTATE TITLE SEARCHERS AND EXAMINERS FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ENGINEERING

REVIEWED BY:

Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211167</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-51							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION EXPANDING THE POOL OF REAL ESTATE TITLE SEARCHERS  
AND EXAMINERS FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40A:11-5,  
ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) requires qualified Title Searches and Examiners to conduct title searches for various County projects and real estate transactions; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5, et seq. the Purchasing Agent issued RFQ-22-023, Title Searchers and Examiners, (hereafter “RFQ-22-023”), seeking qualifications for a pool of title searchers and examiners for calendar year 2022, to be hired on an as-needed basis, to provide professional services to the County; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the qualification for the pool of real estate appraisers for calendar year 2022 is publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and is publicly opened and announced when awarded; and

**WHEREAS**, the responses submitted in compliance with the law to RFQ-22-023, attached hereto as **Schedule A**, were reviewed by the County Council, and are being recommended for qualification by the Board of Commissioners of the County of Passaic (hereafter “Board”) for approval as title searchers and examiners in calendar year 2022; and

**WHEREAS**, this matter was discussed at the December 1, 2021 meeting of the Public Works Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) that the Board of Commissioners of the County of Passaic is qualifying the Title Searchers and Examiners for calendar year 2022 as set forth in **Schedule A**, attached to and made part of this resolution, to be hired on an as-needed basis to serve as title searchers and examiners, as recommended by the County Council.

**LET IT BE FURTHER RESOLVED**, that the County Council is hereby authorized and directed to recommend real estate appraisers from the qualified list, as needed, in calendar year 2022 and for the Board to retain same.

NDA

December 14, 2021

**SCHEDULE A**

RFQ-22-023 TITLE SEARCHERS AND EXAMINERS	
FIRM	ADDRESS
Two Rivers Title Company, LLC	2 Ayers Lane, Suite 202, Little Silver, New Jersey

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211167

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
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*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING A FEE SCHEDULE FOR THE GOLF OUTINGS AT THE PREAKNESS VALLEY GOLF COURSE FOR CALENDAR YEAR 2022, PURSUANT TO N.J.S.A. 40:37-7.12, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PARKS & RECREATION DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211168</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-52							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓				✓			
Akhter		✓						
Bartlett	✓			✓	✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING A FEE SCHEDULE FOR THE GOLF OUTINGS AT THE  
PREAKNESS VALLEY GOLF COURSE FOR CALENDAR YEAR 2022,  
PURSUANT TO N.J.S.A. 40:37-7.12**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.7 the Board operates and maintains over sixteen thousand (16,000) acres of preserved open space and recreational facilities as part of the Passaic County Park System, through the Department of Parks and Recreation (hereafter “Department”); and

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.12, the Board may by resolution, make, alter, amend, and repeal rules and regulations for the supervision, regulation and control of all activities carried on, conducted, sponsored, arranged, or provided for in connection with the Passaic County Park System, and may prescribe and enforce fines and penalties for the violation of any such rule or regulation; and

**WHEREAS** the Director of the Department is recommending the following fee schedule for golf outings at the Preakness Valley Golf Course in calendar year 2022:

Weekday	100 players or more	\$60.00/per player
Weekday	99 players or less	\$65.00/per player
Full Course	100 players or more	\$60.00/per player
Full Course	99 players or less	\$65.00/per player

**WHEREAS**, this matter was discussed at the December 1, 2021, Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:32-7.7 that the Board of County Commissioners of the County of Passaic authorizes the following fee scheduled for golf outings at the Preakness Valley Golf Course in calendar year 2022:

Weekday	100 players or more	\$60.00/per player
Weekday	99 players or less	\$65.00/per player
Full Course	100 players or more	\$60.00/per player
Full Course	99 players or less	\$65.00/per player

**LET IT BE FURTHER RESOLVED**, that the new fee schedule supersedes any and all prior fee schedules and that all the other terms and conditions as set forth in Resolution No. R20201098 remain in full force and effect.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, Director of the Board of County Commissioners, and Purchasing Agent are authorized to take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

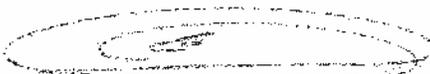
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING RESOLUTION NO. R20200989 AUTHORIZING UPDATING THE FEE SCHEDULE FOR EVENTS HELD AT THE PASSAIC COUNTY PARKS INCLUDING EDUCATIONAL CLASSES, SENIOR PROGRAMS, ATHLETIC PROGRAMS AND FITNESS CLASSES FOR 2022, PURSUANT TO N.J.S.A. 40:32-7.7, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PARKS & RECREATION DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211169</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-53							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓					✓		
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING RESOLUTION NO. R20200989 AUTHORIZING UPDATING THE FEE SCHEDULE FOR EVENTS HELD AT THE PASSAIC COUNTY PARKS INCLUDING EDUCATIONAL CLASSES, SENIOR PROGRAMS, ATHLETIC PROGRAMS AND FITNESS CLASSES FOR 2022, PURSUANT TO N.J.S.A. 40:32-7.7, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.7 the Board operates and maintains over sixteen thousand (16,000) acres of preserved open space and recreational facilities as part of the Passaic County Park System, through the Department of Parks and Recreation (hereafter "Department"); and

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.12, the Board may by resolution, make, alter, amend, and repeal rules and regulations for the supervision, regulation and control of all activities carried on, conducted, sponsored, arranged, or provided for in connection with the Passaic County Park System, and may prescribe and enforce fines and penalties for the violation of any such rule or regulation; and

**WHEREAS**, the Director of the Department is recommending an amendment to Resolution R20200989 to update the fee schedule for events held at the Parks including Educational/Worships Classes, Senior Programs, Athletic Tournaments & Programs, and Fitness Classes for 2022; and

**WHEREAS**, this matter was discussed at the November 10, 2021, Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:32-7.7 et seq. that the Board of County Commissioners of the County of Passaic authorizes the amendment of Resolution No. R20200989 to update the fee schedule for events held at the Parks including Educational/Worships Classes, Senior Programs, Athletic Tournaments & Programs, and Fitness Classes for 2022.

**LET IT BE FURTHER RESOLVED**, that all the other terms and conditions as set forth in Resolution No. R20200989 remain in full force and effect.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, Director of the Board of County Commissioners, and Purchasing Agent are authorized to take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING RESOLUTION NO. R20210076 AUTHORIZING UPDATE OF THE PARKS AND RECREATION PERMIT INFORMATION PACKET, PURSUANT TO N.J.S.A. 40:32-7.7, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PARKS & RECREATION DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211170</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-54							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING RESOLUTION NO. R20210076 AUTHORIZING UPDATE OF THE PARKS AND RECREATION PERMIT INFORMATION PACKET, PURSUANT TO N.J.S.A. 40:32-7.7, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.7 the Board operates and maintains over sixteen thousand (16,000) acres of preserved open space and recreational facilities as part of the Passaic County Park System, through the Department of Parks and Recreation (hereafter “Department”); and

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.12, the Board may by resolution, make, alter, amend, and repeal rules and regulations for the supervision, regulation and control of all activities carried on, conducted, sponsored, arranged, or provided for in connection with the Passaic County Park System, and may prescribe and enforce fines and penalties for the violation of any such rule or regulation; and

**WHEREAS**, the Director of the Department is recommending an amendment to Resolution R20210076 to update the Park Permit Information Packet which contains updated information on the Food Concession fee, Sports Courts and Field fees, Camp Hope Pool and Spray Park Day Pass fees, addition of an Event Parking Fee, the Role of Visitors Service Ranger and Revision of the Drone Policy; and

**WHEREAS**, this matter was discussed at the November 10, 2021 Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:32-7.7 et seq. that the Board of County Commissioners of the County of Passaic authorizes the amendment of Resolution No. R20210076 to include update to the Park Permit Information Packet which contains updated information on the Food Concession fee, Sports Courts and Field fees, Camp Hope Pool and Spray Park Day Pass fees, addition of an Event Parking Fee, the Role of Visitors Service Ranger and Revision of the Drone Policy.

**LET IT BE FURTHER RESOLVED**, that all the other terms and conditions as set forth in Resolution No. R20210076 remain in full force and effect.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, Director of the Board of County Commissioners, and Purchasing Agent are authorized to take any other action necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING AN AMENDMENT TO THE PASSAIC COUNTY PARK SYSTEM ORDINANCE, PURSUANT TO N.J.S.A. 40:32-7.12, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PARKS & RECREATION DEPARTMENT

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211171</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-55							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE PASSAIC COUNTY PARK SYSTEM ORDINANCE, PURSUANT TO N.J.S.A. 40:32-7.12**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.7 the Board operates and maintains over sixteen thousand (16,000) acres of preserved open space and recreational facilities as part of the Passaic County Park System, through the Department of Parks and Recreation (hereafter “Department”); and

**WHEREAS**, pursuant to N.J.S.A. 40:32-7.12, the Board may by resolution, make, alter, amend, and repeal rules and regulations for the supervision, regulation and control of all activities carried on, conducted, sponsored, arranged, or provided for in connection with the Passaic County Park System, and may prescribe and enforce fines and penalties for the violation of any such rule or regulation; and

**WHEREAS**, the Director of the Department is recommending an amendment to the Ordinance, specifically Article II, Sections 2, 14, 16, 18, 28 and 44, and Article III changing food concession fee and Article V Section 4

**WHEREAS**, this matter was discussed at the December 1, 2021 Public Works Committee, and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:32-7.12 that the Board of County Commissioners of the County of Passaic authorizes the following amendment to the Passaic County Park System Ordinance:

1. **Article II, Section 2** [NEW] the use of crossbow as a weapon
2. **Article II, Section 14** [NEW] language regarding the use of helmets
3. **Article II, Section 16** [NEW] dog park guidelines
4. **Article II, Section 18** [NEW] language referring to the New Jersey Division of Fish and Wildlife
5. **Article II, Section 25** [NEW] updates to Drone Policy
6. **Article II, Section 28** [NEW] clarification on alcohol use
7. **Article III** Food concession fee changed to \$500
8. **Article V, Section 4** [NEW] no food policy around the pool/spray park at Camp Hope
9. **Article VI** [NEW] Dog Parks

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, County Administrator, and Director of the Department of Parks and Recreation are authorized to take any action necessary to carry out the purpose of this Resolution.

**LET IT BE FURTHER RESOLVED**, pursuant to N.J.S.A. 40:24-3, this Resolution shall be published by the Clerk to the Board at least once in an official newspaper as designated by the Board before it becomes effective.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING A ONE YEAR OPTION WITH THE VENDORS LISTED BELOW FOR CATALOG % DISCOUNTS FOR IRRIGATION AND DRAINAGE SUPPLIES TO BE USED THROUGHOUT THE PARK SYSTEM TO REPAIR AND MAINTAIN THE EXISTING IRRIGATION AND DRAINAGE SYSTEMS, PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PARKS & RECREATION DEPARTMENT

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211172</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-56							
CAF #	2-01-28-198-001-IP1							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING A ONE YEAR OPTION WITH THE VENDORS LISTED BELOW FOR CATALOG % DISCOUNTS FOR IRRIGATION AND DRAINAGE SUPPLIES TO BE USED THROUGHOUT THE PARK SYSTEM TO REPAIR AND MAINTAIN THE EXISTING IRRIGATION AND DRAINAGE SYSTEMS, PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

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

**WHEREAS**, on February 9, 2021, the Board approved Resolution No. R20210133 authorizing an award of contract to the vendors listed below for the period beginning March 31, 2021 expiring February 28, 2022 with a one (1) year option to renew with purchases to be made on an as-needed basis for an amount not to exceed twenty five thousand dollars (\$25,000), in accordance with N.J.S.A. 40:11-1, et seq.; and

Vendor	Category	Manufacturer Price Sheet & Date	Discount
Site One Landscape Supply 1385 East 36 <sup>th</sup> Street Cleveland, Ohio 44114	IRRIGATION & DRAINAGE	Rainbird 2020 catalog <a href="http://www.siteone.com">www.siteone.com</a> Rainbird Parts Exceptions: NONE	- 23% - 23% - 23%
Ewing Irrigation and Landscape Supply 779 Susquehanna Avenue Franklin Lakes, NJ 07417	IRRIGATION & DRAINAGE	Rainbird Harco ductile iron Hymax couplers Lasco swing joints Lasco schedule 40 NDS list price Exceptions: No discount on ADS items	- 23% - 25% - 15% - 48% - 64% - 52%

**WHEREAS**, the Director of Park and Recreation is recommending that one-year option be exercised by the Board with the vendors listed above, for the period beginning March 1, 2022 and expiring February 28, 2023, for an amount not to exceed twenty-five thousand dollars (\$25,000.00); and

**WHEREAS**, funds are available in Account No. 2-01-28-198-001-IP1 in any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget (s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was discussed on December 1, 2021 by the Public Works Committee and is being recommended to the Board for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-1, et seq., the Board of County Commissioners of the County of Passaic authorizes the one-year option with the vendors listed above for the period beginning March 1, 2022 and expiring February 28, 2023, for an amount not to exceed twenty-five thousand dollars (\$25,000.00).

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, and the Director of the Board are authorized to take any other steps necessary to carry out the purpose of this resolution, including executing the contract with Optical Storage Solutions.

NDA

December 14, 2021

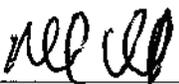
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$25,000.00

APPROPRIATION: \*Contingent upon availability of funds in the 2022 and subsequent adopted budgets

PURPOSE: Award contracts Site One landscape Supply and Ewing Irrigation and Landscape Supply for irrigation and drainage supplies.

  
\_\_\_\_\_  
Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING RESOLUTION R20211097 AUTHORIZING AWARD OF CONTRACT TO THE VENDORS LISTED BELOW FOR WINTER PRODUCTS AS PER BID SB-21-058 AND PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ROADS & BRIDGES/OPERATIONS

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Public Works

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211173</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-57							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING RESOLUTION R20211097 AUTHORIZING AWARD OF CONTRACT TO THE VENDORS LISTED BELOW FOR WINTER PRODUCTS AS PER BID SB-21-058 AND PURSUANT TO N.J.S.A. 40A:11-1 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a government body incorporated pursuant to N.J.S.A. 40:18-1, et seq. and vested with all rights contained therein; and

**WHEREAS**, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners for the County of Passaic (hereafter "Board") is vested with decision making powers on behalf of the County; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4, et seq., every contract awarded by the County, for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold [40A:11-3], shall be awarded only by resolution of the Board to the lowest responsible bidder after public advertising for bids and bidding thereof; and

**WHEREAS**, on November 23, 2021, the Board approved Resolution No. R20211097 authorizing an award of contract to the vendors listed below for Winter Products for the County of Passaic Departments and Institutions; and

**WHEREAS**, Resolution No. R20211097 incorrectly listed the price \$1.35 per gallon for Liquid Calcium Chloride from Peckham Materials Corp; and

**WHEREAS**, Resolution No. R20211097 needs to be amended to reflect to correct price of \$1.035 per gallon for Liquid Calcium Chloride from Peckham Materials Corp., as indicated below; and

<b>Vendor</b>	<b>Category</b>	<b>Item Amount and Cost</b>	<b>Total Award</b>
Morton Salt 444 W. Lake Street Chicago, IL 60606	Winter Products	1. Rock Salt-20,000 tons at \$66.54 per ton	\$1,330,800.00
Chemical Equipment Labs 3920 Providence Rd #A Newtown Square, PA 19073	Winter Products	1. Magnesium Chloride Flakes 1,760 bags at \$11.00 per bag 2. Calcium Chloride 864 bags at \$16.00 per bag 3. Magnesium Chloride Pellets 1,760 bags at \$15.25 per bag	\$60,024.00
Peckham Materials Corp. 763 Schoharie Turnpike Athens, NY 12015	Winter Products	1. Liquid Calcium Chloride 17,000 gallons at \$1.035 per gallon	\$17, 595
Compass Minerals America Inc. 9900 W. 99 <sup>th</sup> Street Ste. 100 Overland Park. KS 66210	Winter Products	No Bid Submitted	No Bid Submitted
Cargill 24950 County Club Blvd. Suite #450 North Olmsted, OH 44070	Winter Products	No Bid Submitted	No Bid Submitted
Atlantic Salt Inc. 134 Middle Street, suite 210 Lowell, MA 01852	Winter Products	1. Rock Salt at \$75.75 per ton	0.00

**WHEREAS**, this matter was discussed at the November 10, 2021 Public Works Committee and is being recommended to the Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-1 et seq. that the Board of County Commissioners of the County of Passaic amends Resolution No. R20211097 to reflect to correct price of \$1.035 per gallon for Liquid Calcium Chloride from Peckham Materials Corp.

**LET IT BE FURTHER RESOLVED**, that all the other terms and conditions as set forth in Resolution No. R20211097 remain in full force and effect.

**LET IT BE FURTHER RESOLVED**, that the Clerk of the Board, County Counsel, Director of the Board of County Commissioners, and Purchasing Agent are authorized to execute an agreement with Vendors listed above and take any other steps necessary to carry out the purpose of this Resolution.

NDA

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION APPROVING THE BID RECEIVED FROM WINNER FORD FOR THE PASSAIC COUNTY SHERIFF'S OFFICE BID # SB-21-063 PURSUANT TO N.J.S.A 40A: 11-4, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

SHERIFF'S DEPT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Law and Public Safety

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211174</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-58							
CAF #	2-01-22-130-001-A02							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION APPROVING THE BID RECEIVED FROM WINNER FORD  
FOR THE PASSAIC COUNTY SHERIFF'S OFFICE BID # SB-21-063  
PURSUANT TO N.J.S.A. 40A: 11-4, ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Passaic County Sheriff's Office (hereafter "PCSO") has requested the purchase horse feed and bedding supplies for the PCSO Mounted Horse Unit; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4, et seq., for every contract awarded by the County for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold established pursuant to N.J.S.A. 40A:11-3, shall be awarded by resolution of the Board to the lowest responsible bidder after public advertising for bids and bidding thereof; and

**WHEREAS**, the Passaic County Purchasing Agent issued SB-22-003 for Passaic County Sheriff's Department Mounted Unit Horse Feed and Bedding Supplies (hereinafter "SB-22-003"), in compliance with N.J.S.A. 40A:11-4, et seq.; and

**WHEREAS**, the responses for SB-22-003 were reviewed by representatives of the Sheriff's Office who are recommending the lowest and only bidder, Blake Acevedo d/b/a Interstate Hay, be awarded the contract, for an amount not to exceed forty-three thousand nine-hundred and thirty-nine dollars and twenty-five cents (\$43,939.25); and

**WHEREAS**, funds are available in Account No. 2-01-22-130-001-A02, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2022 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-23 the County issued bid # SB-22-003 advertisement for bids which was published in advance of the date fixed for receiving the bids to promote competitive bidding; the County received bids for SB-22-003 on November 16, 2021; and

**WHEREAS**, this matter was reviewed by the Law and Public Safety Committee and is being recommended to the full Board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-4, et seq., the Board of County Commissioners of the County of Passaic is authorizing a contract award to Blake Acevedo d/b/a Interstate Hay for horse feed and bedding supplies for use by the PCSO Mounted Unit in an amount not to exceed forty-three thousand nine-hundred and thirty-nine dollars and twenty-five cents (\$43,939.25).

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Board of County Commissioners of the County of Passaic are authorized to execute an agreement and take any other steps necessary to carry out the purpose of this resolution.

L.SP

December 14, 2021

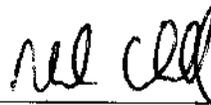
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$43,939.25

APPROPRIATION: \*Contingent upon availability of funds in 2022 adopted budget.

PURPOSE: Award contract to Blake Acevedo d/b/a Interstate hay for horse feed and bedding supplies for use by the Passaic County Sheriff's Office Mounted Unit.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

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Deputy Director Bruce James  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY THE PASSAIC COUNTY SHERIFF'S OFFICE, PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

SHERIFF'S DEPT

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Law and Public Safety

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211175</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-59							
CAF #	1-01-25-157-001-213;							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY  
THE PASSAIC COUNTY SHERIFF'S OFFICE,  
PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Passaic County Sheriff's Office (hereafter "PCSO") has requested the purchase of various goods and services from qualified vendors for use in furtherance of its administrative objectives; and

**WHEREAS**, said goods and services are being procured through State Contract and Cooperative Purchasing Agreements in which the County of Passaic is a member, as permitted by N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-12 and as specified below; and

**WHEREAS**, this matter was discussed by the Law and Public Safety Committee and is being recommended to the Board for approval; and

**WHEREAS**, the Board is desirous of approving said purchases in accordance with the terms of the applicable contracts and authorizing the Purchasing Agent to issue the appropriate Purchase Orders; and

**WHEREAS**, funds are available in the accounts set forth below, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-10, et seq. and N.J.S.A. 40A:11-12 et seq. the Board of County Commissioners of the County of Passaic that it hereby authorizes the purchase of the following goods and/or services in accordance with the terms of the applicable State Contract or cooperative agreement:

Description:	Forty-nine (49) copiers/printers – post lease buy out option
Using Agency:	PCSO
Purchase Price:	\$38,060.86
Account:	1-01-25-157-001-213
Vendor:	Toshiba Business Solutions USA
Authority:	State Contract
Master P.O.:	82711

Description:	Computer Equipment
Using Agency:	PCSO
Purchase Price:	\$35,655.84
Account:	1-01-25-157-001-219
Vendor:	SHI International Corp.
Authority:	State Contract
Master P.O.	89974

Description:	Cloud service, storage and maintenance
Using Agency:	PCSO
Purchase Price:	\$12,347.52
Account:	1-01-25-157-001-213
Vendor:	SHI International Corp.
Authority:	Bergen County Cooperative Contract Purchasing System
Contract #:	CK-04 19-34

Description: Snow plows and salt spreader  
Using Agency: PCSO  
Purchase Price: \$24,488.23  
Account: 1-01-25-157-001-213  
Vendor: Van Dine's Motors, Inc.  
Authority: State Contract  
Master P.O. 88270

Description: Ballistic Body Armor Vests  
Using Agency: PCSO  
Purchase Price: \$18,460.80  
Account: T-22-56-850-012-803  
Vendor: Turn Out Uniform  
Authority: State Contract  
Master P.O. 17-FLEET-00778

**LET IT BE FURTHER RESOLVED**, that the Purchasing Agent and all other necessary officers and employees be and hereby are authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this resolution, including but not limited to issuance of appropriate Purchase Orders.

LSP

December 14, 2021

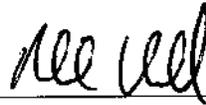
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$129,013.25

APPROPRIATION: 1-01-25-157-001-213 - \$74,896.61  
1-01-25-157-001-219 - \$35,655.84  
T-22-56-850-012-803 - \$18,460.80

PURPOSE: Authorize purchase of various items by the Passaic  
County Sheriff's Office.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE PASSAIC COUNTY OFFICE OF EMERGENCY MANAGEMENT TO ACCEPT FUNDS FROM THE STATE OF NEW JERSEY OFFICE OF HOMELAND SECURITY AND PREPARENESS URBAN AREAS SECURITY INITIATIVE (UASI) PROGRAM, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

OFFICE OF EMERGENCY MANAGEMENT

REVIEWED BY:

Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Law and Public Safety

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211176</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-60							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE PASSAIC COUNTY OFFICE OF EMERGENCY MANAGEMENT TO ACCEPT FUNDS FROM THE STATE OF NEW JERSEY OFFICE OF HOMELAND SECURITY AND PREPAREDNESS URBAN AREAS SECURITY INITIATIVE (UASI) PROGRAM**

**WHEREAS**, the County of Passaic (hereinafter the “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Passaic County Office of Emergency Management (hereinafter “OEM”) has been notified that the State of New Jersey Office of Homeland Security and Preparedness has awarded the County three-hundred and seven thousand dollars (\$307,000.00) for approved projects under the FFY21 Urban Areas Security Initiative (UASI) Local Share Grant Program (CFDA #97.067, Award # EMW-2021-00016) for the period of October 1, 2021 through September 30, 2024; and

**WHEREAS**, OEM seeks permission to accept the FFY21 UASI Grant; and

**WHEREAS**, this matter was discussed by the Law and Public Safety Committee and is being recommended to the full Board for approval.

**NOW, THEREFORE LET IT BE RESOLVED**, that the Board of County Commissioners for the County of Passaic hereby authorizes the Passaic County Office of Emergency Management to accept the FFY2021 Urban Area Security Initiative (UASI) Local Share Grant Program (CFDA #97.067, Award # EMW-2021-00016) from the from the State of New Jersey Office of Homeland Security and Preparedness in an amount of three-hundred and seven thousand dollars (\$307,000.00) for the period of October 1, 2021 through September 30, 2024.

**LET IT BE FURTHER RESOLVED**, that the Passaic County Office of Emergency Management shall use the funds received for the purposes described in the application submitted for same.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, County Administrator and Director of the Board of County Commissioners are authorized to execute an agreement and take any other steps necessary to carry out the purpose of this resolution.

I.SP

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

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Deputy Director Bruce James  
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*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY THE PASSAIC COUNTY OFFICE OF EMERGENCY MANAGEMENT, PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

OFFICE OF EMERGENCY MANAGEMENT

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Law and Public Safety

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211177</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-61							
CAF #	01-41-846-020-223;01							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY  
THE PASSAIC COUNTY OFFICE OF EMERGENCY MANAGEMENT,  
PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Passaic County Office of Emergency Management (hereafter "OEM") has requested the purchase of various goods and services from qualified vendors for use in furtherance of its administrative objectives; and

**WHEREAS**, said goods and services are being procured through State Contract and Cooperative Purchasing Agreements in which the County of Passaic is a member, as permitted by N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-12 and as specified below; and

**WHEREAS**, this matter was discussed by the Law and Public Safety Committee and is being recommended to the Board for approval; and

**WHEREAS**, the Board is desirous of approving said purchases in accordance with the terms of the applicable contracts and authorizing the Purchasing Agent to issue the appropriate Purchase Orders; and

**WHEREAS**, funds are available in the accounts set forth below, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-10, et seq. and N.J.S.A. 40A:11-12 et seq. the Board of County Commissioners of the County of Passaic that it hereby authorizes the purchase of the following goods and/or services in accordance with the terms of the applicable State Contract or cooperative agreement:

Description:	GeoRelevant mapping floor plans of International, Rosa Parks, Lakeland, Pompton Lakes, Wayne Hills, Wayne Valley and West Millford High schools
Using Agency:	OEM
Purchase Price:	\$25,499.15
Account:	01-41-846-020-223
Vendor:	Critical Response Group, Inc.
Authority:	Bergen County Cooperative Contract Purchasing System
Contract #:	CK-04 19-34

Description:	GeoRelevant mapping floor plans of Clifton, Hawthorne, John F. Kennedy and East Side High Schools
Using Agency:	OEM
Purchase Price:	\$19,692.55
Account:	01-41-846-019-223
Vendor:	Critical Response Group, Inc.
Authority:	Bergen County Cooperative Contract Purchasing System
Contract #:	CK-04 19-34

Description:	Base Station Radio Equipment Installation
Using Agency:	OEM
Purchase Price:	\$7,985.90
Account:	01-41-846-019-223
Vendor:	Northeast Communications, Inc.
Authority:	Morris County Cooperative Pricing Council
Contract #:	41

Description: Desktop Workstation Radio  
Using Agency: OEM  
Purchase Price: \$55,385.00  
Account: 1-01-20-110-001-219  
Vendor: Northeast Equipment  
Authority: State Contract  
Master P.O. 83924

**LET IT BE FURTHER RESOLVED**, that the Purchasing Agent and all other necessary officers and employees be and hereby are authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this resolution, including but not limited to issuance of appropriate Purchase Orders.

LSP

December 14, 2021

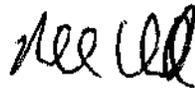
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$108,562.60

APPROPRIATION: G-01-41-846-019-223 - \$27,678.45  
G-01-41-846-020-223 - \$25,499.15  
1-01-20-110-001-219 - \$55,385.00

PURPOSE: Authorize purchase of various items by the Passaic  
Office of Emergency Management.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE PASSAIC COUNTY PROSECUTOR'S OFFICE TO APPLY FOR AND ACCEPT FUNDS FROM THE COUNTY PROSECUTOR INSURANCE FRAUD REIMBURSEMENT PROGRAM, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:  
PROSECUTOR'S OFFICE

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Law and Public Safety  
COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211178</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-62							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE PASSAIC COUNTY PROSECUTOR'S OFFICE  
TO APPLY FOR AND ACCEPT FUNDS FROM THE COUNTY PROSECUTOR  
INSURANCE FRAUD REIMBURSEMENT PROGRAM**

**WHEREAS**, the County of Passaic (hereinafter the "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Passaic County Prosecutor's Office wishes to apply to the New Jersey Office of Insurance Fraud Prosecutor (hereinafter "OIPF") for funding for the Insurance Fraud Reimbursement Program for the period of January 1, 2022 to December 31, 2022; and

**WHEREAS**, in accordance with the letter issued by the OIPF the Prosecutor is eligible to apply for up to two-hundred and fifty thousand dollars (\$250,000); and

**WHEREAS** this matter was discussed by the Law and Public Safety Committee and is being recommended to the full Board for approval.

**NOW, THEREFORE LET IT BE RESOLVED**, that the Board of County Commissioners for the County of Passaic hereby authorizes the Passaic County Prosecutor's Office to apply for and accept a grant award from the Office of Insurance Fraud Program for funding for the Insurance Fraud Reimbursement Program, which would make it eligible for up to two-hundred and fifty thousand dollars for the period of January 1, 2022 to December 31, 2022.

**LET IT BE FURTHER RESOLVED**, that the Passaic County Prosecutor's Office shall use the funds received for the purposes described in the application submitted for same.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, County Administrator and Director of the Board of County Commissioners are authorized to execute an agreement and take any other steps necessary to carry out the purpose of this resolution.

LSP

December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
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*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY THE PASSAIC COUNTY PROSECUTOR'S OFFICE, PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:  
PROSECUTOR'S OFFICE

REVIEWED BY:

Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Law and Public Safety

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211179</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-63							
CAF #	1-01-20-109-001-203;							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓		✓		✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING PURCHASE OF VARIOUS ITEMS BY  
THE PASSAIC COUNTY PROSECUTOR'S OFFICE,  
PURSUANT TO N.J.S.A. 40A:11-10 ET SEQ. AND N.J.S.A. 40A:11-12 ET SEQ.**

**WHEREAS**, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the Passaic County Prosecutor's Office (hereafter "PCPO") has requested the purchase of various goods and services from qualified vendors for use in furtherance of its administrative objectives; and

**WHEREAS**, said goods and services are being procured through State Contract and Cooperative Purchasing Agreements in which the County of Passaic is a member, as permitted by N.J.S.A. 40A:11-10 and N.J.S.A. 40A:11-12 and as specified below; and

**WHEREAS**, this matter was discussed by the Law and Public Safety Committee and is being recommended to the Board for approval; and

**WHEREAS**, the Board is desirous of approving said purchases in accordance with the terms of the applicable contracts and authorizing the Purchasing Agent to issue the appropriate Purchase Orders; and

**WHEREAS**, funds are available in the accounts set forth below, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-10, et seq. and N.J.S.A. 40A:11-12 et seq. the Board of County Commissioners of the County of Passaic that it hereby authorizes the purchase of the following goods and/or services in accordance with the terms of the applicable State Contract or cooperative agreement:

Description:	Ammunition
Using Agency:	PCPO
Purchase Price:	\$19,982.22
Account:	1-01-20-109-001-203
Vendor:	Eagle Point Gun
Authority:	State Contract
Master P.O.:	17-FLEET-00721

Description:	Savin IM C8000 Copier
Using Agency:	PCPO
Purchase Price:	\$17,357.00 (after trade in allowance of \$3,875.00 has been applied)
Account:	1-01-20-109-001-223
Vendor:	Atlantic Tomorrow's Office
Authority:	State Contract
Master P.O.	G40467

Description:	Computer hardware and installation
Using Agency:	PCPO
Purchase Price:	\$169,997.02
Account:	T-23-56-850-000-801
Vendor:	SHI International Corp.
Authority:	Bergen County Cooperative Contract Purchasing System
Contract #.:	NJCPA Coop BC-BID-19-34

**LET IT BE FURTHER RESOLVED**, that the Purchasing Agent and all other necessary officers and employees be and hereby are authorized and directed to take such further actions and sign such documents as are necessary to effectuate the purpose of this resolution, including but not limited to issuance of appropriate Purchase Orders.

L.SP

December 14, 2021

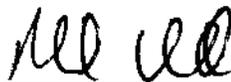
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$207,336.24

APPROPRIATION: 1-01-20-109-001-203 - \$19,982.22  
1-01-20-109-001-223 - \$17,357.00  
T-23-56-850-000-801 - \$134,997.02  
G-01-41-859-020-223 - \$35,000.00

PURPOSE: Authorize purchase of various items by the Passaic  
County Prosecutor's Office.



Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AMENDING PREVIOUSLY ADOPTED RESOLUTION R2019-1069 TO INCLUDE ACTUAL GRANT AWARD AMOUNT RECEIVED BY THE PASSAIC COUNTY PROSECUTOR'S OFFICE, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:  
PROSECUTOR'S OFFICE

REVIEWED BY:

  
Anthony J. De Nova III  
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.  
COUNTY COUNSEL

Law and Public Safety  
COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211180</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-64							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
 MOVE= moved SEC= seconded  
 AYE= yes NAY= no ABST.= abstain  
 RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AMENDING PREVIOUSLY ADOPTED RESOLUTION  
R2019-1069 TO INCLUDE ACTUAL GRANT AWARD AMOUNT RECEIVED BY THE  
PASSAIC COUNTY PROSECUTOR'S OFFICE**

**WHEREAS**, the County of Passaic (hereinafter the "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, on November 18, 2019, the Board passed Resolution R2019-1069, which authorized the Passaic County Prosecutor's Office (hereinafter the "PCPO") to apply for the Edward Byrne Memorial Justice Grant (Subaward "JAG 1-16TF-17"), which would make the PCPO eligible to receive funding to aid in the salaries and fringe benefit costs for employees identified as providing services under this grant for the period of July 1, 2018 to June 30, 2019; and

**WHEREAS**, the PCPO was recently made aware that under JAG-1-16TF-17 it was being awarded \$177,964 in federal/state grant funds, with PCPO providing a match award amount of \$100,062 in county salary and fringe match, for a total project amount of \$278,026.00 for the period of July 1, 2018 to June 30, 2019; and

**WHEREAS**, said funds will be used to reimburse the salary and partial fringe benefits of a detective/analyst who was employed by the PSPO during the period of July 1, 2018 to June 30, 2019; and

**WHEREAS**, the PCPO now seeks approval to accept the actual award amount as outlined above; and

**WHEREAS**, this matter was discussed at the Law and Public Safety committee and is now being recommended to the full board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Board of County Commissioner of the County of Passaic hereby authorize the Passaic County Prosecutor's Office to accept the Grant Award for JAG-1-16TF-17 in the amount of \$177,964, with the PCPO providing a matching award amount of \$100,062, for a total project amount of \$278,026.00 to be used as to fund salaries and fringe benefits paid to an employee during the period of July 1, 2018 to June 30, 2019, in accordance with the terms of the Grant.

**LET IT BE FURTHER RESOLVED**, that the Passaic County Prosecutor's Office shall use the grant funds received for their purposes described in the application submitted for same.

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and the Director of the Board of County Commissioners are authorized to execute an agreement and take any other steps necessary to carry out the purpose of this resolution.

I.SP

December 9, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

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Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
Administrator

Matthew P. Jordan, Esq.  
County Counsel

Louis E. Imhof, III, RMC  
Clerk Of The Board



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

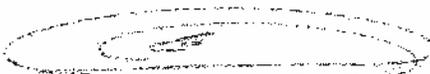
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE PASSAIC COUNTY PROSECUTOR'S OFFICE TO AMEND RESOLUTION 20201203 AND AWARD ADDITIONAL FUNDS TO MORRIS COUNTY PREVENTION IS KEY, INC. FOR CASE MANAGEMENT SERVICES, PURSUANT TO N.J.S.A. 40A:11-4.1, ET SEQ, ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PROSECUTOR'S OFFICE

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Law and Public Safety

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211181</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-65							
CAF #	G-01-41-871-022-213							
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE PASSAIC COUNTY  
PROSECUTOR'S OFFICE TO AMEND RESOLUTION 20201203 AND AWARD  
ADDITIONAL FUNDS TO MORRIS COUNTY PREVENTION IS KEY, INC. FOR  
CASE MANAGEMENT SERVICES, PURSUANT TO N.J.S.A. 40A:11-4.1, ET SEQ.**

**WHEREAS**, the County of Passaic (hereinafter the "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, by Resolution 2021-0833, dated September 8, 2021, the Passaic County Prosecutor's Office (hereinafter the "PCPO") was authorized to award a contract for case management services to Morris County Prevention is Key, Inc. pursuant to 40A:11-4.1 et seq. in an amount not to exceed fifty thousand dollars (\$50,000); and

**WHEREAS**, as a result of the increased funds the PCPO now desires to award an additional sum of twenty-eight thousand dollars (\$28,000) to Morris County Prevention is Key, Inc. for its case management services contract under the Operation Helping Hands Grant Number FFYOOH-14-2021 for the period of September 1, 2021 through August 31, 2021; and

**WHEREAS**, the scope of services set forth in the original request for proposal (RFP 21-023) has not changed; and

**WHEREAS**, funds are available in Account No G-01-41-871-022-213, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2021 and/or subsequent years' County budget(s), which is attached to and made part of this Resolution; and

**WHEREAS**, this matter was reviewed by the Law and Public Safety Committee and is being recommended to the full board for approval.

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40A:11-4.1 et seq., the Board of County Commissioners of the County of Passaic is authorizing an increase to the contract awarded to Morris County Prevention is Key, Inc. for Case Management Services by Resolution 2021-0833, in an amount not to exceed twenty-eight thousand dollars (\$28,000).

**LET IT BE FURTHER RESOLVED**, the Clerk to the Board shall print, in the official newspaper, a brief notice stating the nature, duration, service, and increased amount of the contract to Morris County Prevention is Key, Inc., and maintain a copy of the resolution on file and available for public inspection in the Office of the Clerk to the Board; and

**LET IT BE FURTHER RESOLVED**, that the Clerk to the Board, County Counsel, and Director of the Board of County Commissioners are authorized to execute an agreement and take any other steps necessary to carry out the purpose of this resolution.

L.SP

December 14, 2021

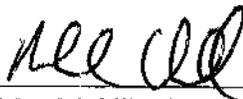
CERTIFICATION OF AVAILABLE FUNDS

THIS IS TO CERTIFY THAT FUNDS ARE AVAILABLE AS FOLLOWS:

AMOUNT: \$28,000.00

APPROPRIATION: G-01-41-871-022-213

PURPOSE: Award contract to Morris County Prevention Is Key, Inc. for case management services.

  
\_\_\_\_\_  
Richard Cahill, Director of Finance

DATED: December 14, 2021

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
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Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION AUTHORIZING THE REVISED COUNTY OF PASSAIC SECTION 3 PLAN AND APPOINTING A SECTION 3 COORDINATOR IN ACCORDANCE WITH THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED, 12 U.S.C. 1701u, AND ITS ASSOCIATED REGULATIONS, 24 C.F.R. PART 75., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

ECONOMIC DEVELOPMENT

REVIEWED BY:

Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.

COUNTY COUNSEL

Planning and Economic Development

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211182</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-66							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION AUTHORIZING THE REVISED COUNTY OF PASSAIC SECTION 3 PLAN AND APPOINTING A SECTION 3 COORDINATOR IN ACCORDANCE WITH THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ACT OF 1968, AS AMENDED, 12 U.S.C. 1701u, AND ITS ASSOCIATED REGULATIONS, 24 C.F.R. PART 75.**

**WHEREAS**, the County of Passaic, in accordance with its fiduciary responsibilities as an administrator of funds issued under the Community Development Block Grant (hereafter “CDBG”) program and in compliance with all governing statutes and regulations of the program, is required to ensure that all relevant grants made for economic and community development will comply with the US Housing and Urban Development Act of 1968, as amended (12 U.S.C.1701u) and its associated regulations (24 C.F.R. Part 75) (hereinafter referred to as “the Act”); and

**WHEREAS**, the purpose of Section 3 of the Act is to ensure that economic opportunities, most importantly employment, generated by certain US Housing and Urban Development (hereafter “HUD”) financial assistance shall be directed to low-and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which the federal assistance is spent; and

**WHEREAS**, the County of Passaic initially adopted a Section 3 plan via Passaic County Commissioner Resolution No. R-2013-740 on September 24, 2013; and

**WHEREAS**, the County of Passaic is now adopting a revised Section 3 plan (note attached) in order to ensure continued compliance with HUD’s requirements and to reflect updated Section 3 guidance and outreach strategies; and

**WHEREAS**, the Section 3 plan shall be placed on the County website and a copy will be on public display in the Department of Planning and Economic Development and the Passaic County Public Housing Agency to inform low income residents and Section 3 eligible business concerns that there may be hiring opportunities created through the use of federal grant funds in Passaic County; and

**WHEREAS**, HUD requires that all governmental entities receiving HUD funding shall appoint a Section 3 Coordinator; and

**WHEREAS**, the Director of the Division of Economic Development, who administers the CDBG program, shall be named the Section 3 Coordinator and further shall be responsible for ensuring that the program is promoted and information made available to eligible residents and that the CDBG program remains in compliance with the Section 3 plan; and

**WHEREAS**, this matter was discussed at the December 2, 2021 meeting of the Planning and Economic Development Committee and is being recommended to the Passaic County Board of County Commissioners for approval; and

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Passaic County Board of County Commissioners hereby adopts the revised Section 3 plan, (note attached) in accordance with the US Department of Housing and Urban Development Act of 1968, as amended (12 U.S.C.1701u) and its associated regulations (24 C.F.R. Part 75); and

**BE IT FURTHER RESOLVED** that the Director of the Division of Economic Development who administers the Community Development Block Grant Program shall be named as the Section 3 Coordinator; and

**BE IT FURTHER RESOLVED** that the Commissioner Director; the Clerk to the Board, and the Director of Economic Development, are hereby authorized to act as the authorized representatives of the County of Passaic and to execute all necessary documents and certifications.

JDP

Date: December 14, 2021

# PASSAIC COUNTY, NJ



## Section 3 Plan

*November 2021*



Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

## Table of Contents

Introduction .....	3
Definitions.....	3
Policy Statement.....	7
Applicability.....	7
Section 3 Action Plan .....	7
Section 3 Compliance Officer .....	7
Section 3 Benchmarks.....	8
Employment & Training .....	8
Contracting Goals.....	9
Section 3 Worker Certification Procedure .....	9
Assisting Contractors to Achieve Section 3 Hiring and Contracting Goals .....	10
Section 3 Business Certification Procedure .....	10
Preference for Contracting with Section 3 Business Concerns.....	11
Efforts to Award Contract Opportunities to Section 3 Business Concerns.....	11
Section 3 Workers Recruitment, Training, and Employment .....	12
Contractor’s Requirements in Employing Section 3 Participants .....	13
Section 3 Business Registry/Opportunity Portal.....	13
Internal Section 3 Complaint Procedure.....	14
Invitations for Bids (IFB) or Request for Proposals (RFP).....	15
Advertisement – IFB Only .....	15
Notification of Section 3 – IFB and RFP.....	15
Construction Contracts (IFB).....	16
Section 3 Clause: .....	16
Definitions: .....	17
Section 3 Intent to Comply .....	17
Professional/Personal Services – Requests for Proposals (RFP).....	18
Section 3 Recordkeeping .....	19
Section 3 Reporting Requirements .....	20
Appendix A Section 3 Clause.....	22
Appendix B Section 3 Intent to Comply .....	23
Appendix C Sample Efforts to Award Contracts to Section 3 Businesses .....	24
Appendix D Sample Efforts to Employ and Train Section 3 Workers .....	25

Appendix E Section 3 Worker Certification..... 26  
Appendix F Section 3 Business Certification ..... 27  
Appendix G Sample Employment Notice ..... 28  
Appendix H Contractor’s Report ..... 29

## Introduction

The purpose of the Section 3 Plan is to ensure that economic opportunities, most importantly employment, generated by certain HUD financial assistance shall be directed to low-and very low-income persons, particularly those who are recipients of government assistance for housing or residents of the community in which the Federal assistance is spent. This plan is required when the amount of Community Development Block Grant (CDBG) funds available through open contracts from the US Department of Housing and Urban Development exceed \$200,000.

## Definitions

**Applicant:** any entity which makes an application for Section 3 covered assistance, and includes, but is not limited to, any State, unit of local government, public housing institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association.

**Assistant Secretary:** The Assistant Secretary for Fair Housing and Equal Opportunity.

**Business Concern:** a business entity formed in accordance with State law, and which is licensed under State, county, or municipal law to engage in the type of business activity for which it was formed.

**Contractor:** any entity which contracts with a recipient or subrecipient to perform work in connection with the expenditure of public housing financial assistance or for work in connection with a Section 3 project.

**Employment Opportunities Generated by Section 3 Covered Assistance:** all employment opportunities generated by the expenditure of Section 3 covered public assistance and modernization assistance (as described in section 75.3, including management and administrative jobs. Management and administrative jobs include architectural, engineering or related professional services required to prepare plans, drawings, specifications, or work write-ups; and jobs directly related to administrative support of these activities, e.g., construction manager, relocation specialist, payroll clerk, etc.

**Housing Development:** low-income housing owned, developed, or operated by public housing agencies in accordance with HUD's public housing program regulations codified in 24 CFR Chapter IX.

**HUD YouthBuild Programs:** programs administered by the Department of Labor that receive assistance under the Workforce Innovation and Opportunity Act (WIOA) and provide disadvantaged youth with opportunities for employment, education, leadership development, and training in the construction or rehabilitation of housing for homeless individuals and members of low- and very low-income families.

**JTPA:** The Job Training Partnership Act (29 U.S.C. 1579 (a)).

**Labor hours:** the number of paid hours worked by persons on a Section 3 project or by persons employed with funds that include public housing financial assistance.

**Low-income Person:** families (including single persons) whose incomes do not exceed 80% of the median income for the area, as determined by the Secretary of HUD, with adjustments for smaller and larger families, except that the Secretary of HUD may establish income ceilings higher or lower than 80% of the

median for the area on the basis of the Secretary's findings that such variations are necessary because of prevailing levels of construction costs or unusually high or low- income families.

**Material supply contracts:** contracts for the purchase of products and materials, including, but not limited to, lumber, drywall, wiring, concrete, pipes, toilets, sinks, carpets, and office supplies.

**Metropolitan Area:** a metropolitan statistical area (MSA), as established by the Office of Management and Budget.

**New Hires:** full-time employees for permanent, temporary or seasonal employment opportunities.

**Professional services:** non-construction services that require an advanced degree or professional licensing, including, but not limited to, contracts for legal services, financial consulting, accounting services, environmental assessment, architectural services, and civil engineering services.

**Public Housing Authority (PHA):** Public Housing Agency.

**Recipient:** any entity that receives directly from HUD public housing financial assistance or housing and community development assistance that funds Section 3 projects, including, but not limited to, any State, local government, instrumentality, PHA, or other public agency, public or private nonprofit organization, private agency or institution, mortgagor, developer, limited dividend sponsor, builder, property manager, community housing development organization, resident management corporation, resident council, or cooperative association. Recipient also includes any successor, assignee or transferee of any such entity, but does not include any ultimate beneficiary under the HUD program to which Section 3 applies and does not include contractors.

**Section 3:** Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

**Section 3 Benchmarks:** (i) The number of labor hours worked by Section 3 workers divided by the total number of labor hours worked by all workers on a Section 3 project in the recipient's program year.

(ii) The number of labor hours worked by Targeted Section 3 workers as defined in 24 CFR Part 75.21(a), divided by the total number of labor hours worked by all workers on a Section 3 project in the recipient's program year. HUD will publish benchmarks in the Federal Register no less frequently than once every three years.

**Section 3 Business Concern:** a business concern meeting at least one of the following criteria, documented within the last six-month period:

- (i) It is at least 51 percent owned and controlled by low- or very low-income persons;
- (ii) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
- (iii) It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing

The status of a Section 3 business concern shall not be negatively affected by a prior arrest or conviction of its owner(s) or employees.

**Section 3 Covered Assistance:**

1. Public housing development assistance provided pursuant to Section 5 of the 1937 Act;
2. Public housing operating assistance provided pursuant to Section 9 of the 1937 Act;
3. Public housing modernization assistance provided pursuant to Section 14 of the 1937 Act;
4. Assistance provided under any HUD housing or community development program that is expended for work arising in connection with housing rehabilitation, construction, or other public construction project (which includes other buildings or improvements, regardless of ownership).

**Section 3 Covered Contracts:** a contract or subcontract (including a professional service contract) awarded by a recipient or contractor for work generated by the expenditure of Section 3 covered assistance, or for work arising in connection with a Section 3 covered project.

Section 3 covered contracts do not include contracts awarded under HUD's procurement program, which are governed by the Federal Acquisition Regulation (FAR). Section 3 covered contracts also do not include contracts for the purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered contract.

**Section 3 Project:** housing rehabilitation, housing construction, and other public construction projects assisted under HUD programs that provide housing and community development financial assistance when the total amount of assistance to the project exceeds a threshold of \$200,000. The threshold is \$100,000 where the assistance is from the Lead Hazard Control and Healthy Homes programs. The project is the site or sites together with any building(s) and improvements located on the site(s) that are under common ownership, management, and financing.

**Section 3 Worker:** Any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

- (i) The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
- (ii) The worker is employed by a Section 3 business concern.
- (iii) The worker is a YouthBuild participant.

The status of a Section 3 worker shall not be negatively affected by a prior arrest or conviction.

**Service area** or the neighborhood of the project means an area within one mile of the Section 3 project or, if fewer than 5,000 people live within one mile of a Section 3 project, within a circle centered on the Section 3 project that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census

**Subcontractor:** any entity that has a contract with a contractor to undertake a portion of the contractor's obligation to perform work in connection with the expenditure of public housing financial assistance or for a Section 3 project.

**Targeted Section 3 Worker:** for housing and community development financial assistance, a Section 3 worker who is:

- i. a worker employed by a Section 3 business concern; or
- ii. a worker who currently fits or when hired fit at least one of the following categories, as documented within the past five years:
  - a. Living within the service area or the neighborhood of the project, as defined in § 75.5;
  - b. a YouthBuild participant

**Very Low-income Person:** families (including single persons) whose income do not exceed 50% of the median family income for the area, as determined by the Secretary with adjustments for smaller and larger families, except that the Secretary may establish income ceilings higher or lower than 50% of the median for the area on the basis of the Secretary's findings that such variations are necessary because of unusually high or low family incomes.

**YouthBuild programs** refers to YouthBuild programs receiving assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3226).

## Policy Statement

It is the policy of Passaic County to promote opportunity for full participation by low- and very low-income persons and to business concerns which provide economic opportunities to low- and very low-income persons in its Community Development Block Grant (CDBG), HOME Investment Partnerships and Emergency Solutions Grant (ESG) Programs. The County's Division of Economic Development (the Division) will implement this Section 3 Policy.

The Division will implement this policy through the awarding of contracts to contractors, vendors, and suppliers, to create employment and business opportunities for residents of the County. The Division may amend this Section 3 Policies and Procedures document as necessary to ensure continued compliance with HUD's requirements and/or to reflect updated Section 3 guidance and outreach strategies.

## Applicability

Section 3 applies to projects/activities involving housing (construction, demolition, rehabilitation) or other public construction—i.e. roads, sewers, community centers, etc. when the recipient has contracted with subcontractors for services, housing and/or public construction activities and the CDBG assistance exceeds \$200,000. For projects funded with Lead and Hazard Control and Healthy Homes Programs, this plan applies to projects that exceed \$100,000.

Even if HUD assistance is only a portion of the project cost, Section 3 requirements apply to the entire project once the assistance meets the threshold. Section 3 requirements do not apply to materials-only contracts.

## Section 3 Action Plan

The requirements of Section 3 are triggered when \$200,000 or more (or as noted otherwise) is invested into an activity involving housing rehabilitation, housing construction, and other public construction projects, such as, but not limited to: extending water and sewage lines, street and sidewalk reconstruction, site preparation, and installing conduits for utility services.

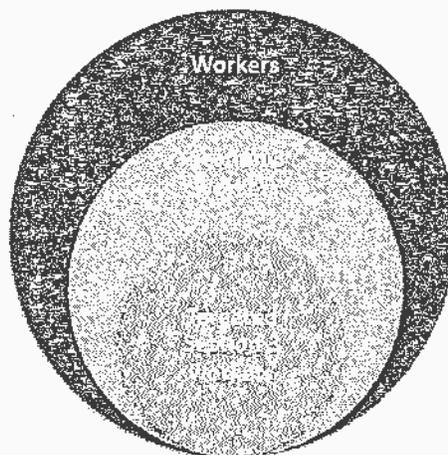
## Section 3 Compliance Officer

The Division will designate a Section 3 Compliance Officer who will serve as the central point of contact for Section 3 compliance for the County and its subrecipients, contractors and subcontractors supporting the program. The Section 3 Compliance Officer will oversee the following:

- Completing, maintaining, and monitoring the Section 3 Action Plan
- Monitoring bidding and procurement procedures
- Maintaining a listing and certifications of Section 3 workers and Targeted Section 3 workers
- Maintaining a listing and certifications of Section 3 business concerns
- Management of grievance procedures
- Reporting on Section 3 activities in IDIS
- Recordkeeping on Section 3 activities

### Section 3 Benchmarks

The Division will, to the greatest extent feasible, comply with the Section 3 benchmarks as mandated by 24 CFR 75.23. The current benchmarks established by HUD<sup>1</sup> for Section 3 Workers is 25 percent or more of the total number of labor hours worked by all workers on a Section 3 Project. A second benchmark is for targeted Section 3 Workers, those residing within 1 mile of the project area, which is a subset of all workers. This benchmark is set at five percent or more of the total number of labor hours worked by all workers on a Section 3 project. This five percent is included in the 25 percent total Section 3 Workers. The following graphics illustrate the benchmarks and how to comply:



$\frac{\text{Section 3 labor hours}}{\text{Total labor hours}} = 25\%$	AND	$\frac{\text{Targeted Section 3 labor hours}}{\text{Total labor hours}} = 5\%$
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To the greatest extent feasible, and consistent with existing Federal, state, and local laws and regulations, the Division shall ensure that employment and training opportunities are provided to Section 3 workers within the Urban County service area in which the project is located. The Division has established the following priority order for the provision of opportunity:

1. Section 3 workers residing within the service area or the neighborhood of the project (within one mile of the project site, or if fewer than 5,000 people live within one mile of the project, within a circle centered on the project that is sufficient to encompass a population of 5,000 people)
2. Other Section 3 workers
3. Participants in YouthBuild programs.

**The County and its subrecipients are not required to hire or enter into contracts with Section 3 workers or businesses simply to meet the Section 3 benchmarks—anyone selected for contracting or employment opportunities must meet the qualifications for the job/contract being sought.**

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<sup>1</sup> Per 24 CFR Part 75.13(b)(1), HUD commits to updating the benchmarks through Federal Register notice, subject to public comment, no less frequently than once every three years. Department will adopt benchmarks as established by HUD as they are updated without need to amend this Plan.

Prior to the beginning of work, contractors and subcontractors will be required to certify that they will follow the required prioritization of effort for Section 3 workers, Targeted Section 3 workers, and Section 3 business concerns as outlined above. After completion of the project, on the Section 3 Contractor's Report, contractors and subcontractors will be required to certify that they followed the prioritization of effort requirements.

If the contractor and/or subcontractor does not meet the safe harbor requirements, they must provide evidence that they have made qualitative efforts to assist low and very low-income persons with employment and training opportunities.

Contractors that can demonstrate retention of Section 3 Workers (i.e., those who started employment within five years of the date of the contract) may utilize labor hours worked by that person on the contract toward the current contract's benchmarks.

#### Contracting Goals

The Division will demonstrate compliance with this requirement by committing to award, to the greatest extent feasible to Section 3 businesses performing work on housing rehabilitation, housing construction and other public construction. The Division has established the following priority order for the provision of opportunity:

1. Section 3 business concerns that provide economic opportunities to Section 3 Workers residing within the service area or the neighborhood of the project;
2. YouthBuild programs.

It is the responsibility of contractors, vendors and suppliers to implement progressive efforts to achieve Section 3 compliance. Any contractor that does not meet the Section 3 benchmarks must demonstrate why meeting the benchmarks was not feasible and shall certify that they have followed the prioritization of effort in 24 CFR Part 75.19. All contractors submitting bids or proposals to the Division are required to certify that they will comply with the requirements of Section 3. Contractors and subcontractors will be required to certify that they will and have made best efforts to follow the prioritization of effort requirements prior to the beginning of work and after work is completed.

Sample efforts to employ and train Section 3 Workers, as well as sample efforts to reach out to Section 3 Businesses are included in the Appendices.

The Section 3 Clause and Intent to Comply (both included in the Appendix) specify the requirements for contractors hired for Section 3 projects. The Section 3 Clause must be included in all procurement documents and contracts for Section 3 projects.

#### Section 3 Worker Certification Procedure

A Section 3 Worker seeking certification shall submit self-certification documentation to the Division, contractor or subcontractor, that the person is a Section 3 Worker or Targeted Section 3 Worker as defined in 24 CFR Part 75. For the purposes of Section 3 worker eligibility, the Division will use individual income rather than family/household income to determine eligibility.

Persons seeking the Section 3 worker preference shall demonstrate that it meets one or more of the following criteria currently or when hired within the past five years, as documented:

- 1) A low or very low-income resident (the worker's income for the previous or annualized calendar year is below the income limit established by HUD); or
- 2) Employed by a Section 3 business concern; or
- 3) A YouthBuild participant.

Persons seeking the Targeted Section 3 worker preference shall demonstrate that it meets one or more of the following criteria:

- 1) Employed by a Section 3 business concern or
- 2) Currently meets or when hired met at least one of the following categories as documented within the past five years:
  - a. Living within the service area or the neighborhood of the project, as defined in 24 CFR Part 75.5; or
  - b. A YouthBuild participant.

The Section 3 Compliance Officer will assist individuals who may identify as a Section 3 Worker or Targeted Section 3 Worker, who reside in the service area or the neighborhood of the Section 3 Project, and who are seeking preference in training and employment by completing and attaching a certification of Section 3 eligibility (see Appendix E –Section 3 Worker Certification).

#### Assisting Contractors to Achieve Section 3 Hiring and Contracting Goals

The Division will assist contractors with little or no experience in achieving Section 3 Benchmarks by:

- Requiring the contractor to present a list to the Section 3 Compliance Officer of the number of labor hours, Section 3 Worker labor hours, and Targeted Section 3 Worker labor hours expected to be generated from the initial contract and a list of projected number of available positions, to include job descriptions and wage rates.
- The Section 3 Compliance Officer will direct the contractor to a list of interested and qualified Section 3 Workers for construction projects, or if none exists to HUD's Section 3 Opportunity Portal <https://hudapps.hud.gov/OpportunityPortal/>.
- The Section 3 Compliance Officer will provide contractor with sample employment notices targeted at Section 3 Workers for posting on the job site and with local and state organizations that engage Section 3 Workers.
- The Section 3 Compliance Officer will inform contractors of known issues that might affect Section 3 residents from performing job related duties and will encourage outreach efforts described in Appendix D—Efforts to Employ and Train Section 3 Workers.
- The Section 3 Compliance Officer will review the Section 3 Clause and Certification of Intent to Comply with contractors and subcontractors during any pre-bid meetings to ensure that the requirement is understood. **It is not intended for contractors and subcontractors to terminate existing employees, but to make every effort feasible to employ Section 3 Workers before any other person, when hiring additional employees.**

#### Section 3 Business Certification Procedure

Any business seeking Section 3 preference in the awarding of contracts or purchase agreements with Division shall complete the Section 3 Business Certification (Appendix F), which can be obtained from the Section 3 Compliance Officer. The business seeking Section 3 preference must be able to provide adequate documentation as evidence of eligibility for preference under the Section 3 Program. If the Section 3 Compliance Officer previously approved the business concern to be Section 3 certified, then the

certification can be submitted along with the bid. All Section 3 Businesses are encouraged to register through HUD's Section 3 Business Registry at <http://www.hud.gov/Sec3Biz> Locally sourced Section 3 Contractors should also be sought.

Businesses may seek Section 3 Business Concern preference by demonstrating that it meets one or more of the following criteria:

- 1) At least 51 percent of the business is owned and controlled by low- or very low-income persons; or
- 2) At least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing; or
- 3) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.

#### Preference for Contracting with Section 3 Business Concerns

The Division, in compliance with Section 3 regulations, will require contractors and subcontractors (including professional service contractors) to direct their efforts towards contracts to Section 3 Business Concerns. Contractors and subcontractors are expected to extend, to the greatest extent feasible, efforts to achieve the benchmarks established by HUD.

Procurement procedures generally require the selection of the lowest responsible bidder when under a competitive sealed bid process. However, the Division or its subrecipients may give preference to Section 3 businesses as a means of evaluation criteria for professional services contracts where proposals are solicited.

Contracts must document that qualified Section 3 Business Concerns that have been sought to fulfill subcontracts utilizing certification for business concerns seeking Section 3 preference in contracting and demonstration of capability (See Appendix C for sample efforts to award contracts to Section 3 Businesses). Contractors must consult HUD's Opportunity Portal to identify potential Section 3 Businesses in the project area and must submit evidence of such consultation with any bid documents.

Section 3 businesses must be given priority in contracting for work, to the greatest extent feasible. Recipients should use the following order of priority:

1. Section 3 businesses that provide economic opportunities for section 3 workers residing within the service area or neighborhood in which the section 3 project is located; and
2. Applicants (as this term is defined in 42 U.S.C. 12899) selected to carry out HUD Youthbuild programs;
3. Other section 3 business concerns.

#### Efforts to Award Contract Opportunities to Section 3 Business Concerns

The Division, or its subrecipients, may use any combination of the following methods to notify and contract with Section 3 Business Concerns when contracting opportunities exist and when CDBG/HOME/ESG assistance exceeds \$200,000.

- Include Section 3 language in all RFPs, procurement documents, bid offerings and contracts.

- Advertise contracting opportunities via newspaper, mailings, posting notices that provide general information about the work to be contracted and where to obtain additional information.
- Utilize HUD Opportunity Portal and Section 3 Business Registry, and state Disadvantaged Business Registry(ies) to identify Section 3 Businesses in the project's service area and providing written notice of the contracting opportunity or sending invitations to bid directly to those businesses
- Provide written notice of contracting opportunities to all known Section 3 Businesses. The written notice will be provided in sufficient time to enable business concerns the opportunity to respond to the bid invitation.
- Coordinate pre-bid meetings at which the Section 3 Business Concerns would be informed of upcoming contracting opportunities in advance.
- Conduct workshops or provide technical assistance on Division contracting procedures to include bonding, insurance, and other pertinent requirements, in a timely manner in an effort to allow Section 3 Business Concerns the opportunity to take advantage of any upcoming contracting opportunities.
- Initiate referrals of section 3 business to where they may seek assistance to overcome limitations such as inability to obtain bonding, lines of credit, financing, or insurance.
- Establish relationships with the Small Business Administration (SBA), Minority and Women's Business Enterprise MBE/WBE Association, Community Development Corporations, William Paterson University Small Business Development Center, and other sources as necessary to assist the Division with educating and mentoring residents with a desire to start their own businesses.
- Seek out referral sources in order to ensure job readiness for public housing residents through on-the-job-training (OJT) and mentoring to obtain necessary skills that will transfer into the external labor market.
- Develop resources or seek out training to assist residents interested in starting their own businesses to learn to prepare contracts, prepare taxes, obtain licenses, bonding, and insurance.

### Section 3 Workers Recruitment, Training, and Employment

The Division will develop resources to assist subrecipients and/or their contractors to provide training and employment opportunities to Section 3 program participants by implementing the following:

- Employment and Training opportunities will be advertised by distributing flyers via mass mailings and posting in common areas of the Section 3 covered community, public housing developments and public housing management offices within the project's service area, as well as contacting resident councils, resident management corporations, and neighborhood community organizations.
- A database will be developed to maintain a list of all Section 3 Workers certified by the Division or that have participated on prior contracts. To assemble this database, the Division will partner with PHA, and/or maintain a list of contractors that employ Section 3 workers as they are reported to the County.
- A database will be developed of eligible qualified Section 3 Businesses to contact with respect to the availability of contract opportunities. The Division will maintain a list of Section 3 businesses and businesses that employ Section 3 workers.
- Relationships will be developed with local area employers in an effort to solicit job vacancies to determine skills needed in their workforce, thereby providing training to residents developing skills that will transfer into the external labor market. Working with the Workforce Development Board, the Division will promote the opportunities for construction workers.

### Contractor's Requirements in Employing Section 3 Participants

Under Section 3, contractors and subcontractors are required to provide economic opportunities, particularly employment opportunities, to Section 3 Workers. Contractors will be required to demonstrate efforts made to reach out to Section 3 Workers and Targeted Section 3 Workers for employment and training opportunities. Contractors will also be required to report to the Division any of their current employees that are Section 3 Workers as defined herein. After the award of contracts, the contractor must, prior to beginning work, inform the Division of the following:

- Names of the Section 3 Business Concerns to be utilized,
- Estimates of the number of labor hours to be utilized for the contract,
- Minimum number of labor hours to be worked by Section 3 Workers,
- Efforts that were utilized to seek Section 3 Workers.

Contractors must notify the Section 3 Compliance Officer of their interests regarding employment of and proposed labor hours for Section 3 Workers. The Section 3 Compliance Officer will ensure that the participant is Section 3 eligible using a Self-Certification form to be completed by the Worker. Additionally, the Legal Division will be contacted to ensure that the individuals are not involved in any legal proceedings against/with Passaic County.

### Section 3 Business Registry/Opportunity Portal

The Section 3 Business Registry and Opportunity Portal are two online registries that can connect residents to training and employment opportunities and businesses to contracting opportunities. Businesses who self-certify that they meet one of the regulatory definitions of a Section 3 business are encouraged to register with the searchable online database. The database can be used by agencies that receive HUD funds, developers, contractors, and others to facilitate the award of covered construction and non-construction contracts to Section 3 businesses.

Section 3 Workers are encouraged to use the Opportunity Portal to identify businesses that may have HUD- funded employment opportunities available. Section 3 businesses are encouraged to post their training, employment and contracting opportunities to the Opportunity Portal.

CDBG recipients should utilize HUD's Section 3 Business Registry and Opportunity Portal to find Section 3 businesses that may be able to participate in the project. Recipients can search through HUD's Section 3 registry here:

<https://portalapps.hud.gov/Sec3BusReg/BRegistry/SearchBusiness>

Businesses may register as a Section 3 Business through HUD's website here:

<https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness>

The Opportunity Portal can be accessed through HUD's website here:

<https://hudapps.hud.gov/OpportunityPortal/>

It is important to note that Section 3 businesses and Section 3 workers are not entitled to receive contracts or employment opportunities simply by being listed in HUD's Section 3 Business Registry database or Opportunity Portal. It is also important to note that the portals are not exhaustive lists of Section 3 Workers and Businesses in a project area.

### Internal Section 3 Complaint Procedure

In an effort to resolve complaints generated due to non-compliance through an internal process, the Division encourages submittal of such complaints to its Section 3 Compliance Officer as follows:

- Complaints of non-compliance should be filed in writing and must contain the name of the complainant and brief description of the alleged violation of 24 CFR 75.
- Complaints must be filed within thirty (30) calendar days after the complainant becomes aware of the alleged violation.
- An investigation will be conducted if complaint is found to be valid. The Section 3 Compliance Officer will conduct an informal, but thorough investigation affording all interested parties, if any, an opportunity to submit testimony and/or evidence pertinent to the complaint.
- The Section 3 Compliance Officer will provide written documentation detailing the findings of the investigation. The findings will be made available no later than thirty (30) days after the filing of complaint.

If complainants wish to have their concerns considered outside of the County, a complaint may be filed with the Newark Regional Office of FHEO:

U. S. Dept. of Housing and Urban Development  
US Department of Housing and Urban Development  
Newark Field Office – Region II  
One Newark Center, 13th Floor  
Newark, NJ 07102-5260

The complaint must be received not later than 180 days from the date of the action or omission upon which the complaint is based.

## Invitations for Bids (IFB) or Request for Proposals (RFP)

### Advertisement – IFB Only

All IFB's for covered projects (over \$200,000 in federal assistance) will include the following information:

"The bidders/offerors must submit documentary evidence of Section 3 businesses who have been contacted and to whom commitments have been made. Similarly, bidders/offerors must submit a certification of intent to comply with Section 3 requirements in employment, training and contracting. Documentation of such solicitations and commitments shall be submitted concurrently with the bid."

### Notification of Section 3 – IFB and RFP

The procedure for the Division to notify Section 3 Businesses of contract opportunities will be as follows:

1. Include in the IFB and RFP Advertisement the following information: "The bidders/offerors must submit documentary evidence of Section 3 businesses who have been contacted and to whom commitments have been made. Similarly, bidders/offerors must submit a certification of intent to comply with Section 3 requirements in employment, training and contracting. Documentation of such solicitations and commitments shall be submitted concurrently with the bid."
2. Notice of Invitation for Bid or Request for Proposals – The Division is responsible for identifying qualified Section 3 businesses by consulting the HUD Opportunity Portal or other business registries and will provide a copy of the Notice of Invitation for Bids or Requests for Proposals to all Section 3 Businesses identified within the project's service area.
3. Other Notices – Notices may be sent to the following organizations as appropriate:
  - Local Minority Churches and Organizations
  - Appropriate Minority/Women Contractor Associations
  - Appropriate Minority/Women Trade Organizations
  - Other media organizations such as community television networks, local newsletters, and radio advertising.
4. Plans and Specifications –Invitations for Bids on all projects will be made available to minority/women contractor associations and trade organizations within the project's service area.
5. List of Planholders – The names of bidders/offerors requesting bid documents will be made available upon request to Section 3 Businesses shown on the provided listing.
6. List of Section 3 Businesses– Each bidder/offeror obtaining plans and specifications or requests for proposals for projects will be provided the list assembled by the County of Section 3 Businesses and the HUD website to be used in soliciting subcontract bids and for materials and services.

## Construction Contracts (IFB)

The following will be placed in all bid documents:

## Section 3 Clause:

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.
- C. The contractor agrees to post copies of a notice advising workers of the Contractor's commitments under Section 3 in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to provide written notice of employment and contracting opportunities to all known Section 3 Workers and Section 3 Businesses.
- E. The contractor agrees to hire, to the greatest extent feasible, Section 3 workers as new hires, or provide written justification to the recipient that is consistent with 24 CFR Part 75, describing why it was unable to meet minimum numerical benchmarks, despite its efforts to comply with the provisions of this clause.
- F. The contractor agrees to attempt to recruit from within the grantee's service area to fill employment opportunities generated by Section 3 covered assistance through local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area and providing preference for these opportunities in the following order: Section 3 Residents residing in the service area or neighborhood in which the Section 3 covered project is located (Targeted Section 3 Workers); Participants in YouthBuild Programs, and Other Section 3 Residents
- G. The contractor agrees to maintain records documenting Section 3 residents that were hired to work on previous Section 3 covered projects or activities that were retained by the contractor for subsequent Section 3 covered projects or activities.
- H. The contractor agrees to post contract and job opportunities to the Opportunity Portal and will check the Business Registry for businesses located in the project area.
- I. The contractor agrees to include compliance with Section 3 requirements in every subcontract for Section 3 projects as defined in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

- J. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.
- K. The contractor will certify that they have followed prioritization of effort in 24 CFR part 75.19 for all employment and training opportunities. The contractor will further certify that it meets or exceeds the applicable Section 3 benchmarks, defined in 24 CFR Part 75.23, and if not, shall describe in detail the qualitative efforts it has taken to pursue low- and very low-income persons for economic opportunities.
- L. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

**Definitions:**

Section 3 Businesses are encouraged to respond to this proposal. A Section 3 business is one that satisfies one of the following requirements:

- 1) It is at least 51 percent owned and controlled by low- or very low-income persons;
- 2) Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 Workers\*; or
- 3) It is a business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing

A Section 3 Worker is defined as any worker who currently fits or when hired within the past five years fit at least one of the following categories, as documented:

- 1) The worker's income for the previous or annualized calendar year is below the applicable income limit established by HUD;
- 2) The worker is employed by a Section 3 business concern; or
- 3) The worker is a YouthBuild participant.

Businesses that believe they meet the Section 3 criteria are encouraged to register as a Section 3 Business through HUD's website: <https://portalapps.hud.gov/Sec3BusReg/BRegistry/RegisterBusiness>

**Section 3 Intent to Comply**

**The Section 3 Intent to Comply is included in Appendix B and must be included in all bid documents, signed and returned by each contractor and subcontractor submitting a proposal. Failure to return the Intent to Comply may result in the bidder being deemed non responsive.**

The Division may obtain documents and information from any bidder, contractor, subcontractor, supplier, or manufacturer that may be required in order to ascertain bidder or contractor responsibility. Failure to provide requested information may result in the contractor being declared not responsible.

### Professional/Personal Services – Requests for Proposals (RFP)

For contracts and subcontracts awarded under the Request for Proposals method, the Division will identify all evaluation factors (and their relative importance) to be used to rate proposals in their RFP.

One of the evaluation factors shall address both the preference for Section 3 Businesses and the acceptability of the strategy for meeting the greatest extent feasible requirement (Section 3 strategy), as disclosed in proposals submitted by all business concerns (Section 3 and non-Section 3 businesses). The component of this evaluation factor designed to address the preference for Section 3 Businesses must establish a preference for these business concerns.

With respect to the second component (the acceptability of the Section 3 strategy), the RFP shall require the disclosure of the contractor's section 3 strategy to comply with section 3 training and employment preference, or contracting preference, or both, if applicable. A determination of the contractor's responsibility will include the submission of an acceptable Section 3 strategy, including efforts to employ and train Section 3 Workers, as well as efforts to award subcontracts to Section 3 Businesses, as applicable. The contract award shall be made to the responsible firm (either Section 3 or non-Section 3 business concern) whose proposal is determined most advantageous, considering price and all other factors.

## Section 3 Recordkeeping

Records must be maintained by the Section 3 Compliance Officer to demonstrate compliance with the requirements noted in 24 CFR 75.31. HUD shall have access to all records, reports, and other documents or items of the recipient that are maintained to demonstrate compliance with the requirements of this part, or that are maintained in accordance with the regulations governing the specific HUD program by which the Section 3 project is governed, or the public housing financial assistance is provided or otherwise made available to the recipient, subrecipient, contractor, or subcontractor.

In accordance with the rule, the Division will maintain records related to Section 3 Worker eligibility. For a worker to qualify as a Section 3 worker, one of the following must be maintained

- i. A worker's **self-certification** that their income is below the income limit from the prior calendar year;
- ii. A worker's self-certification of participation in a means-tested program such as public housing or Section 8-assisted housing;
- iii. Certification from a PHA, or the owner or property manager of project-based Section 8-assisted housing, or the administrator of tenant-based Section 8-assisted housing that the worker is a participant in one of their programs;
- iv. An employer's certification that the worker's income from that employer is below the income limit when based on an employer's calculation of what the worker's wage rate would translate to if annualized on a full-time basis; or
- v. An employer's certification that the worker is employed by a Section 3 business concern.

For a worker to qualify as a Targeted Section 3 worker, one of the following must be maintained:

- i. An employer's confirmation that a worker's residence is within one mile of the work site or, if fewer than 5,000 people live within one mile of a work site, within a circle centered on the work site that is sufficient to encompass a population of 5,000 people according to the most recent U.S. Census;
- ii. An employer's certification that the worker is employed by a Section 3 business concern; or
- iii. A worker's self-certification that the worker is a YouthBuild participant.

**Contractors and the Division are required to maintain this documentation for a period of four years after the closeout of the recipient's grant agreement with HUD.**

The Division shall also maintain grievances and resolutions.

## Section 3 Reporting Requirements

The Division will be required to enter the information, including labor hours worked, labor hours worked by Section 3 Workers and Targeted Section 3 Workers in IDIS on a per-activity basis. To report Section 3 data, County subrecipients must analyze the number of labor hours worked on a Section 3 project, how many labor hours were worked by Section 3 Workers, and how many labor hours worked were by Targeted Section 3 Workers. Even if no labor hours worked were by Section 3 or Targeted Section 3 workers, this information must be reported to the Division or its subrecipients. Section 3 workers' and Targeted Section 3 workers' labor hours may be counted for five years from when their status as a Section 3 worker or Targeted Section 3 worker is established pursuant to 24 CFR Part 75.31<sup>2</sup>.

For all Section 3 projects employing Section 3 workers or Targeted Section 3 workers, the recipient/contractor must maintain one of the following (in order of priority) to demonstrate Section 3 status of the worker:

1. Self-certification form (Appendix E) If the worker's income is less than 80% of area median income, they are considered a Section 3 worker.
2. Certification from an employer that the worker's income from the employer is within the income limits if annualized. This may be recorded and affirmed on the Contractor's Report (Appendix H). Instructions for using the Contractor's Report are contained within the Report.
3. Certification from an employer that the worker is employed by a Section 3 business concern. This can be demonstrated by a contractor's submission of the Section 3 Business Certification (Appendix F) AND the Contractor's report.
4. Certification from a PHA that the worker is a participant in one of its programs.

To report Section 3 data, recipients and contractors are encouraged to utilize the Contractor's Report, provided by the Section 3 Compliance Officer and attached as Appendix H, to record labor hours worked and hours worked by Section 3 and Targeted Section 3 workers. **Even if no Section 3 Workers were utilized, this report must be completed and submitted to the Division at the completion of each project.**

In addition, recipients and contractors will be required to report an aggregate of all labor hours worked and Section 3 hours worked annually to the Division. This report will be submitted to the Section 3 Compliance Officer and will be due by June 30th of each year.

Recipients: A recipient is any organization that uses the CDBG funds provided by Passaic County. Such subrecipients and/or contractors will also need to report Section 3 accomplishments and/or provide a detailed explanation of why Section 3 goals were not met and indicate efforts made to identify and engage Section 3 Workers and Businesses. This data may be collected using the Contractor's Report found in the

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<sup>2</sup> Workers hired prior to November 1, 2020 shall count November 1, 2020 as the date Section 3 status was established.

appendix to this Chapter and aggregated annually for submission to the Division. Such efforts include but are not limited to:

1. Engaged in outreach efforts to generate job applicants who are Targeted Section 3 workers.
2. Provided training or apprenticeship opportunities.
3. Provided technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching).
4. Provided or connected Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.
5. Held one or more job fairs.
6. Provided or referred Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, child care).
7. Provided assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.
8. Assisted Section 3 workers to obtain financial literacy training and/or coaching.
9. Engaged in outreach efforts to identify and secure bids from Section 3 business concerns.
10. Provided technical assistance to help Section 3 business concerns understand and bid on contracts.
11. Divided contracts into smaller jobs to facilitate participation by Section 3 business concerns.
12. Provided bonding assistance, guaranties, or other efforts to support viable bids from Section 3 business concerns.
13. Promoted use of business registries designed to create opportunities for disadvantaged and small businesses.
14. Outreach, engagement, or referrals with the state one-stop system as defined in Section 121(e)(2) of the Workforce Innovation and Opportunity Act.

Appendix A Section 3 Clause

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

**Section 3 language for procurement documents and contracts**

*(This language is to be included in all procurement documents/solicitations and all covered contracts)*

- A. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- B. The parties to this contract agree to comply with HUD's regulations in 24 CFR part 75, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 75 regulations.
- C. The contractor agrees to post copies of a notice advising workers of the Contractor's commitments under Section 3 in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. Said notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- D. The contractor agrees to provide written notice of employment and contracting opportunities to all known Section 3 Workers and Section 3 Businesses.
- E. The contractor agrees to hire, to the greatest extent feasible, Section 3 workers as new hires, or provide written justification to the recipient that is consistent with 24 CFR Part 75, describing why it was unable to meet minimum numerical hiring goals, despite its efforts to comply with the provisions of this clause.
- F. The contractor agrees to attempt to recruit from within the grantee's service area to fill employment opportunities generated by Section 3 covered assistance through local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area and providing preference for these opportunities in the following order: Section 3 Residents residing in the service area or neighborhood in which the Section 3 covered project is located (Targeted Section 3 Workers); Participants in YouthBuild Programs, and Other Section 3 Residents
- G. The contractor agrees to maintain records documenting Section 3 residents that were hired to work on previous Section 3 covered projects or activities that were retained by the contractor for subsequent Section 3 covered projects or activities.
- H. The contractor agrees to post contract and job opportunities to the Opportunity Portal (<https://hudapps.hud.gov/OpportunityPortal/>), and will check the Business Registry for businesses located in the project area.
- I. The contractor agrees to include compliance with Section 3 requirements in every subcontract for Section 3 projects as defined in 24 CFR part 75, and agrees to take appropriate action, as provided in an applicable provision of the subcontract upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 75. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 75.

Introduced on: December 14, 2021  
 Adopted on: December 14, 2021  
 Official Resolution#: R20211182

- J. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 75 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 75.
- K. The contractor will certify that they have followed prioritization of effort in 24 CFR part 75.19 for all employment and training opportunities. The contractor will further certify that it meets or exceeds the applicable Section 3 benchmarks, defined in 24 CFR Part 75.23, and if not, shall describe in detail the qualitative efforts it has taken to pursue low- and very low-income persons for economic opportunities.
- L. Noncompliance with HUD's regulations in 24 CFR part 75 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

Appendix B Section 3 Intent to Comply

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

## Section 3 Certification of Intent to Comply

**Section 3 Intent to Comply**

\_\_\_\_\_, Contractor, agrees to implement the following specific affirmative action steps directed at increasing the use of Section 3 Workers and Section 3 Business Concerns within the \_\_\_\_\_.

- A. To ascertain from the grantee's Program official the exact boundaries of the Section 3 Covered Project Area and where advantageous, seek the assistance of local officials in preparing and implementing the affirmative action plan.
- B. To attempt to recruit from within the grantee's service area, the necessary individuals to fill employment opportunities generated by Section 3 covered assistance through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area and providing preference for these opportunities in the following order:
  1. Section 3 Residents residing in the service area or neighborhood in which the Section 3 covered project is located;
  2. Participants in YouthBuild Programs, and
  3. Other Section 3 Residents
- C. To maintain a list of all lower income area residents who have applied either on their own or on referral from any source, and to employ such persons, if otherwise eligible and a vacancy exists.
- D. To work with the Section 3 Compliance Officer to insert the Section 3 Requirements when Section 3 compliance is triggered, and to require all bidders to submit a Section 3 Certification of Intent to Comply.
- E. To ensure subcontracts which are typically let on a negotiated rather than bid basis in areas other than Section 3 covered project areas, are also let on a bid basis, whenever feasible, when let in a Section 3 covered project area.
- F. To notify Section 3 Workers and Section 3 Business Concerns about economic opportunities generated by Section 3 covered assistance and to award Section 3 covered contracts, to the greatest extent feasible, to Section 3 business concerns in the following order of preference:
  - a. Business concerns that provided economic opportunities for Section 3 residents in the service area or neighborhood in which the Section 3 covered project is located;
  - b. Applicants selected to carry out YouthBuild projects;



Appendix C Sample Efforts to Award Contracts to Section 3 Businesses

### Examples of Efforts to Award Contracts to Section 3 Businesses

1. Advertising contracting opportunities by posting notices, which provide general information about the work to be contracted and where to obtain additional information, in the common areas or other prominent areas of the housing development or developments owned and managed by the local Public Housing Authority.
2. Utilizing HUD Opportunity Portal and Section 3 Business Registry, and local Disadvantaged Business Registry to identify Section 3 Businesses in the project's service area and providing written notice of the contracting opportunity or sending invitations to bid directly to those businesses
3. Following up with section 3 business concerns that have expressed interest in the contracting opportunities by contacting them to provide additional information on the contracting opportunities.
4. Providing technical assistance to help Section 3 business concerns understand and bid on contracts.
5. Advising section 3 business concerns as to where they may seek assistance to overcome limitations such as inability to obtain bonding, lines of credit, financing, or insurance.
6. Where appropriate, breaking out contract work items into economically feasible units to facilitate participation by section 3 business concerns.
7. Contacting agencies administering HUD YouthBuild programs, and notifying these agencies of the contracting opportunities.
8. Encouraging financial institutions, in carrying out their responsibilities under the Community Reinvestment Act, to provide no or low interest loans for providing working capital and other financial business needs.

Appendix D Sample Efforts to Employ and Train Section 3 Workers

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

**Examples of Outreach Efforts to Offer Contracting, Training and Employment Opportunities to Section 3 Workers**

1. Advertising the jobs to be filled through the local media, such as community television networks, newspapers of general circulation, and radio advertising.
2. Advertising the training and employment positions by distributing flyers (which identify the positions to be filled, the qualifications required, and where to obtain additional information about the application process) to public housing units and common areas of all developments within the project's service area.
3. Working with HCV program to inform voucher holders in the service area of opportunities for training and employment.
4. Utilizing HUD Opportunity Portal and Section 3 Business Registry to post employment opportunities, or to find Section 3 Businesses and/or Workers in the project's service area.
5. Referring Section 3 workers to OneStop Career Centers, WIOA agencies, or other providers that offer resume building, interview preparation, job search and placement, financial literacy or other job readiness services.
6. Referring Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, child care).
7. Conducting job interviews at the housing development or developments where Section 3 workers reside, or at a location within the neighborhood or service area of the section 3 project.
8. Contacting agencies administering HUD YouthBuild programs, and requesting their assistance in recruiting HUD YouthBuild program participants for any training and employment opportunities.
9. Holding one or more job fairs.
10. Providing assistance to apply for/or attend community college, a four-year educational institution, or vocational/technical training.

## Appendix E Section 3 Worker Certification

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

## SECTION 3 WORKER CERTIFICATION

A Section 3 Worker seeking preference in training and employment must certify eligibility (as defined in Section 75.5) by residency and household income. Please certify below and submit documentation of eligibility to the recipient contractor or subcontractor.

I, \_\_\_\_\_, am a legal resident of \_\_\_\_\_  
(Print Worker Name) (Community Name)

I certify that:

My annual income was less than \_\_\_\_\_ at the time of my initial employment with my current employer on (date) \_\_\_\_\_ (must be within the last 5 years, but no earlier than November 1, 2020);

or

I am a resident of public housing or a Housing Choice Voucher (Section 8) holder.

I have attached the following Section 3 Worker documentation:

- Copy of lease/mortgage or other acceptable verification indicating current address
- Copy of receipt of public housing or Section 8 assistance
- Copy of public assistance documentation
- Copy of annual income documentation
- Other: \_\_\_\_\_

I affirm that the information contained in this report, including the above statements, are true, complete, and correct to the best of my knowledge and belief. Any false statements made knowingly and willfully may subject the signer to penalties under Section 1010 of Title 18 of the United States Code.

My permanent address is:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
 Worker's Signature

\_\_\_\_\_  
 Today's Date

Appendix F Section 3 Business Certification

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

## Section 3 Business Certification

- To be completed by the business claiming Section 3 business status.

All contracts and subcontracts awarded on Section 3 covered projects must be reported in aggregate on the Section 3 Summary Report. For all businesses reported as being Section 3 Businesses, documentation of their status must be retained in the project files. Passaic County considers this form adequate documentation of Section 3 status.

Projects that receive \$200,000 or more in HUD funds are "Section 3 projects". Contractors are required to report on all contracts they make both with Section 3 Businesses and with businesses that are not Section 3 Businesses.

This form is a tool to determine and document the Section 3 Business status. Documentation of the status of Section 3 Businesses should be retained in the project files.

### Business being certified:

Company: \_\_\_\_\_

Address: \_\_\_\_\_

### Project information:

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

### Section 3 determination

1. Is your business owned (51% or more) by individuals whose household incomes are NO GREATER THAN 80% of Area Median Income (AMI)\* OR by individuals that are current public housing residents or current residents of Section 8-assisted housing?

\*Please reference <https://www.huduser.gov/portal/datasets/il.html> (select relevant income area to determine limits) to determine if employee is less than 80% of the current area median income.

( ) Yes ( ) No

2. Within the last three months, have 75% of all labor hours performed been performed by individuals whose household incomes are no greater than 80% of Area Median Income (AMI)?

( ) Yes ( ) No

If any of the questions above are marked "yes", the business qualifies as a Section 3 business.

I certify that the above statements are true, complete, and correct to the best of my knowledge and belief. I understand that businesses who misrepresent themselves as Section 3 business concerns and report false information to [insert name of recipient/grantee] may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities. I hereby certify, under penalty of law, that the following information is correct to the best of my knowledge.

Signature: \_\_\_\_\_

## Appendix G Sample Employment Notice

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

Sample Section 3 Employment Notice

**(Instructions: Send notice to the local Public Housing Authority(ies) and to OneStop Career Center Organizations, and post in a conspicuous place on the job site )**

Passaic County is preparing to carry out the (insert Name of Project) through the use of Community Development Block Grant Funds. In the implementation of this project the following job types are available:

*(Insert List of Job Classifications to be used during project)*

All job openings will be posted at (local government office or list other posting locations). To the greatest extent feasible, employment and training positions will be made available to qualified persons who permanently reside in Fulton County.

Persons qualified for the jobs listed should register at the following location:

*(Insert location where applicant should apply and any application instructions)*

For questions on this employment opportunity, please contact:

*(Insert contact & contact information)*

Appendix H Contractor's Report.

Introduced on: December 14, 2021  
Adopted on: December 14, 2021  
Official Resolution#: R20211182

# County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore  
Deputy Director Bruce James  
Assad R. Akhter  
John W. Bartlett  
Theodore O. Best, Jr.  
Terry Duffy  
Cassandra "Sandi" Lazzara

401 Grand Street  
Paterson, New Jersey 07505  
Tel: 973-881-4402  
Fax: 973-742-3746

Anthony J. De Nova III  
*Administrator*  
Matthew P. Jordan, Esq.  
*County Counsel*  
Louis E. Imhof, III, RMC  
*Clerk Of The Board*



## Public Meeting (Board Meeting)

Date: Dec 14, 2021 - 5:30 PM

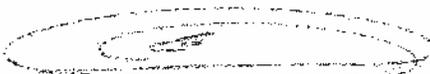
Location: County Administration Building  
220  
401 Grand Street  
Paterson, NJ 07505

Agenda: RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$3,500.00 FROM THE PASSAIC COUNTY CULTURAL AND HERITAGE COUNCIL TO SUPPORT THE PASSAIC COUNTY 2022 FILM FESTIVAL PURSUANT TO N.J.S.A. 40:20-1., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

PLANNING BOARD

REVIEWED BY:

  
Anthony J. De Nova III

COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

  
Matthew P. Jordan, Esq.

COUNTY COUNSEL

Planning and Economic Development

COMMITTEE NAME

<b>Official Resolution#</b>	<b>R20211183</b>							
Meeting Date	12/14/2021							
Introduced Date	12/14/2021							
Adopted Date	12/14/2021							
Agenda Item	m-67							
CAF #								
Purchase Req. #								
Result	Adopted							
<b>COMMISSIONER</b>	<b>PRES.</b>	<b>ABS.</b>	<b>MOVE</b>	<b>SEC</b>	<b>AYE</b>	<b>NAY</b>	<b>ABST.</b>	<b>RECU.</b>
Lepore	✓				✓			
James	✓		✓		✓			
Akhter		✓						
Bartlett	✓				✓			
Best Jr.	✓				✓			
Duffy	✓				✓			
Lazzara	✓			✓	✓			

PRES.= present ABS.= absent  
MOVE= moved SEC= seconded  
AYE= yes NAY= no ABST.= abstain  
RECU.= recuse

Dated: December 15, 2021

**RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$3,500.00 FROM THE PASSAIC COUNTY CULTURAL AND HERITAGE COUNCIL TO SUPPORT THE PASSAIC COUNTY 2022 FILM FESTIVAL PURSUANT TO N.J.S.A. 40:20-1.**

**WHEREAS**, the County of Passaic (hereafter “County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

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

**WHEREAS**, the County has annually sponsored the Passaic County Film Festival since 2005 and will sponsor the 18<sup>th</sup> annual Passaic County Film Festival (hereafter “Film Festival”) in April 2022; and

**WHEREAS**, pursuant to Resolution R20210531, dated May 25, 2021, the Board authorized a \$3,500.00 grant application to the Passaic County Cultural and Heritage Council (hereafter “Council”) in support of the 2022 Film Festival; and

**WHEREAS**, the Director of the Division of Economic Development has indicated that the County has received a grant award in the amount of \$3,500.00 from the Council; and

**WHEREAS**, this matter was discussed at the December 2, 2021 meeting of the Planning and Economic Development Committee and is being recommended to the Board for approval;

**NOW, THEREFORE, LET IT BE RESOLVED**, pursuant to N.J.S.A. 40:20-1, that the Board of County Commissioners of the County of Passaic (hereafter “Board”) hereby authorizes the acceptance of grant funding from the Passaic County Cultural and Heritage Council for the 2022 Passaic County Film Festival in the amount of \$3,500.00;

**LET IT BE FURTHER RESOLVED**, that the Board hereby authorizes the Commissioner Director and the Clerk to the Board and the Director of the Division of Economic Development to sign the grant award documentation on behalf of the County of Passaic.

JDP

Dated: December 14, 2021

## **PUBLIC NOTICE**

**PLEASE TAKE NOTICE:** The Board of County Commissioners of the County of Passaic adopted Resolution No. R20210001 at its January 7, 2021 meeting setting the regular meeting schedule for calendar year 2021 in compliance with N.J.S.A. 10:4-18. On August 11, 2021, the Board of County Commissioners of the County of Passaic adopted Resolution No. R20210724 authorizing the resumption of in-person meetings of the Board, at the following dates, times, and locations:

<b>DATE</b>	<b>TIME</b>	<b>LOCATION</b>
September 8, 2021	5:30 PM	300 Oldham Road, Wayne, New Jersey 07470
September 28, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
October 26, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
November 9, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
November 23, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
December 14, 2021	5:30 PM	401 Grand Street, Paterson, New Jersey 07505
December 28, 2021	10:00 AM	401 Grand Street, Paterson, New Jersey 07505

Members of the public can attend the meetings in-person in compliance with the COVID-19 safety protocol practices in place at all County facilities. Additionally, a member of the public may submit a comment electronically during the public portion of the meeting by submitting same by no later than 5:30 PM to [public@passaiccountynj.org](mailto:public@passaiccountynj.org) of the date of the scheduled meeting, and include his/her name, address, and matter to be addressed by the Board. The Clerk of the Board shall include the comment in the meeting minutes kept pursuant to N.J.S.A. 10:4-12 and it will become an official part of the record. This notice is being issued pursuant to the Open Public Meetings Act, P.L. 1975, Chapter 231, N.J.S.A. 10:4-06, et seq. Official action will be taken.

### **BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS**

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Louis E. Imhof III, Clerk of the Board

Dated: August 25, 2021

Published in: Herald News  
Bergen Record

On File with the Passaic County Clerk

**Louis E. Imhof III**  
**Clerk of the Board**  
**Board of County Commissioners**  
**County of Passaic**  
**(973) 881-4412 or [Louisi@passaiccountynj.org](mailto:Louisi@passaiccountynj.org)**