I. CALL TO ORDER AND ORDER OF BUSINESS

a. Open Public Meeting Act – The City Clerk announces that the meeting is being held in accordance with the “Open Public Meeting Act”, N.J.S.A. 10:4-6 et seq., notice of which was sent to The Record and The Star Ledger and was posted on the Municipal Bulletin Board.

b. Roll Call

c. Flag Salute

d. Proclamations and Presentations

e. Approval of Minutes

II. REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

a. City Manager’s Report

III. REPORTS OF SPECIAL COMMITTEES

IV. SPECIAL ORDERS

V. UNFINISHED BUSINESS AND GENERAL ORDER

VI. NEW BUSINESS

1. Resolution #01-21
   Introduction of Ordinance 01-2021 An Ordinance Authorizing 25 Year Parking Agreement Between the City of Hackensack, 210 Main Urban Renewal, LLC and 210 Moore Street, LLC

2. Resolution #02-21
   Introduction of Ordinance 02-2021 An Ordinance Amending and Supplementing Chapter 175, Zoning Ordinance of the City of Hackensack, of the Code of the City of Hackensack to Create the Inclusionary Overlay Zone (IO-1)

3. Resolution #03-21
   Resolution Authorizing the Adoption of Agreement Between the City of Hackensack and Hackensack Professional Fire Fighters IAFF Local 2081, AFL-CIO, CLC for the Period January 1, 2018 – December 31, 2022

12/31/2020
4. Resolution #-21  Resolution Authorizing Tax Refunds for State and County Board Judgements, Overpayments and Duplicate Payments

5. Resolution #-21  Resolution Authorizing the Submission of an Application for Funding of Multi-Park Improvements (Project #0223-19-055) from the New Jersey Department of Environmental Protection, Green Acres Program

6. Resolution #-21  Resolution Authorizing Issuance of Request for Expressions of Interest to Qualified Redevelopers for the Block 314 Redevelopment Plan Area Including City Parking Lot D

7. Resolution #-21  Resolution Endorsing Application of Greater Bergen Community Action, Inc. For Home Investment Partnership Funding from the County of Bergen for the Development of Affordable Housing on Railroad Place

8. Resolution #-21  Resolution Approving an Initial Memorandum of Understanding Between Greater Bergen Community Action and the City of Hackensack for the Development of Affordable Housing on Railroad Place

9. Resolution #-21  Resolution Adopting City of Hackensack Surplus Policy for Fiscal 2021

10. Resolution #-21  Resolution Authorizing the Adoption of Cash Management Plan Including Designation of Approved Depositories

11. Resolution #-21  Resolution Authorizing the Approval of a Petty Cash Fund

12. Resolution #-21  Resolution Authorizing Transfer of 2020 Budget Appropriations (CFO)

13. Resolution #-21  Resolution Adopting 2021 Temporary Budget (CFO)

14. Resolution #-21  Resolution Authorizing Payment of Bills
“The City Clerk announces that the following items are considered to be routine in nature and will be enacted in one motion; any items requiring expenditure are supported by a Certification of Availability of Funds; any item requiring discussion will be removed from the Consent agenda; and Consent Agenda items will be reflected in full in the minutes including any exceptions and/or additions.”

15. Resolution #-21  Resolution Authorizing Raffle Licenses for The Rotary Club of Hackensack

16. Resolution #-21  Resolution Authorizing Endorsement of Proposed Bergen County Community Development Grants 2020

17. Resolution #-21  Resolution Authorizing Award of State Contract for the Purchase of Two Police Vehicles

18. Resolution #-21  Resolution Authorizing Accrued Time Payout of $26,299.09 to Martin Barry

19. Resolution #-21  Resolution Authorizing Professional Service Agreement to Cleary, Giacobbe, Alfieri, Jacobs, LLC – Special Litigation Counsel

20. Resolution #-21  Resolution Awarding Professional Service Agreement to Cleary, Giacobbe, Alfieri, Jacobs, LLC – City Attorney

21. Resolution #-21  Resolution Awarding Professional Service Agreement to Elsbeth Crusius – Prosecutor

VII. PUBLIC COMMENT (3 Minute Time Limit per Speaker)

VIII. MAYOR AND COUNCIL COMMENTS

IX. ADJOURN
CITY OF HACKENSACK

RESOLUTION NO. -21

INTRODUCTION OF ORDINANCE NO. 01-2021, AN
ORDINANCE AUTHORIZING 25 YEAR PARKING AGREEMENT
BETWEEN THE CITY OF HACKENSACK, 210 MAIN URBAN
RENEWAL, LLC AND 210 MOORE STREET, LLC

BE IT RESOLVED that the above Ordinance, being Ordinance 01-2021 as introduced, does now pass on first reading and that said Ordinance shall be considered for final passage at a meeting to be held on January 26, 2021 at 7:00 p.m. or as soon thereafter as the matter can be reached at the regular meeting place of the City Council and at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance and that the City Clerk be and she is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT
THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK
HELD ON JANUARY 5, 2021

DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK  
ORDINANCE NO. 01-2021

ORDINANCE AUTHORIZING 25 YEAR PARKING AGREEMENT BETWEEN THE CITY OF HACKENSACK, 210 MAIN URBAN RENEWAL, LLC AND 210 MOORE STREET, LLC

WHEREAS, on October 20, 2015, the City of Hackensack (the “City”) and 210 Main Urban Renewal, LLC (the “Redeveloper”) entered into a Redevelopment Agreement whereby the Redeveloper agreed to provide 50 publicly available daytime parking spaces to be leased on the monthly basis upon Block 309, Lot 2, commonly known as 210 Moore Street (the “Parking Lot”); and

WHEREAS, the Redeveloper is the owner of Block 311, Lots 14 and 16 on official tax map of the City commonly known as 210-214 Main Street (the “Project Site”); and

WHEREAS, 210 Moore Street, LLC is the owner of the Parking Lot, which shares common ownership with the Redeveloper; and

WHEREAS, the Redeveloper was originally granted preliminary and final site plan approval by the Hackensack Planning Board (the “Board”) on January 14, 2015 to permit the redevelopment of two pre-existing office buildings to be converted into rental apartments and retail space on the Project Site; and

WHEREAS, by way of Amended Site Plan Approval granted August 12, 2015 by the Board, the Redeveloper was permitted to satisfy the parking requirements for the Project Site by constructing certain surface parking facilities on the Parking Lot owned by 210 Moore Street, LLC; and

WHEREAS, the Parties have determined to enter this Parking Agreement to set forth, among other things, the terms and conditions under which Redeveloper shall pay to the City certain revenues for the 50 publicly available daytime parking spaces as set forth in the Redevelopment Agreement.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hackensack in the County of Bergen, State of New Jersey that:

SECTION 1. The above recitals are incorporated by reference as if fully set forth herein.

SECTION 2. It hereby approves, authorizes and directs the Mayor’s execution of the 25 year Parking Agreement attached hereto and made part hereof by and between the
City of Hackensack, 210 Main Urban Renewal, LLC, 210 Moore Street, LLC governing the 50 publicly available daytime parking spaces to be located upon Block 309, Lot 2.

SECTION 2. All ordinances or resolutions of the City which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval and publication as provided by law.

Introduced: January 5, 2021
Adopted:

ATTEST: CITY OF HACKENSACK

By: __________________________   By: __________________________
Deborah Karlsson, City Clerk           John P. Labrosse, Jr. Mayor
CITY OF HACKENSACK

RESOLUTION NO. -21

INTRODUCTION OF ORDINANCE NO. 02-2021 AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 175, “ZONING ORDINANCE OF THE CITY OF HACKENSACK”, OF THE CODE OF THE CITY OF HACKENSACK TO CREATE THE INCLUSIONARY OVERLAY ZONE (IO-1)

BE IT RESOLVED that the above Ordinance, being Ordinance 02-2021 as introduced, does now pass on first reading and that said Ordinance shall be considered for final passage at a meeting to be held on January 26, 2021 at 7:00 p.m. or as soon thereafter as the matter can be reached at the regular meeting place of the City Council and at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance and that the City Clerk be and she is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK HELD ON JANUARY 5, 2021

DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK
ORDINANCE NO. 02-2021

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 175, “ZONING ORDINANCE OF THE CITY OF HACKENSACK”, OF THE CODE OF THE CITY OF HACKENSACK TO CREATE THE INCLUSIONARY OVERLAY ZONE (IO-1)

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized and mandated in So. Burl. Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. ("FHA") that every municipality in New Jersey has an affirmative obligation to facilitate the provision of low- and moderate-income housing; and

WHEREAS, the City of Hackensack entered into a Settlement Agreement with Fair Share Housing Center on September 10, 2020 (hereinafter the “Settlement Agreement”) that determines the municipality’s affordable housing obligation and the preliminary compliance plan for how the obligation will be addressed; and

WHEREAS, the Settlement Agreement was approved by the Superior Court of New Jersey at a Fairness Hearing on October 29, 2020, memorialized in a Court Order dated November 5, 2020 (Docket No. BER-L-5731-15); and

WHEREAS, Section 7 of the Court-approved Settlement Agreement requires the City of Hackensack to create one or more overlay zones containing parcels in delineated areas along the Main Street / Johnson Avenue, Essex Street / Hudson Street, and Railroad Avenue corridors, (shown in the maps attached hereto) which shall permit densities ranging from 35 to 50 units per acre and requiring ten-percent (10%) of all residential units created in accordance with the overlay zone standards to be set aside for low- and moderate-income households; and

WHEREAS, consistent with the requirements of that Settlement Agreement, the City worked collaboratively with Fair Share Housing Center and the Court-appointed Special Master to draft such overlay zoning standards, which are contained hereinafter.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Hackensack, County of Bergen, State of New Jersey, that §175- 4.3 shall be added to Article IV, “District Regulations” in Chapter 175, “Zoning Ordinance of the City of Hackensack”, and shall read as follows:

A. Purpose:

(1) To provide for the realistic opportunity for the development of affordable housing for households of low and moderate income, as required by Southern Burlington County NAACP v. Township of Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II") and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and consistent with a Settlement Agreement between the City of Hackensack and Fair Share Housing Center executed on September 10, 2020 and approved by the Superior Court of New Jersey at a Fairness Hearing on October 29, 2020, memorialized in a Court Order dated November 5, 2020 (Docket No. BER-L-5731-15).

(2) This Section establishes the Inclusionary Overlay Zone (IO-1), which shall be divided, as shown in the attached tables entitled “Properties within the Inclusionary Overlay Zone – IO-1” and shown in the attached maps, into three sub-zones:

a) IO-1A, encompassing properties identified along Essex Street and Hudson Street south
of the Downtown Rehabilitation Area;
b) IO-1B, encompassing properties identified along Main Street and Johnson Avenue north of the Downtown Rehabilitation Area; and
c) IO-1C, encompassing properties identified on the east and west sides of Railroad Avenue, west of the Downtown Rehabilitation Area and generally between Atlantic Street and Essex Street.

(3) The IO-1A, 1B, and 1C sub-zone districts shall both permit mixed commercial / residential development (except that mixed commercial / residential is prohibited east of Railroad Avenue in the IO-1C sub-zone) or sole-use multi-family residential development meeting the use, bulk, and design standards contained hereinafter provided that at least 10% of all residential units created pursuant to the overlay zone standards shall be set aside for low- and moderate-income households as provided for elsewhere in this ordinance.

(4) The overlay zone provides an alternative to the underlying zone districts’ regulatory provisions, which are and shall remain in force. Any developer or property owner that wishes to develop or use a property in a manner consistent with the existing, underlying zoning may do so and not be subject to the requirements of overlay zone, EXCEPT that any new residential or mixed commercial / residential development or redevelopment project within the IO-1 overlay boundaries shall be subject to the affordable housing set-aside requirements of the overlay zone. Any existing development on a parcel within the overlay zone that is compliant with the requirements of the underlying zoning may continue or expand as it would have prior to the adoption of this overlay zone.

(5) The standards of the IO-1C overlay sub-zone shall not supersede the standards of the Prospect – Railroad – Essex – Beech Redevelopment Plan where the 1C sub-zone overlaps the Redevelopment Area, except that the affordable housing set-aside requirements of the overlay zone must be adhered to within that overlap and any inclusionary residential development within the overlap shall be permitted to develop at a density of 792 square feet of lot area per dwelling unit.

B. Permitted Use: The following uses shall be permitted on any property within the IO-1A, 1B, and 1C sub-zones provided that a minimum of 10% of all residential units in any building or buildings developed pursuant with this overlay zone ordinance shall be affordable to low- and moderate-income households consistent with the requirements of Chapter 45A, “Affordable Housing” or any superseding section of the City’s regulatory code and all applicable superseding State and Federal statutes and regulations including the Uniform Housing Affordability Controls at N.J.A.C. 5:80-26.1 et seq. (with the exception that very-low income units shall comprise at least 13% of affordable units and be affordable for households earning 30% of regional median income) and COAH regulations at N.J.A.C. 5:93-1 et seq.

In the event that 10% of the total number of residential units does not equal a full integer, the fractional number of units shall be rounded upward to provide one additional whole unit (e.g. 10% of 53 units = 5.3 units, round up to 6 units).

Permitted uses are as follows:

(1) Sole-use multifamily development, without commercial or other non-residential principal uses;

(2) In the IO-1A and IO-1B sub-zones only, mixed commercial/residential buildings (a.k.a. mixed-use), with commercial uses only at or below the ground level and residential units above the ground level, provided that:
a) The ground story commercial component of any mixed commercial and residential building shall have its primary entrance on Main Street, Essex Street, Hudson Street, or Johnson Avenue. Other than residential lobbies and accessory uses for residents, ground story uses shall be limited to the following:

i. Retail stores and shops where products to be sold are stored within a fully enclosed building, but specifically excluding pawnshops, the sale of used furniture, appliances, machinery, clothing or other used manufactured goods, including antique shops. Recognized charitable rummage sales for a limited period (2 weeks) are not included in this exclusion;

ii. Art gallery, studios for dancing, photography, sculpture or musical instruction or instruction in physical self-defense;

iii. Bakery where products are sold for retail purposes only;

iv. Bank or trust company or savings and loan institutions, except drive-in facilities;

v. Day care, nursery school, child care center;

vi. Delicatessen store;

vii. Restaurants;

viii. Bars;

ix. Drug stores;

x. Florist shop;

xi. Hardware stores;

xii. Package liquor store;

xiii. Personal service establishments, including tailor, dressmakers, shoe repair, barbershop, beauty parlors, nail and hair salons, specifically excluding public garages;

xiv. Pet shops;

xv. Professional offices, business offices, medical offices, governmental offices;

xvi. Travel agencies or offices;

xvii. Appliance stores;

xviii. Book and stationary stores;

xix. Dry goods and variety stores;

xx. Furniture stores / Office equipment;

xxi. Hobby and craft stores;

xxii. Painting, plumbing and wallpaper stores;

xxiii. Photographic equipment and supply stores;

xxiv. Supermarkets;

b) This section shall not be interpreted as permitting hotels or other temporary lodging facilities as a use in any building constructed or converted to conform to this ordinance section.

c) Mixed-use shall be permitted in the IO-1C sub-zone west of Railroad Avenue subject to the standards of the Prospect – Railroad – Essex – Beech Redevelopment, except that the inclusionary set-aside requirements of the overlay zone must be adhered to, and the maximum permitted residential density shall be 792 square feet of lot area per unit.

C. Accessory Use: Any of the following accessory uses may be permitted within the IO-1A, 1B, and 1C Districts, only on the same lot(s) as a permitted principal use:
(1) Accessory uses customarily incidental to a permitted principal use;
   a) This shall include residential amenity spaces and services such as recreational or fitness
      spaces, child care services, and clothing laundry rooms and/or services provided that
      these spaces and services are exclusively for use by residents and their guests.
(2) Outdoor dining in a mixed-use development;
(3) Off-street parking and loading facilities;
(4) Fences;
(5) Signs;

D. Conditional Use:
   (1) Automatic coin-operated laundries (launderettes) shall be permitted as a ground story use in a
       permitted mixed-use development provided that it meets the requirements of this Chapter and
       Section 175-8.2 of the City’s Zoning Ordinance with the exception of §175-8.2.A.

E. Prohibited uses: While any use not specifically permitted in the IO-1A, B, or C zones shall be presumed to
   be prohibited, the following uses are explicitly prohibited:
   (1) Acetylene gas manufacture or storage;
   (2) Adult day care centers;
   (3) Adult entertainment / retail sales;
   (4) Alcohol manufacture;
   (5) Ammonia, chlorine or bleaching powder manufacture;
   (6) Boarding houses, rooming housing, and half-way houses;
   (7) Carousels, ferris wheels, merry-go-rounds, roller coasters, miniature and practice golf courses, shooting galleries;
   (8) Arsenals, storage or manufacture of gun powder, ammunition and blasting material;
   (9) Asphalt manufacture or refining;
   (10) Auction rooms; flea markets;
   (11) Auto laundries;
   (12) Automobile junk-yards or wrecking yards;
   (13) Billiards hall;
   (14) Blast furnace, forge plants, rolling mills, foundry;
   (15) Boiler works;
   (16) Brick, pottery, tile or terra-cotta for manufacturing purposes;
   (17) Celluloid or film manufacture or extraction of products there from;
   (18) Chemical manufacture or storage of chemicals having a flammable, explosive or toxic base or which have an odor;
   (19) Cement, cinder block, lime, gypsum or plaster of Paris manufacture;
   (20) Coke ovens;
   (21) Community drop-in centers, homeless centers or rehabilitation centers for those afflicted with drug abuse alcoholism, disease, or mental illness;
   (22) Cotton oil manufacture;
   (23) Disinfectant, insecticide or poison manufacture;
   (24) Distillation of coal, petroleum, refuse, grain, wood or bone;
   (25) Dog pounds or animal shelters;
   (26) Drive-thru’s;
   (27) Dye manufacture;
   (28) Emery cloth and sandpaper manufacture;
   (29) Establishments for the distribution of free food, toiletries, clothes, household goods, etc. including soup kitchens;
   (30) Explosives or fireworks manufacture and storage;
   (31) Fat-rendering plant;
   (32) Fertilizer manufacture;
   (33) Fish and meat: wholesale smoking or curing;
   (34) Freak shows;
   (35) Free standing news racks;
   (36) Glue, size, adhesive or gelatin manufacture;
   (37) Grain drying or food manufacture from refuse, marsh or grain;
   (38) House-wreckers yard or secondhand lumberyard;
(39) Incineration, except publicly owned incinerators or accessory to an apartment building or hospital;
(40) Reduction, storage or dumping of slaughter house refuse, rancid fats, garbage, dead animals or offal;
(41) Junk-yards or the storage, sorting or bailing of junk, scrap iron, paper, bottles, metal or rags;
(42) Marijuana and Vape Sales, Distribution, Manufacturing
(43) Match manufacture;
(44) Motels, tourist camps or cabins; trailer camps or courts (Inns are permitted);
(45) Oilcloth and linoleum manufacture;
(46) Paint, oil, varnish, turpentine, shellac, enamel, japan, lacquer or solvents manufacture;
(47) Paper pulp manufacture;
(48) Pawn shops;
(49) Petroleum refining;
(50) Plasma center;
(51) Plastics manufacture or the manufacture of articles from plastic having an inflammable base;
(52) Potash works;
(53) Power forging, riveting, hammering, punching, chipping, drawing, rolling or tumbling of metals except as necessary incident of manufacture of which these processes form a minor part and which are carried on without objectionable noise audible beyond the limits of the lot;
(54) Printing ink manufacture;
(55) Quarry, sand-plits, gravel pits, topsoil stripping;
(56) Raw hides or skins storage, cleaning, curing, pickling or tanning or retaining;
(57) Rock or stone crusher;
(58) Rubber, latex or gutta-percha manufacture or treatment;
(59) Sexually Oriented Business Establishment;
(60) Shoddy manufacture or wool scouring;
(61) Slaughtering or wholesaling of animals or fowl;
(62) Smelting, smelters, and foundries;
(63) Soap manufacture;
(64) Starch, glucose or dextrin manufacture;
(65) Steel furnace or rolling mill;
(66) Stockyards;
(67) Sugar refining;
(68) Sulphurous, sulfuric, acetic, nitric, picric, carabolic or hydrochloric acid manufacture;
(69) Tar distillation or manufacture;
(70) Tallow, grease or lard manufacture or refining;
(71) Tattoo Parlor Shops
(72) Tobacco manufacture or treatment;
(73) New or used automobile sales;
(74) Use Group H-High hazard use as defined in the Building Code;
(75) Yeast plant;

F. Bulk: The following requirements shall apply to the IO-1A, 1B, and 1C Sub-zones, except where otherwise specified in the table below, and except that any property west of Railroad Avenue in the IO-1C sub-zone shall be subject to the standards in the Prospect – Railroad – Essex – Beech Redevelopment Plan, with the exception of residential density as provided in the table.

<table>
<thead>
<tr>
<th>Mixed Commercial / Residential (a.k.a. Mixed-Use)</th>
<th>Sole-Use Multi-Family Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size (sq. ft.)</td>
<td>10,000</td>
</tr>
<tr>
<td>Min. Lot Width (ft.)</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Mixed Commercial / Residential (a.k.a. Mixed-Use)</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Min. Front Yard (ft.)</td>
<td>No front yard required, except not closer than 12 feet from back of curb</td>
</tr>
<tr>
<td>Min. Side Yard, Interior (ft.)</td>
<td>No side yard is required, however, if a yard is provided, it shall be no less than six (6) feet.</td>
</tr>
<tr>
<td>Min. Side Yard, Secondary Street (ft.)</td>
<td>No side yard is required, however, if a yard is provided, it shall be no less than six (6) feet.</td>
</tr>
<tr>
<td>Min. Rear Yard (ft.)</td>
<td>15</td>
</tr>
<tr>
<td>Max. Height (stories/ft.)</td>
<td>4 stories / 48 feet for properties in the IO-1A</td>
</tr>
<tr>
<td></td>
<td>5 stories / 55 feet for properties in the IO-1B Sub-zone</td>
</tr>
<tr>
<td>Max. Lot Coverage (%)</td>
<td>80</td>
</tr>
<tr>
<td>Min. Lot Area (Square Feet) per Dwelling Unit (a.k.a. Maximum Density)</td>
<td>871 lot s.f. per d.u., except that 792 lot s.f. per d.u. shall be permitted on lots one-half acre in area or larger in the IO-1B Sub-zone</td>
</tr>
<tr>
<td>Min. Height Ratio, front</td>
<td>None</td>
</tr>
<tr>
<td>Min. Height Ratio, side</td>
<td>None</td>
</tr>
<tr>
<td>Min. Height Ratio, rear</td>
<td>None</td>
</tr>
<tr>
<td>Setbacks Between Buildings on the Same Lot</td>
<td>Cartway width of any internal drives/roads, plus: • 20 feet where either building wall has windows to dwelling units or amenity space. • 10 feet where neither building wall has windows except for windows from stairwells, hallways, or other circulation areas.</td>
</tr>
</tbody>
</table>
G. Parking (in IO-1 A and 1B, and on lots east of Railroad Avenue in 1C): Shall be consistent with the requirements of RSIS and supplemented by the following:

(1) Driveway Access:
   a) Driveways that connect to any primary street (Main Street, Johnson Avenue, Essex Street, Hudson Street, Railroad Avenue, or Union Street) and provide access to any pick-up / drop-off area or parking area shall be at least 50 feet from the curb return of the nearest street intersection or the edge of any other driveway;
   b) Any parking area (indoor or outdoor) on lot or tract with frontage of two streets shall be accessed by a two-way driveway from the secondary street, provided that the driveway is at least five (5) feet from the rear lot line and that the curb opening on the secondary street is at least 10 feet from any other curb opening on the same side of the street;

(2) Surface Parking:
   a) Parking shall be prohibited within any front yard or any side yard between a principal building and the right-of-way line of a secondary street;
   b) Parking areas for sole-use multi-family uses shall be set back at least 10 feet from any ground level residential units and be screened from those units with plantings with a typical growth height of at least four (4) feet tall;
   c) Surface Parking Landscaping:
      i. Surface parking areas having more than 20 parking spaces shall include one tree for every 10 parking spaces.
         1. Fractions equal to or greater than one half resulting from this calculation shall be considered to be one (1) tree;
         2. Each such tree shall be located in a planting island with a minimum area of 150 square feet of pervious surface;
      ii. No more than 12 parking spaces shall be permitted between planting islands, or a planting island and a perimeter landscaped area;
      iii. In any surface parking lot having more than 10 parking spaces, at least 5% of the parking area (measured from the either the back of any curb edge or the edge of pavement where a curb does not exist and including all parking spaces and aisles but not including access driveways or interior roads) shall be comprised of planted areas at or below the average grade of the paved surface.
      iv. For surface parking areas, a minimum 4-foot planting strip shall be required between the back of sidewalk and any surface parking area and shall be planted with shrubs at 4 feet on center.

(3) Structured/Underground Parking Decks:
   a) Parking structures including structures that are part of or attached to the principal building they serve shall not be taller than two (2) stories above grade.
   b) Parking Security / Gates: Buildings can provide security for residents by controlling vehicular and pedestrian access to the second level or underground level in areas designated for the residential parking.
   c) Structured parking should be concealed from rights-of-ways by being located behind buildings or in the center of L-, C-, or donut-shaped buildings.
      i. Where parking structures cannot be hidden behind buildings or building wings they shall be designed to mitigate the negative visual effects of the proposed structure with screening or façade design that is architecturally consistent and compatible with the materials, proportions and openings of
the primary building including but not limited to decorative elements, grills, screens, or punched openings;

d) Other than at the parking entrances, vehicles within a parking structure shall not be visible from the center line of any roadway;

e) Pedestrian access to the parking structure shall be designed to provide safe and sufficient access to surrounding uses they are intended to serve;

f) All ramps shall be internal to the parking structure and shall not be visible from any roadway;

g) Driveway and garage openings should not exceed 28 feet (excluding loading areas) in width and should include traffic calming measures and a change in surface materials where driveways cross the sidewalk to help ensure pedestrian and bicycle safety.

H. Buffer and General Landscaping Requirements (in IO-1A and 1B, and on lots east of Railroad Avenue in 1C): Shall be consistent with the requirements at Article IX in the Zoning Code, except as superseded or supplemented by the following.

(1) Buffering & Screening from Residential Zones: The following landscaping requirements shall be required along any lot line shared with a property within a Residential Zone (which shall be understood to mean zones R-50, 60, 75, 100, and R-2, 2A, and 2B for the purposes of this overlay zone):

a) A buffer area having a depth equal to 5% of total lot depth shall be required, except that no buffer less than 5 feet deep shall be permitted, nor shall a buffer greater than 20 feet deep be required.

b) There shall be required (1) tree and five (5) shrubs for every 500 square feet of buffer area and 30 linear feet of buffer area;

c) A solid or semi-open fence not shorter than four (4) feet nor taller than six (6) feet shall be erected along the property line.

i. For the purposes of this section, a solid fence shall be one having no cross-visibility from one side of the fence to the other and a semi-open fence shall be one having less than 50% cross visibility;

ii. Use of a solid fence over a semi-open fence shall reduce the required buffer area shrub density to two (2) shrubs per 500 square feet of buffer area.

I. Streetscape Requirements. Any development within the IO-1A or 1B sub-zones, or in the IO-1C sub-zone east of Railroad Avenue, shall be subject to the following streetscape standards.

(1) Street Trees: Street trees shall be planted at 30'-0" on-center.

(2) Minimum Sidewalk Width: The minimum sidewalk width shall be 6'-0".

(3) Street Lights: All street lights shall be the City of Hackensack standard pedestrian scale light pole and fixture (Granville light).

J. Other Requirements: Any development within the IO-1A or 1B sub-zones, or in the IO-1C sub-zone east of Railroad Avenue, shall be subject to all applicable general development and design requirements established in Chapter 175, except as superseded below:

(1) Building Access (Pedestrians):

a) The entrance to any commercial use and/or space in a mixed-use commercial / residential building shall be distinct and separate from entrances to residential portions of the same building from public rights-of-way or parking areas.
i. Lobbies, stairways, elevators, and hallways that provide access to residential units shall not be accessible to employees, customers, or clients of commercial uses in the same building except as may be necessary for emergency egress.

b) Amenity spaces for residents in both mixed-use and sole-use multi-family buildings must be directly accessible from inside the building in addition to any access from the public right-of-way that may be required for fire safety purposes.

i. Where an indoor or outdoor resident amenity space has direct street access, such access should be designed so that no member of the public can enter the space unless they are accompanied by or authorized to access the space by a resident or building management personnel.

(2) Building Materials and Architectural Standards: The following shall apply to both mixed-use and sole-use residential buildings.

a) Horizontal Articulation:

i. Building facades in excess of 120 feet in length shall be designed to avoid a monolithic appearance through the use of different façade materials and at least one building step back or the incorporation of balconies/bay windows for each 120 feet that act to break the building appearance into smaller increments and sections.

1. For buildings in excess of 120 feet in length a vertical demarcation should be included at a minimum of every 60 feet of building façade;

b) Roof-line Emphasis:

i. Any pitched roof-line should be emphasized with deep eaves or overhangs, cross gables, and/or dormer windows. The shape of roof-lines should coordinate with and reinforce the variation in bay massing and can be utilized to screen mechanical equipment.

c) Canopies / Awnings:

i. Canopies / Awnings should be comprised of rigid materials and should be horizontal in nature;

1. Awnings, canopies, and similar projections shall have an overhead clearance of at least 10 feet, and may not encroach more than seven (7) feet into the public right-of-way without permission from the Governing Body;

2. Ground supports for projecting features may not obstruct or interfere with pedestrian or vehicular movement.

d) Balconies:

i. Balconies are permitted above the first story provided they do not project more than six (6) feet from any building or 4 feet into the required front yard setback or as permitted by the Building Department.

e) Building Materials:

i. Building materials may include: brick, stone, cast stone, stucco, metal and glass storefront assemblies, wood and fiber cement siding;

1. Vinyl siding of any type and grade is strictly prohibited on any portion of any building façade;
2. First levels should be designed using different material than the levels above;

f) Ground Floor Design:
   i. The base of all buildings, regardless of use, shall be distinguished from the remainder of the building with an emphasis on providing design elements that will enhance the pedestrian environment particularly at the street level;
      1. Elements such as cornices, belt courses, corbelling, molding, string courses, ornamentation, changes in material or color, and other sculpturing of the base are appropriate and should be provided to add special interest to the base;
      2. Special attention must be given to the design of windows at the base of buildings. Ribbon windows are discouraged. Recessed windows that are distinguished from the shaft of the building through the use of arches, pediments, Mullions, and other treatments are encouraged. Windows shall also comply with other requirements or guidance in this section.;
   i. In a mixed commercial / residential building where the ground story is occupied by a commercial use, the ground story shall have a minimum 14-foot floor to ceiling height.

g) Building Entrances:
   i. All pedestrian building entrances from the street should create architectural interest and variation from other portions of the building by incorporating at least three (3) of the following.
      1. Changes in building plane through recesses and/or projections (including columns, projecting bays, porches, stoops) not projecting more than two (2) feet into the required setback;
      2. Canopies, awnings, arcades, galleries, or other overhangs;
      3. Tower elements;
      4. Architectural embellishments;
      5. Changes in building material, color, and/or texture; or
      6. Other design elements that add visual interest as determined by the City.
   i. Building entrances shall be clearly visible from the street and easily identifiable. They should feature large, open and transparent windows with unique and interesting signage.
      1. Where the residential and commercial entrances to a mixed-use building are on the same street frontage, the commercial/storefront entrance(s) should be the most visually prominent of the two;
      2. Operable windows are encouraged.

(3) Commercial storefronts should express individual identity and positioning provided they observe the minimum guidelines noted below;
   i. Storefronts should be “individual” expressions of a tenant’s identity;
   ii. Tenants’ storefront construction should be of high quality and craftsmanship;
   iii. Any restaurant use is encouraged to provide outdoor seating;
iv. In locations adjacent to a public plaza, permanent shade structures for outdoor dining are encouraged;

v. A minimum 5-foot clearance area for pedestrian access along a storefront is required.

(4) Receptacles: Any mixed use / commercial development within the IO-1A, 1B, or 1C sub-zones shall be subject to the following standards for commercial establishments.

a) The owner, agent, lessee or tenant of any commercial establishment which provides food and drinks for consumption off premises, including packaged candies and snack items, shall provide a suitable litter receptacle for the use of his customers. This litter receptacle shall be placed inside the establishment at each exit. The litter receptacle shall be present at all times that the establishment is open for business. The receptacle shall be of suitable height and capacity for the waste generated by the patrons of the establishment and should be appropriately identified as a litter receptacle. The owner, agent, lessee or tenant is responsible for disposing of the litter placed in the receptacle and for removing all litter on the sidewalk and at the curb in front of the establishment.

(5) Building Fenestration: Except as otherwise specified this section shall apply to both mixed commercial/residential and sole-use multi-family buildings.

a) Windows, Generally:

i. Where expanses of windowless walls are necessary facing a street, they shall not exceed 30 feet in length.

ii. Windows on upper stories should align vertically from floor to floor and the pattern of window openings should relate to a building’s vertical bay pattern;

iii. Upper-story windows should be vertically proportioned. Windows may be clustered in pairs and tripies to create larger, horizontally proportioned expanses of windows;

iv. All windows should have dimensionality so as to create shadows and texture within the building facade;

1. At a minimum, all windows should have deep headers and sills; in addition, trim on all sides that projects from the building facade is encouraged;

2. Window glazing should be recessed relative to the surrounding enframement. If divided lintels are used, they should include external members that cast shadows on the glass;

b) Storefront Windows (Mixed Commercial/Residential Buildings):

i. Windows for ground level commercial uses shall cover a minimum of 60% of the storefront wall area (measured by the floor to ceiling height of the commercial unit multiplied by the width of the unit along the front building wall) and shall allow for visibility of up to 12 feet into the commercial unit, which shall be generally unobstructed except as follows:

1. Window signage shall not cover more than twenty (20) percent of the window area;

2. Merchandise display areas on street-facing window areas are permitted provided that they shall not have an opaque wall or backing between the display area and floor area and provided that
merchandise is not deliberately organized to obscure visibility into the commercial space.

(6) Mechanical Equipment Screening: The following shall apply to mechanical equipment or utility structures either attached to buildings, freestanding on lots, or located below grade:
   a) The screening of rooftop mechanical equipment is required.
      i. All rooftop mechanical equipment including cell phone antennae shall be screened from view from all adjacent public streets, open spaces and parks in all directions and elevations to minimize the negative impact from any public street, neighborhood or adjacent building;
      ii. Screening materials shall be consistent with the architectural detail, color and materials of the building;
         1. Wire mesh screening is not permitted;
      iii. All roof and HVAC systems must be set back a minimum of 15 feet from the primary street and 10 feet from any other public street or public open space from the building edge and screened as to not be visible from any adjacent public street or public property;
   b) Any wall pack ventilation unit facing a public street must match the adjacent material color;
   c) Utility structures, exhaust air vents, back flow preventers, or other similar devices when located above grade, must be located behind the setback line and be reasonably screened from public view;
   d) Utility structures located below grade may be located within the setbacks.

Introduced: January 5, 2021

Adopted:

ATTEST:

CITY OF HACKENSACK

By: ________________________
Deborah Karlsson, City Clerk

By: ________________________
John P. Labrosse, Jr. Mayor
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CITY OF HACKENSACK

RESOLUTION NO. -21

RESOLUTION ADOPTING THE AGREEMENT BETWEEN THE CITY OF HACKENSACK AND HACKENSACK PROFESSIONAL FIRE FIGHTERS IAFF LOCAL 2081, AFL-CIO, CLC FOR THE PERIOD JANUARY 1, 2018 – DECEMBER 31, 2022

WHEREAS, the Agreement between the City of Hackensack ("Hackensack") and Hackensack Professional Fire Fighters IAFF Local 2081, AFL-CIO, CLC (the "Union") expired on December 31, 2017; and

WHEREAS, Hackensack and the Union have engaged in ongoing negotiations to discuss and agree upon the terms and provisions of a successor Agreement; and

WHEREAS, Hackensack and the Union have agreed upon the terms of a successor Agreement for the term January 1, 2018 through December 31, 2022;

WHEREAS, Hackensack wishes to memorialize its approval of the terms and provisions of the successor Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hackensack that the Agreement as between the City of Hackensack and Hackensack Professional Fire Fighters IAFF Local 2081, AFL-CIO, CLC for the period of January 1, 2018 through December 31, 2022, the terms of which are incorporated by reference herein, be and hereby is APPROVED; and

Page 1 of 2
BE IT FURTHER RESOLVED that the City Manager, the Chief Financial Officer, the City Attorney, and the City Labor Counsel are authorized to take all appropriate actions so as to implement this Resolution.

CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK HELD ON JANUARY 5, 2021

DEBORAH KARLSSON, CITY CLERK
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**CITY OF HACKENSACK**

**RESOLUTION NO. -21**

**RESOLUTION AUTHORIZING TAX REFUNDS FOR STATE AND COUNTY BOARD JUDGMENTS, OVERPAYMENTS AND DUPLICATE PAYMENTS**

**BE IT RESOLVED,** by the City Council of the City of Hackensack that the proper officers be and are hereby authorized to make the following refunds for the reasons stated:

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|            | McKirdy Riskin RT AL | For 309 LLC
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| $5,509.49  | 339        | 48                                                                          |
|            | McKirdy Riskin RT AL | For 307 LLC
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| $9,156.00  | 504.02     | 14.10                                                                       |
|            | Nai Hanson Management LLC | For Hack. Ind. Center
|            |            | 195 North St Ste 100
|            |            | Teterboro, NJ 07608                                                        |

CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK HELD ON JANUARY 5, 2021

DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK
RESOLUTION NO. -21

RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR
FUNDING OF MULTI-PARK IMPROVEMENTS (PROJECT #0223-19-055)
FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION, GREEN ACRES PROGRAM

WHEREAS, the New Jersey Department of Environmental Protection,
Green Acres Program ("State"), provides loans and/or grants to municipal and
county governments and grants to nonprofit organizations for assistance in the
acquisition, development, and stewardship of lands for outdoor recreation and
conservation purposes; and,

WHEREAS, the City of Hackensack desires to further the public interest
by obtaining a loan of $210,226 and/or a grant of $630,680.00 from the State
to fund the following project(s): Multi-Park Improvements (Project #0223-19-
055).

NOW, THEREFORE, the City Council of the City of Hackensack resolves
that City Manager Ted Ehrenburg or any successor to the office of City Manager
is hereby authorized to:

(a) make application for such a loan and/or such a grant;
(b) provide additional application information and furnish such
documents as may be required; and,
(c) act as the authorized correspondent of the above-named applicant;
and,

WHEREAS, the State shall determine if the application is complete and in
conformance with the scope and intent of the Green Acres Program, and notify
the applicant of the amount of the funding award; and,
WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Hackensack as follows:

1. The Mayor of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Multi-Park Improvements (Project #0223-19-055); and,

2. The applicant has its matching share of the project, if a match is required, in the amount of $0.

3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and,

4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.

5. This resolution shall take effect immediately.


________________________________________
DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK

RESOLUTION NO. -21

RESOLUTION AUTHORIZING ISSUANCE OF REQUEST FOR
EXPRESSIONS OF INTEREST TO QUALIFIED REDEVELOPERS FOR
THE BLOCK 315 REDEVELOPMENT PLAN AREA INCLUDING CITY
PARKING LOT D

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1, et seq., as amended and supplemented ("LRHL"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment with a designated private Redeveloper; and

WHEREAS, the governing body serves as an instrumentality and agency of the City of Hackensack (the "City") pursuant to the LRHL for the purpose of implementing redevelopment plans and carrying out redevelopment projects within the City ("Redevelopment Agency"); and

WHEREAS, N.J.S.A. 40A:12A-8 authorizes the City to enter into contracts or agreements for the planning, construction or undertaking of any development project or redevelopment work in an area in need of redevelopment without standard public bidding, but nevertheless enables the City to solicit proposals from qualified redevelopers through processes that it determines are fair and reasonable; and

WHEREAS, pursuant to Resolution No. 516-15 adopted on December 8, 2015, the City’s governing body authorized and requested that the Planning Board undertake a preliminary investigation (the "Investigation") to determine whether Block 315, Lot 8 (270 State Street), Lot 9 (276 State Street), Lot 11 (280 State Street), Lot 14 (288 State Street), Lots 15-16 (294-298 State Street), Lot 17 (21 Camden Street), Lot 18 (17 Camden Street), Lot 21 (275-283 Main Street), Lot 24
WHEREAS, pursuant to Resolution No. 515-15 adopted on December 8, 2015 (amending Resolution No. 479-15), the City’s governing body also authorized and requested that the Planning Board undertake a preliminary investigation to determine whether various City-owned properties, including in relevant part hereto, Block 315, Lot 34 ("Lot D") constitutes an “area in need of redevelopment” according to the criteria set forth in N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-3; and

WHEREAS, consistent with the requirements set forth in N.J.S.A. 40:12A-6, the Planning Board specified and gave notice that on January 13, 2016 a hearing would be held for the purpose of hearing all persons who are interested in or would be affected by a determination that the properties in the Block 315 Area of Investigation, as well as Lot D, are collectively qualified as redevelopment areas as that term is defined in the LRHL; and

WHEREAS, DMR prepared a Report of Preliminary Investigation for Determination of an Area in Need of Redevelopment for the Block 315 Area of Investigation (the “Investigation Report”) that was publicly presented after adequate notice before the Planning Board on January 13, 2016, as well as a separate Investigation Report for scattered City-owned properties including Lot D that was presented after proper notice that same evening; and

WHEREAS, pursuant to Resolution No. 76-16 adopted on February 23, 2016, the governing body concurred with the Planning Board’s recommendation and designated the Block 315 Area of Investigation and Lot D as “an area in need of redevelopment”; and

WHEREAS, pursuant to Ordinance No. 07-2016 adopted on March 8, 2016, the governing body adopted the Block 315 Redevelopment Plan including the Block 315 Area of Investigation and Lot D; and

WHEREAS, since 2016, the City has entertained prospective redevelopment proposals for the Block 315 Redevelopment Plan Area and Lot D, but no redeveloper that has approached the City to date has had an acceptable plan that achieves the City’s goals and objectives of not
only redeveloping Block 315, but also Lot D with a sufficient amount of public parking along with acceptable financial terms; and

WHEREAS, given the geographic and strategic importance of Block 315 and Lot D in advancing the City’s redevelopment of the downtown, the City wishes to proactively solicit proposals through the issuance of a Request for Expressions of Interest (“RFEI”) to qualified redevelopers setting forth the City’s objectives, goals and evaluation criteria.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hackensack in the County of Bergen, State of New Jersey that it hereby authorizes and directs the City Manager, in conjunction with the City’s redevelopment professionals, to formally issue an RFEI to qualified redevelopers to solicit proposals for the redevelopment of Block 315 and Lot D, which shall be returnable approximately 90 days from its date of issuance in a form substantially similar to the draft RFEI attached hereto and made part hereof.

CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK HELD ON JANUARY 5, 2021

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DEBORAH KARLSSON, CITY CLERK
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**CITY OF HACKENSACK**

**RESOLUTION NO. -21**

**RESOLUTION ENDORSING APPLICATION OF GREATER BERGEN COMMUNITY ACTION, INC. FOR HOME INVESTMENT PARTNERSHIP FUNDING FROM THE COUNTY OF BERGEN FOR THE DEVELOPMENT OF AFFORDABLE HOUSING ON RAILROAD PLACE**

**WHEREAS,** Greater Bergen Community Action, Inc. ("GBCA") has applied to the County of Bergen for HOME Investment Partnership funding in the amount of $600,000 for costs associated with a proposed affordable housing project (the "Project") to be located on City-owned property at 251 Railroad Place, also known as "City Parking Lot R," Block 356, Lot 1 on the Tax Map of the City of Hackensack; and,

**WHEREAS,** pursuant to the State Interlocal Services Act, HOME funds may not be spent in a municipality without authorization by the municipality’s governing body; and,

**WHEREAS,** the City Council believes that the successful completion of the Project is in the best interest of Hackensack’s residents; and,

**WHEREAS,** this Resolution does not obligate the financial resources of the City, and is intended solely to assist GBCA in its application for the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hackensack as follows:

1. The recitals set forth above are incorporated as if set forth at length herein.

2. The City Council hereby endorses GBCA’s application to the County of Bergen for HOME Investment Partnership funding for the Project.
3. The Mayor, City Manager and City Attorney are authorized to execute any and all documents and take any additional action as may be necessary to implement the intent and purpose of this Resolution.

**BE IT FURTHER RESOLVED** that the City Clerk shall immediately provide a certified copy of this Resolution to the appropriate representatives of GBCA as well as the Director of the Bergen County Community Development Program.

**CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK HELD ON JANUARY 5, 2021.**

DEBORAH KARLSSON, CITY CLERK
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**CITY OF HACKENSACK**

**RESOLUTION NO. -21**

**RESOLUTION APPROVING AN INITIAL MEMORANDUM OF UNDERSTANDING BETWEEN GREATER BERGEN COMMUNITY ACTION AND THE CITY OF HACKENSACK FOR THE DEVELOPMENT OF AFFORDABLE HOUSING ON RAILROAD PLACE**

**WHEREAS,** the City of Hackensack desires to develop affordable housing within the City, so as to benefit the residents of the community as well as satisfy its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel" doctrine; and,

**WHEREAS,** the City anticipates naming Greater Bergen Community Action ("GBCA"), of 392 Main Street, Hackensack, New Jersey, as the developer of an affordable housing project (the "Project") located on City-owned property at 251 Railroad Place, also known as "City Parking Lot R," Block 356, Lot 1 on the Tax Map of the City of Hackensack; and,

**WHEREAS,** in furtherance of their collaboration in the Project, the parties intend to enter into an Affordable Housing Development Agreement that will fully detail the terms of the transaction between the City and GBCA; and,

**WHEREAS,** as an initial step in their mutual efforts to complete the Project, the parties believe it is necessary to define the relationships between the parties on a preliminary basis through the entry of an initial Memorandum of Understanding; and,

**WHEREAS,** the Project will remain subject to the terms and mutual execution and delivery of a definitive Affordable Housing Development Agreement at an appropriate future date.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Hackensack as follows:
1. The recitals set forth above are incorporated as if set forth at length herein.

2. The City Council hereby endorses the attached initial Memorandum of Understanding between the City and GBCA, and approves the terms contained therein.

3. The Mayor, City Manager and City Attorney are authorized to execute any and all documents and take any additional action as may be necessary to implement the intent and purpose of this Resolution.

**BE IT FURTHER RESOLVED** that the City Clerk shall immediately provide a certified copy of this Resolution to the appropriate representatives of GBCA.


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DEBORAH KARLSSON, CITY CLERK
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**CITY OF HACKENSACK**

**RESOLUTION NO. -21**

**RESOLUTION ADOPTING CITY OF HACKENSACK “SURPLUS POLICY” FOR FISCAL 2021**

**WHEREAS,** the Mayor and Council of the City of Hackensack firmly believe that, if increases to the municipal tax levy must be made, those increases should be stable and not prone to wide fluctuations from year to year; and

**WHEREAS,** the prudent use of available Fund Balance (Surplus) funds is an effective tool for tax relief, but only if applied in a consistent manner that does not jeopardize the tax stability in subsequent years; and

**WHEREAS,** the City has followed an informal policy over the past several years to govern the use of Surplus funds in a manner as described above; and

**WHEREAS,** the City now wishes to codify this practice into a formal policy.

**NOW, THEREFORE BE IT RESOLVED,** that the City of Hackensack adopts the following Surplus Policy for Fiscal 2021:

It shall be the policy of the City of Hackensack that unreserved, undesignated Fund Balance on January 1 of a given year should be between 12 - 16% of the previous year’s operating budget (net of Grants, Capital, Debt Service, Deferred Charges and the Reserve for Uncollected Taxes).

Should Fund Balance fall below the 12% floor, the governing body shall take such action, aided by an economic plan developed by the Chief Financial Officer (CFO), to restore the Fund Balance to the target level within two years.

Should Fund Balance exceed 16% of the previous year’s Operating Budget, the portion over the ceiling limit shall be added to the Amount of Surplus Anticipated funds in the current fund budget and specifically ear-marked to reduce short-term debt over the amount that would have been appropriated. If
there is no short-term debt, the amount over the ceiling limit shall be used to
either reduce un-issued debt over the amount that would have been
appropriated, or reserved for future tax relief.

After the Annual Financial Statement has been filed, the CFO shall report to the
Finance Committee on the status of Fund Balance as it relates to this policy.
This report will then be considered during budget deliberations.

In any event, the amount of Surplus funds anticipated as a revenue in any
budget year may not exceed the amount of Surplus funds re-generated from the
previous budget year without a resolution of the Mayor and Council of the City
of Hackensack, adopted prior to the introduction of the budget.

This Surplus Policy is to be adopted annually as early in the budget year as
practicable.

CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT
THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK
HELD ON JANUARY 5, 2021.

DEBORAH KARLSSON, CITY CLERK
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**CITY OF HACKENSACK**

**RESOLUTION NO. -21**

**RESOLUTION AUTHORIZING THE ADOPTION OF A CASH MANAGEMENT PLAN INCLUDING DESIGNATION OF APPROVED DEPOSITORIES**

**BE IT RESOLVED,** by the Mayor and Council of the City of Hackensack, County of Bergen for the year 2021, the following shall serve as the Cash Management Plan of the City of Hackensack.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the City of Hackensack’s funds.

The following Government Unit Deposit Protection Act (GUDPA) approved banks are authorized depositories for the deposit of funds:

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<th>TD Bank</th>
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<td>Bank of New Jersey</td>
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<td>Oritani Savings Bank</td>
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<td>Mariner’s Bank</td>
<td>Investor’s Bank</td>
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<td>Connect One Bank</td>
<td>Santander Bank</td>
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<td>New Jersey Cash Management Fund</td>
<td>New Jersey Asset &amp; Rebate Program</td>
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All warrants or checks for the disbursement of money shall be made by any two (2) of the following officials and no more than one facsimile signature may be used:

- Chief Financial Officer James A. Mangin
- City Clerk Deborah Karlsson
- Mayor John P. Labrosse Jr.
- City Manager Ted Ehrenburg
The Chief Financial Officer is empowered to invest cash funds as bank balances will allow from time to time in order to maximize realized revenue.

In accordance with N.J.S.A. 40A:5-15.1, the following instruments are authorized as suitable investments for the City of Hackensack:

- Interest-bearing bank accounts in banks as authorized above for deposit of local unit funds (GUDPA approved);
- Certificates of Deposit in GUDPA approved banking institutions;
- Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America. This includes instruments such as Treasury Bills, Notes, and Bonds;
- Government money market mutual funds that comply with the requirements of N.J.S.A. 40A:5-15.1(e);
- Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors;
- Bonds or other obligations of the local unit or school district of which the City is a part;
- Local government investment pools, including municipal note issuances, which comply with N.J.S.A. 40A:5-15.1(e) and conditions as set by the Division of Local Government Services;
- New Jersey Cash Management Fund;
- Repurchase agreements of fully collateralized securities which comply with N.J.S.A. 40A:5-15.1(e);
- New Jersey Asset and Rebate Management Program
- Short term notes issued by New Jersey municipalities, counties, local authorities and school districts; so long as the maturity date is no more than 397 days from the date of purchase.

There are no approved security broker/dealers. In the event that a security broker/dealer shall be approved during the year, the registered principle of said brokerage firm so approved shall be provided with and sign an acknowledgement that they have seen and reviewed this cash management plan.

Each month the Chief Financial Officer shall prepare a report for the City Manager that consists of the following:

- A summary of all investments made or redeemed for the month.
- A listing of any and all financial institutions holding local unit funds.
- The class or type of securities purchased or funds deposited.
- Income earned on deposits and investments.
- Market value of investments and disclosure as to how the value was determined, if applicable.
- A listing of accounts or deposits that do not earn interest.

This document shall constitute the cash management policy of the City of Hackensack.

Any official involved with the selection of depositories, investments, broker/dealers, shall disclose any material business or personal relationship to the City Manager and to the Local Finance Board or Local Ethics Board as applicable.

Any official who, in the course of his or her duties, deposits or invests in accordance with this plan shall be relieved of any liability for loss.


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CITY OF HACKENSACK

RESOLUTION NO. -21

RESOLUTION AUTHORIZING THE APPROVAL OF PETTY CASH FUND

WHEREAS, N.J.S.A. 40A:5-21 authorizes a local unit to establish a petty cash fund upon approval from the Director of the Division of Local Government Services; and

WHEREAS, such approval was granted on December 8, 2015; and

WHEREAS, in order to establish a uniform method of accounting for petty cash funds, which purpose is to pay for small incidental costs not associated with the normal processes for the acquisition of materials and services; and

WHEREAS, petty cash funds are not provided for the purpose of circumventing the regular acquisition process; and

WHEREAS, purchase order procedures can be utilized with most vendors when making frequent purchases.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the City of Hackensack, County of Bergen a petty cash fund in the amount of $600 is approved for year 2021; and

BE IT FURTHER RESOLVED, that no single payment from the petty cash fund shall exceed $50.00. Each disbursement shall be evidenced by an appropriate receipt. The petty cash fund shall be subject to approved accounting procedures and shall be closed out at the end of the year for audit.


__________________________________________
DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK

RESOLUTION NO. -21

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED by the City Council of the City of Hackensack that the bills in the following accounts be and are hereby ordered paid:

Current Fund $ 459,037.87
Grants 555.00
Payroll 1,824,638.44
Public Parking System 1,864.58
Capital 22,247.53
Escrow 10,365.00
Trust Account 44,398.82
Total Expenditures 2,363,107.24

Interfunds/Transfers $148,525.74

CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK HELD ON JANUARY 5, 2021

__________________________
DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK

RESOLUTION NO. -21

RESOLUTION AUTHORIZING RAFFLE LICENSES FOR ROTARY CLUB OF HACKENSACK

BE IT RESOLVED, by the City Council of the City of Hackensack that the following organizations be granted permission to conduct a Raffle in accordance with the application on file in the office of the City Clerk:

RA #2210 Rotary Club of Hackensack


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DEBORAH KARLSSON, CITY CLERK
RESOLUTION AUTHORIZING ENDORSEMENT OF PROPOSED BERGEN COUNTY COMMUNITY DEVELOPMENT GRANTS 2020

WHEREAS, Bergen County Community Development Grants have been proposed by the following organizations located in the municipality of Hackensack, New Jersey; and

WHEREAS, pursuant to the State Inter-local Services Act, Community Development funds may not be spent in a municipality without authorization by the Mayor and City Council; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development Funds.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Hackensack hereby confirms endorsement of the following projects; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid projects may be expedited.

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<td>STEM Core Program</td>
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**CITY OF HACKENSACK**

**RESOLUTION NO. -21**

**RESOLUTION AUTHORIZING AWARDING OF STATE CONTRACT FOR THE PURCHASE OF TWO POLICE VEHICLES**

**WHEREAS,** the Hackensack Police Department wishes to purchase two (2) 2021 Dodge Charger Police vehicles, including all equipment and appurtenances; and

**WHEREAS,** the City of Hackensack wishes to purchase these police vehicles by using the services of an authorized New Jersey Pricing Co-Operative, pursuant to N.J.S.A. 52:34-6.2(3): and

**WHEREAS,** the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

**WHEREAS,** the City of Hackensack wishes to utilize State Contract #A88729 for the purchase of two (2) 2021 Dodge Charger 4 Dr Police Sedans, along with all necessary appurtenances; and

**WHEREAS,** Hertrich Fleet Services of 1427 Bay Ave., Milford, DE 19963 is an authorized vendor under the New Jersey State Pricing Co-Operative; and

**WHEREAS,** the Qualified Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best available price; and

**WHEREAS,** the actual price of two (2) 2021 Dodge Charger Police vehicles, including all equipment and appurtenances is expected not to exceed $55,371.60.

**NOW, THEREFORE BE IT RESOLVED,** by the Mayor and Council of the City of Hackensack, County of Bergen, as follows:

1. Hertrich Fleet Services of 1427 Bay Ave., Milford, DE 19963 is hereby awarded a contract in the amount not to exceed
$55,371.60 for the purchase of two (2) 2021 Dodge Charger Police vehicles, including all equipment and appurtenances to be utilized by the Hackensack Police Department.

2. A Certification of Funds has been prepared by the Chief Financial Officer for the said contract assuring that a sufficient appropriation in budget account 1-01-25-240-240-261 exists to fund the purchases authorized in this resolution as an express and mandatory condition of the award of this contract.

3. The Mayor and City Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The City Attorney shall review any and all contractual documents prepared in the furtherance of this award.


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DEBORAH KARLSSON, CITY CLERK
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CITY OF HACKENSACK

RESOLUTION NO. XXX-21

RESOLUTION AUTHORIZING ACCRUED TIME PAYOUT
OF $26,299.09 TO MARTIN BARRY

WHEREAS, N.J.A.C. 5:30-15 established rules that govern how local government units manage and finance compensation for accumulated absence time for their respective employees, and

WHEREAS, accumulated absence includes any sick days, vacation days, personal days, compensatory time or any other absence time authorized as part of an employer agreement, which is not used by the employee during the allowed period and which is permitted to accumulate over time to the benefit of the employee, and

WHEREAS, the Chief Financial Officer has certified that the funds and authority exist to pay Martin Barry owed sick days, vacation days and compensatory time; and

WHEREAS, City Manager Ted Ehrenburg has authorized the payment of $26,299.09 to Martin Barry for said time.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Hackensack hereby approves payment to Martin Barry in the amount of $26,299.09 for an accrued time payout in accordance with the rules and regulations established by the Local Finance Board for such payments.

BE IT FURTHER RESOLVED, the Chief Financial Officer certifies that there are funds available in the furtherance of this resolution to be located in budget account 1-01-30-415-416-119.


DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK

RESOLUTION NO. XX-21

RESOLUTION AWARDING PROFESSIONAL SERVICE AGREEMENT TO CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC AS SPECIAL LITIGATION COUNSEL

WHEREAS, it has become necessary for the City of Hackensack ("City") to engage the services of a Special Litigation Counsel; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional service services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the City did undertake a competitive process to select a Special Litigation Counsel and solicited Requests for Qualifications on July 10, 2020; and

WHEREAS, the City has determined that Cleary, Giacobbe, Alfieri, Jacobs, LLC will be the most advantageous to the City, all relevant factors considered; and

WHEREAS, the City has qualified Cleary, Giacobbe, Alfieri, Jacobs, LLC as Special Litigation Counsel for the year 2020/2021; and

WHEREAS, the City has received a Business Registration Certificate and Stockholder Disclosure from the firm prior to entering into a contract; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in budget account 0-01-20-155-155-204 as an express condition of this contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hackensack that said Special Litigation Counsel be and is hereby appointed for the year 2020/2021; and

BE IT FURTHER RESOLVED, that compensation for said City Attorney for the year 2020/2021 shall be claimed, approved and paid in the manner set
forth in N.J.S.A. 40A:5-16 and pursuant to a professional service agreement to be entered between the parties; and

**BE IT FURTHER RESOLVED**, that the maximum dollar amount of this contract is reasonably estimated to be $10,000 over the contract term plus litigation; however, the local unit is not obligated to spend this amount

**BE IT FURTHER RESOLVED**, that the Mayor and City Clerk are hereby authorized to sign the agreement on behalf of the City, which shall be available for public inspection in the office of the City Clerk; and

**BE IT FURTHER RESOLVED**, that the City Clerk shall cause a notice of the adoption of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.

**CERTIFIED TO BE A TRUE COPY OF THE RESOLUTION PASSED AT THE CITY COUNCIL MEETING OF THE CITY OF HACKENSACK HELD ON JANUARY 5, 2021.**

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DEBORAH KARLSSON, CITY CLERK
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**CITY OF HACKENSACK**

**RESOLUTION NO. XX-21**

**RESOLUTION AWARDING PROFESSIONAL SERVICE AGREEMENT TO CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC AS CITY ATTORNEY**

**WHEREAS,** it has become necessary for the City of Hackensack ("City") to engage the services of a City Attorney; and

**WHEREAS,** N.J.S.A. 40A:11-1 et seq. exempts professional service services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

**WHEREAS,** the City did undertake a competitive process to select a City Attorney and solicited Requests for Qualifications on July 10, 2020; and

**WHEREAS,** the City has determined that Cleary, Giacobbe, Alfieri, Jacobs, LLC will be the most advantageous to the City, all relevant factors considered; and

**WHEREAS,** the City has qualified Cleary, Giacobbe, Alfieri, Jacobs, LLC as City Attorney for the year 2020/2021; and

**WHEREAS,** the City has received a Business Registration Certificate and Stockholder Disclosure from the firm prior to entering into a contract; and

**WHEREAS,** the Chief Financial Officer has certified the availability of funds in budget account 0-01-20-155-155-201 as an express condition of this contract.

**NOW, THEREFORE, BE IT RESOLVED,** by the Mayor and Council of the City of Hackensack that said City Attorney be and is hereby appointed for the year 2020/2021; and

**BE IT FURTHER RESOLVED,** that compensation for said City Attorney for the year 2020/2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-16 and pursuant to a professional service agreement to be entered between the parties; and
BE IT FURTHER RESOLVED, that the maximum dollar amount of this contract is reasonably estimated to be $180,000 over the contract term plus litigation; however, the local unit is not obligated to spend this amount.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign the agreement on behalf of the City, which shall be available for public inspection in the office of the City Clerk; and

BE IT FURTHER RESOLVED, that the City Clerk shall cause a notice of the adoption of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.


DEBORAH KARLSSON, CITY CLERK
CITY OF HACKENSACK

RESOLUTION NO. XX-21

RESOLUTION AWARDING PROFESSIONAL SERVICE AGREEMENT TO
ELSBETH J. CRUSIUS AS PROSECUTOR

WHEREAS, it has become necessary for the City of Hackensack (“City”) to engage the services of a Prosecutor; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. exempts professional service services from certain requirements of public bidding provided a notice of the appointment be printed in a newspaper of general circulation within the municipality; and

WHEREAS, the City did undertake a competitive process to select a Prosecutor and solicited Requests for Qualifications on July 10, 2020; and

WHEREAS, the City has determined that The Law Offices of Elsbeth J. Crusius, LLC will be the most advantageous to the City, all relevant factors considered; and

WHEREAS, the City has qualified The Law Offices of Elsbeth J. Crusius, LLC as Prosecutor for the year 2020/2021; and

WHEREAS, the City has received a Business Registration Certificate and Stockholder Disclosure from the firm prior to entering into a contract; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in budget account 0-01-25-275-275-200 as an express condition of this contract.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Hackensack that said Prosecutor be and is hereby appointed for the year 2020/2021; and

BE IT FURTHER RESOLVED, that compensation for said Prosecutor for the year 2020/2021 shall be claimed, approved and paid in the manner set forth in N.J.S.A. 40A:5-16 and pursuant to a professional service agreement to be entered between the parties; and

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BE IT FURTHER RESOLVED, that the maximum dollar amount of this contract is reasonably estimated to be $70,000 over the contract term; however, the local unit is not obligated to spend this amount

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to sign the agreement on behalf of the City, which shall be available for public inspection in the office of the City Clerk; and

BE IT FURTHER RESOLVED, that the City Clerk shall cause a notice of the adoption of this resolution to be printed in a qualified newspaper within ten (10) days after passage hereof.


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DEBORAH KARLSSON, CITY CLERK