

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, JANUARY 26, 2010

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

PUBLIC HEARINGS

ORD. NO. 4095 - Authorize the execution of a lease agreement between the City of Elizabeth and the Parking Authority of the City of Elizabeth, for property located at West Jersey Street and Price Street, also known as Block 6, Lots 871, 1635, 867 and 1637, for parking.

ORD. NO. 4096 - Authorize the proper City officials to enter into long term tax abatement agreements (PILLOT) with 205 First Street Urban Renewal, LP, on the property located at 205-215 First Street, and Bond Street Commercial Court Urban Renewal, Inc., on the property located at 80-82 Bond Street, under the provisions of NJSA 40A:20-1 et seq.

ORD. NO. 4097 - Authorize an amendment to Title 7 of the Code of the City of Elizabeth, entitled "Sanitation Code", specifically to add a new chapter regarding regulations for the establishment of sidewalk cafes.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:  
Letter dated January 5, 2010, from the Business Administrator recommending the award of a contract to Kimball International, c/o BFI, 1600 Royal Street, Jasper, IN, for furniture for the Office of the Tax Assessor at a total cost of \$3,877.20.  
Which was received.

By the Clerk:  
Letter dated January 7, 2010, from the Business Administrator recommending the award of a contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, N.J., for the furnishing of Board Up, according to HUD Specifications, for the Construction Bureau, in an amount not to exceed \$20,000.00 per year for a two year period.  
Which was received.

By the Clerk:  
Letter dated January 8, 2010, from the Business Administrator recommending the award of a contract to Summit Transmission Brake & Exhaust, Inc., 39 Milltown Road, Union, N.J., for repair services for motor vehicles for various departments for the period December 31, 2009 to March 31, 2010, at a cost not to exceed \$25,000.00.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 14, 2010, from the Business Administrator, being satisfied that an emergency did exist, recommends the award of a contract to Randive, Inc., 1160 State Street, Building 5A, Perth Amboy, N.J. 08861, for the repair of the Wave Wall at the Elizabeth Marina in the amount of \$16,625.00.  
Which was received.

By the Clerk:

Letter dated January 15, 2010, from the Business Administrator requesting authorization for the proper City officials to renew the policy of insurance covering Public Officials & Employees Liability with Admiral Insurance Company, through agent-of-record Hughes-Plumer & Associates, Somerville, N.J., for the period January 31, 2010 to January 31, 2011, in the premium amount of \$71,420.60.  
Which was received.

By the Clerk:

Letter dated January 15, 2010, from the Business Administrator requesting permission for the Purchasing Agent or her designee and/or representative of the Police Department to conduct the sale of Impounded Abandoned Vehicles for the calendar year 2010.  
Which was received.

By the Clerk:

Letter dated January 15, 2010, from the Business Administrator recommending the award of a contract to W.B. Mason Co., Inc., 535 Secaucus Road, Secaucus, N.J., under the Morris County Cooperative Purchasing Contract #30, for the purchase of Copy Paper for the period January 1, 2010 to December 31, 2010, in the amount not to exceed \$30,000.00.  
Which was received.

By the Clerk:

Letter dated January 19, 2010, from the Business Administrator requesting that your Honorable Body adopt an Ordinance to delete Subsection H from Chapter 2.56.020 of the Code of the City of Elizabeth (Police Department), and to create a new Chapter 2.60.415 (Fire Department) entitled "Division of Emergency Medical Services."  
Which was received.

By the Clerk:

Letter dated January 19, 2010, from the Business Administrator recommending an amendment to Chapter 2.56, Article 2, Section 110, of the Code of the City of Elizabeth, specifically relating to the Table of Organization of the Police Department; Police Personnel: delete 10 Captains, 2 Deputy Chiefs; Police Civilian Personnel: delete 28 Emergency Medical Technicians, 5 Supervising Emergency Medical Technicians and 1 Chief Emergency Medical Technician; Add: Police Personnel: 9 Captains, 3 Deputy Chiefs; Police Civilian Personnel: 1 Management Specialist, 10 Public Safety Telecommunicator Trainees, 37 Public Safety Telecommunicators and 4 Senior Public Safety Telecommunicators.  
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated January 19, 2010, from the Business Administrator recommending an amendment to Chapter 2.60, Article 2, Section 090, of the Code of the City of Elizabeth specifically relating to the Table of Organization of the Fire Department; Fire Personnel: Delete: 1 Fire Protection Subcode Official U.F.D.; Add: Fire Civilian Personnel: 28 Emergency Medical Technicians, 5 Supervising Emergency Medical Technicians, 1 Chief Emergency Medical Technician.  
Which Was Referred To Council As A Whole.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 19, 2010, from the Business Administrator recommending an amendment to the City's Table of Organization of Classified and Unclassified titles; Delete: 8 Sr. Account Clerks, 1 Management Specialist, 10 Public Safety Telecommunicator Trainees, 37 Public Safety Telecommunicators, 3 Sr. Public Safety Telecommunicators; Add: 1 Technical Assistant, Land Use, 1 Environmental Compliance Investigator, 6 Sr. Account Clerks.  
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated January 8, 2010, from the City Attorney requesting authorization to amend Chapter 8.24.070 of the Code of the City of Elizabeth regarding placement for collection hours to provide for the removal of garbage, trash, refuse, and recyclables from the curb if not collected, until the next collection day.  
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated January 14, 2010, from the Second Assistant City Attorney, for review, a proposed ordinance, granting municipal consent for the operation of a cable television system within the City of Elizabeth, New Jersey, to CSC TKR, LLC, for a period of five (5) years; will continue to maintain an office in the City and has agreed to give the City a grant of \$40,000.00 for public, educational, and governmental programming and for the purchase of equipment and facilities for the programming.  
Which was received.

By the Clerk:

Letter dated January 19, 2010, from the Chief Financial Officer advising that additional grants may be appropriated in the 2010 SFY Budget by budget amendments.  
Which was received.

By the Clerk:

Letter dated January 19, 2010, from the Chief Financial Officer requesting that your Honorable Body consider the 2010 Budget for the Midtown Elizabeth Special Improvement District for introduction.  
Which was received.

By the Clerk:

Letter dated January 11, 2010, from the Acting Director of the Department of Neighborhood Services requesting permission to have a lien placed against the property situated at 129 South Park Street for the boarding up of said property in the amount of \$1,758.27.  
Which was received.

By the Clerk:

Letter dated January 11, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with the United Youth Council, Inc., 513 Richmond Street, Elizabeth, for funds to help defray the costs of the Citywide Youth/Family Summit and Health Festival in the amount of \$4,500.00.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated January 13, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to amend the Homeless Prevention & Rapid Rehousing Program contract between the Salvation Army and the City of Elizabeth, specifically to increase the Year One contract amount of \$48,900.00 by \$49,100.00 from Years Two and Three, total contract amount shall not exceed \$98,000.00 and to extend the term of the contract from September 1, 2009 to August 31, 2010 to December 31, 2010.  
Which was received.

By the Clerk:

Letter dated January 15, 2010, from the Director of Planning and Community Development requesting authorization for the proper City officials to Amend Homeless Prevention and Rapid Rehousing Program contract between Urban League of Union County and the City of Elizabeth, specifically to increase the Year One contract amount of \$192,427.00 by \$222,751.00 from Years Two and Three, total contract amount shall not exceed \$415,178.00 and to extend the term of the contract from September 1, 2009 to August 31, 2010 to December 31, 2010.  
Which was received.

By the Clerk:

Letter dated January 15, 2010, from the Director of Planning and Community Development, requesting to Amend the resolution adopted on October 28, 2008, authorizing the execution of an agreement with the Coalition to House the Homeless, in CDBG funds in the amount of \$13,794.00, specifically to reprogram these funds from Account No. T-22-56-004-916 in the amount of \$8,969.25 and from Account No. T-22-56-101-101-101 in the amount of \$4,824.75 into Account No. T-22-56-009-550.  
Which was received.

By the Clerk:

Letter dated January 19, 2010, from the Director of Public Works requesting of your Honorable Body a resolution authorizing the Mayor and City Clerk to accept and endorse the Pre-Disaster Mitigation Plan developed in accordance with Federal Emergency Management Agency (FEMA) regulations and in cooperation with both FEMA and the New Jersey Office of Emergency Management (NJ OEM); receipt of approval of the Plan by FEMA was received on November 25, 2009.  
Which was received.

By the Clerk:

Letter dated December 14, 2009, from the Police Director (as recommended by the Traffic Group Manager, T & M Associates), recommends that multi-way stop signs be installed along the Fay Avenue approaches to the intersection of Grove Street.  
Which was received.

By the Clerk:

Letter dated December 14, 2009, from the Police Director ( as recommended by the Traffic Group Manager, T & M Associates), recommends that multi-way stop signs be installed along the Grier Avenue approaches to the intersection of Garden Street.  
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter January 26, 2010, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, January 22, 2010.  
Which was received.

ORDINANCES ON FIRST READING

MOTION TO REMOVE FROM THE TABLE

- Ord. NO. 4053 - Authorize the establishment of a personalized handicapped parking space for Danielle Marranca, 880 Westfield Avenue.
- Ord. NO. 4104 - Authorize an ordinance granting municipal consent for the operation of a Cable Television System within the City to CSC TKR, LLC.
- Ord. NO. 4105 - Authorize an amendment to Chapter 5.16 of the Code of the City of Elizabeth entitled "Autobuses", to include fees, storage of vehicles, proposed routes, etc.
- Ord. NO. 4106 - Authorize an amendment to Chapter 2.56.020 of the Code of the City of Elizabeth, specifically to delete Subsection H (Police Department) and create a new Chapter 2.60.415 (Fire Department) entitled "Division of Emergency Medical Services."

MOTION TO REMOVE FROM THE TABLE

- Ord. NO. 4107 - Authorize an amendment to Chapter 10.08.010 of the Code of the City of Elizabeth, entitled "Four Way Stop Intersections," specifically to add Jefferson Avenue and Dickinson Street.
- Ord. NO. 4108 - Authorize an amendment to Chapter 10.08.010 of the Code of the City of Elizabeth, entitled "Four Way Stop Intersections," specifically to add Grier Avenue and Garden Street.
- Ord. NO. 4109 - Authorize an amendment to Chapter 10.08.020 of the Code of the City of Elizabeth, entitled "Three Way Stop Intersections," specifically to add Fay Avenue and Grove Street.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, FEBRUARY 9, 2010, AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4095 - Authorize the execution of a lease agreement between the City of Elizabeth and the Parking Authority of the City of Elizabeth, for property located at West Jersey Street and Price Street, also known as Block 6, Lots 871, 1635, 867 and 1637, for parking.

ORDINANCES ON FINAL (Cont'd.)

ORD. NO. 4096 - Authorize the proper City officials to enter into long term tax abatement agreements (PILOT) with 205 First Street Urban Renewal, LP, on the property located at 205-215 First Street, and Bond Street Commercial Court Urban Renewal, Inc., on the property located at 80-82 Bond Street, under the provisions of NJSA 40A:20-1 et seq.

ORD. NO. 4097 - Authorize an amendment to Title 7 of the Code of the City of Elizabeth, entitled "Sanitation Code", specifically to add a new chapter regarding regulations for the establishment of sidewalk cafes.

NEW BUSINESS

Introduce and approve the Midtown Elizabeth Special Improvement District Fiscal Year 2010 budget in the amount of \$409,000.00.

**(PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY EVENING, MARCH 9, 2010.)**

Authorize the award of a contract to Admiral Insurance Company, 1255 Caldwell Road, Cherry Hill, N.J., through the agent of record, Hughes-Plumer and Associates, to renew a policy of insurance covering Public Officials and Employees Liability, for the period January 31, 2010 to January 31, 2011, at a cost of \$71,420.60.

Permit the Purchasing Agent to make the necessary arrangements to conduct the sale of impounded abandoned vehicles for the calendar year 2010.

Authorize the proper City officials to adopt and endorse the Pre-Disaster Mitigation Plan in accordance with Federal Emergency Management Agency (FEMA) regulations and in cooperation with both FEMA and the N.J. Office of Emergency Management.

Authorize the award of a contract to Kimball International, c/o BFI, 1600 Royal Street, Jasparr, IN, for the purchase of furniture for the Office of the Tax Assessor, at a total cost of \$3,877.20.

Authorize the award of a contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, N.J., for the furnishing of Board Up, according to HUD specifications, for the Construction Bureau, at a cost not to exceed \$20,000.00 per year for a two year period.

Authorize the award of a contract to Summit Transmission Brake & Exhaust, Inc., 39 Milltown Road, Union, N.J., for repair services for motor vehicles for various departments for the period December 31, 2009 to March 31, 2010, at a cost not to exceed \$25,000.00.

Authorize the award of a contract to W. B. Mason Company, Inc., 535 Secaucus Road, Secaucus, N.J., for the purchase of copy paper, under the Morris County Cooperative Purchasing Contract, for the period January 1, 2010 to December 31, 2010, at a cost not to exceed \$30,000.00.

Authorize the proper City officials to execute an agreement with the United Youth Council, Inc., 513 Richmond Street, Elizabeth, to provide funds in the amount of \$4,500.00 to help defray the costs of the citywide Youth/Family Summit and Health Festival for low-moderate income youth for the period July 1, 2009 to June 30, 2010.

NEW BUSINESS (Cont'd.)

Authorize an amendment to a Homeless Prevention and Rapid Rehousing Program contract with The Salvation Army, Inc., which provides funds associated with the agency's homeless program, specifically to increase the Year One contract by \$49,100.00 from Year Two and Year Three and to extend the term of the contract to ~~December 31, 2010.~~ *JANUARY 30, 2011*

Authorize an amendment to a Homeless Prevention and Rapid Rehousing Program contract with Urban League of Union County, which provides funds associated with the agency's homeless program, specifically to increase the Year One contract by \$222,751.00 from Year Two and Year Three and to extend the term of the contract to ~~December 31, 2010.~~ *JANUARY 30, 2011*

Authorize an amendment to a resolution adopted October 28, 2008, which authorized a CDBG agreement with the Coalition to House the Homeless, Inc., to reflect a consolidation of funds from two accounts to reprogram the total amount of \$13,974.00 into one account.

Authorize the proper City officials to enter into an agreement with Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services to the Planning and Zoning Boards relating to the City's sewer system for a term commencing December 1, 2009 through November 30, 2010.

Establish a lien for the boarding up of property located at 129 South Park Street in the amount of \$1,758.27.

Establish a handicapped parking space in front of the premises located at 580 Pennsylvania Avenue.

Establish a handicapped parking space in front of the premises located at 1020 Kilsyth Road.

Authorize settlement in the litigation matter of Bermudez/Gonzalez vs. Awkward and the City of Elizabeth in the amount of \$19,000.00 for Ms. Bermudez and \$22,500.00 for Ms. Gonzalez.

Pay utility bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS

MEMORIALS  
*NATHANIEL FENNELL*  
*RETIREE P.O. JAMES McDANIEL*  
*ANGELA RAUBAZZO*  
*FRANK FERRARO*

ADJOURNMENT      *8:00 P.M*