

Official Agenda

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MAY 11, 2010

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

PUBLIC HEARINGS

NONE.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 29, 2010, from the Business Administrator requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Department of Housing and Urban Development, Sustainable Communities Planning Grant Program in an amount not to exceed \$2,000,000.00. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Business Administrator requesting authorization for the proper City officials to submit and execute all necessary documents to the U.S. Department of Housing & Urban Development (HUD); Community Development Block Grant (CDBG) funding in the amount of \$2,270,945.00, an increase of \$187,675.00; Emergency Shelter Grant (ESG) funding \$91,292.00, an increase of \$1,283.00; and Home Program funding in the amount of \$1,501,323.00, a decrease of \$9,372.00.

Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Business Administrator requesting authorization to renew professional liability insurance with James River Insurance Group, P.O. Box 27648, Richmond, VA, through the agent of record, Hughes-Plumer Associates, covering Engineer and Staff for the period May 10, 2010 to May 10, 2011, at a premium of \$20,249.25.

Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Business Administrator requesting authorization for the proper City officials to enter into a License Agreement with JG Elizabeth, LLC, Jersey Gardens Mall Management Office, for a Marketing/Promotional Activity of the Elizabeth Idol Contest to be held at Jersey Gardens Mall from 11:00 a.m. to 5:00 p.m. on Saturday, June 12, 2010, at a cost not to exceed \$500.00.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 4, 2010, from the Business Administrator requesting authorization for His Honor the Mayor to execute an agreement with the Police Mechanics & Electricians Association and Emergency Medical Benevolent Association. Which was received.

By the Clerk:

Letter dated May 4, 2010, from the Business Administrator requesting authorization for His Honor the Mayor to execute an agreement with the Police Superiors Association. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Business Administrator requesting authorization to offer 179 Spring Street and 1161 Anna Street for sale to the adjoining property owner(s) and conduct the sale subject to the attached terms and conditions on June 9, 2010. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Business Administrator requesting that your Honorable Body sell at public auction subject to the attached terms and conditions the following City-owned properties: Vacant Land: 827-831 Pearl Street (Triangle), minimum bid \$25,000.00; 179 Spring Street, minimum bid \$30,000.00; 1161 Anna Street, minimum bid \$50,000.00; Properties with Structures: 601-607 Pennsylvania Avenue (Firehouse), minimum bid \$230,000.00, 217 Third Street, minimum bid \$75,000.00. Which was received.

By the Clerk:

Letter dated May 4, 2010, from the Business Administrator requesting authorization to create a City of Elizabeth Green Team, alternately known as the City of Elizabeth Energy Advisory Board/Green Team, comprised of nine members, authorized to act in an advisory capacity to the Administration upon direction by the appropriate City officials. Which was received.

By the Clerk:

Letter dated April 29, 2010, from the Second Assistant City Attorney requesting your Honorable Body to amend Ordinance No. 3730 to extend the designation and special assessment for the Elizabeth Avenue Special Improvement District for five (5) years until August 31, 2015. Which was received.

By the Clerk:

Letter dated April 16, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/credit an over billing of taxes for the 2009 Tax Year on the property located at 111-113 First Street in the total sum of \$4,031.60. Which was received.

By the Clerk:

Letter dated April 26, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions for the Tax Year 2009, in the amount of \$9,500.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 4, 2010, from the Chief Financial Officer recommending that your Honorable Body request the Director of the Division of Local Government Services to approve the insertion of an Item of Revenue in the budget of the Fiscal Year 2010, Department of Human Services, County of Union, NJ, Municipal Alliance Grant 2010, in the amount of \$82,881.00; Local Share \$20,720.00.
Which was received.

By the Clerk:

Letter dated May 4, 2010, from the Chief Financial Officer advising that transfers for the 2010 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated May 4, 2010, from the Chief Financial Officer requesting approval of a Capital Ordinance authorizing the rehabilitation of parks, consisting of sidewalk repairs, drainage improvements and related work at Kellogg Park, Jackson Park, Jefferson Park, Carteret Park and other parks prioritized according to need in the amount of \$300,000.00.
Which was received.

By the Clerk:

Letter dated May 5, 2010, from the Chief Financial Officer recommending that City Council request the Director of the Division of Local Finance to make the following corrections in the 2010 Municipal Budget to account for the City's share of grants (Chapter 159) approved subsequent to the adopted budget; Matching Funds-City's Share from \$449,059.00 to \$428,339.00; Local Share: Municipal Alliance Grant 2010 from -0- to \$20,720.00.
Which was received.

By the Clerk:

Letter dated April 22, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to discharge a Senior and Disabled Owner Occupied Program mortgage held by the City on the property located at 421 Doyle Street.
Which was received.

By the Clerk:

Letter dated April 26, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to discharge an Owner Occupied Housing Program mortgage held by the City on the property located at 738 Moses Mill Road.
Which was received.

By the Clerk:

Letter dated April 27, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to discharge a Home First Time Homebuyer's Program mortgage held by the City on the property located at 1042 Applegate Avenue.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 27, 2010, from the Department of Planning and Community Development requesting to amend the resolution adopted January 12, 2010, which authorized the execution of documents to provide a Rental Housing Program Loan to MAR Acquisition Group, LLC, specifically to change the name of the developer/owner to 84-86 First Street Housing, LLC, and to amend the number of assisted units from 9 to 4. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute a Third Party Agreement, Deferred Payment Neighborhood Stabilization Program Loan with 205 First Street Urban Renewal Limited Partnership to construct 31 units of affordable housing and one commercial space in the maximum amount of \$500,000.00. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Department of Planning and Community Development requesting to amend the resolution adopted April 8, 2008, which authorized the execution of documents to provide a Rental Housing Program Loan to 205 First Street Urban Renewal LP, specifically to change the terms of the loan from recourse to a non recourse on a Deferred Payment Loan. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program Deferred Payment (HOME) Loan for the property located at 715 Newark Avenue, Unit 1A, for the acquisition of one unit in the maximum amount of \$50,000.00. Which was received.

By the Clerk:

Letter dated May 3, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with the Elizabeth Development Company, Inc., 288 North Broad Street, Elizabeth, to provide funds to partially defray the costs of the "Take-Control" Empowerment Seminar to be held Thursday, May 6, 2010, at the Stephen Sampson Senior Center for the period May 1, 2010 until April 30, 2011, in the amount of \$6,000.00. Which was received.

By the Clerk:

Letter dated April 30, 2010, from the Director of Recreation requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Union County Open Space, Recreation & Historic Preservation Kids Recreation Trust Fund for funding to implement additional recreational equipment at O'Brien Field, Kellogg Park, as well as, the Kids Recreation Trust fund Scholarship Program in an amount not to exceed \$75,000.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 29, 2010, from the Police Director requesting permission to establish Handicapped/Reserved and Deletions of handicapped parking spaces in front of the following locations: 238 Fulton Street, change name (personalized); 455 First Avenue (personalized), 210 Marshall Street, 2nd Floor, change name (personalized); 159 Elm Street change from reserved to personalized, 234 Magnolia Avenue, 247 Marshall Street, 21 Chilton Street, 1019 Olive Street, 324 Livingston Street, 419 Spencer Street, 553 Third Avenue, 537 East Jersey Street, 614 Marshall Street, 914 Olive Street, 655 First Avenue, 1016 Flora Street, 1339 South Second Street; Deletion of handicapped parking spaces: 238 Inslee Place, 701 Van Buren Avenue, 838 Grove Street, 723 Jersey Avenue, 861 Cross Street, 863 Cross Street, 238 Fulton Street, 74 Geneva Street, 336 Spencer Street, 251 Marshall Street, 522 Livingston Street, 812 Murray Street, 519 Jefferson Avenue.
Which was received.

By the Clerk:

Letter dated April 27, 2010, from the Police Department, requesting to rescind the following personalized handicapped spaces to reserved: Ordinance No. 3640, 634 Grier Avenue; Ordinance 3930, 614 Marshall Street; Ordinance No. 3710, 553 Court Street.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter May 11, 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, May 7, 2010.
Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4132 - Authorize an amendment to Ordinance No. 3730, to extend the designation and special assessment for the Elizabeth Avenue Special Improvement District for an additional five (5) years until August 31, 2015.
- ORD. NO. 4133 - Authorize the establishment of a personalized parking space for Elina M. Beltran, 159 Elm Street.
- ORD. NO. 4134 - Rescind Ordinance No. 3640 , authorizing the establishment of a personalized parking space for Ronald R. Cierpial, 634 Grier Avenue.
- ORD. NO. 4135 - Rescind Ordinance No. 3930 , authorizing the establishment of a personalized parking space for Lourdes Hernandez, 614 Marshall Street.

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4136 - Rescind Ordinance No. 3710 , authorizing the establishment of a personalized parking space for Esther Cofield, 553 Court Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MAY 25, 2010, AT 2:00 P.M. (YOUTH IN CITY GOVERNMENT DAY)

ORD. NO. 4137 - Authorize a Capital Ordinance in the amount of \$300,000.00 for the rehabilitation of Kellogg Park, Jackson Park, Jefferson Park, Carteret Park and other prioritized parks according to need.

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

ORDINANCES ON FINAL PASSAGE

NONE.

Suspension of Rules:
KINDER MORGAN LIQUIDS TERMINALS, LLC (2)
NEW BUSINESS

Authorize Fiscal Year 2010 Municipal Utility Budget transfer in the amount of \$688,949.75.

Authorize an amendment to the Fiscal Year 2010 Capital Budget in the amount of \$300,000.00.

Authorize an amendment to the Fiscal Year 2010 Budget to insert, as an Item of Revenue, a New Jersey Department of Environmental Protection, Clean Communities Grant in the amount of \$137,658.62.

Authorize an amendment to the Fiscal Year 2010 Budget to insert, as an Item of Revenue, a New Jersey Department of Human Services Municipal Alliance Grant in the amount of \$82,881.00 (Local Share - \$20,720.00).

Authorize the Mayor to execute the collective bargaining agreements with the Police Mechanics and Electricians Association and Emergency Medical Benevolent Association for the period July 1, 2009 to June 30, 2013

Authorize the Mayor to execute the collective bargaining agreement with the Elizabeth Police Superior Officers Association for the period July 1, 2009 to June 30, 2014.

Authorize the proper City officials to execute all appropriate documents for the Department of Housing and Urban Development, Sustainable Communities Planning Grant Program in an amount not to exceed \$2,000,000.00.

Authorize the private sale of City-owned non-conforming properties located at 179 Spring Street and 1161 Anna Street to adjacent property owners in accordance to specified terms and conditions to be held June 9, 2010, at 6:30 p.m.

NEW BUSINESS (Cont'd.)

Renshaw
Authorize the sale of the following City-owned properties at public auction to be held June 9, 2010, at 6:30 p.m. in City Hall Council Chambers: Vacant Land: 827-831 Pearl Street (triangle), minimum bid \$25,000.00; 179 Spring Street, minimum bid \$30,000.00; 1161 Anna Street, minimum bid \$50,000.00; Properties with Structures: 217 Third Street, minimum bid \$75,000.00.

Authorize the proper City officials to create an Elizabeth Green Team, alternately known as the City of Elizabeth Energy Advisory Board/Green Team, comprised of nine members, authorized to act in an advisory capacity to the Administration, in accordance with the requirements for Energy Efficiency and Conservation Block Grant (EECBG) funds.

Authorize the proper City officials to submit to the U.S. Department of Housing and Urban Development a five (5) year Consolidated Plan for Fiscal Years 2010 to 2014 incorporating single submission of applications for funding for Community Development Block Grants, Emergency Shelter Grants and Home Programs following grant allocations for Year 2010.

Authorize the proper City officials to execute all appropriate documents for the Union County Open Space, Recreation and Historic Preservation, Kids Recreation Trust Fund to implement additional recreational equipment at O'Brien Field, Kellogg Park, as well as, the Kids Recreation Trust Fund Scholarship Program, in an amount not to exceed \$75,000.00.

Authorize the proper City officials to enter into a license agreement with JG Elizabeth LLC, Jersey Gardens Mall Management Office, for a Marketing/ Promotional Activity of the Elizabeth Idol Contest to be held at Jersey Gardens Mall, June 12, 2010, at a cost not to exceed \$500.00.

Authorize the proper City officials to submit a request to the Director, Division of Local Finance, to make corrections in the City's 2010 Fiscal Year Municipal Budget to account for the City's local share of grants approved subsequent to the adopted budget.

Authorize the proper City officials to execute an agreement with the Elizabeth Development Company, 288 North Broad Street, Elizabeth, to provide funds to defray the costs of the "Take-Control" Empowerment Seminar at the Stephen Sampson Senior Center for the period May 1, 2010 through April 30, 2011, in the amount of \$6,000.00.

Authorize the proper City officials to execute all necessary documents to discharge a Senior and Disabled Owner-Occupied Program mortgage held by the City on the property located at 421 Doyle Street .

Authorize the proper City officials to execute all necessary documents to discharge an Owner-Occupied Program mortgage held by the City on the property located at 738 Morses Hill Road.

Authorize the proper City officials to execute all documents necessary to discharge a First Time Homebuyer Program mortgage held by the City on the property located at 1042 Applegate Avenue.

Authorize the proper City officials to execute all documents necessary to provide a Rental Housing Program Deferred Payment loan to Community Access Institute, Inc., 80 West Grand Street, Elizabeth, as required under the terms of the U.S. Department of Housing and Urban Development, for the acquisition of the property located at 715 Newark Avenue, Unit 1A, in the maximum amount of \$50,000.00.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute a Third Party Agreement with 205 First Street Urban Renewal, LP, 688 Maple Avenue, Elizabeth, as required under the terms of the State Neighborhood Stabilization Program, for the construction of 31 units of affordable housing and one commercial space at 205-215 First Street, for a Deferred Payment Neighborhood Stabilization Program Loan in the maximum amount of \$500,000.00.

Amend a resolution adopted January 12, 2010, which authorized a Rental Housing Program Loan to MAR Acquisition Group, LLC., specifically to change the name of the developer/owner to 84-86 First Street Housing, LLC., and to amend the number of assisted units from nine to four.

Amend a resolution adopted April 8, 2008, which authorized a Rental Housing Program Loan to 205 First Street Urban Renewal, LLP., specifically to change the terms of the loan from a recourse to a non-recourse loan as required for Low Income Housing Tax Credits.

Authorize the award of a contract to James River Insurance Group, P.O. Box 27648, Richmond, Virginia, through the agent of record, Hughes-Plumer and Associates, covering professional liability insurance for the City Engineer and his staff, for the period May 10, 2010 to May 10, 2011, at a cost of \$20,249.25.

Authorize the Tax Collector to cancel/credit an overbilling of taxes for the Tax Year 2009 on the property located at 111-113 First Street, in the amount of \$4,031.60.

Authorize the Tax Collector to cancel disallowed senior citizen deductions for Tax Year 2009, pursuant to a delineated list submitted April 26, 2010, in the total amount of \$9,500.00.

Establish a handicapped parking space in front of the premises located at 140 Broadway.

Establish a handicapped parking space in front of the premises located at 980 Coolidge Road.

Establish a handicapped parking space in front of the premises located at 157½ Franklin Street.

Establish a handicapped parking space in front of the premises located at 223 Mellon Place.

Establish a handicapped parking space in front of the premises located at 1019 Olive Street.

Establish a handicapped parking space in front of the premises located at 634 Grier Avenue.

Establish a handicapped parking space in front of the premises located at 614 Marshall Street.

Establish a handicapped parking space in front of the premises located at 553 Court Street.

NEW BUSINESS (Cont'd.)

Delete the following handicapped parking spaces from in front of the premises located at: 238 Inslee Place; 701 Van Buren Avenue; 838 Grove Street; 723 Jersey Avenue; 861 Cross Street; 863 Cross Street; 238 Fulton Street; 74 Geneva Street; 336 Spencer Street; 251 Marshall Street; 522 Livingston Street; 812 Murray Street; 519 Jefferson Avenue

Pay utility bills.

COMMENDATIONS

MEMORIALS

Patrick J. Maloney, Retired Elizabeth Police Director
Wilimetha Boatwright Bess

ADJOURMENT 8:05 P.M.