

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, APRIL 27, 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. 4130 - Grant an encroachment permit to Langan Engineering and Environmental Services, Inc., River Drive Center 1, Elmwood Park, N.J., on behalf of Elizabethtown Gas, to perform environmental work at the former MGP site within the public-right-of way of South Street.

ORD. NO. 4131 - Amend Chapter 10.16.010 of the City Code of the City of Elizabeth, to establish a four ton weight limit for motor vehicles, except for pick up and delivery, on the entire length of Monmouth Road.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 14, 2010, from the Business Administrator requesting permission for the Purchasing Agent to make the necessary arrangements to auction impounded property in the possession of the Elizabeth Police Department and obsolete computer equipment in the possession of Data Processing to be held by Propertyroom.com, State pre-approved on-line auction site; date of the sale will be set by the auction company and will be published in the Star Ledger.
Which was received.

By the Clerk:

Letter dated April 16, 2010, from the Business Administrator requesting of your Honorable Body to resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in ways to jointly implement sustainable energy alternatives, at an initial membership fee of \$600.00.
Which was received.

By the Clerk:

Letter dated April 16, 2010, from the Business Administrator requesting authorization for the proper City officials to enter into a Joint Contract Joinder Agreement with New Jersey Sustainable Energy Joint Meeting, 250 Pehle Avenue, Suite 701, Saddle Brook, N.J., to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in ways to jointly implement sustainable energy alternatives.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 16, 2010, from the Business Administrator recommending the award of a contract to First Independent Auto Repair Svc. LLC, 410 East Westfield Avenue, Roselle Park, N.J., for transmission repairs for various departments for the period April 7, 2010 through April 7, 2012, at a cost not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated April 16, 2010, from the Business Administrator requesting authorization to submit an Urban Enterprise Zone Proposal for \$222,750.00 in Zone Assistance Funds to provide for matching funds for the Elizabeth Avenue Partnership Special Improvement District for the period July 1, 2010 through June 30, 2011. Which was received.

By the Clerk:

Letter dated April 16, 2010, from the Business Administrator requesting authorization to submit an Urban Enterprise Zone Proposal for \$457,432.00 in Zone Assistance Funds with the City providing a 20% match of \$114,357.00 for funding the Elizabeth's Graffiti & Litter Removal Program – Phase 4, for the period July 1, 2010 through June 30, 2011, at a total project cost of \$571,789.00. Which was received.

By the Clerk:

Letter dated April 19, 2010, from the Business Administrator recommending the award of a contract to Crimson Fire, 907 7th Avenue North, Brandon, SD, for the furnishing of a Marine Emergency Response Vehicle (MERV) in the amount of \$494,703.00. Which was received.

By the Clerk:

Letter dated April 19, 2010, from the Business Administrator recommending the award of a contract to Garden State Fireworks, Inc., Carlton Road, Millington, N.J., for the furnishing of Fireworks in the amount of \$17,500.00. Which was received.

By the Clerk:

Letter dated April 19, 2010, from the Business Administrator recommending the award of a contract to Public Service Electric & Gas Co., 472 Weston Canal Road, Somerset, N.J., for the purchase of fifty-one (51) 25 foot Deco Poles with attachments and thirty-five (35) 14 foot Classic I Poles with attachments for the Broad Street Streetscape in the amount of \$363,479.49, and for the purchase of fourteen (14) 14 foot Classic I Poles with attachments for the Elizabeth Avenue Streetscape in the amount of \$28,217.22, at a total cost of \$391,696.71. Which was received.

By the Clerk:

Letter dated April 19, 2010, from the Business Administrator requesting authorization for the Police Department to accept \$50,000.00 from the Community Foundation of New Jersey, Gun Buy Back Program. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 12, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to refund/cancel all open taxes on the property located at PT 1053-1061 North Broad Street, including any tax liens and late fees for Calendar Years 2005, 2006, 2007, 2008 and 2009.
Which was received.

By the Clerk:

Letter dated April 13, 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 1119-1125 Elizabeth Avenue in the amount of \$23,670.21, said property should have been exempt from taxes.
Which was received.

By the Clerk:

Letter dated April 20, 2010, from the Chief Financial Officer requesting authorization to request of 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, New Jersey Division of Criminal Justice Body Armor 2009, in the total sum of \$8,655.58.
Which was received.

By the Clerk:

Letter dated April 16, 2010, from the Department of Planning and Community Development requesting authorization to enter into a Memorandum of Agreement with Groundwork Elizabeth, Cooperative Partner in the Elizabeth River Trail Project.
Which was received.

By the Clerk:

Letter dated April 19, 2010, from the Department of Planning and Community Development requesting authorization to amend and for the proper City officials to sign all appropriate documents related to the Memorandum of Understanding in the Elizabethport Brownfield Development area to include an additional site at 205-215 First Street.
Which was received

By the Clerk:

Letter dated April 21, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with the Bureau of Cultural Affairs to provide funds to be used to defer the recreation costs associated with the Elizabethport Community Day Parade to be held on May 15, 2010 for the period May 1, 2010 through August 31, 2010 in the amount of \$4,620.00.
Which was received.

By the Clerk:

Letter dated April 21, 2010, from the Department of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with Groundwork Elizabeth, Inc., 288 North Broad Street, Elizabeth, to provide funds for the Spring 2010 Planter Beautification Program for the period May 1, 2010 through May 1, 2011 in the amount of \$14,320.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 12, 2010, from the Director of Public Works recommending the award of a contract to Rich Picerno Builders, LLC, 500 Hoiles Drive, Kenilworth, N.J., for the construction of a new playground at Grier Park, 511-519 South Park Street, at a cost of \$130,127.50.

Which was received.

By the Clerk:

Letter dated April 20, 2010, from the Director of Public Works recommending the award of a contract to The Musial Group, PA, 191 Mill Lane, Mountainside, N.J., to provide construction management services in connection with the Elizabeth Avenue Streetscape Project – Phase 1, at a cost not to exceed \$64,000.00.

Which was received.

By the Clerk:

Letter dated April 12, 2010, from the Director of Recreation requesting authorization for the Mayor to enter into an agreement with the State of New Jersey, Department of Education Sponsor Management Plan for the 2010 Summer Food Service Program which will commence on July 6, 2010 and conclude August 26, 2010, at no cost to the City.

Which was received.

By the Clerk:

Letter dated April 12, 2010, from the Director of Recreation requesting authorization for the proper City officials to execute an agreement with the State of New Jersey for funding the Summer Food Nutrition Program during the period July 6, 2010 and ending on August 26, 2010, at no cost to the City.

Which was received.

By the Clerk:

Letter dated April 12, 2010, from the Director of Recreation recommending the award of a contract to the Board of Education for the purpose of providing Food Vendor services in conjunction with the Summer Food Nutrition Program from July 6, 2010 through August 26, 2010, at no cost to the City.

Which was received.

By the Clerk:

Letter dated April 13, 2010, from the Police Department, Traffic Division, recommending the establishment of a loading zone in front of the premises located at 224 Rahway Avenue, from Monday to Friday, between the hours of 10:00 a.m. to 5:00 p.m.

Which was received.

By the Clerk:

Letter dated April 13, 2010, from the Police Department, Traffic Division, recommending the establishment of a loading zone in front of the premises located at 701 Monroe Avenue, between the hours of 8:00 a.m. and 4:00 p.m.

Which was received.

By the Clerk:

Letter dated April 13, 2010, from the Fire Director requesting authorization for the proper City officials to accept and sign all appropriate documents for the Elizabeth Medical Service (EMS) Mass Care Unit, as well as associated EMS equipment and supplies through the Urban Areas Security Initiative (UASI) local share and purchased by the State of New Jersey Department of Health and Senior Services, in an amount not to exceed \$283,000.00.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 14, 2010, from the Planning Board recommending an ordinance Amending & Superseding the Official City of Elizabeth "Zoning Map" for parcels along South First Street to be placed in the MRC Zone, a parcel along Elizabeth Avenue to be placed in the MRC Zone, and parcels along South Front Street to be placed in the C-2 Zone; an ordinance Amending & Superseding Planning Area #10 of the Official City of Elizabeth "Zoning Map" for parcels along Relocated Atlantic Street to be placed in the Public & Quasi-Public Zone, and a parcel along Atlantic Street to be placed in the C-5 Zone.

Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated April 15, 2010, from Melly Mell Productions, Inc. in conjunction with the Elizabeth Cubanos Lions Club, respectfully requests permission to present the 17th annual Elizabeth Waterfront Festival at the "Veterans Memorial Waterfront Park" on May 29 and 30, 2010, from 1 p.m. to 9 p.m.; music from both stages will cease at 7 p.m., beer at 8 p.m., and vendors at 9 p.m..

Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter April 27, 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, April 23, 2010.

Which was received.

By the Clerk:

Minutes: Zoning Board of Adjustment meetings held April 8, 2010.

Which was received.

ORDINANCES ON FIRST READING

NONE.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4130 - Grant an encroachment permit to Langan Engineering and Environmental Services, Inc., River Drive Center 1, Elmwood Park, N.J., on behalf of Elizabethtown Gas, to perform environmental work at the former MGP site within the public-right-of way of South Street.
- ORD. NO. 4131 - Amend Chapter 10.16.010 of the City Code of the City of Elizabeth, to establish a four ton weight limit for motor vehicles, except for pick up and delivery, on the entire length of Monmouth Road.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2010 Budget to insert, as an Item of Revenue, a New Jersey Division of Criminal Justice Body Armor 2009 Grant in the amount of \$8,655.58.

Authorize the award of a contract with Louis C. Mai, CPA. and Associates, P.O. Box 624, Pompton Plains, N.J., to conduct a review of the defeated Board of Education School Budget in an amount not to exceed \$10,000.00.

Permit the Purchasing Agent to make the necessary arrangements with Property Room.com to auction impounded property in the possession of the Elizabeth Police Department and obsolete computer equipment in the possession of the Data Processing Office.

Authorize the proper City officials to execute appropriate documents for the City to become a member in the New Jersey Sustainable Energy Joint Meeting for the procurement of natural gas, electricity and other forms of energy at an initial membership fee of \$600.00.

Authorize the proper City officials to enter into a Joint Contract Joinder Agreement with New Jersey Sustainable Energy Joint Meeting, 250 Pehle Avenue, Saddle Brook, N.J., to aggregate purchasing power of energy at a financial savings and to encourage the implementation of sustainable energy alternative.

Authorize the award of a contract to First Independent Auto Repair Svc., LLC., 410 East Westfield Avenue, Roselle Park, N.J., for transmission repair services for various departments for the period April 7, 2010 to April 7, 2012, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to Crimson Fire, 907 7th Avenue North, Brandon, SD, for the furnishing of a Marine Emergency Response Vehicle (MERV) in the amount of \$494,703.00.

Authorize the award of a contract to Garden State Fireworks, 383 Carlton Road, Millington, N.J., for the furnishing of Fourth of July fireworks display for the Recreation Department, at a cost of \$17,500.00.

Authorize the award of a contract to Public Service Electric and Gas Company, 472 Weston Canal Road, Somerset, N.J., for the purchase of fifty-one (51) 25 foot Deco Poles with attachments and thirty-five (35) 14 foot Classic 1 Poles with attachments for the Broad Street Streetscape Project in the amount of \$363,479.49 and for the purchase of fourteen (14) 14 foot Classic 1 Poles with attachments for the Elizabeth Avenue Streetscape Project in the amount of \$28,217.22, at a total cost of \$391,696.71.

Authorize the proper City officials to enter into a Memorandum of Agreement with Groundwork Elizabeth and the City, as cooperative partners, in the Elizabeth River Trail Project.

Authorize the proper City officials to amend a Memorandum of Understanding between the City and the Elizabeth Development Company, the Housing Authority and the N.J. Department of Environmental Protection, to include an additional site at 205-215 First Street in the Elizabethport Brownfield Development Area designation.

Authorize the proper City officials to execute an agreement with the Bureau of Cultural Affairs to provide funds in the amount of \$4,620.00, to help defray recreation costs associated with the Elizabethport Community Day Parade to be held on May 15, 2010.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute an agreement with Groundwork Elizabeth, Inc., 288 North Broad Street, Elizabeth, to provide funds in the amount of \$14,320.00, for the Spring 2010 Planter Beautification Program for the period May 1, 2010 to May 1, 2011.

Authorize the award of a contract to Rich Picerno Builders, LLC, 500 Hoiles Drive, Kenilworth, N.J., for the construction of a new playground at Grier Park, 511-519 South Park Street, at a cost of \$130,127.50.

Authorize the award of a contract to The Musial Group, 191 Mill Lane, Mountainside, N.J., to provide construction management services in connection with the Elizabeth Avenue Streetscape Project – Phase 1, at a cost not to exceed \$64,000.00.

Authorize the Mayor to enter into an agreement with the State of New Jersey, Department of Education Sponsor Management Plan, for the 2010 Summer Food Service Program which will commence July 6, 2010 to August 26, 2010, at no cost to the City.

Authorize the Mayor to execute an agreement with the State of New Jersey to provide funds for the City's 2010 Summer Food Nutrition Program for the period July 6, 2010 to August 26, 2010, at no cost to the City.

Authorize the Mayor to execute an agreement with the Elizabeth Board of Education, to provide food vendor services in conjunction with the 2010 Summer Food Nutrition Program for the period July 6, 2010 to August 26, 2010, at no cost to the City.

Authorize the proper City officials to submit a proposal to the New Jersey Urban Enterprise Zone Authority for the use of City of Elizabeth Zone Assistance Funds in the amount of \$222,750.00 to provide matching funds for the Elizabeth Avenue Partnership Special Improvement District for the period July 1, 2010 to June 30, 2011.

Authorize the proper City officials to submit a proposal to the New Jersey Urban Enterprise Zone Authority for the use of City of Elizabeth Zone Assistance Funds in the amount of \$442,821.00, with the City providing a 20% match in the amount of \$110,705.00, for the Graffiti and Litter Removal Program - Phase IV.

Authorize the acceptance of a donation of \$50,000.00 from the Community Foundation of New Jersey to the Police Department for a Gun Buy Back Program.

Authorize the proper City officials to execute appropriate documents for Emergency Medical Service (EMS) Mass Care Unit, associated EMS equipment and supplies through the Urban Areas Security Initiative local share and purchased by the State of New Jersey Department of Health and Senior Services in an amount not to exceed \$283,000.00.

Authorize the Tax Collector to refund/cancel all open taxes on the property located at PT 1053-1061 North Broad Street, including any tax liens and late fees, for Calendar Years 2005, 2006, 2007, 2008 and 2009.

Authorize the Tax Collector to cancel/credit an overbilling of taxes for Tax Year 2009 on the property located at 1119-1125 Elizabeth Avenue in the amount of \$23,670.21, said property is tax exempt.

Authorize the establishment of a loading zone for Super Value Liquors, 224 Rahway Avenue, along the southerly curb line of Rahway Avenue, beginning at a point 166 feet east of DeHart Place and continuing for a distance of 27 feet easterly thereof, between the hours of 10:00 a.m. to 5:00 p.m.

NEW BUSINESS (Cont'd.)

Authorize the establishment of a loading zone for Daisy's Supermarket, 702 Monroe Avenue, along the easterly curb line of Monroe Avenue, beginning at a point 25 feet north of Louisa Street and continuing for a distance of 35 feet northerly thereof, between the hours of 8:00 a.m. to 4:00 p.m.

Permit Melly Mell Productions, Inc., on behalf of the Elizabeth Cubanos Lions Club, to conduct their 17th Annual Elizabeth Waterfront Festival to be held at the Veterans Memorial Park on May 29 and 30, 2010, between the hours of 1:00 p.m. to 9:00 p.m.

Authorize settlement in the workers compensation litigation matter of Keller vs. the City of Elizabeth in the amount of \$14,298.00.

Authorize settlement in the workers compensation litigation matter of Pinho vs. the City of Elizabeth in the amount of \$17,100.00.

Pay utility bills.

Approve Bingo and Raffle licenses

COMMENDATIONS

Fire Chief Edward Sisk, Retirement

MEMORIALS

Mr. Joaquim T. Sousa
Deacon Howard Lee

Dr. DOROTHY HEIGHT, CIVIL RIGHTS HEROINE

ADJOURMENT

7:55 P.M.