

Official Agenda

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, APRIL 13, 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. 4122 - Authorize a Bond Ordinance in the amount of \$1,400,000.00 for the acquisition of Grimmauld Place LLC, property located at the corner of Harrison and Westfield Avenue, in conjunction with the Midtown Redevelopment.
- ORD. NO. 4123 - Authorize a Bond Ordinance in the amount of \$4,000,000.00 to finance the resurfacing of various roads.
- ORD. NO. 4124 - Authorize a Bond Ordinance in the amount of \$2,200,000.00 to finance the roof replacements at Police Headquarters, Miller Evans Logan Recreation Center, Mickey Walker Recreation Center and the Erxleben Recreation Center.
- ORD. NO. 4125 - Authorize a Bond Ordinance in the amount of \$2,750,000.00 to finance the costs of a synthetic turf field and improvements to the Front Street Soccer Fields.
- ORD. NO. 4126 - Authorize a Bond Ordinance in the amount of \$1,000,000.00 to finance capital improvements to the Waterfront Park.
- ORD. NO. 4127 - Authorize an amendment to Chapter 10.08.010 of the Code of the City of Elizabeth, entitled "Four Way Stop Intersections," specifically to add Third Street and Fulton Street.
- ORD. NO. 4128 - Grant an encroachment permit to Tyree Environmental Corporation, 2702 Cindel Drive, Cinnaminson, N.J., on behalf of Getty Properties Corporation, to perform soil sampling at the former Getty Service Station at 201 East Jersey Street as directed by the New Jersey Department of Environmental Protection to complete additional remedial activities.
- ORD. NO. 4129 - Grant an encroachment permit to Nordic Contracting, Inc., 111 Howard Boulevard, Ledgewood, N.J., on behalf of the Elizabeth Parking Authority, to install a new storm water sewer within the public right-of-way of Caldwell Place.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 26, 2010, from His Honor the Mayor, on behalf of the New Jersey State League of Municipalities and Mayor Sharon Robinson-Briggs, Plainfield, N.J., liaison to the New Jersey Organ and Tissue Sharing Network, Inc., is requesting from your Honorable Body a resolution in support of organ and tissue donation; there will be a press conference in Plainfield, N.J., on April 12, 2010 at 10:00 a.m.
Which was received.

By the Clerk:

Letter dated March 22, 2010, from the Business Administrator requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Mayors' Institute on City Design Grant in order to propose the creation of an Arts District, which would highlight local art and artists throughout the community for an amount not to exceed \$25,000.00.
Which was received.

By the Clerk:

Letter dated March 30, 2010, from the Business Administrator recommending the award of a contract to Edmunds & Associates, 301A Tilton Road, Northfield, N.J., for the Annual Software Maintenance for the Departments of Finance, Purchasing and Revenue in the amount of \$33,285.00.
Which was received.

By the Clerk:

Letter dated April 1, 2010, from the Business Administrator recommending the award of a contract to Emtec, Inc., 11 Diamond Road, Springfield, N.J., for Hardware for Computers, Printers, Servers, Media, Software Upgrades, Printer Repairs and other Computer Equipment for various City buildings for the period April 1, 2010 to March 31, 2012, at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated April 1, 2010, from the Business Administrator recommending the award of a contract to Turn Out Fire & Safety, Inc., 3468 Kennedy Boulevard, Jersey City, N.J., for the purchase of protective clothing and equipment for the Fire and Police Departments and the Division of Ambulance Service Bureau for the period April 1, 2010 to March 31, 2012, at a cost not to exceed \$200,000.00.
Which was received.

By the Clerk:

Letter dated April 1, 2010, from the Business Administrator recommending the award of a contract to Sanofi Pasteur, Inc., Discovery Drive, Swiftwater, PA, for the purchase of 200 vials of Fluzone, Influenza Vaccine at a total cost of \$21,301.80.
Which was received.

By the Clerk:

Letter dated April 1, 2010, from the Business Administrator recommending the award of a contract to National Terminal, Inc., 175 Orange Street, Newark, N.J., for the purchase of diesel fuel for the Public Works Marina for the period April 1, 2010 to September 30, 2010, at a cost not to exceed \$45,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 5, 2010, from the Business Administrator requesting authorization to offer 827-831 Pearl Street for sale at a minimum price of \$25,000.00 to adjoining property owners and conduct the sale on June 9, 2010.

Which was received.

By the Clerk:

Letter dated April 5, 2010, from the Business Administrator requesting authorization for the Mayor to execute a Memorandum of Agreement with the City Hall Supervisors Association and the Public Health Nurses Association for the period July 1, 2009 to June 30, 2013.

Which was received.

By the Clerk:

Letter dated April 6, 2010, from the Business Administrator requesting authorization for the Mayor to execute a Memorandum of Agreement with the Fireman's Mutual Benevolent Association, Local 9, for the period July 1, 2009 to June 30, 2014.

Which was received.

By the Clerk:

Letter dated March 17, 2010, from the Chief Financial Officer requesting authorization for the Tax Collector to credit individuals entitled to a Senior Citizen, Disability, and/or Veteran deduction for the 2010 Tax Year as per the delineated list in the amount of \$1,500.00.

Which was received.

By the Clerk:

Letter dated April 6, 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 April 6, 2010, from the Chief Financial Officer recommending approval of a resolution that will enable the City to commence the In Rem Foreclosure process on City held Tax Sale Certificates.

Which was received.

By the Clerk:

Letter dated March 26, 2010, from the Department of Planning and Community Development requesting an amendment to a resolution adopted November 24, 2009, which authorized the execution of an agreement for State Neighborhood Stabilization funds between the City and MAR Acquisition Group, LLC, specifically to change the name of the developer/owner to MAR Eport NSP, LLC.

Which was received.

By the Clerk:

Letter dated March 26, 2010 from the Department of Planning and Community Development requesting to Amend the resolution dated November 24, 2009 which authorized the execution of an agreement for State Neighborhood Stabilization funds between the City and MAR Acquisition Group, LLC, specifically to change the name of the developer/owner to MAR New Point NSP, LLC.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 6, 2010, from the Department of Planning and Community Development requesting to amend the resolution adopted March 23, 2010, for the Analysis of Impediments to Fair Housing Choice, specifically to amend the term of the contract from July 1, 2009 to June 30, 2010, to April 1, 2010 to July 31, 2010.

Which was received

By the Clerk:

Letter dated March 17, 2010, from the Director of Public Works recommending the award of a contract to CME Associates, 3141 Bordentown Avenue, Parlin, N.J., to provide professional engineering services in connection with the design and construction administration of the 2010 Road Resurfacing Program – Phase 4, at a cost not to exceed \$68,115.00.

Which was received.

By the Clerk:

Letter dated March 26, 2010, from the Director of Public Works recommending the award of a contract to Kupper LLC, 1200 Lenox Drive, Suite 101, Trenton, N.J., to provide professional engineering services in connection with the design and construction administration of the 2010 Road Resurfacing Program – Phase 3, at a cost not to exceed \$187,500.00.

Which was received.

By the Clerk:

Letter dated April 5, 2010, from the Director of Public Works recommending the award of a contract to Toll Associates, PA, 388 Elmora Avenue, Elizabeth, N.J., to provide construction management services in connection with the Broad Street Streetscape project at a cost not to exceed \$64,350.00.

Which was received.

By the Clerk:

Letter dated April 5, 2010, from the Director of Public Works recommending the award of a contract to the PMK Group, Inc., a Birdsall Service Group, 65 Jackson Drive, Cranford, N.J., to provide professional environmental consulting engineering services Preliminary Assessment Report in connection with the acquisition of 244-246 Harrison Street, 248-252 Harrison Street, 252-254 Union Street, 48-50 Westfield Avenue and 52 Westfield Avenue at a cost not to exceed \$5,500.00.

Which was received.

By the Clerk:

Letter dated April 6, 2010, from the Director of Public Works requesting permission to have liens placed against the properties listed on Schedule A attached hereto and made a part hereof, for the boarding up of said properties in the amount of \$4,105.61.

Which was received.

By the Clerk:

Letter dated April 6, 2010, from the Director of Public Works requesting permission to have liens placed against the properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of \$3,260.70.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 23, 2010, from the Police Director requesting of your Honorable Body to continue the Supplemental Pension Benefits for Henry Murawski, who sustained permanent and serious injury in the line of duty. Which was received.

By the Clerk:

Letter dated March 26, 2010, from the Police Director requesting of your Honorable Body to continue the Supplemental Pension Benefits for Peter Campbell, who sustained permanent and serious injuries in the line of duty. Which was received.

By the Clerk:

Letter dated March 12, 2010, from Mr. William M. Lyon, Langan Engineering and Environmental Services, Inc., River Drive Center 1, Elmwood Park, N.J., requesting permission to perform environmental remediation work within the public right-of-way of South Street, Elizabethtown Gas former MGP site. Which was received.

By the Clerk:

Letter dated July 21, 2009, from Harbor Consultants, Inc, 320 North Avenue East, Cranford, N.J., on behalf of 828, LLC, conducted a final inspection of 828 Spring Street and found the site work has been completed; the Division of Engineering inspected the site and found the monuments properly set in accordance with the requirements of the N.J. Map Filing Law, the Division of Engineering recommends to refund the bond amount of \$5,400.00 to 828, LLC. Which was received.

By the Clerk:

Letter dated April 5, 2010, from the Frank O. Mazza Civic Association advising they will host the Saint Vito Procession and Feast on June 13, 2010 at 1:00 p.m. departing from St. Anthony's Church ending at the Vallatese Club Hall located at the corner of High Street and Fourth Avenue, and requesting permission to hold a small festival on June 12, 2010, from 2:30 p.m. to 9:30 p.m. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter April 13, 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 9, 2010. Which was received.

By the Clerk:

Letter dated March 9, 2010, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of October, 2009, and Statement of Bank Balances and Investments as of October 31, 2009. Which was received.

By the Clerk:

Letter dated March 9, 2010, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of November, 2009, and Statement of Bank Balances and Investments as of November 30, 2009. Which was received.

REPORTS OF CITY OFFICERS (Cont'd.)

By the Clerk:

Letter dated March 23, 2010, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of December, 2009, and Statement of Bank Balances and Investments as of December 31, 2009. Which was received.

ORDINANCES ON FIRST READING

- 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.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD WEDNESDAY, APRIL 27, 2010, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4122 - Authorize a Bond Ordinance in the amount of \$1,400,000.00 for the acquisition of Grimmauld Place LLC, property located at the corner of Harrison and Westfield Avenue, in conjunction with the Midtown Redevelopment.
- ORD. NO. 4123 - Authorize a Bond Ordinance in the amount of \$4,000,000.00 to finance the resurfacing of various roads.
- ORD. NO. 4124 - Authorize a Bond Ordinance in the amount of \$2,200,000.00 to finance the roof replacements at Police Headquarters, Miller Evans Logan Recreation Center, Mickey Walker Recreation Center and the Erxleben Recreation Center.
- ORD. NO. 4125 - Authorize a Bond Ordinance in the amount of \$2,750,000.00 to finance the costs of a synthetic turf field and improvements to the Front Street Soccer Fields.
- ORD. NO. 4126 - Authorize a Bond Ordinance in the amount of \$1,000,000.00 to finance capital improvements to the Waterfront Park.
- ORD. NO. 4127 - Authorize an amendment to Chapter 10.08.010 of the Code of the City of Elizabeth, entitled "Four Way Stop Intersections," specifically to add Third Street and Fulton Street.

ORDINANCES ON FINAL (Cont'd.)

- ORD. NO. 4128 - Grant an encroachment permit to Tyree Environmental Corporation, 2702 Cindel Drive, Cinnaminson, N.J., on behalf of Getty Properties Corporation, to perform soil sampling at the former Getty Service Station at 201 East Jersey Street as directed by the New Jersey Department of Environmental Protection to complete additional remedial activities.
- ORD. NO. 4129 - Grant an encroachment permit to Nordic Contracting, Inc., 111 Howard Boulevard, Ledgewood, N.J., on behalf of the Elizabeth Parking Authority, to install a new storm water sewer within the public right-of-way of Caldwell Place.

*Suspend the Rules:
NEZ Customer Serv. Training & Initiative Program
Autumn Months* **NEW BUSINESS**

Determine that the City of Elizabeth foreclose, by summary proceedings In Rem, the tax sale certificates held by the City as delineated by the Tax Collector.

Authorize the award of a contract to Edmunds and Associates, Inc., 301A Tilton Road, Northfield, N.J., for the Annual Software Maintenance for the Departments of Finance, Purchasing and Revenue, for a one year period from the date of the contract in the amount of \$33,285.00.

Authorize the award of a contract to Emtec, Inc., 11 Diamond Road, Springfield, N.J., for hardware for computers, printers, servers, media, software upgrades, printer repairs and other computer equipment for various City buildings for the period April 1, 2010 to March 31, 2012, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Turn Out Fire and Safety, Inc., 3468 Kennedy Boulevard, Jersey City, N.J., for the purchase of protective clothing and equipment for the Fire and Police Departments and the Division of Ambulance Service Bureau, for the period April 1, 2010 to March 31, 2012, at a cost not to exceed \$200,000.00.

Authorize the award of a contract to Sanofi Pasteur, Inc., Discovery Drive, Swiftwater, PA., for the purchase of two hundred (200) vials of Fluzone, Influenza Virus Vaccine for the Health Department at a total cost of \$21,301.80.

Authorize the award of a contract to National Terminal, Inc. 175 Orange Street, Newark, N.J., for the purchase of diesel gasoline for the Public Works Marina for the period April 1, 2010 to September 30, 2010, at a cost not to exceed \$45,000.00.

Authorize the Mayor to execute collective bargaining agreements with the City Hall Supervisors Association and the Public Health Nurses Association for the period July 1, 2009 through June 30, 2013.

Authorize the Mayor to execute the collective bargaining contract with the Elizabeth Fireman's Mutual Benevolent Association, Local #9; for the period July 1, 2009 to June 30, 2014.

Authorize the award of a contract to CME Associates, 3141 Bordentown Avenue, Parlin, N.J., to provide professional engineering and inspection services in connection with the design and construction administration of the 2010 Road Resurfacing Program, Phase 4, at a cost not to exceed \$68,115.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Kupper, LLC., 1200 Lenox Drive, Trenton, N.J., to provide professional engineering services in connection with the design and construction administration of the 2010 Road Resurfacing Program, Phase 3, at a cost not to exceed \$187,500.00.

Authorize the award of a contract to Toll and Associates, PA, 388 Elmora Avenue, Elizabeth, N.J., to provide construction management services in connection with the Broad Street Streetscape Project at a cost of \$64,350.00.

Authorize the award of a contract to the PMK Group, Inc., a Birdsall Service Group, 65 Jackson Drive, Cranford, N.J., to provide professional environmental consulting services to complete an Environmental Preliminary Assessment Report and Survey for the acquisition of 244-246 Harrison Street, 248-252 Harrison Street, 252-254 Union Street, 48-50 Westfield Avenue and 52 Westfield Avenue, at a cost not to exceed \$5,500.00.

Amend a resolution adopted November 24, 2009, which authorized an agreement for State Neighborhood Stabilization funds between the City and MAR Acquisition Group, LLC., specifically to change the name of the developer/owner to MAR New Point NSP, LLC.

Amend a resolution adopted November 24, 2009, which authorized an agreement for State Neighborhood Stabilization funds between the City and MAR Acquisition Group, LLC., specifically to change the name of the developer/owner to MAR Eport NSP, LLC.

Authorize an amendment to a resolution adopted March 23, 2010, awarding an agreement with Community Grants, Planning & Housing to conduct an Analysis of Impediments to Fair Housing Choice, specifically to amend the term of the contract to April 1, 2010 to July 31, 2010.

Authorize the proper City officials to execute all appropriate documents for the Mayor's Institute on City Design grant in an amount not to exceed \$25,000.00, to propose the creation of an Arts District, which would highlight local art and artists throughout the community.

Authorize the private sale of City-owned non-conforming property located at 827-831 Pearl Street (at a minimum bid of \$25,000.00) to adjacent property owners.

Authorize the Tax Collector to credit senior citizen, disability and/or veteran tax deductions for the Tax Year 2010, pursuant to a delineated list submitted March 17, 2010, in the total amount of \$1,500.00.

Establish a handicapped parking space in front of the premises located at 224 Franklin Street.

Establish a handicapped parking space in front of the premises located at 23 Sayer Street.

Establish a handicapped parking space in front of the premises located at 302 East Jersey Street.

Establish liens for the boarding up of properties listed on Schedule A in the total amount of \$4,393.27.

Establish liens for the removal and disposal of debris on properties listed on Schedule A in the total amount of \$3,260.70.

NEW BUSINESS (Cont'd.)

Authorize the refund of a bond in the amount of \$5,400.00 posted by 828, LLC., for the setting of nine (9) monuments at 828 Spring Street, which have been properly set in accordance with the requirements of the New Jersey Map Filing Law.

Authorize settlement in the litigation matter of Santos vs. Kelly, the City of Elizabeth, et al, in the amount of \$15,000.00.

Permit the Frank O. Mazza Civic Association, 630 Third Avenue, Elizabeth, N.J., to host a small festival honoring the feast of St. Vito at the Vallatese Club Hall, corner of Fourth Avenue and High Street, on June 12, 2010, from 2:30 p.m. to 9:30 p.m., and a Procession from St. Anthony's Church to the Vallatese Club Hall, on June 13, 2010 at 1:00 p.m.

In recognition of Donate Life Month (April), support the efforts of the New Jersey Organ and Tissue Sharing Network, Inc., for increasing recognition of organ and tissue donation.

Oppose New Jersey Transit's proposal of a twenty-five (25) per cent fare increase.

Pay utility bills.

COMMENDATIONS

Dr. Thomas Panitch , "2010 Man of the Year," Ribera Italian American Cultural Center

MAYOR J. Christian Bollwage

MEMORIALS

Mrs. Mary Lenahan, Mother of Robert Lenahan, Special Counsel

ADJOURNMENT *8:00 P.M.*