CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, SEPTEMBER 13, 2011

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4235 - Authorize amendments to Chapter 2.100 of the Code of the City of Elizabeth, entitled "Fees for Municipal Records, Pamphlets and Codes," specifically Chapter 2.100.020, entitled Fees Established and Chapter 2.56.060 of the Code of the City of Elizabeth, entitled "Police Department Services – Fees Established," specifically to comply with State law.

ORD. NO. 4236 - Authorize an ordinance to endorse and file the 500 feet and 1,000 feet Drug Free Zone Maps prepared by the Bureau of GIS of Union County in accordance with the Drug Free Zone Map Law.

ORD. NO. 4237 - Authorize amendments to Chapter 10.28.050, Schedule III, of the Code of the City of Elizabeth, entitled "No Stopping or Standing," specifically to add Caldwell Place, both sides; No Parking All Times, between Elizabethtown Plaza and Broad Street; West Jersey, both sides, No Parking All Times, between Elizabethtown Plaza and Broad Street, and Elizabethtown Plaza, both sides, No Parking All Times, between West Jersey and Caldwell Place; and Chapter 10.28.070, entitled "Forty-five Degree Angle Parking," specifically to delete Caldwell Place, south side, between Elizabethtown Plaza and Broad Street.

ORD. NO. 4238 - Authorize the execution of a lease agreement between the City of Elizabeth and the Elizabeth New Jersey Corps of the Salvation Army, a New York Corporation, for the use of the City-owned property located at 1018 East Grand Street, to provide emergency shelter for homeless individuals, for the period June 18, 2011 to June 18, 2013, at an annual fee of $1.00.

ORD. NO. 4239 - Grant an encroachment permit to Mr. Martinho Pereira, owner of Valenca Restaurant, 661-665 Monroe Avenue, Elizabeth, N.J., to install a canopy and decorative lighting in the public right-of-way of 661-665 Monroe Avenue.

ORD. NO. 4240 - Grant an encroachment permit to Tyree Environmental Corporation, 2702 Cindel Drive, Cinnaminson, N.J., on behalf of Getty Petroleum Marketing, Inc., for a Sidewalk and Road Opening Permit to perform soil sampling activities in front of the Getty Station at 1101 East Jersey Street.

PUBLIC HEARINGS (Cont'd.)

ORD. NO. 4241 - Grant an encroachment permit to The Elm Group. 218 Wall Street, Princeton, N.J., on behalf of the former Monarch Metal Fabricators, Inc., for the installation of one (1) soil boring at 10-20 South Spring Street.

ORD. NO. 4242 - Rescind Ordinance No. 4205, adopted March 22, 2011, which authorized the establishment of a personalized handicapped parking space for Kazimierz Ciuba, 21 South Second Street.

ORD. NO. 4243 - Rescind Ordinance No. 4080, adopted November 10, 2009, which authorized the establishment of a personalized handicapped parking space for Carol A. Lockett, 123 Acme Street.

ORD. NO. 4244 - Rescind Ordinance No. 3259, adopted October 10, 2000, which authorized the establishment of a personalized handicapped parking space for Enrique Milanes, 419 Franklin Street.

ORD. NO. 4245 - Amend Chapter 3.12 of the Code of the City of Elizabeth, which provides for tax abatements for certain residential properties, by extending the expiration date retroactive from June 14, 2010 to June 14, 2015.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated August 26, 2011, from the Business Administrator requesting to rescind the resolution adopted on June 28, 2011, awarding a contract to Ribcraft USA, LLC, for the furnishing of a Rescue Water Craft in the amount of $77,694.82 and grant permission for the Purchasing Agent to re-advertise for same due to submission of an invalid bid security with their bid.
Which was received.

By the Clerk:
Letter dated August 26, 2011, from the Business Administrator recommending the award of a contracts to Logomania, Inc., 110 ½ Erie Street, Jersey City, NJ 07302; Na Vet Printing Company, LLC, 506 Elizabeth Avenue, Elizabeth, NJ 07206, and Graphiry Printing, 308 Morris Avenue, Elizabeth, NJ 07208, for printing services for a period of two years, for the various departments to the low responsible bidders per item in an amount not to exceed $55,000.00 per year for all vendors combined; also, requesting permission for the Purchasing Agent to re-advertise for Item #VI-43, only, with revised specifications.
Which was received.

By the Clerk:
Letter dated August 26, 2011, from the Business Administrator recommending the award of a contract to WPCS International, Inc., 1985 Swarthmore Avenue, Suite 4, Lakewood, NJ, for the purchase of Radio Communication Equipment and Accessories for the Fire Department and the Ambulance Service Bureau for the period of August 1, 2011 through January 1, 2012, at a cost not to exceed $50,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated August 29, 2011, from the Business Administrator recommending the award of a contract to Campbell Freightliner, LLC, 145 Talmadge Road, Suite 8, P.O. Box 770, Edison, NJ, for Maintenance and Repair Services for Heavy Duty vehicles for various departments for the period of August 15, 2011 through February 29, 2012, at a cost not to exceed $75,000.00.
Which was received.

By the Clerk:
Letter dated August 29, 2011, from the Business Administrator recommending the award of a contract to Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, NJ, for park, playground equipment and parts for the Recreation and Public Works Departments for the period of August 15, 2011 through March 31, 2012, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated August 29, 2011, from the Business Administrator requesting to rescind the resolution adopted on April 26, 2011, to US Municipal Supply, Inc., for two High Performance Mechanical Street Sweepers in the amount of $339,740.00; these specific High Performance Street Sweepers are no longer in production and US Municipal Supply, Inc., is no longer able to provide parts to the City for this particular machine as they have lost their state contract; also, requesting permission to allow the Purchasing Agent to re-advertise with substantially revised specifications and the City will withdraw their request for forfeiture of the vendor's bid bond.
Which was received.

By the Clerk:
Letter dated August 30, 2011, from the Business Administrator recommending the award of a contract to Marturano Recreation Co., P.O. Box 106, Spring Lake, NJ, for playground and park equipment for the Recreation Department for the period of September 1, 2011 to March 31, 2012, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Business Administrator recommending the award of a contract to Dell Marketing LP, One Dell Way, Round Rock, TX, for the purchase of Dell Computers, Servers and Replacement Parts for Dell Computers for various City buildings for the period of September 1, 2011 to August 31, 2012, at a cost not to exceed $250,000.00.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Business Administrator recommending the award of a contract to Guard Line Fire & Safety, 75 Main Avenue, Elmwood Park, NJ, for the purchase of MSA SCBA (Self Contained Breathing Apparatus) parts, Personal Protection Items and Equipment for Emergency Personnel, including, but not limited to, Lanyards, Radio Straps, Holders and Gloves at a cost not to exceed $40,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated August 31, 2011, from the Business Administrator recommending the award of a contract to New Jersey Coffee Co., Inc., d/b/a United Vending, 5005 Belmar Blvd., C-1, Farmingdale, NJ, for vending machines at the Elizabeth Maintenance Facility and other public buildings to be added at a later date for the period of July 8, 2011 to July 7, 2013, at no cost to the City and the company pays the City a commission.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Business Administrator requesting that your Honorable Body consider authorizing the issuance of insurance with Evanston Insurance Company, 10 Parkway N., Suite 100, Deerfield, IL, through the agent-of-record, Otterstedt Insurance Agency, covering City Nurses for the period of August 3, 2011 to August 3, 2012, at an annual premium of $14,455.00.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Business Administrator requesting that your Honorable Body consider authorizing Dynasty Transportation Service, LLC, (Dynasty) to operate as an Autobus pursuant to Chapter 5.16 of the Code of the City of Elizabeth; traveling to and from Harrison, Linden, Edison, Bayonne and North Brunswick, NJ; parking in a commercial parking lot at 201-207 Rahway Avenue, Elizabeth.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Business Administrator requesting that your Honorable Body consider authorizing R & B Transportation, LLC, (R & B) to operate as an Autobus pursuant to Chapter 5.16 of the Code of the City of Elizabeth; traveling to and from Cranbury, East Brunswick, North Brunswick and Dayton, NJ; parking at 6 Church Street, Edison, New Jersey.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Business Administrator requesting that your Honorable Body consider authorizing Nubilus Transportation, LLC, (Nubilus) to operate as an Autobus pursuant to Chapter 5.16 of the Code of the City of Elizabeth; traveling to and from Avenel, Cranbury, Dayton, and Wood Ridge, New Jersey; parking at 114 Rector Street, Perth Amboy, New Jersey.
Which was received.

By the Clerk:
Letter dated September 1, 2011, from the Business Administrator requesting authorization for the proper City officials to award a contract to WavHost Corp., P.O. Box 66 Clemons Road, Frankfort, NY, to provide Engineering Services/Computer Programming for a period of January 1, 2011 to December 31, 2011, at a cost not to exceed $145,000.00.
Which was received.

By the Clerk:
Letter dated September 1, 2011, from the Business Administrator recommending the award of a contract to David Weber Oil Co., 601 Industrial Road, Carlstadt, NJ, for Automotive Lubricants, Oils, Grease and Hydraulic Oils for various departments for the period of August 30, 2011 to February 29, 2012, at a cost not to exceed $40,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated September 1, 2011, from the Business Administrator recommending the award of a contract to Sherwin Williams, Co., 1001 Nebula Road, Manchester, GA, for the purchase of traffic paint for the period of August 30, 2011 to August 29, 2013, at a cost not to exceed $50,000.00.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Business Administrator requesting that your Honorable Body consider approving a resolution authorizing the proper City officials to enter into and execute a Mutual Aid Agreement for Debris Removal Services by and between the City of Elizabeth and the County of Union, New Jersey.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Business Administrator recommending the award of a contract to Highway Service Corporation, 548 Trumbull Street, Elizabeth, NJ, for the furnishing of Towing and Road Services for Municipal Vehicles for the period of one year with an option to renew for two or three years at a cost not to exceed $30,000.00 per year.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Business Administrator requesting that City Council reject all bids received for Police- Authorized Towing and Storage Services for the Police Department and authorize the Purchasing Agent to re-advertise with revised specifications.
Which was received.

By the Clerk:
Letter dated August 25, 2011, from the Second Assistant City Attorney submitting a proposed form of resolution granting permission for Cross River Fiber LLC, 33 Wood Avenue South, Suite 600, Iselin, NJ, to utilize the public right-of-way to install fiber optic cabling on existing poles and in underground conduits owned by utility companies within the City of Elizabeth.
Which was received.

By the Clerk:
Letter dated August 30, 2011, from the City Attorney, subject to confirmation, is hereby appointing Jorge A. Estrada as Special Counsel in the Law Department of the City of Elizabeth effective September 7, 2011.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the City Attorney requesting that City Council consider a resolution to approve additional services to be provided by Birdsall Services Group for additional limited soil and groundwater sampling in areas of the property located at 60-90 Broadway not previously sampled at a total fixed fee of $19,450.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer requesting authorization for His Honor the Mayor to allow the City to execute a financial agreement for a Tax Abatement (PILOT) with Danic URC for Danic Two Urban Renewal Corporation, 64-138 Atalanta Plaza, to provide an estimated Annual Service Charge to the City in an amount in excess of $200,000.00 for thirty (30) years.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance that would authorize the acquisition of various vehicles for the Department of Public Works in the amount of $2,000,000.00, with a down payment of $100,000.00.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a capital ordinance that would authorize the acquisition of various vehicles and equipment for the Department of Public Works in the amount of $1,000,000.00.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer advising that transfers for the 2011 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer advising that temporary emergency appropriations for the 2012 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer requesting that your Honorable Body consider the introduction and approval of the 2012 SFY Municipal and Sewer Utility Budgets.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer advising that Dedication by Rider resolutions may be necessary.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Chief Financial Officer requesting that City Council consider approving and accepting the State Fiscal Year 2010 Corrective Action Plan which covers all findings and recommendations in the 2010 State Fiscal Year Annual Audit Report.
Which was received.

By the Clerk:
Letter dated August 30, 2011, from the Director of Health and Human Services requesting authorization for the proper City officials to apply, accept, and sign all appropriate documents pertaining to the 2012 H.O.P.W.A. grant funding for the period January 1, 2012 to December 31, 2012.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated August 31, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to postpone the City's mortgage, Rental Housing Program Loan, in the total amount of $180,000.00 on the property located at 278 First Street.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Director of Planning and Community Development requesting an amendment to the resolution adopted May 24, 2011, with the Elizabeth Development Company which allocated $390,000.00 to the First Street project, specifically for the purpose of transferring $135,000.00 into the Elizabeth Development Company Loan program.
Which was received.

By the Clerk:
Letter dated September 1, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with the Elizabeth NAACP, P.O. Box 6732, Elizabeth, NJ, to provide funds for a Youth Conference, themed: "Finding the Peace Within You!" for the period of October 1, 2011 until October 31, 2011, in the amount of $4,000.00.
Which was received.

By the Clerk:
Letter dated September 1, 2011, from the Director of Planning and Community Development requesting an amendment to the resolution adopted February 9, 2010, which allocated Homeless Prevention and Rapid Re-Housing funds to the Elizabeth Coalition to House the Homeless, specifically for the purpose of reprogramming $7,000.00 for case management and rental assistance and the term of the contract will extend to March 16, 2012.
Which was received.

By the Clerk:
Letter dated September 1, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with Union County College, Kellogg Building, for the Elizabeth Financial Planning Day to be held on Saturday, October 22, 2011 from 9:00 a.m. to 1:00 p.m. in an amount not to exceed $3,400.00.
Which was received.

By the Clerk:
Letter dated September 1, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with Jefferson Park Day Care Center, 485 Madison Avenue, Elizabeth, for funds to be used to pay insurance costs for the period September 2, 2011 to January 3, 2012 in the amount of $10,377.00.
Which was received.

By the Clerk:
Letter dated September 2, 2011, from the Director of Planning and Community Development requesting an amendment to the resolution adopted on March 14, 2006, which funded the Elizabeth River Trail Project, specifically for the purpose of additional funding in the amount of $517,196.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated September 2, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the N.J. Department of Transportation, National Infrastructure Investments TIGER Discretionary grants which will include constructing a new sewer system within the Midtown section for an amount not to exceed $10,055,000.00.
Which was received.

By the Clerk:
Letter dated September 2, 2011, from the Director of Planning and Community Development requesting an amendment to the resolution adopted on March 8, 2011, which authorized a Rental Housing Program Deferred Payment Loan to Y-Homes, Inc. for the rehabilitation of the residential portion of the YMCA main building, specifically to change the property owner from Y-Homes, Inc., to YMCA of Eastern Union County.
Which was received.

By the Clerk:
Letter dated September 6, 2011, from the Director of Planning and Community Development requesting an amendment to Ordinance No. 4212, adopted on May 11, 2011, which authorized a lease agreement with the National Retail Skills Federation, at no cost to the City, and instead, authorize the proper City officials to enter into a Lease Agreement with JG Elizabeth, LLC, 180 East Broad Street, 21st floor, Columbus, OH, in addition to the date of commencement changing to November 1, 2011, with an expiration date of October 31, 2016.
Which was received.

By the Clerk:
Letter dated August 1, 2011, from the Director of Public Works requesting permission to have liens placed against 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 $15,944.56.
Which was received

By the Clerk:
Letter dated August 15, 2011, from the Director of Public Works requesting permission to have liens placed against 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 $18,830.54.
Which was received.

By the Clerk:
Letter dated August 30, 2011, from the Director of Public Works requesting authorization for the proper City officials to execute a Memorandum of Understanding and an Indemnification Agreement, to allow the City of Elizabeth to participate in leaf disposal at the conservation center at a cost of $2.00 per yard (loose) and $4.00 per yard (compacted), in an amount not to exceed $7,000.00.
Which was received.

By the Clerk:
Letter dated September 1, 2011, from the Director of Public Works requesting approval of Change Order No. 1 to the contract awarded to ARCO Electrical Contractors, Inc., for the Broad Street Improvement Area (Broad Street Streetscape), at an original cost of $1,957,883.50, to provide further for additional labor and materials at an additional cost of $153,240.60, raising the contract amount to $2,111,124.10.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:
Letter dated September 1, 2011, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for Fiscal Year 2012 State Aid to Counties and Municipalities Funding, under the New Jersey Department of Transportation Trust Fund Authority Act, to provide funding to mill and resurface Broad Street from Elizabeth Avenue to Commerce Place; North Broad Street from Commerce Place to Westfield Avenue; West Jersey Street from Broad Street to Cherry Street, and West Grand Street from Broad Street to Elizabeth River.
Which was received.

By the Clerk:
Letter dated September 2, 2011, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's Bikeway Grant Program to provide funding to expand upon the Elizabeth River Trail Project by implementing Phase II of the initiative, to include but not be limited to: design elements, as well as the incorporation of benches, bike racks and garbage receptacles between Bridge Street and South Street in an amount not to exceed $500,000.00.
Which was received.

By the Clerk:
Letter dated September 2, 2011, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's Safe Streets to Transit Program to provide funding to implement sidewalk, curbing, lighting as well as green and aesthetic improvements on East Grand Street in front of Elizabeth Police Headquarters in an amount not to exceed $400,000.00.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Drive Sober or Get Pulled Over 2011 Year End Statewide Crackdown Grant for the period December 5, 2011 through January 2, 2012 in the amount of $5,000.00.
Which was received.

By the Clerk:
Letter dated August 31, 2011, from the Fire Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the 2011 Assistance to Firefighters Grant Program to fund the purchase of an oxygen generator and filling system in an amount not to exceed $85,000.00.
Which was received.

By the Clerk
Letter dated August 11, 2011, from Sovereign Consulting, Inc., 111-A North Gold Drive, Robbinsville, NJ, requesting an encroachment permit for environmental work within the public Right-of-Way of Fairmount Avenue to install two (2) groundwater monitoring wells in the vicinity of the Shell Service Station at 574 Newark Avenue.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated August 22, 2011, from the County of Union, requesting that your Honorable Body consider sponsoring legislation designating September 16, 2011 as POW/MIA Remembrance Day; ceremony to be held at 11:15 a.m. in front of the Courthouse on Broad Street; in case of rain, the ceremony will be held in the Rotunda, 1st floor of the Courthouse.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter September 13, 2011, 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, September 9, 2011.
Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 4246 - Grant an encroachment permit to Sovereign Consulting, Inc., 111-A North Gold Drive, Robbinsville, N.J., for the installation of two (2) groundwater monitoring wells in the public right-of-way of Fairmount Avenue in the vicinity of the Shell Service Station at 574 Newark Avenue.

ORD. NO. 4247 - Rescind Ord. No. 4212, adopted May 11, 2011, which authorized the execution of a lease agreement with the National Retail Skills Federation,

ORD. NO. 4248 - Authorize the proper City officials to enter into a lease agreement with JG Elizabeth, LLC., 180 East Broad Street, Columbus, Ohio, for space at the Jersey Gardens Mall, commencing November 1, 2011, with an expiration date of October 31, 2016, at no cost to the City.

ORD. NO. 4249 - Authorize the proper City officials to enter into a long term tax abatement agreement (PILOT) with Danic URC for Danic Two Urban Renewal Corporation, 64-138 Atalanta Plaza, to provide an estimated Annual Service Charge to the City in an amount in excess of $200,000.00 for thirty (30) years.

ORD. NO. 4250 - Authorize an amendment to Chapter 12.56.040 (2), of the Code of the City of Elizabeth, entitled "Festivals," specifically to amend non-food vendors license fees.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, SEPTEMBER 27, 2011, AT 7:30 P.M.

ORD. NO. 4251 - Authorize a Bond Ordinance in the amount of $200,000.00, with a down payment of $100,000.00, for acquisition of various vehicles and equipment for the Department of Public Works.

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4252 - Authorize a Capital Ordinance in the amount of $1,000,000.00 authorizing acquisition of various vehicles and equipment for the Department of Public Works.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, OCTOBER 11, 2011, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 4235 - Authorize amendments to Chapter 2.100 of the Code of the City of Elizabeth, entitled "Fees for Municipal Records, Pamphlets and Codes," specifically Chapter 2.100.020, entitled Fees Established and Chapter 2.56.060 of the Code of the City of Elizabeth, entitled "Police Department Services – Fees Established," specifically to comply with State law.

ORD. NO. 4236 - Authorize an ordinance to endorse and file the 500 feet and 1,000 feet Drug Free Zone Maps prepared by the Bureau of GIS of Union County in accordance with the Drug Free Zone Map Law.

ORD. NO. 4237 - Authorize amendments to Chapter 10.28.050, Schedule III, of the Code of the City of Elizabeth, entitled "No Stopping or Standing," specifically to add Caldwell Place, both sides; No Parking All Times, between Elizabethtown Plaza and Broad Street; West Jersey, both sides, No Parking All Times, between Elizabethtown Plaza and Broad Street, and Elizabethtown Plaza, both sides, No Parking All Times, between West Jersey and Caldwell Place; and Chapter 10.28.070, entitled "Forty-five Degree Angle Parking," specifically to delete Caldwell Place, south side, between Elizabethtown Plaza and Broad Street.

ORD. NO. 4238 - Authorize the execution of a lease agreement between the City of Elizabeth and the Elizabeth New Jersey Corps of the Salvation Army, a New York Corporation, for the use of the City-owned property located at 1018 East Grand Street, to provide emergency shelter for homeless individuals, for the period June 18, 2011 to June 18, 2013, at an annual fee of $1.00.

ORD. NO. 4239 - Grant an encroachment permit to Mr. Martinho Pereira, owner of Valenca Restaurant, 661-665 Monroe Avenue, Elizabeth, N.J., to install a canopy and decorative lighting in the public right-of-way of 661-665 Monroe Avenue.

ORD. NO. 4240 - Grant an encroachment permit to Tyree Environmental Corporation, 2702 Cindel Drive, Cinnaminson, N.J., on behalf of Getty Petroleum Marketing, Inc., for a Sidewalk and Road Opening Permit to perform soil sampling activities in front of the Getty Station at 1101 East Jersey Street.

ORD. NO. 4241 - Grant an encroachment permit to The Elm Group. 218 Wall Street, Princeton, N.J., on behalf of the former Monarch Metal Fabricators, Inc., for the installation of one (1) soil boring at 10-20 South Spring Street.

ORD. NO. 4242 - Rescind Ordinance No. 4205, adopted March 22, 2011, which authorized the establishment of a personalized handicapped parking space for Kazimierz Ciuba, 21 South Second Street.

ORDINANCES ON FINAL (Cont'd.)

ORD. NO. 4243 - Rescind Ordinance No. 4080, adopted November 10, 2009, which authorized the establishment of a personalized handicapped parking space for Carol A. Lockett, 123 Acme Street.

ORD. NO. 4244 - Rescind Ordinance No. 3259, adopted October 10, 2000, which authorized the establishment of a personalized handicapped parking space for Enrique Milanes, 419 Franklin Street.

ORD. NO. 4245 - Amend Chapter 3.12 of the Code of the City of Elizabeth, which provides for tax abatements for certain residential properties, by extending the expiration date retroactive from June 14, 2010 to June 14, 2015.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2012 Capital Budget in the amount of $3,000,000.00.

Introduce and approve the Fiscal Year 2012 Municipal Budget in the amount of $215,686,488.60; Fiscal Year 2012 Sewer Utility Budget in the amount of $19,500,000.00 and Capital Budget in the amount of $34,851,900.00.

(PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY EVENING, NOVEMBER 9, 2011.)

Confirm the appointment of Jorge A. Estrada to the position of Special Counsel in the Law Department of the City of Elizabeth, effective September 7, 2011.

MOTION TO REMOVE FROM THE TABLE

Authorize the proper City officials to enter into an Intergovernmental Agreement with the County of Union, to create a fiber ring to transmit information throughout the major governmental facilities at the County and municipal levels at a cost not to exceed $250,000.00 for the installation of fiber strands and use and maintenance charges not to exceed $8,100.00 quarterly with a 6% increase per year for a five year period commencing January 1, 2012 to December 31, 2016, with an option to extend the agreement for two successive annual terms or one two-year term, not to exceed five years.

Authorize the award of respective contracts to Logomania, Inc., 110 ½ Erie Street, Jersey City, N.J.; Na Vet Printing Company, LLC, 506 Elizabeth Avenue, Elizabeth, N.J., and Graphiry Printing, 308 Morris Avenue, Elizabeth, N.J., for the furnishing of printing services for various departments for a period of two years in an amount not to exceed $55,000.00 per year for all vendors.

Reject all bids received on August 5, 2011, for the printing of Recycling Brochures and authorize the Purchasing Agent to readvertise with revised specifications.

Authorize the award of a contract to WPCS International, Inc., 1985 Swarthmore Avenue, Lakewood, N.J., for the purchase of radio communication equipment and accessories for the Fire Department and the Ambulance Service Bureau for the period August 1, 2011 through January 1, 2012, at a cost not to exceed $50,000.00.

Authorize the award of a contract to Campbell Freightliner, LLC, 145 Talmadge Road, Edison, N.J., for maintenance and repair services for heavy duty trucks for various departments for the period August 15, 2011 through February 29, 2012, at a cost not to exceed $75,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Ben Shaffer & Associates, Inc., P.O. Box 844, Lake Hopatcong, N.J., for the purchase of park and playground equipment and parts for the Recreation and Public Works Departments for the period August 15, 2011 through March 31, 2012, at a cost not to exceed $50,000.00.

Authorize the award of a contract to Marturano Recreation Company, P.O. Box 106, Spring Lake, N.J., for the purchase of playground and park equipment for the Recreation Department for the period September 1, 2011 through March 31, 2012, at a cost not to exceed $50,000.00.

Authorize the award of a contract to Dell Marketing, L.P., One Dell Way, Round Rock, Texas, for the purchase of Dell computers, servers and replacement parts for various City department for the period September 1, 2011 to August 31, 2013, at a cost not to exceed $250,000.00.

Authorize the award of a contract to Guard Line Fire and Safety Company, 75 Main Avenue, Elmwood Park, N.J., under the Morris County CO-OP, for the purchase of MSA SCBA (Self Contained Breathing Apparatus) parts, personal protection items and equipment for the Emergency Personnel, at a cost not to exceed $40,000.00.

Authorize the award of a contract to New Jersey Coffee Company, Inc., d/b/a United Vending, 5005 Belmar Boulevard, Farmingdale, N.J., for vending machines at the Elizabeth Maintenance Facility and other public buildings to be added at a later date for the period July 8, 2011 to July 7, 2012, at no cost to the City and with a commission to the City.

Authorize the award of a contract to WavHost Corporation, P.O. Box 66, Clemons Road, Frankfort, N.Y., to provide professional engineering services/computer programming in connection with the Camera Surveillance Project, at a cost not to exceed $145,000.00.

Authorize the award of a contract to David Weber Oil Company, 601 Industrial Road, Carlstadt, N.J., for the purchase of automotive lubricants, oils, grease and hydraulic oils for various departments for the period August 30, 2011 to February 29, 2012, at a cost not to exceed $40,000.00.

Authorize the award of a contract to Sherwin Williams Company, 1001 Nebula Road, Manchester, GA, for the purchase of traffic paint , through the Union County Cooperative Purchasing Contract, for the Department of Public Works for the period August 30, 2011 to August 29, 2013, at a cost not to exceed $50,000.00.

Authorize the award of a contract to Highway Service Corporation, 548 Trumbull Street, Elizabeth, N.J., for the furnishing of towing and road services for municipal vehicles, for the period of one year, with an option to renew for two or three years, at a cost not to exceed $30,000.00 per year.

Authorize the proper City officials to enter into a agreement with the Elizabeth NAACP, P.O. Box 6732, Elizabeth, to provide funds for a Youth Conference, themed "Finding the Peace Within You!" for the period October 1, 2011 to October 31, 2011, in the amount of $4,000.00.

Authorize the proper City officials to execute an agreement with Union County College, for services rendered at the City of Elizabeth's Financial Planning Day to be held on Saturday, October 22, 2011, from 9:00 a.m. to 1:00 p.m., at the Kellogg Building, Union County College, at a cost of $3,400.00.

Authorize the proper City officials to execute an agreement with Jefferson Park Day Care Center, 485 Madison Avenue, Elizabeth, for funds in the amount of $10,377.00 to be used to pay insurance costs for the period September 2, 2011 to January 3, 2012.

NEW BUSINESS (Cont'd.)

Authorize Change Order No. 1 to the contract awarded to Arco Electrical Contractors, Inc. for the Broad Street Improvement area at a cost of $1,957,883.50, to provide further for additional labor and materials at an additional cost of $153,240.60.

Authorize the proper City officials to enter into a Right-of-Way Agreement with Cross River Fiber, LLC, 33 Wood Avenue South, Iselin, N.J., to utilize the public right-of-way to install fiber optic cabling on existing poles and in underground conduits owned by utility companies within the City.

Authorize the proper City officials to enter into a Mutual Aid Agreement between the City of Elizabeth and the County of Union for debris removal services.

Authorize the proper City officials to execute a Memorandum of Understanding and an Indemnification Agreement with the County of Union to participate in leaf disposal at the Union County Leaf Composting Facility at a cost of $2.00 per yard (loose) and $4.00 per yard (compacted) at a cost not to exceed $7,000.00.

Authorize the award of a contract to Evanston Insurance Company, 10 Parkway N, Deerfield, IL, through the agent-of-record, Otterstedt Insurance Agency, Inc., for an insurance policy covering City Nurses, for the period August 3, 2011 to August 3, 2012, at an annual premium of $14,455.00.

Authorize the proper City officials to submit an application for grant funds for the continuation of the Housing Opportunities for People With Aids (H.O.P.W.A.) Program for the period January 1, 2012 to December 31, 2012.

Authorize the proper City officials to execute all appropriate documents for the Drive Sober or Get Pulled Over 2011 Year End Statewide Crackdown Grant in the amount of $5,000.00, sponsored by the New Jersey Division of Highway Traffic Safety for the period December 5, 2011 through January 2, 2012.

Authorize the proper City officials to execute all appropriate documents for the Year 2011 Assistance to Firefighters Program Grant in an amount not to exceed $85,000.00, to fund the purchase of an oxygen generator and filling system to provide more efficient and effective response and safety services to the City.

Authorize the proper City officials to execute all necessary documents for the Fiscal Year 2012 State Aid to Counties and Municipalities Funding, under the New Jersey Department of Transportation Trust Fund Authority Act, to mill and resurface Broad Street from Elizabeth Avenue to Commerce Place; North Broad Street from Commerce Place to Westfield Avenue; West Jersey Street from Broad Street to Cherry Street, and West Grand Street from Broad Street to the Elizabeth River, in an amount not to exceed $400,000.00.

Authorize the proper City officials to execute all necessary documents for the New Jersey Department of Transportation's Safe Streets to Transit Program to provide funding to implement sidewalk, curbing, lighting and aesthetic improvements on East Grand Street in front of the Elizabeth Police Headquarters, in an amount not to exceed $400,000.00.

Authorize the proper City officials to execute all necessary documents for the New Jersey Department of Transportation's Bikeway Grant Program of constructing dedicated bike paths to provide funding to expand the Elizabeth River Trail Project, between Bridge Street and South Street, by implementing Phase II to include design elements, benches, bike racks and garbage receptacles, in an amount not to exceed $500,000.00.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute all necessary documents for the New Jersey Department of Transportation National Infrastructure Investments, TIGER Discretionary Grants to provide funding to include the construction of a new sewer system within the Midtown section to increase the conveyance capacity of the sewer system, in an amount not to exceed $10,055,000.00.

Adopt a resolution to approve for services by Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, N.J., to provide additional limited soil and groundwater sampling in areas of the property located at 60-90 Broadway not previously sampled, at a fixed fee of $19,450.00.

Authorize the postponement of a Home Rental Housing Program mortgage held by the City on the property located at 278 First Street.

Amend a resolution adopted May 24, 2011, with the Elizabeth Development Company which allocated $390,000.00 to the First Street Project, specifically for the purpose of transferring $135,000.00 into the Elizabeth Development Company Loan Program.

Amend a resolution adopted February 9, 2010, which allocated Homeless Prevention and Rapid Re-Housing funds to the Elizabeth Coalition to House the Homeless, specifically for the purpose of reprogramming $7,000.00 for case management and rental assistance and extend the term of the contract to March 16, 2012.

Amend a resolution adopted March 14, 2006, which authorized the transfer of Green Acres funds from the Veterans Memorial Park Project to the Elizabeth River Trail Project, specifically for the purpose of obtaining additional loans and/or grants in the amount of $517,196.00.

Amend a resolution adopted March 8, 2011, which authorized a Rental Housing Program Deferred Payment Loan to Y-Homes, Inc., for the rehabilitation of the residential portion of the YMCA main building, specifically to change the name of the owner to YMCA of Eastern Union County.

Reject all bids received on July 21, 2011, for the Police-authorized towing and storage services for the Police Department and authorize the Purchasing Agent to readvertise with revised specifications.

Rescind the resolution adopted on June 28, 2011, authorizing the award of a contract to Ribcraft USA, LLC, for the purchase of one Rescue Water Craft for the Fire Department in the amount of $77,694.82, and authorize the Purchasing Agent to readvertise for same due to submission of an invalid bid security.

Rescind the resolution adopted on April 26, 2011, authorizing the award of a contract to US Municipal Supply, Inc., for the purchase of high performance mechanical street sweepers for the Department of Public Works, at a cost of $339,740.00, as they are no longer in production and authorize the Purchasing Agent to readvertise with revised specifications and the City will withdraw their request for forfeiture of the vendor's bid bond.

Authorize the proper City officials to permit Dynasty Transportation Service, LLC., (Dynasty), 115 Palisade Road, Elizabeth, to operate as an Autobus, pursuant to Chapter 5.16 of the Code of the City of Elizabeth, travelling to and from Harrison, Linden, Edison, Bayonne and North Brunswick, N.J. and utilizing a commercial parking lot at 201-207 Rahway Avenue, Elizabeth.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to permit R & B Transportation, LLC., (R & B), 6 Church Street, Edison, N.J., to operate as an Autobus, pursuant to Chapter 5.16 of the Code of the City of Elizabeth, travelling to and from Cranbury, East Brunswick, North Brunswick and Dayton, N.J. and utilizing parking at 6 Church Street, Edison, N.J.

Authorize the proper City officials to permit Nubilus Transportation, LLC., (Nubilus), 114 Rector Street, Perth Amboy, N.J., to operate as an Autobus, pursuant to Chapter 5.16 of the Code of the City of Elizabeth, travelling to and from Avenel, Cranbury, Dayton and Wood Ridge, N.J. and utilizing parking at 114 Rector Street, Perth Amboy, N.J.

Establish liens for the removal and disposal of debris on properties listed on Schedule A, in the total amount of $15,944.56.

Establish liens for the removal and disposal of debris on properties listed on Schedule A, in the total amount of $18,830.54.

Authorize settlement in the workers compensation litigation matter of Kerin S. Dawe vs. the City of Elizabeth, in the total amount of $16,491.25.

Proclaim September 16, 2011, as POW/MIA Remembrance Day.

Pay utility bills.

COMMENDATIONS

MEMORIALS

Antonietta Annucci
Rev. Patrick Diver, former Pastor of St. Anthony of Padua Church
Gerardo "Gerry" Guiducci
Caridad Guitian
Derek Graham
Jacob Donald Walker
Giuseppe "Joe" Cicchetti

ADJOURNMENT