

**CITY COUNCIL - ELIZABETH, N. J.**

**REGULAR MEETING - TUESDAY, AUGUST 23, 2011**

**7:30 P. M.**

**AGENDA**

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

**PUBLIC HEARINGS**

- ORD. NO. 4230 - Authorize an ordinance to exceed the Fiscal Year 2012 Municipal Budget Cost of Living Allowance (COLA) and to establish a Cap Bank when the COLA is equal to or less than 2.5 per cent, pursuant to N.J.S.A. 40A:4-45.14.
- ORD. NO. 4233 - Authorize the establishment of a personalized handicapped parking space for Rolando Anderson, 429 Marshall Street.
- ORD. NO. 4234 - Authorize the proper City officials to enter into a long term tax abatement agreement (PILOT) with the Renaissance Apartments Urban Renewal, LLC, c/o Brand New Day, 176 First Street, Elizabeth, N.J., for the renovation and rehabilitation of 170 First Street, 201 First Street, 101 Broadway.

**THE ELIZABETH AVENUE SPECIAL IMPROVEMENT DISTRICT FISCAL YEAR 2012 BUDGET IN THE AMOUNT OF \$414,062.50.**

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated July 14, 2011, from His Honor the Mayor, subject to confirmation, is reappointing Candido Rodriguez, Jr., Esq., and Diene Hernandez-Rodriguez, Esq., 442 Westfield Avenue, Elizabeth, NJ; Chanima K. Odoms, Esq., 1812 Front Street, Scotch Plains, NJ; Deidre M. Mason, Esq., 1812 Front Street, Scotch Plains, NJ; Celeste Dudley-Smith, Esq., 2810 Morris Avenue, Suite 311, Union, NJ; Nuno Afonso, Esq., 546-548 Elizabeth Avenue, First Floor, Elizabeth, NJ; Lindal Scott Foster, Esq., 1139 East Jersey Street, Suite 401, Elizabeth, NJ; Maria M. Dias, Esq., 701 Westfield Avenue, Elizabeth, NJ, to serve as Municipal Public Defenders for the Municipal Court for the period covering July 1, 2011 to June 30, 2012, at a rate of \$300.00 per session; Candido Rodriguez, Esq., shall be designated Chief Municipal Public Defender at the additional compensation of \$5,000.00, for a total amount not to exceed \$140,000.00.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated July 18, 2011, from the Business Administrator recommending the award of a contract to Ricoh America's Corporation, c/o Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, NJ, for the maintenance of the City's owned photocopiers for the period of July 1, 2011 through June 30, 2012, in the amount not to exceed \$40,000.00; Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, NJ, for the leasing of new photocopiers for the period of July 1, 2011 through December 31, 2011, in the amount not to exceed \$20,000.00, for a total expenditure not to exceed \$60,000.00.

Which was received.

By the Clerk:

Letter dated July 20, 2011, from the Business Administrator recommending the award of a contract to Atlantic Detroit Diesel Allison, LLC, 33 Gregg St., Lodi, NJ, for the maintenance and repair for heavy duty vehicles for various departments for the period of July 13, 2011 through February 29, 2012, at a cost not to exceed \$50,000.00.

Which was received.

By the Clerk:

Letter dated July 20, 2011, 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 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 Newark Star Ledger contingent upon City Council's approval.

Which was received.

By the Clerk:

Letter dated July 20, 2011, from the Business Administrator recommending the contract renewal with the law firm of Genova, Burns & Giantomasi, 494 Broad Street, Newark, NJ, to provide the same employment counsel for the fiscal year July 1, 2011 to June 30, 2012, at a rate of \$175.00 per hour for attorneys, \$75.00 per hour for paralegals and \$25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of \$95,000.00.

Which was received.

By the Clerk:

Letter dated July 20, 2011, from the Business Administrator recommending the award of a contract to Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ, for the purchase of one (1) 2012 Chevrolet Tahoe PPV for the Fire Department at a cost of \$30,769.00.

Which was received.

By the Clerk:

Letter dated July 21, 2011, from the Business Administrator recommending the award of a contract to Archonix Systems, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 105, Marlton, NJ, for maintenance and Annual License for Software for Police Computer Assisted Records Management and Dispatch System Software and XMobile Clients for a period of one year in the amount of \$72,019.00.

Which was received.

By the Clerk:

Letter dated July 26, 2011, from the Business Administrator recommending the award of a contract DFFLM, LLC, t/a Ditschman Flemington Ford, 215 Routes 202 & 31, Flemington, NJ, for one (1) Conversion Package for the City's 2011 GMC Pickup Truck for the Fire Department in the amount of \$22,735.00.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated July 26, 2011, from the Business Administrator recommending that City Council adopt a resolution authorizing an Intergovernmental Agreement between the City of Elizabeth and The County of Union for the purpose of fiber technology to be used to create a fiber ring for the ability to transmit information throughout major governmental facilities at the county and municipal levels for the creation of virtual private networks and for security cameras; the City will reimburse the County of Union for the installation of fiber strands in an amount not to exceed \$250,000 and use and maintenance charges not to exceed \$8,100 quarterly with a 6% increase per year for a five (5) year period commencing January 1, 2012 to December 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years.

Which was received.

By the Clerk:

Letter dated July 27, 2011, from the Business Administrator recommending the award of a contract to Kimball/National, 1600 Royal Street, Jasper, IN, for the purchase of office furniture for the Police Detective Bureau in the amount of \$4,117.20, and with Herman Miller, c/o BFI, Business Furniture, Inc., 10 Lanidex Center West, Parsippany, NJ, for the purchase of office furniture for the Police Detective Bureau in the amount of \$5,438.32; for a total cost of \$9,555.52.

Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending the award of a contract with Horizon HealthCare Dental Services, 1427 Wyckoff Road, Farmingdale, NJ, to provide a Dental Insurance Program for employees for a two (2) year period, commencing July 1, 2011 to June 30, 2013, in a total amount not to exceed \$925,000.00 per year, or a total amount not to exceed \$1,850,000.00 covering a two (2) year period.

Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending that City Council adopt a resolution authorizing an Intergovernmental Agreement between the City of Elizabeth and the Parking Authority of the City of Elizabeth for the purpose of installation and maintenance of Security Cameras for \$1 per year; the Parking Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System for a five (5) year, period commencing September 1, 2011 to August 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years; the Parking Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System.

Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending that City Council adopt a resolution authorizing an Intergovernmental Agreement between the City of Elizabeth and the Housing Authority of the City of Elizabeth for the purpose of installation and maintenance of Security Cameras for \$1 per year for a five (5) year period from September 1, 2011 to August 31, 2016, with the right to extend this Agreement for either two (2) successive annual terms or one two-year term for a total term not to exceed five (5) years; the Housing Authority will reimburse the City for any future fiber installation and maintenance for the purpose of Security Camera System.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator requesting that City Council consider adopting a resolution in support of Senator Lautenberg's Senate resolution calling to express a moment of remembrance in honor of the 10<sup>th</sup> Anniversary of September 11, 2001, on September 11, 2011.

Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Business Administrator recommending the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, NJ, for the purchase of automotive and light duty truck parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed \$150,000.00.

Which was received.

By the Clerk:

Letter dated July 29, 2011, from the Business Administrator recommending the award of a contract to Buywise Auto Parts, 2091 Springfield Avenue, Vauxhall, NJ, for the purchase of automotive and light duty truck parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed \$100,000.00.

Which was received.

By the Clerk:

Letter dated July 29, 2011, from the Business Administrator recommending the award of a contract to Malouf Ford-Lincoln-Mercury, P.O. Box 7480, North Brunswick, NJ, for the purchase of automotive and light duty truck parts for various departments for the period of July 22, 2011 through July 26, 2012, in an amount not to exceed \$50,000.00.

Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, NJ, covering the Medical Services for the City of Elizabeth for the period September 1, 2011 to August 31, 2012, in an amount not to exceed \$95,000.00.

Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator recommending the award of a contract to AAM Motor Sales, d/b/a Jersey City Ford, 315 Clendenny Avenue at Route 440, Jersey City, NJ, for maintenance and repair services for vehicles for the period of June 30, 2011 to August 1, 2012, at a cost not to exceed \$40,000.00.

Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator recommending the award of a contract to Scibal Associates, Inc., 30 Knightsbridge Road, Piscataway, NJ, to provide for the administration of the City's Third Party Administration of the Workers' Compensation and Auto Liability/Property Program for a period of three (3) years, commencing August 1, 2011 through July 31, 2014, in the amount of \$190,000.00 per year.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator recommending the awarding a contract to Storr Tractor Company, 3191 Route 22, Branchburg, NJ, to purchase ground equipment for various departments for the period of July 22, 2011 through July 31, 2012, at a cost not to exceed \$100,000.00.

Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Business Administrator recommending the award of a contract to AAM Motor Sales, d/b/a Jersey City Ford, 315 Clendenny Avenue at Route 440, Jersey City, NJ, for the purchase of miscellaneous automotive parts for all departments for the period of August 1, 2011 to August 1, 2012, at a cost not to exceed \$10,000.00.

Which was received.

By the Clerk:

Letter dated August 2, 2011, from the Business Administrator recommending the award of a contract to Motorola Communications & Electronics, Inc., P.O. Box 305, Bordentown, NJ, for the purchase of communications equipment and accessories for various departments for the period of August 1, 2011 through January 31, 2012, at a cost not to exceed \$400,000.00.

Which was received.

By the Clerk:

Letter dated August 2, 2011, from the Business Administrator recommending the award of a contract to National Fuel Oil, Inc., 175 Orange Street, Newark, NJ, for the purchase of gasoline for the Public Works Marina for the period of August 1, 2011 through October 31, 2011, at a cost not to exceed \$75,000.00.

Which was received.

By the Clerk:

Letter dated August 2, 2011, from the Business Administrator requesting authorization for the proper City officials to enter into and execute a Shared Services Agreement for Printing and Signage Services by and between the City of Elizabeth and the County of Union.

Which was received.

By the Clerk:

Letter dated July 26, 2011, from the City Attorney requesting an amendment to a resolution adopted July 27, 2010, approving a contract with Raymond S. Londa to provide "Professional Services" at an hourly rate of \$175.00 plus disbursements, with a cap of \$65,000.00, specifically to increase the cap to provide for attorney fees in excess of the cap and out of pocket expenses at an additional cost of \$2,306.98, raising the amount of the contract to \$67,306.98.

Which was received.

By the Clerk:

Letter dated July 28, 2011, from the Second Assistant City Attorney requesting amendments to Chapter 2.100.20 of the Code of the City of Elizabeth, entitled "Fees for Municipal Records, Pamphlets and Codes" and Chapter 2.56.060, entitled "Police Department Services-Fees Established", so that the City Code is in compliance with state law.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated August 1, 2011, from the Second Assistant City Attorney requesting, on behalf of Councilman Grova, to enter into an access agreement with Conrail for the purpose of entering its right-of-way, known as Chemical Coast Secondary, for the purpose of painting the sound barriers of the New Jersey Turnpike, between First and Third Avenue on Glen Zamorski Drive.  
Which was received.

By the Clerk:

Letter dated July 21, 2011, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions for the Tax Year 2010, as per the delineated lists in the amount of \$2,750.00.  
Which was received.

By the Clerk:

Letter dated August 2, 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 August 2, 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 August 2, 2011, from the Chief Financial Officer advising that a Dedication by Rider resolution may be necessary.  
Which was received.

By the Clerk:

Letter dated July 22, 2011, from the Director of Health and Human Services recommending the award of a contract to Pedro Beckford, MD, 39 Third Street, Elizabeth, NJ, for Pediatric Physician Services for the period July 1, 2011 through June 30, 2012, at a rate of \$100.00 per hour, not to exceed \$40,000.00, unless further authorized by your Honorable Body.  
Which was received.

By the Clerk:

Letter dated July 22, 2011, from the Director of Health and Human Services recommending the award of a contract to Stephen J. Hricko, MD, 227 Edgewood Road, Linden, NJ, for Pediatric Physician Services/Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012, at a rate of \$100.00 per hour, not to exceed \$40,000.00, unless further authorized by your Honorable Body.  
Which was received.

By the Clerk:

Letter dated July 22, 2011, from the Director of Health and Human Services recommending the award of a contract to Francisco A. Saavedra, MD, 605 Irvington Avenue, Hillside, NJ, for Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012, at a rate of \$200.00 per hour, not to exceed \$60,000.00, unless further authorized by your Honorable Body.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated July 27, 2011, from the Director of Health and Human Services recommending the award of a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, NJ, for the performance of Senior Health Promotion/Risk Reduction Services for the period July 1, 2011 through June 30, 2012, at a rate of \$80.00 per hour, not to exceed \$11,520.00, unless further authorized by your Honorable Body.

Which was received.

By the Clerk:

Letter dated July 27, 2011, from the Director of Health and Human Services recommending the award of a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, NJ, for the performance of Health Educator Services for the period of July 1, 2011 through June 30, 2012, at a rate of \$70.00 per hour; not to exceed \$10,395.00, unless further authorized by your Honorable Body.

Which was received.

By the Clerk:

Letter dated August 6, 2011, from the Director of Health and Human Services requesting authorization to enter into an agreement between the City of Elizabeth, Department of Health and Human Services and the Elizabeth Board of Education to provide for nursing services to non-public schools for the period of September 1, 2011 through June 30, 2012, the Department of Health and Human Services will receive \$119,533.00.

Which was received.

By the Clerk:

Letter dated July 19, 2011, from the Acting Director of Neighborhood Services requesting permission to place a lien on the properties located a 106 Court Street and 160-166 First Street in the amount of \$25,500.00 for the demolition of said properties.

Which was received.

By the Clerk:

Letter dated July 19, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to extend the lease agreement, adopted December 22, 1983 by Ordinance No. 1578, for the rental of space at 1018 East Grand Street to the Salvation Army, Inc., at an annual rental fee of one dollar (\$1.00) through June 18, 2013.

Which was received.

By the Clerk:

Letter dated July 29, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute a contract with Rutgers University, 33 Livingston Avenue, New Brunswick, NJ, for a Baseline Study and Data Mapping Services of the Emma Street Area for approximately six (6) months commencing June 20, 2011 through December 31, 2011, at a cost not to exceed \$10,000.00.

Which Was Referred To Council As A Whole.

By the Clerk

Letter dated July 29, 2011, from the Director of Planning and Community Development requesting an amendment to a resolution adopted August 24, 2010, which authorized a Rental Housing Program Deferred Payment Loan to New Jersey Community Development Group, LLC, for the acquisition and rehabilitation of property located at 1008-1014 ½ Emma Street in the amount of \$350,000; specifically to change the address to 1006-1014 Emma Street and increase the loan amount an additional \$35,000 to enable the developer to utilize the City's HOME Program Green Construction Supplement and incorporate green materials and design features into this project.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated July 29, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to submit an Urban Enterprise Zone Proposal for Zone Assistance Funds; Customer Service Skills Training Initiative Program - Phase 4 in the amount of \$297,900.00.

Which was received.

By the Clerk:

Letter dated July 8, 2011, 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 \$12,464.77.

Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Director of Public Works requesting authorization for the proper City officials 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.

Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Director of Public Works recommending the award of a contract to The Musial Group, PA, 191 Mill Lane, Mountainside, NJ, to provide architectural and construction management services in connection with the Midtown Train Station Streetscape Project at a cost not to exceed \$78,020.00.

Which was received.

By the Clerk:

Letter dated August 1, 2011, from the Director of Public Works requesting approval of a contract amendment with Kupper, LLC, 1200 Lenox Drive, Suite 101, Trenton, NJ, to provide professional engineering services in connection with sewer rates and assessments in the amount of \$30,000.00, specifically to additional services at an additional cost not to exceed \$25,000.00, thereby raising the amount of the contract to \$55,000.00.

Which was received.

By the Clerk:

Letter dated August 2, 2011, from the Director of Public Works requesting approval of Change Order No. 2 - Final for the contract awarded to Montana Construction Corporation, for the Verona Avenue/Gebhardt Avenue Storm Sewer Improvement Project at an original cost of \$5,823,050.00, to provide further for additional labor and materials at an additional cost of \$464,637.40, which combined with the previous change order, raises the contract to \$6,474,129.30.

Which was received.

By the Clerk:

Letter dated July 21, 2011, from the Police Director requesting the establishment of reserved/personalized handicapped parking spaces and deletions at the following locations; 21 S. Second Street, 32 Cedar Avenue, 14 Rankin Street, 920 Adams Avenue, 1448 Lexington Place; deletions: 746 Jackson Avenue, 419 Franklin Street, 123 Acme Street.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated July 28, 2011, from Lt. Dugan, Traffic Division, requesting an amendment to Chapter 10.28.050 Schedule III – No Parking or Stopping; to add Caldwell Place, both sides, No Parking All Times, between Elizabethtown Plaza and Broad Street; West Jersey Street, both sides, No Parking All Times, between Elizabethtown Plaza and Broad Street; add Elizabethtown Plaza, both sides, No Parking All Times, between West Jersey Street and Caldwell Place; amend Chapter 10.28.070 entitled Forty-Five Degree angle parking, specifically to delete Caldwell Place, south side, between Elizabethtown Plaza and Broad Street.  
Which was received.

By the Clerk:

Letter dated February 2, 2010, from Mr. Martinho Pereira, 661-665 Monroe Avenue, Elizabeth, requesting an Encroachment Permit to install a canopy and decorative lighting in the public right-of-way of 661-665 Monroe Avenue.  
Which was received.

By the Clerk:

Letter dated July 5, 2011, from Tyree Environmental Corp., 2702 Cindel Drive, Suite 7, Cinnaminson, NJ, requesting, on behalf of Getty Petroleum Marketing, Inc., a Sidewalk and Road Opening Permit to perform soil sampling activities in the sidewalk and road area in front of the Getty Station, located at 1101 East Jersey Street  
Which was received.

By the Clerk:

Letter dated July 19, 2011, from The Elm Group, 218 Wall Street, Princeton, NJ, requesting, on behalf of the former Monarch Metal Fabricators, Inc., an Encroachment Permit for the installation of one (1) soil boring at 10-20 South Spring Street.  
Which was received.

By the Clerk:

Letter dated July 29, 2011, from the Morris Midtown Business Association, P.O. Box 443, Elizabeth, NJ, requesting permission to host the 9<sup>th</sup> Annual Colombian Independence Day Festival to be held Sunday, July 29, 2012, between 12 Noon and 9:00 p.m., rain dates scheduled for Sunday, August 5 or Sunday, August 12, 2012,  
Which was received.

By the Clerk:

Letter dated June 20, 2011, from Victor Ramirez, 624 Pennsylvania Avenue, Elizabeth, NJ, requesting to be appointed as a Constable for a term of three years.  
Which was received.

**REPORTS OF CITY OFFICERS**

By the Clerk:

Letter August 23, 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, August 19, 2011.  
Which was received.

**REPORTS OF CITY OFFICERS (Cont'd.)**

By the Clerk:

Letters dated July 21, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of May, 2011, and Statement of Bank Balances and Investments as of May 31, 2011.

Which was received.

By the Clerk:

Letters dated July 21, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of June, 2011, and Statement of Bank Balances and Investments as of June 30, 2011.

Which was received.

By the Clerk:

Minutes: Fair Rental Housing Board, May 18, 2011.

Which was received.

**ORDINANCES ON FIRST READING**

- 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.

**ORDINANCES ON FIRST (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.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, SEPTEMBER 13, 2011, AT 7:30 P.M.**

**ORDINANCES ON FINAL PASSAGE**

- ORD. NO. 4230 - Authorize an ordinance to exceed the Fiscal Year 2012 Municipal Budget Cost of Living Allowance (COLA) and to establish a Cap Bank when the COLA is equal to or less than 2.5 per cent, pursuant to N.J.S.A. 40A:4-45.14.
- ORD. NO. 4233 - Authorize the establishment of a personalized handicapped parking space for Rolando Anderson, 429 Marshall Street.
- ORD. NO. 4234 - Authorize the proper City officials to enter into a long term tax abatement agreement (PILOT) with the Renaissance Apartments Urban Renewal, LLC, c/o Brand New Day, 176 First Street, Elizabeth, N.J., for the renovation and rehabilitation of 170 First Street, 201 First Street, 101 Broadway.

**NEW BUSINESS**

Adopt the Elizabeth Avenue Special Improvement District Fiscal Year 2012 Budget in the amount of \$414,062.50.

Authorize Temporary Emergency appropriations for the 2012 Fiscal Year Municipal and Sewer Utility Budgets in the amount of \$2,581,935.76.

Request permission from the Director of Local Government Services to accept a Dedication by Rider in the Fiscal Year 2012 budget for donations/acceptance of bequests and gifts from the Estate of Dorothy D. Black to support the Elizabeth City Pound.

**NEW BUSINESS (Cont'd.)**

Confirm the reappointment of Candido Rodriguez, Jr., Esq., as Chief Municipal Defender; and Diene Hernandez-Rodriguez, Esq., Elizabeth, N.J.; Chanima K. Odoms, Esq., Scotch Plains, N.J.; Deidre M. Mason, Esq., Scotch Plains; Celeste Dudley-Smith, Esq., Union, N.J.; Nuno Afonso, Esq., Union, N.J.; Lindal Scott Foster, Esq., Elizabeth; Maria M. Dias, Esq., Elizabeth, to serve as Municipal Public Defenders for the Municipal Court for the period July 1, 2011 to June 30, 2012, at a rate of \$300.00 per session, for a total amount not to exceed \$140,000.00.

Authorize the award of respective contract to Ricoh America's Corporation, c/o Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, N.J., for the maintenance of City-owned photocopiers in the amount of \$40,000.00 and with Ikon Office Solutions, Inc., 100 Passaic Avenue, Fairfield, N.J., for the leasing new photocopiers in the amount of \$20,000.00, for the period July 1, 2011 through December 31, 2011, at a total cost not to exceed \$60,000.00.

Authorize the award of a contract to Atlantic Detroit Diesel Allison, LLC, 33 Gregg Street, Lodi, N.J., for the maintenance and repair of heavy duty vehicles for various departments, for the period July 13, 2011 through February 29, 2012, at a cost not to exceed \$50,000.00.

Authorize the award of a contract with the law firm of Genova, Burns and Giantomasi, Esqs., 494 Broad Street, Newark, N.J., to provide the City with Employment Counsel with the City's recognized bargaining units for the period July 1, 2011 through June 30, 2012, at a cost not to exceed \$95,000.00.

Authorize the award of a contract to Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, N.J., for the purchase of one (1) 2012 Chevrolet Tahoe PPV, for the Fire Department, at a cost of \$30,769.00.

Authorize the award of a contract to Archonix Systems, LLC., 401 Route 73 North, Marlton, N.J., for maintenance and annual license fees for software for Police Computer Assisted Records Management and Dispatch System Software and XMobile Clients for a one year period at a cost of \$72,019.00.

Authorize the award of a contract to DFFLM, LLC, t/a Ditschman Flemington Ford, 215 Routes 202, Flemington, N.J., for one (1) Conversion Package for a 2011 GMC Pickup Truck for the Fire Department, in the amount of \$22,735.00.

Authorize the award of respective contracts to Kimball International, c/o BFI, 1600 Royal Street, Jasper, IN., and Herman Miller, c/o BFI, Business Furniture Inc., 10 Lanidex Center West, Parsippany, N.J., for the purchase of furniture for the Police Detective Bureau, in the total amount of \$9,555.52.

Authorize the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, N.J., for the purchase of automotive and light duty truck parts for vehicles for various departments, under the Somerset County Co-Op, for the period July 22, 2011 through July 26, 2012, in an amount not to exceed \$150,000.00.

Authorize the award of a contract to Buywise Auto Parts, 2091 Springfield Avenue, Vauxhall, N.J., for the purchase of automotive and light duty truck parts for various departments, under the Somerset County Co-Op, for the period July 22, 2011 through July 26, 2012, in an amount not to exceed \$100,000.00.

Authorize the award of a contract to Malouf Ford-Lincoln Mercury, P.O. Box 7480, North Brunswick, N.J., for the purchase of automotive and light duty truck parts for vehicles for various departments, under the Somerset County Co-Op, for the period July 22, 2011 through July 26, 2012, at a cost not to exceed \$50,000.00.

**NEW BUSINESS (Cont'd.)**

Authorize the award of a contract to AAM Motor Sales, d/b/a Jersey City Ford, 315 Clendenny Avenue at Route 440, Jersey City, N.J, for maintenance and repair services for vehicles for various departments., under the Somerset County Co-Op, for the period June 30, 2011 to August 1, 2012, at a cost not to exceed \$40,000.00.

Authorize the award of a contract to Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, to provide for medical services for City employees and the Police and Fire Departments under the direction of Francisco Munoz, M.D., for the period September 1, 2011 to August 31, 2012, at a cost not to exceed \$95,000.00.

Authorize the award of a contract to Scibal Associates, Inc., 30 Knightsbridge Road, Piscataway, N.J., for the administration of the City's third party administration of the Workers' Compensation and Liability/Property Program, for a period of three (3) years commencing August 1, 2011 through July 31, 2014, in the amount of \$190,000.00 per year.

Authorize the award of a contract to Storr Tractor Company, 3191 Route 22, Branchburg, N.J., for the purchase of Ground Equipment for various departments for the period July 22, 2011 through July 31, 2012, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to AAM Motor Sales, d/b/a Jersey City Ford, 315 Clendenny Avenue at Route 440, Jersey City, N.J, for the purchase of miscellaneous auto parts for all departments for the period August 1, 2011 to August 1, 2012, at a cost not to exceed \$10,000.00.

Authorize the award of a contract to Motorola Communications & Electronics, P.O. Box 305, Bordentown, N.J., for the purchase of Communications Equipment and accessories for various departments for the period August 1, 2011 through January 31, 2012, at a cost not to exceed \$400,000.00.

Authorize the award of a contract to National Fuel Oil, Inc., 175 Orange Street, Newark, N.J., for the purchase of gasoline for the Public Works Marina for the period August 1, 2011 through October 31, 2011, at a cost not to exceed \$75,000.00.

Authorize the proper City officials to enter into a Shared Services Agreement for printing and signage services between the City and the County of Union.

Authorize the proper City officials to enter into an access agreement with Conrail for the purpose of entering its right-of-way, known as Chemical Coast Secondary, for the painting of the sound barriers of the N.J. Turnpike, between First and Third Avenue, on Glen Zamorski Drive.

Authorize the award of a contract to Pedro Beckford, M.D., 39 Third Street, Elizabeth, for Pediatric Physician Services for the period July 1, 2011 through June 30, 2012, at a cost not to exceed \$40,000.00.

Authorize the award of a contract to Stephen J. Hricko, M.D., 227 Edgewood Road, Linden, N.J., for Pediatric Physician Services/Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012, at a cost not to exceed \$40,000.00,

Authorize the award of a contract to Francisco A. Saavedra, 605 Irvington Avenue, Hillside, N.J., for Sexually Transmitted Disease Services for the period July 1, 2011 through June 30, 2012, at a cost not to exceed \$60,000.00.

Authorize the award of a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, N.J., to administer Health Educator Services for the period July 1, 2011 through June 30, 2012, at a cost not to exceed \$10,395.00.

**NEW BUSINESS (Cont'd.)**

Authorize the award of a contract to Visiting Nurse and Health Services System, Inc., 354 Union Avenue, Elizabeth, N.J., for Senior Health Promotion/Risk Reduction Services for the period July 1, 2011 through June 30, 2012, at a cost not to exceed \$11,520.00.

Authorize the proper City officials to execute an agreement between the City of the Elizabeth's Department of Health and Human Services and the Elizabeth Board of Education for the City to provide nursing services for non-public schools for the period September 1, 2011 to June 30, 2012, at a cost payable to the City in the amount of \$119,533.00.

Authorize the award of a contract to The Musial Group, 191 Mill Lane, Mountainside, N.J., to provide architectural and construction management services in connection with the Midtown Train Station Streetscape Project, at a cost not to exceed \$78,020.00.

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 proper City officials to enter into an Intergovernmental Agreement with the Elizabeth Parking Authority for the installation and maintenance of Security Cameras for \$1.00 per year for a five year period commencing September 1, 2011 to August 31, 2016, with an option to extend the agreement for two successive annual terms or one two-year term, not to exceed five years and any future fiber installation and maintenance for the Security Camera System will be reimbursed to the City by the Elizabeth Parking Authority.

Authorize the proper City officials to enter into an Intergovernmental Agreement with the Elizabeth Housing Authority for the installation and maintenance of Security Cameras for \$1.00 per year for a five year period commencing September 1, 2011 to August 31, 2016, with an option to extend the agreement for two successive annual terms or one two-year term, not to exceed five years and any future fiber installation and maintenance for the Security Camera System will be reimbursed to the City by the Elizabeth Housing Authority.

Authorize the award of a contract to Horizon Healthcare Dental Services, 1427 Wyckoff Road, Farmingdale, N.J., to provide City employees with a Dental Insurance Program for the period July 1, 2011 to June 30, 2013, at a cost not to exceed \$925,000.00 per year or a total amount not to exceed \$1,850,000.00 covering a two year period.

Authorize an amendment to a resolution adopted July 27, 2010, authorizing the award of a contract to the law firm of Raymond S. Londa, Esq., to serve as legal counsel for the City, at a cost not to exceed \$65,000.00, specifically to increase said contract cap an additional \$2,306.98.

Amend a resolution adopted August 24, 2010, which authorized a Rental Housing Deferred Payment loan to New Jersey Community Development Group, LLC, for the acquisition and rehabilitation of a fourteen (14) unit building located at 1008-1014 ½ Emma Street, specifically to change the address to 1006-1014 Emma Street and to increase the loan amount by \$35,000.00, raising the loan amount to \$385,000.00 to utilize the City's HOME Program Green Construction Supplement and incorporate green materials and design features.

Authorize Amendment No. 1 to the contract awarded to Kupper, LLC., for professional engineering services in connection with sewer rates and assessments in the amount of \$30,000.00, specifically to increase said contract an additional \$25,000.00, raising the contract cost to \$55,000.00.

**NEW BUSINESS (Cont'd.)**

Authorize Change Order No. 2 to the contract awarded to Montana Construction Corporation, Inc., for the Verona Avenue/Gebhardt Avenue Storm Sewer Improvement Project at a cost of \$5,823,050.00, to provide further for additional labor and materials at an additional cost of \$464,637.40, raising the amount of the contract to \$6,474,129.30.

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 \$297,900.00 to provide funding for a Customer Service Skills Training Initiative Program – Phase 4, at the Jersey Gardens Mall for the period August 23, 2011 to August 31, 2012.

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.

Authorize the Tax Collector to cancel disallowed senior citizen deductions for Tax Year 2010, pursuant to a delineated list submitted July 21 2011, in the total amount of \$2,750.00.

Establish liens on the properties located at 106 Court Street and 160-166 First Street, for the demolition of said premises in the total amount of \$25,500.00.

Establish liens for the removal and disposal of debris on properties listed on Schedule A, in the total amount of \$12,464.77.

Establish a handicapped parking space in front of the premises located at 21 South Second Street.

Establish a handicapped parking space in front of the premises located at 920 Adams Avenue.

Establish a handicapped parking space in front of the premises located at 27 Lyons Place.

Establish a handicapped parking space in front of the premises located at 621 First Avenue.

Establish a handicapped parking space in front of the premises located at 32 Cedar Avenue.

Delete the handicapped parking space from in front of the premises located at: 746 Jackson Avenue.

Authorize settlement in the workers compensation litigation matter of Thomas Traina vs. the City of Elizabeth, in the total amount of \$12,092.00.

Support Senator Lautenberg's resolution expressing a moment of remembrance in honor of the Tenth Anniversary of September 11, 2001 on September 11, 2011.

Permit the Morris Midtown Business Association, P.O. Box 443, Elizabeth, to conduct their ninth annual Colombian Independence Day Festival, on Sunday, July 29, 2012, (rain dates August 5 or 12), between Westfield Avenue and Morris Avenue, from 12 noon to 9:00 p.m.

Utility bills.

Approve Bingo and Raffle licenses

**COMMENDATIONS**

Dr. Manuel de Jesus Perez Sanchez, Mayor General Policia Nacional, Dominican Republic

**MEMORIALS**

Teresa Minniti  
Jagdish Chandra Das