

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, SEPTEMBER 28, 2010

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

APPROVAL OF MINUTES: Organization Meeting, January 1, 2010; Conference Meetings: January 5, 19; February 2, 16; March 2, 16; April 6, 21; Regular Meetings: January 12, 26; February 9, 23; March 9, 23; April 13, 27, 2010

PUBLIC HEARINGS

- ORD. NO. 4156 - Authorize a Refunding Bond Ordinance providing for the funding of a Temporary Emergency appropriation in connection with Guslavage vs. the City in an amount not exceeding \$1,230,000.00.
- ORD. NO. 4157 - Grant an encroachment permit to GEI Consultant, 18000 Horizon Way, Mt. Laurel, N.J., on behalf of AGL to conduct soil borings within the public right-of-way on City-owned property along the berm located between the AGL Erie Street site and the Elizabeth River.
- ORD. NO. 4158 - Authorize an amendment to Chapter 5.70.250 of the Code of the City of Elizabeth entitled "Rent Control and Stabilization," specifically to extend the expiration date to December 31, 2012.
- ORD. NO. 4159 - Authorize the renewal of a lease agreement, under the same terms and conditions, between the City of Elizabeth and the Elizabeth Board of Education for the use of the City-owned property located at 630 South Street, as the Center for Infant Development, for the period October 1, 2009 to September 30, 2011, at an annual fee of \$1.00.
- ORD. NO. 4160 - Authorize the renewal of a lease agreement, under the same terms and conditions, 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 Jersey Street, to provide emergency shelter for homeless individuals, for the period June 17, 2009 to June 18, 2011, at an annual fee of \$1.00.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 7, 2010, from His Honor the Mayor, subject to confirmation, herewith re-appoints Mr. Jorge Lias, 418 Rosehill Place, Elizabeth, N.J., to serve as a Member of the Elizabeth Parking Authority for a five year term effective October 17, 2010.

Which was received.

By the Clerk:

Letter dated September 20, 2010, from His Honor the Mayor requesting an amendment to the resolution adopted July 27, 2010, authorizing the appointment of Public Defenders for the Elizabeth Municipal Court, specifically to correct the Public Defender listed as Nuno Afonso, Esq., to Nuno Afonso, Esq. and Jubilo L. Afonso, Esq., of the firm Afonso & Afonso, LLC., 546-548 Elizabeth Avenue, Elizabeth, N.J.

Which was received.

By the Clerk:

Letter dated September 14, 2010, from the Business Administrator recommending the award of a contract to Wilfred MacDonald, Inc., 19 Central Boulevard, South Hackensack, N.J., for the purchase of three (3) Westward Industries Go-4 Interceptor III Scooters or Equivalent in the amount of \$100,212.00.

Which was received.

By the Clerk:

Letter dated September 20, 2010, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Lloyds of London, through agent-of-record Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, N.J., for insurance covering City's foreclosed properties for the period October 1, 2010 to October 1, 2011, at an annual premium of \$1,050.00.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer advising that transfers for the 2010 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer advising that temporary emergency appropriations for the 2011 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer requesting a Dedication by Rider to the Municipal budget for Donations-Acceptance of Bequests and Gifts from the Conoco Phillips Pipeline Company, Bayway Refinery to provide for the operating costs for the City's Waterfront Park Walkway, Pier and Ramp Rehabilitation Project.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Chief Financial Officer requesting an ordinance authorizing for the execution and acknowledgement and delivery by the City of Elizabeth of certain agreements in relation to certain Mortgage Revenue Refunding Bonds, Series 2010 (Oakwood Plaza-Elizabeth) of the Union County Improvement Authority.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 20, 2010, 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 provide a repayable Deferred Payment Loan to Community Investment Strategies, 201 Crosswicks Street, Bordentown, N.J., and/or its' successors or assigns, for predevelopment costs associated with the redevelopment of Oakwood Plaza in the amount of \$150,000.00.

Which was received.

By the Clerk:

Letter dated September 9, 2010, from the Director of Public Works requesting authorization for the proper City officials to execute a Memorandum of Understanding and a Hold Harmless 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 13, 2010, 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 total amount of \$20,932.87.

Which was received.

By the Clerk:

Letter dated September 21, 2010, from the Director of Public Works recommending the award of a contract to the Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, N.J., to provide environmental consulting engineering services for the Environmental Consulting Engineering Services related to the former Saxony Motel property at a cost not to exceed \$85,000.00.

Which was received.

By the Clerk:

Letter dated September 10, 2010, from the Fire Director requesting authorization for the proper City officials to accept and sign all appropriate documents for the Memorandum of Understanding Agreement between the Port Authority of New York and New Jersey and the Elizabeth Fire Department, outlining responsibilities, terms, and conditions associated with the legal transfer of steel from the former World Trade Center; all costs for removal and transportation of the steel will be the responsibility of the Elizabeth Fire Department.

Which was received.

By the Clerk:

Letter dated September 9, 2010, from UNICO National, Elizabeth Chapter, N.J., requesting of your Honorable Body to declare the month of October, Italian-American Heritage Month with a flag raising ceremony to be held on October 20, 2010, in front of City Hall at 12:00 noon.

Which was received.

By the Clerk:

Letter dated September 17, 2010, from Morris Midtown Business Association, P.O. Box 443, Elizabeth, N.J., requesting permission to host the 8th Annual Colombian Independence Day Festival to be held Sunday, July 31, 2011, between Noon and 9:00 p.m.; rain dates Sunday, August 7 or Sunday August 14, 2011.

Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter September 28, 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, September 24, 2010.

Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4161 - A Ordinance Authorizing the Execution, Acknowledgment and Delivery by the City of Elizabeth of Certain Agreements in relation to Certain Mortgage Revenue Refunding Bonds, Series 2010 (Oakwood Plaza-Elizabeth) of the Union County Improvement Authority.
- ORD. NO. 4162 - Authorize an amendment to Chapter 5.100 of the Code of the City of Elizabeth entitled "Taxicabs," specifically to establish the seating capacity of taxicabs.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, OCTOBER 12, 2010, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4156 - Authorize a Refunding Bond Ordinance providing for the funding of a Temporary Emergency appropriation in connection with Guslavage vs. the City in an amount not exceeding \$1,230,000.00.
- ORD. NO. 4157 - Grant an encroachment permit to GEI Consultant, 18000 Horizon Way, Mt. Laurel, N.J., on behalf of AGL, to conduct soil borings within the public right-of-way on City-owned property along the berm located between the AGL Erie Street site and the Elizabeth River.
- ORD. NO. 4158 - Authorize an amendment to Chapter 5.70.250 of the Code of the City of Elizabeth entitled "Rent Control and Stabilization," specifically to extend the expiration date to December 31, 2012.
- ORD. NO. 4159 - Authorize the renewal of a lease agreement, under the same terms and conditions, between the City of Elizabeth and the Elizabeth Board of Education for the use of the City-owned property located at 630 South Street, as the Center for Infant Development, for the period October 1, 2009 to September 30, 2011, at an annual fee of \$1.00.
- ORD. NO. 4160 - Authorize the renewal of a lease agreement, under the same terms and conditions, 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 Jersey Street, to provide emergency shelter for homeless individuals, for the period June 17, 2009 to June 18, 2011, at an annual fee of \$1.00.

Under Suspensions:

FUNDING FOR H.O.P.W.A.

NEW BUSINESS

Authorize Temporary Emergency appropriations for the 2011 Fiscal Year Municipal and Sewer Utility Budgets in the amount of \$43,419,950.00.

Request permission from the Director of Local Government Services to accept a Dedication by Rider in the Fiscal Year 2011 budget for donations/acceptance of bequests and gifts from the Conoco Phillips Pipeline Company, Bayway Refinery, to provide for the operating costs for the City's Waterfront Park Walkway, Pier and Ramp Rehabilitation Project.

Confirm the reappointment of Mr. Jorge Lias, 418 Rosehill Place, Elizabeth, to serve as a member of the Elizabeth Parking Authority for a five year term, effective October 17, 2010.

Amend a resolution adopted July 27, 2010, authorizing the appointment of Public Defenders for the Municipal Court, specifically to correct the Public Defender listed as Nuno Afonso, Esq., to Nuno Afonso, Esq. and Jubilo L. Afonso, Esq., of the firm Afonso & Afonso, LLC., 546-548 Elizabeth Avenue, Elizabeth, N.J.

Authorize the award of a contract to Wilfred MacDonald, Inc., 19 Central Boulevard, South Hackensack, N.J., for the purchase of three (3) Westward Industries Go-4 III Scooters or equivalent, for the Police Department, in the amount of \$100,212.00.

Authorize the award of a contract to the Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, N.J., to provide environmental consulting engineering services relating to the former Saxony Motel property located at 330-338 Atlantic Street, at a cost not to exceed \$85,000.00.

Authorize the award of a contract to Lloyds of London, 1 Lime Street, London, England, through the agent-of-record, Otterstedt Agency, Englewood Cliffs, N.J., for a policy of insurance covering the City's foreclosed properties for the period October 1, 2010 to October 1, 2011, at a annual premium of \$1,050.00.

Authorize the proper City officials to execute a Memorandum of Understanding and an Hold Harmless 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 proper City officials to execute all appropriate documents for the Memorandum of Understanding Agreement between the Port Authority of New York and New Jersey and the Elizabeth Fire Department, outlining responsibilities, terms and conditions associated with the legal transfer, cost of removal and transportation of steel from the former World Trade Center.

Authorize the proper City officials to execute all necessary documents to provide a Repayable Deferred Payment loan to Community Investment Strategies, 201 Crosswicks Street, Bordentown, N.J., for pre-redevelopment costs associated with the redevelopment of Oakwood Plaza, located at Irvington Avenue and Parker Road, in the maximum amount of \$150,000.00.

Establish liens for the removal and disposal of debris on properties listed on Schedule A in the total amount of \$20,932.87.

Amend the resolution adopted November 10, 2009, authorizing the use of CDBG-35, FY 2009 funds for use by the Elizabeth Development Company, specifically to transfer the remaining balance of \$427,702.01 from the Midtown Project to the First Street Acquisition Project and to extend the contract period to May 31, 2011.

NEW BUSINESS (Cont'd.)

Rescind a resolution adopted April 27, 2004, authorizing the establishment of a handicapped parking space in front of the premises located at 806 Garden Street.

Establish a handicapped parking space in front of the premises located at 332-338 Niles Street.

Establish a handicapped parking space in front of the premises located at 176 Glenwood Road.

Declare the month of October, 2010, as Italian-American Heritage Month and their flag raising in front of City Hall on October 20, 2010.

Permit the Morris Midtown Business Association, P.O. Box 443, Elizabeth, to conduct their eighth annual Colombian Independence Day Festival, on Sunday, July 31, 2011, (rain dates August 7 or 14), between Westfield Avenue and Morris Avenue, from 12 noon to 9:00 p.m.

Pay utility bills,

Approve Bingo and Raffle licenses

COMMENDATIONS

Sgt. Edgardo Torres, honored by the Union County Emerald Society
Pastor Lester W. Wormley, installation as Pastor, Liberty Baptist Church

MEMORIALS

Reverend Antonio I. Bico, Seton Hall University
Rosa Floyd, employee, Union County Probation Department

GIOACCHINO TRIARSI
MILDRED "MILLIE" LOBRACE

ADJOURNED

7:50 P.M.