

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MARCH 8, 2011

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING: RESIDENTS AND TAXPAYERS ADDRESS THE CITY COUNCIL.

PUBLIC HEARINGS

- ORD. NO. 4193 - Authorize a Bond Ordinance in the amount of \$1,200,000.00, with a down payment of \$60,000.00, for the development of the Elizabeth River Walkway Project, Phase I, between Bridge Street and South Broad Street.
- ORD. NO. 4194 - Amend Chapter 5.88 of the Code of the City of Elizabeth, entitled "Secondhand Dealers," specifically regarding applications and annual license fees.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 25, 2011, from the Business Administrator recommending that City Council reject the bid received on February 24, 2011, for one (1) Rescue Water Craft and authorize the Purchasing Agent to re-advertise for same. Which was received.

By the Clerk:

Letter dated February 25, 2011, from the Business Administrator recommending that City Council reject all bids received on February 8, 2011, for one (1) First

Responder Response Vehicle-New 2011 Ford F-250 or equal and authorize the Purchasing Agent to re-advertise for bids with revised specifications. Which was received.

By the Clerk:

Letter dated February 25, 2011, from the Business Administrator recommending the award of a contract to the Fire Ground Technologies, 17 Bayward Lane, Suffern, NY 10901, for the purchase of two hundred seventy (270) Petzl Exo Personal Safety/ Escape Systems or equal; two hundred seventy (270) Existing Turnout pants retrofitted to be compatible with safety equipment , and Training Classes for safety equipment for the Fire Department at a total cost of \$264,450.00 Which was received.

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PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 25, 2011, from the Business Administrator requesting authorization for the proper City officials to execute a lease agreement with the Girl Scouts Heart of New Jersey, West Service Center, 1171 State Route 28, North Branch, N.J., for the continued use of their Elizabeth Girl Scout House, situated on City-owned property at 100-106 Cherry Street, for a period of twenty (20) years at an annual cost of \$1.00. Which was received.

By the Clerk:

Letter dated February 25, 2011, from the Business Administrator advising, that being satisfied that an emergency did exist, recommends the award of a contract to Doma Construction, Inc., 215 North 12th Street, Newark, N.J., for the partial demolition of 302-304 Madison Avenue, Elizabeth, in the amount of \$5,500.00. Which was received.

By the Clerk:

Letter dated February 25, 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; auction to be held by Propertyroom.Com, State pre-approved on-line auction site; the 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 February 28, 2011, from the Business Administrator requesting authorization for the proper City officials to amend the Baker Center Redevelopment Agreement, specifically to execute the First Amendment to the agreement, which removed, in part, Block 11, Lot 848, 1001 Newark Avenue, from the project site and authorize the settlement.
Which was received.

By the Clerk:

Letter dated March 1, 2011, from the Business Administrator, Acting Director of Neighborhood Services, requesting to amend the Housing Code, Chapter 15.12 of the Code of the City of Elizabeth, specifically to include language so that the City will be in compliance with the New Jersey Administrative Code and New Jersey State Statute.
Which was received.

By the Clerk:

Letter dated February 18, 2011, from the Chief Financial Officer requesting authorization for the Tax Collector to accept payment of taxes without interest charges provided said payment is made within the tenth calendar day following the date upon which same became payable, and fix the rate of interest to be charged for delinquent taxes.
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated February 22, 2011, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit an overbilling of taxes for the 2010 Tax Year on the property located at 443 Jersey Avenue in the total sum of \$4,340.26.
Which was received.

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PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 1, 2011, from the Chief Financial Officer advising that additional grants may be appropriated in the 2011 SFY Budget by budget amendments.
Which was received.

By the Clerk:

Letter dated February 17, 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 discharge the Urban Development Action Grant (UDAG) Loan on the property located at 333 First Street in the amount of \$550,000.00.

Which was received.

By the Clerk:

Letter dated February 24, 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 provide a repayable Energy Efficiency and Conservation Revolving Loan Program on the property located at 507 Green Street in an amount not to exceed \$10,000.00.

Which was received.

By the Clerk:

Letter dated February 25, 2011, from the Director of Planning and Community Development requesting authorization to amend the resolution adopted December 14, 2010, authorizing a contract between the Elizabethport Presbyterian Center and the City for the Senior and Guide, Gather & Groom Programs in the amount of \$26,000.00, specifically to increase the amount by \$1,000.00 for the agency's Black History Month Program, which will honor the "Pioneers of Elizabethport" for a total of \$27,000.00.

Which was received.

By the Clerk:

Letter dated February 28, 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 provide a Deferred Payment Loan, Rental Housing Program, to Y-HOMES, Inc., 135 Madison Avenue, for the rehabilitation of 35 of 70 single room occupancy units plus major systems repair and replacement in the amount of \$779,867.00.

Which was received.

By the Clerk:

Letter dated February 28, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., for Planning and Engineering Services to the Planning and Zoning Boards, and the Department of Planning and Community Development for the period December 1, 2010 through November 30, 2011 at a total cost of \$60,000.00.

Which was received.

By the Clerk:

Letter dated February 28, 2011, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services in connection with the final design of drainage improvements for the low area of Third Avenue, between Lt. Glenn Zamorski Drive and South First Street, at a cost not to exceed \$150,000.00.
Which was received.

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PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 28, 2011, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services in connection with the design of drainage improvements for the low area of South Street beneath the railroad bridge, between Rahway Avenue and Burnett Street, at a cost not to exceed \$115,000.00.
Which was received.

By the Clerk:

Letter dated February 28, 2011, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services in connection with the final design of drainage improvements for the low area of North Avenue, beneath the railroad bridge between Pennsylvania Avenue and Jefferson Avenue, at a cost not to exceed \$102,000.00.
Which was received.

By the Clerk:

Letter dated March 1, 2011, from the Director of Public Works recommending the award of a contract to Rich Picerno Builders, LLC, 500 Hoiles Drive, Kenilworth, N.J., for the Westfield Avenue Median Planting at a cost of \$171,746.00.
Which was received.

By the Clerk:

Letter dated February 23, 2011, from the Police Director requesting the establishment of reserved/personalized handicapped parking spaces at the following locations: 145 Sayre Street, 138 Livingston Street, 506 Fourth Avenue, 610 Court Street, 520 Franklin Street, 21 S. Second Street (personalized), 525 Fulton Street (personalized), 1043-1045 Louisa Street #4 (personalized), 920 Olive Street (personalized), 557 Marshall Street (personalized); disapproved: 1048 North Avenue, 32 Cedar Avenue #1, 734 N. Broad Street, 541 Maple Avenue; deletion: 949 Anna Street.

Which was received.

By the Clerk:

Letter dated January 28, 2011, from Kleinfelder, 3 AAA Drive, Hamilton, N.J., on behalf of ExxonMobil Services Company, requesting an Encroachment Permit for the advancement of eight (8) soil borings and one (1) monitoring well in the right-of-way of South Fifth Street and Third Avenue.

Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter March 8, 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, March 4, 2011.

Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 4201 - Authorize an amendment to Chapter 2.56, Article X, of the Code of the City of Elizabeth, entitled "Constables," specifically to establish and govern the appointment of constables.

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ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4202 - Authorize an amendment to Chapter 15.12, of the Code of the City of Elizabeth, entitled "Housing Code," specifically to comply with the New Jersey Administrative Code and New Jersey State Statutes.

ORD. NO. 4203 - Authorize the execution of a lease agreement between the City of Elizabeth and the Girl Scouts Heart of New Jersey, West Service Center, 1171 State Route 28, North Branch, N.J., for the continued use of their Elizabeth Girl Scout House, situated on City-owned property at 100-106 Cherry Street, for twenty (20) years at an annual cost of \$1.00.

ORD. NO. 4204 - Grant an encroachment permit to Kleinfelder, 3 AAA Drive, Hamilton, N.J. on behalf of ExxonMobil Services Company, for the advancement of eight (8) soil borings and to install one (1)

monitoring well in the public right-of-way of South Fifth Street and Third Avenue.

- ORD. NO. 4205 - Authorize the establishment of a personalized handicapped parking space for Kazimierz Ciuba, 21 South Second Street.
- ORD. NO. 4206 - Authorize the establishment of a personalized handicapped parking space for Pablo Casas, 1043 Louisa Street.
- ORD. NO. 4207 - Authorize the establishment of a personalized handicapped parking space for Winston Tidd, 920 Olive Street.
- ORD. NO. 4208 - Authorize the establishment of a personalized handicapped parking space for Aurora E. Fernandez, 557 Marshall Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MARCH 22, 2011, AT 7:30 P.M.

- ORD. NO. 4209 - Authorize a Bond Ordinance in the amount of \$400,000.00, with a down payment of \$20,000.00, for environmental engineering and regulatory compliance services at 823 East Jersey Street, 733 New Point Road , and various properties owned by the City and related work.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, APRIL 12, 2011, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4193 - Authorize a Bond Ordinance in the amount of \$1,200,000.00, with a down payment of \$60,000.00, for the development of the Elizabeth River Walkway Project, Phase I, between Bridge Street and South Broad Street.
- ORD. NO. 4194 - Amend Chapter 5.88 of the Code of the City of Elizabeth, entitled "Secondhand Dealers," specifically regarding applications and annual license fees.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2011 Capital Budget in the amount of \$400,000.00.

Authorize the award of a contract to Fire Ground Technologies, 17 Bayward Lane, Suffern, N.Y., for the purchase of two hundred seventy (270) Petzl Exo Personal Safety/Escapes Systems, two hundred seventy (270) Existing Turnout pants retrofitted to be compatible with safety equipment and training classes for the Fire Department, at a total cost of \$264,450.00.

Authorize the award of a contract to Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to provide professional planning and engineering services to the Planning and Zoning Boards and the Department of Planning and Community Development for the period December 1, 2010 to November 30, 2011, at a cost of \$60,000.00.

Authorize the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services in connection with the final design of drainage improvements for the low area of Third Avenue, between Lt. Glenn Zamorski Drive and South Fifth Street, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services in connection with the design of drainage improvements for the low area of South Street, beneath the railroad bridge between Rahway Avenue and Burnett Street, at a cost not to exceed \$115,000.00.

Authorize the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide professional engineering services in connection with the final design of drainage improvements for the low area of North Avenue, beneath the railroad bridge between Pennsylvania Avenue and Jefferson Avenue, at a cost not to exceed \$102,000.00.

Authorize the award of a contract to Rich Picerno Builders, LLC, 500 Hoiles Drive, Kenilworth, N.J., for the Westfield Avenue Median Planting Project, at a cost of \$171,746.00.

Authorize an amendment to a resolution adopted December 14, 2010, awarding a contract to the Elizabethport Presbyterian Center for the Senior and Guide, Gather and Groom Programs in the amount of \$26,000.00, specifically to increase the amount by \$1,000.00 for the agency's Black History Month Program honoring the "Pioneers of Elizabethport."

Authorize the proper City officials to amend the Baker Center Redevelopment Agreement, specifically to execute the First Amendment to the agreement which

removes Block 11, Lot 848, commonly known as 1001 Newark Avenue, from the project site and authorize settlement.

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 proper City officials to execute all documents necessary to discharge an Urban Development Action Grant mortgage held by the City on the property located at 333 First Street.

Authorize the proper City officials to execute all documents necessary to provide a repayable loan in an amount not to exceed \$10,000.00, under the Energy Efficiency and Conservation Revolving Loan Program, to Renato and Eva Doyle Entero, 507 Green Street, for energy efficient upgrades to reduce utility expenses.

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NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute all documents necessary to provide a Rental Housing Program Deferred Payment loan to Y-HOMES, Inc., 135 Madison Avenue Street, Elizabeth, N.J., as required under the terms of the U.S. Department of Housing and Urban Development, for the rehabilitation of 35 of 70 single room occupancy units, plus major systems repair and replacement at the YMCA Main Building Project, in the maximum amount of \$779,867.00.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes on the property located at 443 Jersey Avenue for Tax Year 2010 in the amount of \$4,340.26.

Reject all bids received on February 24, 2011, for the purchase of one Rescue Water Craft and authorize the Purchasing Agent to readvertise for same.

Reject all bids received on February 8, 2011, for the purchase of one First Responder Response vehicle – new 2011 Ford F-250 or equal and authorize the Purchasing Agent to readvertise for same with revised specifications.

Designate Clark Place, between First and Second Streets, as “Honorary U.S. Marine Lance Cpl. Francisco R. Jackson.

Designate the corner of Magnolia Avenue and First Street, as “Honorary Cecelia Florence Frazier.

Establish a handicapped parking space in front of the premises located at 145 Sayre Street.

Establish a handicapped parking space in front of the premises located at 1048 North Avenue.

Establish a handicapped parking space in front of the premises located at 541 Maple Avenue .

Delete the handicapped parking space from in front of the premises located at: 949 Anna Street.

Adopt a resolution to create a first source hiring strategy that complies with applicable laws to hire residents of the City where practical.

Adopt a resolution in opposition to Governor Christies' proposed plan to eliminate UEZ programs .

Pay utility bills.

COMMENDATIONS

MEMORIALS