

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, APRIL 26, 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. 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.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 7, 2011, from His Honor the Mayor, advising that, subject to confirmation, he is appointing Ms. Barbara Shannon, 665 North Broad Street, Elizabeth, N.J., to serve as a Member of the Elizabeth Housing Authority for a term of five years, effective May 1, 2011.
Which was received.

By the Clerk:

Letter dated April 13, 2011, from His Honor the Mayor, requesting of your Honorable Body, to consider authorizing the park, informally known as Slater Park, located on Slater Drive and Atalanta Place, to be renamed Marciante-Millet-Jackson Park in honor of Army Corporal Luigi Marciante, Jr., Army Specialist Pedro Antonio Millet, IV, and Lance Corporal Francisco R. Jackson from the City of Elizabeth.
Which was received.

By the Clerk:

Letter dated April 11, 2011, from the Business Administrator recommending the renewal of the AFLAC Insurance Program with American Family Life Assurance Company (AFLAC), P.O. Box 15087, Albany, N.Y., to make available to all City employees Personal Accident Indemnity and Personal Short Term Disability Income Protection Insurance for the period May 10, 2011 through May 10, 2014, at no cost to the City of Elizabeth.
Which was received.

By the Clerk:

Letter dated April 12, 2011, from the Business Administrator recommending the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, NJ, 7036 for Auto Parts for Heavy Duty Vehicles for the various departments for the period of April 7, 2011 through March 17, 2012, at a cost not to exceed \$100,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 12, 2011, from the Business Administrator recommending the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, N.J., 08361, for Reflective Sheeting for the Public Works Department for the period of April 7, 2011 through September 30, 2011, at a cost not to exceed \$30,000.00.
Which was received.

By the Clerk:

Letter dated April 12, 2011, from the Business Administrator recommending the award of a contract to Cleveland Auto & Tire Co., 462 Third Avenue, Elizabeth, N.J., 07206 for Tires and Tubes for Public Works, Police and Fire Department vehicles for the period of April 8, 2011 through April 8, 2012, at a cost not to exceed \$200,000.00.
Which was received.

By the Clerk:

Letter dated April 12, 2011, from the Business Administrator requesting that City Council reject the sole bid received March 31, 2011, for the furnishing of one (1) Rescue Water Craft for the Fire Department and authorize the Purchasing Agent to re-advertise with revised specifications.
Which was received.

By the Clerk:

Letter dated April 14, 2011, from the Business Administrator recommending the award of a contract to Flemington Chevrolet, Buick, GMC, Cadillac, LLC, 211 Route 202 & 31 South, Flemington, N.J., 08822 for one (1) Command Response Vehicle – New 2011 Chevrolet Suburban or equal with conversion in the amount of \$56,339.00.
Which was received.

By the Clerk:

Letter dated April 14, 2011, from the Business Administrator requesting that City Council reject all bids received on April 7, 2011, for one (1) First Responder Response Vehicle – New 2011 Ford F-25 or equal.
Which was received.

By the Clerk:

Letter dated April 15, 2011, from the Business Administrator recommending the award of a contract to US Mechanical Supply, Inc., 10583 Raystown Road, P.O. Box 574, Huntington, PA 16652, for two (2) Three-Wheel High Performance Mechanical Street Sweepers in the total amount of \$339,740.00.
Which was received.

By the Clerk:

Letter dated April 15, 2011, from the Business Administrator requesting the renewal insurance with James River Insurance Group, P.O. Box 27648, Richmond, VA 23261, through the agent-of-record, Hughes-Plumer Associates, covering professional liability for the Engineer and staff for the period May 10, 2011 through May 10, 2012 at an annual premium of \$20,317.50.
Which was received.

By the Clerk:

Letter dated April 19, 2011, from the Chief Financial Officer requesting that the Director of the Division of Local Finance make the following corrections in the 2011 Municipal Budget to account for the City's share (local share) of grants subsequent to the adopted budget; Matching funds-City's Share from \$299,040.00 to \$241,460.00; local share: Safe & Secure Grant 2011 from -0- to \$36,852.00; Municipal Alliance Grant 2011 from -0- to \$20,720.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 19, 2011, from the Chief Financial Officer requesting that City Council consider authorizing a Special Emergency Appropriation in an amount not to exceed \$3,000,000.00 to fund Accumulated Absences Liabilities resulting from the retirement of employees.
Which was received.

By the Clerk:

Letter dated April 19, 2011, from the Chief Financial Officer recommending that City Council request the Director of the Division of Local Government Services to approve the insertion of an Item of Revenue in the budget of the fiscal year 2011, Department of Law & Public Safety, Office of the Attorney General, State of New Jersey Safe & Secure Grant 2011 in the total sum of \$147,409.00, with the City's local share of \$36,852.00, and Governor's Council on Alcoholism and Drug Abuse Municipal Alliance Grant 2011 in the total sum of \$82,881.00, with the City's local share of \$20,720.00.
Which was received.

By the Clerk:

Letter dated April 18, 2011, from the Director of Health and Human Services requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Transit Transportation of Senior Citizens and People with Disabilities Grant Program for an amount not to exceed \$200,000.00.
Which was received.

By the Clerk:

Letter dated April 7, 2011, from the Acting Director of Neighborhood Services requesting permission to have a lien placed against the property situated at 874 Flora Street for the demolition of said property in the amount of \$12,000.00.
Which was received.

By the Clerk:

Letter dated April 8, 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 for Brand New Day, Inc., 176 First Street, Elizabeth, NJ, for a Community Housing Development Organization Operating Grant for the period July 1, 2009 through June 30, 2010 in the amount of \$25,000.00.
Which was received.

By the Clerk:

Letter dated April 8, 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 for Brand New Day, Inc., 176 First Street, Elizabeth, NJ, for a Community Housing Development Organization Operating Grant for the period July 1, 2010 through June 30, 2011 in the amount of \$20,000.00.
Which was received

By the Clerk:

Letter dated April 15, 2011, from the Director of Planning and Community Development requesting an amendment to the resolution adopted April 12, 2011, authorizing a Repayable Energy Efficiency and Conservation Revolving Loan for Jose R. Flores and Aileen Cid, specifically to correct the address from 1051 North Avenue to 1015 North Avenue, Elizabeth.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 11, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement between the City of Elizabeth and the Elizabeth Packers, Inc., 18 Barnard Place, Elizabeth, NJ, to provide funds to be used to defray operating costs for its' Football League for the period July 1, 2010 through June 30, 2011, in the amount of \$6,096.00.

Which was received.

By the Clerk:

Letter dated April 11, 2011, from the Director of Public Works requesting authorization for Pasquale A. Vella, Acting Recycling Coordinator, to endorse the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection.

Which was received.

By the Clerk:

Letter dated April 14, 2011, from the Director of Public Works recommending the award of a contract to Birdsall Services Group, Inc., 65 Jackson Drive, Cranford, NJ, to provide Professional Engineering On-Call Services at a cost not to exceed \$55,000.00.

Which was received.

By the Clerk:

Letter dated April 15, 2011, from the Director of Public Works recommending the award of a contract J.C. Contracting, Inc., 1745 Silverton Road, Toms River, NJ, for the traffic signal installations on West Jersey Street at Union Street and Elizabethtown Plaza and Broad Street at Caldwell Place at a cost of \$363,590.00.

Which was received.

By the Clerk:

Letter dated April 11, 2011, from the Police Director requesting the establishment of handicapped parking spaces in front of the following locations: 302 East Jersey Street (personalized), 152 Marshall Street (personalized), 426 South Fifth Street (personalized), 918 Roosevelt Street (personalized), 1064 Anna Street, 527 Walnut Street, 37 Delaware Street, 14 Rankin Street, 128 Burnett Street, 1242 Clinton Place, 1440 Lexington Place, 912 Roosevelt Street, 806 Garden Street (from personalized to regular); disapproved: 526 South Broad Street, 620 First Avenue, 177 Glenwood Road; and the deletion of handicapped spaces at: 315 South Fifth Street; 326 Amity Street, 754 Easton Street, 929 Spofford Avenue, 207 Geneva Street, 851 Cross Street.

Which was received.

By the Clerk:

Letter dated April 15, 2011, from Melly Mell Productions, in conjunction with the Elizabeth Cubanos Lions Club, requesting permission to present the 18th annual Elizabeth Waterfront Festival at the Veterans Memorial Waterfront Park on May 28 and 29, 2011, from 1:00 p.m. to 9 p.m.; music from both stages will cease at 7:00 p.m., beer at 8:00 p.m. and vendors at 9:00 p.m.

Which was received.

By the Clerk:

Letter dated April 13, 2011, from the YWCA Eastern Union County, 1131 East Jersey Street, Elizabeth, NJ, advising of their observance of Stand Against Racism Day, to be held April 29, 2011, in the City of Elizabeth with a brief assembly at 11:00 a.m., at Winfield Scott Park to pledge to take a stand against racism in our lives.

Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter April 26, 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, April 22, 2011.
Which was received.

By the Clerk:

Letters dated March 29, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of December, 2010, and Statement of Bank Balances and Investments as of December 31, 2010.
Which was received.

By the Clerk:

Letters dated April 19, 2011, from the Chief Financial Officer submitting the City Treasurer's report of Receipts and Disbursements for the month of January, 2011, and Statement of Bank Balances and Investments as of January 31, 2011.
Which was received.

By the Clerk:

Minutes: Zoning Board of Adjustment meetings held January 13, 2011, February 10, 2011, and March 10, 2011.
Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4212 - Authorize the execution of a lease agreement between the City of Elizabeth and the Elizabeth Metromall, LLC., for the space occupied by the Retail Skills Center at the Jersey Garden Mall, for a period of five (5) years, commencing July 1, 2011, with the responsibility of all utilities.
- ORD. NO. 4213 - Authorize the establishment of a personalized handicapped parking space for Enrique Morales, 302 East Jersey Street.
- ORD. NO. 4214 - Authorize the establishment of a personalized handicapped parking space for Maritza Brennan, 152 Marshall Street.
- ORD. NO. 4215 - Authorize the establishment of a personalized handicapped parking space for Stuart Robles, 426 South Fifth Street.
- ORD. NO. 4216 - Authorize the establishment of a personalized handicapped parking space for Carmen Cedenno, 918 Roosevelt Street.
- ORD. NO. 4217 - Rescind Ordinance No. 4148, authorizing the establishment of a personalized handicapped parking space for Manuela D. Freire, 806 Garden Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MAY 10, 2011, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

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.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2011 Budget to insert, as an Item of Revenue, a State of New Jersey, Department of Law and Public Safety, Office of Attorney General, Safe and Secure Grant in the amount of \$147,409.00 (Local Share - \$36,852.00).

Authorize an amendment to the Fiscal Year 2011 Budget to insert, as an Item of Revenue, a Governor's Council on Alcoholism and Drug Abuse Municipal Alliance Grant in the amount of \$82,881.00 (Local Share - \$20,720.00).

Authorize the proper City officials to submit a request to the Director, Division of Local Finance, to make corrections in the City's 2011 Fiscal Year Municipal Budget to account for Change of Title or Text of Appropriation approved subsequent to the adopted budget.

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 Garden State Community Bank to support the City's annual Women's Empowerment Seminar in recognition of Mother's Day.

Authorize a Special Emergency Appropriation in the amount of \$3,000,000, pursuant to N.J.S.A. 40A:4-53, to fund Accumulated Absence Liabilities resulting from the retirement of employees.

Confirm the appointment of Ms. Barbara Shannon, 665 North Broad Street, Elizabeth, to serve as a member of the Elizabeth Housing Authority for a term of five (5) years, effective May 1, 2011.

Authorize the renaming of the park, informally known as Slater Park, located on Slater Drive and Atalanta Place, to Marciante-Millet-Jackson Park, in honor of Army Corporal Luigi Marciante, Jr., Army Specialist Pedro Antonio Millet, IV, and Lance Corporal Francisco R. Jackson, whose lives were lost while defending our nation.

Authorize the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, N.J., for the purchase of auto parts for heavy duty vehicles for various departments, for the period April 7, 2011 through March 17, 2012, in an amount not to exceed \$100,000.00.

Authorize the award of a contract to Garden State Highway Products, 1740 East Oak Road, Vineland, N.J., for the purchase of reflective sheeting for the Department of Public Works, for the period April 7, 2011 through September 30, 2011, at a cost not to exceed \$30,000.00.

Authorize the award of a contract to Cleveland Auto and Tire Company, 462 Third Avenue, Elizabeth, N.J., for the purchase of tires and tubes for vehicles for the Departments of Public Works, Police and Fire for the period April 8, 2011 to April 8, 2012, at a cost not to exceed \$200,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Flemington Chevrolet, Buick, GMC, Cadillac, 211 Routes 202 & 31 South, Flemington, N.J., for the purchase of one (1) Command Response vehicle – new 2011 Chevrolet Suburban for the Fire Department, in the amount of \$56,339.00.

Authorize the award of a contract to US Mechanical Supply, Inc., 10583 Raystown Road, Huntington, PA., for the purchase of two (2) three-wheel high performance mechanical street sweepers for the Department of Public Works, at a cost of \$339,740.00.

Authorize the proper City officials to execute an agreement between the City of Elizabeth and the Elizabeth Packers, Inc., 18 Barnard Place, Elizabeth, to provide funds in the amount of \$6,096.00 for the period July 1, 2010 to June 30, 2011.

Authorize the award of a contract to the Birdsall Services Group, Inc., 65 Jackson Drive, Cranford, N.J., to professional engineering on-call services for environmental related issues, at a cost not to exceed \$55,000.00

Authorize the award of a contract to J.C. Contracting, Inc., 1745 Silverton Road, Toms River, N.J., to install traffic signals on West Jersey Street at Union Street and Elizabeth Plaza and Broad Street at Caldwell Plaza, at a cost of \$363,590.00.

Authorize the proper City officials to apply and accept the New Jersey Transit, Transportation of Senior Citizens and People with Disabilities Grant Program in an amount not to exceed \$200,000.00.

Authorize Pasquale Vella, Acting Recycling Coordinator, to endorse the submission of the Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection.

Authorize the proper City officials to execute any and all documents necessary and appropriate for a Community Housing Development Organization (CHDO) Operating Grant in the amount of \$25,000.00 for Brand New Day, Inc., for the period July 1, 2009 to June 30, 2010.

Authorize the proper City officials to execute any and all documents necessary and appropriate for a Community Housing Development Organization (CHDO) Operating Grant in the amount of \$20,000.00 for Brand New Day, Inc., for the period July 1, 2010 to June 30, 2011.

Authorize the execution of a renewal agreement with American Family Life Assurance Company (AFLAC), P.O. Box 15087, Albany, NY., to make available to all City employees and their families a Voluntary Payroll Deduction Program for the period May 10, 2011 to May 10, 2014, at no cost to the City.

Authorize the renewal of a contract with James River Insurance Group, P.O. Box 27648, Richmond, Virginia, through the agent of record, Hughes-Plumer and Associates, covering professional liability insurance for the City Engineer and his staff, for the period May 10, 2011 to May 10, 2012, at a cost of \$20,317.50.

Amend a resolution adopted April 12, 2011, authorizing a repayable loan, under the Energy Efficiency and Conservation Revolving Loan Program, to Jose R. Flores and Aileen Cid, specifically to correct the address from 1051 North Avenue to 1015 North Avenue.

Reject the sole bid received on March 31, 2011, for the furnishing of one (1) Rescue Water Craft for the Fire Department and authorize the Purchasing Agent to readvertise for same with revised specifications.

NEW BUSINESS (Cont'd.)

Reject all bids received on April 7, 2011, for the purchase of one First Responder Response vehicle – new 2011 Ford F-250 or equal.

Establish a lien on the property located at 874 Flora Street, for the demolition of said premises in the amount of \$12,000.00.

Establish a handicapped parking space in front of the premises located at 527 Walnut Street.

Establish a handicapped parking space in front of the premises located at 912 Roosevelt Street.

Establish 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 620 First Avenue.

Establish a handicapped parking space in front of the premises located at 506 Fourth Avenue.

Establish a handicapped parking space in front of the premises located at 884 East Jersey Street.

Establish a handicapped parking space in front of the premises located at 1064 Anna Street.

Delete the following handicapped parking spaces from in front of the premises located at: 315 South Fifth Street; 326 Amity Street; 754 Eaton Street; 939 Spofford Avenue; 207 Geneva Street; 851 Cross Street.

Permit Melly Mell Productions, Inc., on behalf of the Elizabeth Cubanos Lions Club, to conduct their 18th Annual Elizabeth Waterfront Festival to be held at the Veterans Memorial Park on May 28 and 29, 2011, between the hours of 1:00 p.m. to 9:00 p.m.

Authorize settlement in the workers compensation litigation matter of Robert Petrick vs. the City of Elizabeth, in the total amount of \$15,900.00.

Permit the YWCA of Eastern Union County, 1131 East Jersey Street, Elizabeth, N.J., to conduct their observance of Stand Against Racism Day at Winfield Scott Park on April 29, 2011, at 11:00 a.m.

Pay Utility bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS

Pauline Shirley, being honored by Brand New Day

MEMORIALS

Police Officer Edward Shields

ADJOURNMENT