

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

**REGULAR MEETING - TUESDAY, MAY 10, 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. 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 Cedeno, 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.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated April 27, 2011, from the Business Administrator recommending the award of a contract to Lawmen Supply Co. NJ, Inc., 5521 Whitehorse Pike, Egg Harbor, N.J. 08215, for Police Equipment (holster, targets, handcuffs, training mats, etc.), for the Police Department for the period of May 1, 2011 through October 30, 2011, at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated April 27, 2011, from the Business Administrator recommending the award of a contract to General Sales Administration, t/a Major Police Supply, 47 North Dell Avenue, Kenvil, N.J. 07847, for emergency lighting equipment for the Departments of Police, Fire and Ambulance Service Bureau, for the period of May 1, 2011 through October 31, 2011, at a cost not to exceed \$70,000.00. Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated April 27, 2011, from the Business Administrator recommending the award of a contract to Nextel Communications of the Mid Atlantic, Inc., 2001 Edmund Halley Drive, Reston, VA 20191, for the purchase of wireless devices and services for various departments, for the period of May 1, 2011 through October 31, 2011, at a cost not to exceed \$75,000.00.  
Which was received.

By the Clerk:

Letter dated April 27, 2011, from the Business Administrator recommending the award of a contract to Avaya Inc., 161 Cliveden Drive, Newtown, PA 18940, for the purchase of telecommunications wired for various departments, for the period of May 1, 2011 through October 31, 2011, at a cost not to exceed \$70,000.00.  
Which was received.

By the Clerk:

Letter dated April 28, 2011, from the Business Administrator recommending the award of a contract to Office Solutions, Inc., 217 Mount Horeb Road, Warren, N.J. 07059, for the purchase of telecommunications equipment wired for various departments, for the period of May 1, 2011 through October 31, 2011, at a cost not to exceed \$50,000.00.  
Which was received.

By the Clerk:

Letter dated April 28, 2011, from the Business Administrator recommending the award of a contract to Atlantic Tactical of New Jersey, Inc., 14 Worlds Fair Drive, Somerset, N.J. 08873, for the purchase of protective vests, vest carriers and various other crime prevention equipment and supplies for the Police Department and Ambulance Service Bureau, for the period of May 1, 2011 through October 31, 2011, at a cost not to exceed \$95,000.00.  
Which was received.

By the Clerk:

Letter dated April 28, 2011, from the Business Administrator recommending the award of a contract to Gametime/Marturano Recreation Co., P.O. Box 206, Spring Lake, N.J. 07762, for the purchase of playground and park equipment for the Recreation Department, for the period of April 26, 2011 to August 31, 2011, at a cost not to exceed \$10,000.00.  
Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Business Administrator recommending awarding a contract to ESI Equipment, 440 Horsham Road, Horsham, PA 19044 for the purchase of Police and Homeland Security Equipment and Supplies for the period of April 30, 2011 through October 31, 2011 at a cost not to exceed \$40,000.00.  
Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Business Administrator recommending the award of a contract to Verizon Select Services, 6665 North MacArthur Boulevard, Irving, TX 75039, for the purchase of maintenance for eight (8) 9-1-1 Answering Points and related infrastructure at the Fire Department at a cost of \$19,062.04 and maintenance for eleven (11) 9-1-1 Answering Points and Related Infrastructure at the Police Department at a cost of \$27,317.75 for the period of March 15, 2011 through September 30, 2011 for a total cost of \$46,379.79.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated May 2, 2011, from the Business Administrator recommending the award of a contract to Fleetcor Technologies Operating Company, LLC, d/b/a Fuelman, 655 Engineering Drive, Suite 300, Norcross, GA 30092, for the furnishing of Motor Fuel Usage and Billing System for various departments for a period of two years in an amount not to exceed \$2,000,000.00.

Which was received.

By the Clerk:

Letter dated May 3, 2011, from the Business Administrator requesting an amendment to Chapter 10.32.160 entitled "Parking Authority – Violations and Penalties – Towing of Illegally Parked Vehicles" and Chapter 10.36.060: Parking Meters – Violations and Penalties of the Code of the City of Elizabeth.

Which was received.

By the Clerk:

Letter dated April 18, 2011, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel previous outstanding and unclaimed Payroll checks in the total amount of \$15,353.46; certain Operating checks in the total amount of \$23,018.28; Tax Refund checks in the total amount of \$239,796.37; certain Trusts and Developer Escrow checks in the total amount of \$7,543.08 and certain Workers Compensation and General Liability checks in the total amount of \$31,326.05 and to be credited to Miscellaneous Revenue Not Anticipated and further authorize issuance of replacement checks to payees in the same amount and to charge the amount to the contingent account. (Schedule A on file in the City Clerk's Office).

Which was received.

By the Clerk:

Letter dated May 3, 2011, from the Chief Financial Officer requesting City Council to consider an amendment to the 457(b) Deferred Compensation Plan to add a qualified Roth Contribution Program, as permitted under Internal Revenue Code, Section 402A, for the benefit of eligible employees.

Which was received.

By the Clerk:

Letter dated May 3, 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 May 3, 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 May 3, 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 May 3, 2011, from the Chief Financial Officer recommending the return to the tax rolls the property known as Millennium Urban Renewal L.P., c/o Luiz Rodriguez, 600 Fulton Street, for failing to perform obligations imposed by the financial agreement under the Payment in Lieu of Taxes (PILOT) program with the City, Statutes, Ordinances or lawful regulations.

Which Was Referred To Council As A Whole.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated May 3, 2011, from the Chief Financial Officer recommending the return to the tax rolls the property known as 620 First Urban Renewal L.P., c/o Luiz Rodriguez, 600 Fulton Street, for failing to perform obligations imposed by the financial agreement under the Payment in Lieu of Taxes (PILOT) program with the City, Statutes, Ordinances or lawful regulations.  
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated May 2, 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 Office of Juvenile Justice and Delinquency Prevention, 2011 Second Chance Act Juvenile Mentoring Initiative grant in an amount not to exceed \$300,000.00.  
Which was received.

By the Clerk:

Letter dated May 2, 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 2011 Second Chance Act Juvenile Mentoring Initiative grant in an amount not to exceed \$614,000.00.  
Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Business Administrator, on behalf of the Department of Planning and Community Development, requesting authorization for the proper City officials to submit, accept and execute a Neighborhood Stabilization Program 3 (NSP 3) Grant from the County of Union to provide developers with funds to acquire, redevelop and rehabilitate vacant, abandoned and foreclosed properties and rent them to income eligible persons at affordable rents in the Keighry Head and/or Elizabethport neighborhood in an amount up to \$1,366,645.00.  
Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Business Administrator on behalf of the Department of Planning and Community Development requesting authorization for the proper City officials to submit, accept and execute a Neighborhood Stabilization Program 3 (NSP 3) Grant from the State of New Jersey to provide developers with funds to acquire, redevelop and rehabilitate vacant, abandoned and foreclosed properties and rent them to income eligible persons at affordable rents in the Elizabethport neighborhood in an amount up to \$1,500,000.00.  
Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Director of Planning and Community Development requesting authorization for the proper City officials to designate and sign all appropriate documents to include the addition of the name "University Boulevard" to the current Morris Avenue street signs as part of the partnership with Kean University.  
Which was received.

By the Clerk:

Letter dated April 28, 2011, from the Director of Public Works recommending the award of a contract to Birdsall Services Group, Inc., 65 Jackson Drive, Cranford, N.J., to provide Professional Engineering Services in connection with the design and construction administration of the 2011 Road Resurfacing Program – Phase 1, at a cost not to exceed \$63,000.00.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated April 28, 2011, from the Director of Public Works requesting permission to have a lien placed against the properties listed on Schedule A for the amounts indicated for the removal and disposal of debris in the total amount \$2,005.31.

Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Director of Public Works recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, N.J., to provide professional engineering services in connection with the design and construction administration of the 2011 Road Resurfacing Program – Phase 2, at a cost not to exceed \$88,900.00.

Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Director of Public Works recommending the award of a contract to Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to provide construction management services in connection with the Midtown Infrastructure Improvement Project at a cost not to exceed \$620,000.00.

Which was received.

By the Clerk:

Letter dated May 3, 2011, from the Director of Public Works recommending the award of a contract to Buckler Associates, Inc., 182 Wycoff Way West, East Brunswick, N.J., for the on-call contract for sidewalk and drainage improvements at various City parks and City right-of-ways for a period of one year at a cost not to exceed \$303,842.00.

Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Director of Police requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the FY 2011 COPS Hiring Program grant in an amount not to exceed \$6,500,000.00 to hire twenty-two (22) police officers to enable efficient and effective law enforcement services.

Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Director of Police requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant in an amount not to exceed \$500,000.00 to enhance overall public safety efforts and address concerns throughout the City.

Which was received.

By the Clerk:

Letter dated May 2, 2011, from the Director of Police requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the FY 2011 COPS Secure Our Schools (SOS) Grant in an amount not to exceed \$500,000.00 to provide funds up to 50% of the total cost to implement anti-violence initiatives, coordination with law enforcement, security assessments and/or any other measure that may provide a significant improvement in security at schools and on school grounds.

Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated May 2, 2011, from the Director of Police requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Office of the Attorney General, Safe and Secure Communities Program Grant in an amount not to exceed \$147,409.00.

Which was received.

By the Clerk:

Letter dated April 4, 2011, from New Zion Baptist Church, 800-822 Flora Street, Elizabeth, requesting permission to host a summer festival to be held on August 2, 2011 to August 6, 2011 from 6:00 p.m. to 11:00 p.m. nightly, with the exception of Saturday, hours will be from 4:00 p.m. to 11:00 p.m. (Upon approval of the County of Union to utilize Elizabeth River Park)

Which was received.

**REPORTS OF CITY OFFICERS**

By the Clerk:

Letter May 10, 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, May 6, 2011.

Which was received.

**ORDINANCES ON FIRST READING**

- ORD. NO. 4218 - Authorize an amendment to Chapters 10.32.060 and 10.32.160 of the Code of the City of Elizabeth, entitled "Parking Authority, Violations and Penalties," specifically to be comparable to violation rates of neighboring municipalities.
- ORD. NO. 4219 - Rescind Ordinance No. 4000, authorizing the establishment of a personalized handicapped parking space for Marina V. Hernandez, 315 South Fifth Street.
- ORD. NO. 4220 - Rescind Ordinance No. 4086, authorizing the establishment of a personalized handicapped parking space for Hector Santillan, 1014 Sheridan Avenue.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MAY 24, 2011, YOUTH IN CITY GOVERNMENT DAY, AT 2:00 P.M.**

**ORDINANCES ON FINAL PASSAGE**

- 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.

**ORDINANCES ON FINAL (Cont'd.)**

- 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 Cedeno, 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.

**NEW BUSINESS**

Authorize an amendment to the Fiscal Year 2011 Budget to insert, as an Item of Revenue, State of New Jersey, Department of Environmental Protection Clean Communities Grant in the amount of \$134,704.33.

Authorize Fiscal Year 2011 Municipal and Sewer Utility Budget transfers in the amount of \$409,500.00.

Authorize the award of a contract to Lawmen Supply Company NJ, Inc., 5521 Whitehorse Pike, Egg Harbor City, N.J., for the purchase of equipment for the Police Department for the period May 1, 2010 through October 30, 2011, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to General Sales Administration, t/a Major Police Supply, 47 North Dell Avenue, Kenvil, N.J., for the purchase of emergency lighting equipment for the Departments of Police, Fire and Ambulance Service Bureau for the period May 1, 2011 through October 31, 2011, at a cost not to exceed \$70,000.00.

Authorize the award of a contract to Nextel Communications of the Mid Atlantic, Inc., 2001 Edmund Halley Drive, Reston, VA., for the purchase of wireless devices and services for various departments for the period May 1, 2011 through October 31, 2011, at a cost not to exceed \$75,000.00.

Authorize the award of a contract to Avaya, Inc., 161 Cliveden Drive, Newton, PA, for the purchase of telecommunications wired for various departments for the period May 1, 2011 through October 31, 2011 at a cost not to exceed \$70,000.00.

Authorize the award of a contract to Office Solutions, Inc., 217 Mount Horeb Road, Warren, N.J., for the purchase of telecommunications equipment wired for various departments for the period May 1, 2011 through October 31, 2011, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Gametime/Marturano Recreation Company, P.O. Box 106, Spring Lake, N.J., for the purchase of playground and park equipment for the Recreation Department at a cost not to exceed \$10,000.00.

Authorize the award of a contract to Atlantic Tactical of New Jersey, Inc., 14 Worlds Fair Drive, Somerset, N.J., for the purchase of protective vests, vest carriers and other crime prevention equipment and supplies for the Police Department and Ambulance Service Bureau for the period May 1, 2010 through October 31, 2011, at a cost not to exceed \$95,000.00.

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

Authorize the award of a contract to ESI Equipment, 440 Horsham Road, Horsham, PA, for the purchase of Police and Homeland Security equipment and supplies for the period April 30, 2011 through October 31, 2011, at a cost not to exceed \$40,000.00.

Authorize the award of a contract to Verizon Select Services, Inc., 6665 North MacArthur Boulevard, Irving, TX., for the purchase of maintenance for eight (8) 9-1-1 Answering Points and related infrastructure at the Fire Department at a cost of \$19,062.04 and maintenance of eleven (11) 9-1-1 Answering Points and related infrastructure at the Police Department at a cost of \$27,317.75, for the period March 15, 2011 through September 30, 2011, in the total amount of \$46,379.79.

Authorize the award of a contract to FleetCor Technologies Operating Company, LLC., d/b/a Fuelman, 665 Engineering Drive, Norcross, GA., for the furnishing of Motor Fuel Use and Billing System for various departments for a two year period, in an amount not to exceed \$2,000,000.00.

Authorize the award a contract to the Birdsall Service Group, Inc., 65 Jackson Drive, Cranford, N.J., to provide professional engineering services in connection with the design and construction administration of the 2011 Road Resurfacing Program – Phase 1, at a cost not to exceed \$63,000.00.

Authorize the award of a contract to T & M Associates, 11 Tindall Road, Middletown, N.J., to provide professional engineering services in connection with the design and construction administration of the 2011 Road Resurfacing Program – Phase 2, at a cost not to exceed \$88,900.00.

Authorize the award of a contract to Harbor Consultants, 320 North Avenue East, Cranford, N.J., to provide construction management services in connection with the Midtown Infrastructure Improvement Project, at a cost not to exceed \$620,000.00.

Authorize the award of a contract to Buckler Associates, Inc., 182 Wycoff Way West, East Brunswick, N.J., for the On-Call contract for sidewalk and drainage improvements at various City parks and City right-of-ways for a one-year period, at a cost not to exceed \$303,842.00.

Authorize the proper City officials to execute all appropriate documents for the Office of Juvenile Justice and Delinquency Prevention, 2011 Second Chance Act Juvenile Mentoring Initiative Grant, in an amount not to exceed \$300,000.00.

Authorize the proper City officials to execute all appropriate documents for the 2011 Second Chance Act Juvenile Mentoring Initiative Grant, in an amount not to exceed \$614,000.00.

Authorize the proper City officials to execute a Neighborhood Stabilization Program 3 Grant from the County of Union to provide funding for developers to acquire, redevelop and rehabilitate vacant, abandoned and foreclosed properties and rent them to income eligible persons at affordable rents in the Keighry Head and/or the Elizabethport neighborhood in an amount up to \$1,366,645.00.

Authorize the proper City officials to execute a Neighborhood Stabilization Program 3 Grant from the State of New Jersey to provide funding for developers to acquire, redevelop and rehabilitate vacant, abandoned and foreclosed properties and rent them to income eligible persons at affordable rents in the Elizabethport neighborhood in an amount up to \$1,500,000.00.

Authorize the proper City officials to execute all appropriate documents for the FY 2011 COPS Hiring Program, in an amount not to exceed \$6,500,000.00, to hire twenty-two (22) police officers to enable efficient and effective law enforcement services.



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

Authorize the proper City officials to execute all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant in an amount not to exceed \$500,000.00 to enhance overall public safety efforts and to effectively address concerns throughout the City.

Authorize the proper City officials to execute all appropriate documents for the FY 2011 COPS Secure Our Schools Grant, in an amount not to exceed \$500,000.00 to implement anti-violence initiatives, coordination with law enforcement, security assessments to provide improvements in security at schools and school grounds.

Authorize the proper City officials execute all appropriate documents for the New Jersey Office of the Attorney General Safe and Secure Communities Program Grant in an amount not to exceed \$147,409.00.

Authorize an amendment to the 457(b) Deferred Compensation Plan to add a qualified Roth Contribution Program, as permitted under Internal Revenue Code, Section 402A, for the benefit of eligible employees.

Authorize the City Treasurer to cancel previous outstanding and unclaimed Payroll checks in the total amount of \$15,353.46; certain Operating checks in the total amount of \$23,018.28; Tax Refund checks in the total amount of \$239,796.37; certain Trusts and Developer Escrow checks in the total amount of \$7,543.08 and certain Workers Compensation and General Liability checks in the total amount of \$24,508.55 and to be credited to Miscellaneous Revenue Not Anticipated and further authorize issuance of replacement checks to payees in the same amount and to charge the amount to the contingent account.

Establish a handicapped parking space in front of the premises located at 128 Burnett Street.

Rescind the resolution adopted April 26, 2011, authorizing the establishment of a handicapped parking space in front of the premises located at 620 First Avenue.

Establish a lien on the properties listed on Schedule A , for the removal and disposal of debris in the amount of \$2,005.31.

Authorize the proper City officials execute all appropriate documents to include the name "University Boulevard" to the current Morris Avenue street signs in partnership with Kean University.

Permit the New Zion Baptist Church, 800-822 Flora Street, to host a summer festival to be held at the 600 Pearl Street lot on August 2 to August 6, 2011, between the hours of 6:00 p.m. to 11:00 p.m. (Saturday from 4:00 p.m. to 11:00 p.m.).

Pay Utility Bills.

**COMMENDATIONS**

Hon.. Frank J. Cuesta, retirement, Elizabeth Board of Education  
Hon. Edward Jackus, retirement, Elizabeth Board of Education  
Hon. Carmelo Pace, Mayor, Sister City of Ribera, Italy  
Mr. Pippo Veneziano, Tenor, Ribera, Italy

**MEMORIALS**

**ADJOURNMENT**