

REGULAR MEETING - TUESDAY, OCTOBER 23, 2012

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4333 - Authorize the execution of a lease agreement with the Parking Authority of the City of Elizabeth, 233 Commerce Place, for continued use as an off-street parking facility located at West Grand Street and Union Street for a minimum term of five (5) years, at a fee of \$1.00 per year.

PUBLIC HEARING REGARDING ORD. NO. 4334 HAS BEEN CANCELLED

ORD. NO. 4334 - Amend Ord. No. 3750, adopted August 23, 2005, authorizing the adoption of the Durant Redevelopment Plan, specifically to revise plans in its entirety due to a fire that damaged and destroyed structures in the original plan.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 11, 2012, from the Business Administrator requesting authorization 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 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 October 11, 2012, from the Business Administrator requesting an amendment to a resolution adopted September 25, 2012, awarding a contract to Ricoh USA, Inc., for the leasing of new photocopiers, specifically to include the language "and replacement photocopiers and for the payment of existing leased photocopiers" and add State Contract #82709.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 15, 2012, from the Business Administrator recommending the award of a contract to Continental Fire and Safety, Inc., 180 Volusia Avenue, Trenton, NJ, for the purchase of one (1) Oxygen Containment Fill Station Cascade System in the amount of \$63,948.00.

Which was received.

By the Clerk:

Letter dated October 15, 2012, from the Business Administrator requesting authorization to establish a Salary Committee to review the salaries of non-represented employees of the City of Elizabeth; members will include Councilman Frank J. Cuesta, Councilman Carlos Cedeno, Councilman William Gallman, Jr., Business Administrator Bridget S. Zellner, Director William Reyes, Planning and Community Development, and Chief Financial Officer Anthony M. Zengaro.

Which was received.

By the Clerk:

Letter dated September 10, 2012, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit the overbilling of taxes for 2011 Tax Year on the property located at 105-109 First Street in the total sum of \$15,489.04.

Which was received.

By the Clerk:

Letter dated October 10, 2012, from the Chief Financial Officer requesting authorization to foreclose on properties listed on the attached Tax Foreclosure List, as provided in the In Rem Foreclosure Act.

Which was received.

By the Clerk:

Letter dated October 16, 2012, from the Chief Financial Officer advising that temporary emergency appropriations for the 2013 SFY Municipal and Sewer Utility Budgets may be necessary.

Which was received.

By the Clerk:

Letter dated October 16, 2012, from the Chief Financial Officer is requesting that your Honorable Body consider the introduction of amendments to the 2013 SFY Budget and schedule a public hearing to be held on November 13, 2012.

Which was received.

By the Clerk:

Letter dated October 16, 2012, from the Chief Financial Officer requesting authorization for His Honor the Mayor to renew a Tax Abatement (PILOT) agreement with assigned Owner, CIS Oakwood, LLC, of Oakwood Plaza (Parker Road Parcel) for the length of the new Housing and Mortgage Finance Agency loan.

Which was received.

By the Clerk:

Letter dated October 16, 2012, from the Chief Financial Officer requesting an amendment to Bond Ordinance No. 4282, authorizing the installation of a synthetic turf field at O'Brien Field in the amount of \$2.2 million dollars, specifically to increase the amount of the Bond by \$1.4 million dollars raising the Bond Ordinance to \$3,420,000.00 with a down payment of \$180,000.00.

Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 12, 2012, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute agreements with non-profit agencies as listed on attached schedule to allocate CD #38, FY 2012 Emergency Solutions Grant funding in the amount of \$164,633.00.

Which was received.

By the Clerk:

Letter dated October 12, 2012, 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 postpone the City's mortgage on the property located at 1464-1465 Lexington Place in the total amount of \$440,706.00.

Which was received.

By the Clerk:

Letter dated October 15, 2012, 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 City's mortgage, Senior/Disabled Owner Occupied Program, on the property located at 63-65 Erie Street in the amount of \$10,650.00.

Which was received.

By the Clerk:

Letter dated October 15, 2012, 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 an Owner-Occupied Basic Program, Deferred Payment Loan on the property located at 516-518 Riverside Drive in an amount not to exceed \$19,000.00.

Which was received.

By the Clerk:

Letter dated October 12, 2012, from the Director of Public Works recommending the award of a contract to Magic Touch Construction Co., Inc., 59 West Front Street, Keyport, NJ, for the repairs and maintenance of the plumbing systems at various public buildings owned by the City for a two year period in an amount not to exceed \$609,420.00.

Which was received.

By the Clerk:

Letter dated October 11, 2012, from the Director of Public Works requesting authorization 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 amount of \$8,940.74.

Which was received.

By the Clerk:

Letter dated October 12, 2012, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the boarding up of said properties in the amount of \$2,751.90.

Which was received.

## PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 15, 2012, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ, to provide civil engineering design services on a reimbursable basis for time and expenses in connection with the Park Avenue sewer flow metering at an estimated cost of \$6,500.00.

Which was received.

By the Clerk:

Letter dated October 15, 2012, from the Director of Public Works recommending the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, NJ, to provide civil engineering design services in connection with the remediation of Combined Sewer Overflow Point 002 at a cost not to exceed \$35,000.00.

Which was received.

By the Clerk:

Letter dated October 2, 2012, from the Police Director requesting the establishment of handicapped parking spaces in front of the premises located at: 402 First Avenue, 564 Jefferson Avenue (personalized), 90 R Marshall Street (personalized), 63 Florida Street (personalized), 451 Fulton Street (personalized), 313 High Street, Apt. 2F, 550 Walnut Street (personalized), 647 S. Park Street, 351 Jersey Avenue, 364 Cherry Street, 120 S. Park Street, First Floor, 436 Niles Street, 1012 North Avenue, 2<sup>nd</sup> Floor, 970 A Grove Street, 150 South Park Street, 985 Edge-wood Road; deletions: 727 Van Buren Avenue, 1026 E. Grand Street, 28 Catherine Street, 955 Williams Street, 1<sup>st</sup> Floor, 119 Inslee Place, 717 Clarkson Avenue, 1068 South Elmora Avenue.

Which was received.

By the Clerk:

Letter dated October 2, 2012, from Mr. Michael D. Weaver, Manager, Atlantic Environmental Consulting Services, L.L.C., 5 Mountain Boulevard, Suite 12, Warren, NJ, requesting an Encroachment Permit to install one (1) temporary soil boring in the sidewalk in front of the property located at 508 Broadway.

Which was received.

By the Clerk:

Letter dated October 4, 2012, from Ms. Michelle Nelson, HWP, LLC, P.O. Box 9431, Elizabeth, requesting an Encroachment Permit to install a solar-powered mobile device charging kiosk, called "The Juice", on Broad Street near the bus shelter located in front of 90 Broad Street.

Which Was Referred To Council As A Whole.

## REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated October 23, 2012, 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, October 19, 2012.

Which was received.

## ORDINANCES ON FIRST READING

- ORD. NO. 4335 - Amend Bond Ord. No. 4282, adopted February 14, 2012, providing \$2,200,000 for improvements to O'Brien Field, specifically to increase the amount of the bond an additional \$1,400,000.00.
- ORD. NO. 4336 - Grant an encroachment permit to Atlantic Environmental Consulting Services, LLC., 5 Mountain Boulevard, Warren, N.J., to install one (1) Temporary soil boring within the public right-of-way of 508 Broadway.
- ORD. NO. 4337 - Authorize the establishment of a personalized handicapped parking space for Cynthia Mallack, 564 Jefferson Avenue.
- ORD. NO. 4338 - Authorize the establishment of a personalized handicapped parking space for Jeremy E. Fuentes, 90 R Marshall Street.
- ORD. NO. 4339 - Authorize the establishment of a personalized handicapped parking space for Helen Mosely, 550 Walnut Street.
- ORD. NO. 4340 - Authorize the establishment of a personalized handicapped parking space for Daniel M. Bravo, 1051 Lafayette Street.
- ORD. NO. 4341 - Rescind Ordinance No. 3489, adopted January 28, 2003, which authorized the establishment of a personalized handicapped parking space for Laura Fernandez, 119 Inslee Place.
- ORD. NO. 4342 - Rescind Ordinance No. 3969, adopted May 9, 2008, which authorized the establishment of a personalized handicapped parking space for Luz Angela Munoz, 1026 East Grand Street and establish same as "reserved" space.
- ORD. NO. 4343 - An ordinance to amend Chapters 5.08.100F and 5.08.100G of the Code of the City of Elizabeth entitled: "License Transfers-proximity to existing licensed premises-exceptions."

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, NOVEMBER 13, 2012, AT 3:00 P.M.**

## ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4333 - Authorize the execution of a lease agreement with the Parking Authority of the City of Elizabeth, 233 Commerce Place, for continued use as an off-street parking facility located at West Grand Street and Union Street for a minimum term of five (5) years, at a fee of \$1.00 per year.

## NEW BUSINESS

Introduce and approve Fiscal Year 2013 Budget Amendments. (TO BE READ IN FULL)

(PUBLIC HEARING TO BE HELD TUESDAY AFTERNOON AT 3:00 P.M., NOVEMBER 13, 2012.)

## NEW BUSINESS (Cont'd.)

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.

Amend a resolution adopted September 25, 2012, awarding a contract to Ricoh USA, Inc., for the leasing of new photocopiers, specifically to include the language "and replacement photocopiers and for the payment of existing leased photocopiers" and add State Contract No. 82709.

Authorize the award of a contract to Continental Fire and Safety, 180 Volusia Avenue, Trenton, N.J, for the purchase of one (1) Oxygen Containment Fill Station Cascade System for the Ambulance Service Bureau of the Fire Department in the amount of \$63,948.00.

Authorize the establishment of a Salary Committee to review the salaries of non-represented employees of the City.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes on the property located at 105-109 First Street for Tax Year 2011 in the total amount of \$15,489.04.

Determine that the City of Elizabeth foreclose, by summary proceedings In Rem, as provided in the In Rem Foreclosure Act, the Tax Sale Certificates held by the City as delineated by the Tax Collector.

Authorize the proper City officials to execute an agreement for Emergency Shelter Grant funding for CD-38 Year 2012 with non-profit agencies, listed on Schedule A on file in the City Clerk's Office in the allocation amount of \$164,633.00.

Authorize the proper City officials to renew a tax abatement agreement (PILOT) with the assigned owner, CIS Oakwood, LLC of Oakwood Plaza (Parker Road Parcel), for the length of the new Housing and Mortgage Finance Agency loan.

Authorize the postponement of two mortgages held by the City on the property located at 1464-1465 Lexington Place.

Authorize the proper City officials to execute all necessary documents to discharge a Senior/Disabled Owner Occupied Deferred Payment Loan second mortgage held by the City on the property located at 63-65 Erie Street.

Authorize the proper City officials to execute all documents necessary to provide an Owner Occupied Basic Deferred Payment Loan to Nira Williams on the property located at 516-518 Riverside Drive, in an amount not to exceed \$19,000.00.

Authorize the award of a contract to Magic Touch Construction Company, Inc., 59 West Front Street, Keyport, N.J., for the repairs and maintenance of the plumbing systems at various City-owned public buildings for a two year period in the amount of \$609,420.00.

Establish liens for the removal and disposal of debris on properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$8,940.74.

Establish liens for the boarding up of properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$2,751.90.

Authorize the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide civil engineering design services on a reimbursable basis for time and expenses in connection with the Park Avenue sewer flow metering, at an estimated cost

## NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Hatch Mott MacDonald, 27 Bleeker Street, Millburn, N.J., to provide civil engineering design services in connection with the remediation of Combined Sewer Overflow Point 002, at a cost not to exceed \$35,000.00.

Establish a handicapped parking space in front of the premises located at 351 Jersey Avenue.

Establish a handicapped parking space in front of the premises located at 364 Cherry Street.

Establish a handicapped parking space in front of the premises located at 970 A Grove Street

Establish a handicapped parking space in front of the premises located at 985 Edgewood Road.

Establish a handicapped parking space in front of the premises located at 641 First Avenue.

Establish a handicapped parking space in front of the premises located at 1012 North Avenue.

Delete the following handicapped parking spaces from in front of the premises located at: 727 Van Buren Avenue, 28 Catherine Street, 1068 South Elmora Avenue, 955 Williams Street, and 717 Clarkson Avenue.

Rescind a resolution adopted September 25, 2012, establishing a handicapped parking space in front of the premises located at 564 Jefferson Avenue, specifically to make same a "Personalized" handicapped parking space.

Authorize settlement in the workers compensation litigation matter of Gutauckis vs. the City of Elizabeth, in the total amount of \$73,926.00.

Pay utility bills.

Approve Bingo and Raffle licenses.

## COMMENDATIONS

Shawn McClain, United Youth Council  
Anthony (Tony) Brennan, Irish American Society of Union  
Kathy Noonan-Rotando, Irish American Society of Union

## MEMORIALS

Lt. William Lindsay, N.J. State Parole Officer  
Vito Zacchia  
Emilia Capoccia  
Fiore Minniti  
Delores "Lolo" Keys Dent, Elizabeth Councilwoman  
Carmela Chirichiello  
Blaise E. Lapolla, former Director of Public Works