

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, OCTOBER 9, 2012

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4332 - Approve Payment In Lieu Of Taxes (PILOT) financial agreement for a long term tax exemption with E'port Family Homes Urban Renewal, L.P., for a scattered site new construction development located at 158-168 First Street; 212-214 Third Street and 200-206 Third Street.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 1, 2012, from His Honor the Mayor requesting that your Honorable Body consider the appointment of Daniel J. Russell as Temporary Municipal Court Judge on a contractual basis for the period of November 1, 2012 through October 31, 2013, at the rate of \$300.00 per session in an amount not to exceed \$60,000.00. Which was received.

By the Clerk:

Letter dated September 17, 2012, from the Business Administrator requesting authorization for the proper City officials to enter into an agreement with Union County College for the use of O'Donnell Dempsey Senior Center and Peterstown Community Center to conduct L.I.F.E. Center Courses to be held on Tuesdays and Thursdays from 1:00 p.m. to 3:00 p.m. and 10:00 a.m. to 12:00 p.m., between September 5th and December 14, 2012. Which was received.

By the Clerk:

Letter dated September 26, 2012, from the Business Administrator requesting authorization for the proper City officials to apply for and accept a grant award of up to \$5,000.00 from the New Jersey Department of Health, Division of Epidemiology, Environmental and Occupational Health: Hepatitis Inoculation Fund. Which was received.

PETITIONS, COMMUNICATIONS, ETC

By the Clerk:

Letter dated September 27, 2012, from the Business Administrator recommending the award of a contract Weldon Materials, Inc., Weldon Asphalt Co., Weldon Concrete Co. and Fanwood Crushed Stone Co., all Divisions of Weldon Materials, Inc., 141 Central Avenue, Westfield, NJ, to purchase Road Materials for the period of September 17, 2012 through September 17, 2014, at a cost not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated September 27, 2012, from the Business Administrator recommending the award of a contract to Maturano Recreation Company, c/o Gametime, P.O. Box 106, Spring Lake, NJ, for the purchase of playground equipment for the Peterstown Community Center at a total cost of \$29,691.75. Which was received.

By the Clerk:

Letter dated September 27, 2012, from the Business Administrator recommending the participation in the State contract with West Publishing Corp., 610 Opperman Drive, Eagan, MN, for the purchase of On-line Legal Research Services for the Law Department and Municipal Court Division for the period of September 25, 2012 to December 31, 2012, at a cost not to exceed \$10,000.00. Which was received.

By the Clerk:

Letter dated September 27, 2012, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Lloyds of London, London, England, through agent-of-record, Otterstedt Agency, 540 Sylvan Avenue, Englewood Cliffs, NJ, for insurance covering the City's foreclosed properties for the period of October 1, 2012 to October 1, 2013, at an annual premium of \$1,050.00. Which was received.

By the Clerk:

Letter dated October 1, 2012, from the Business Administrator recommending the award of a contract to Capozzi Overhead Doors, Inc., 80 Howard Place, Nutley, NJ, to purchase Doors and Gate Systems Service for various departments for the period of July 6, 2012 through July 31, 2014 at a cost not to exceed \$120,000.00. Which was received.

By the Clerk:

Letter dated October 1, 2012, from the Business Administrator requesting an amendment to the resolution adopted July 26, 2011, authorizing the execution of an agreement with Discovery Benefits at the original cost of \$1,750.00 per year, specifically to change the coverage term from November 1, 2012 to June 30, 2014, raising the cost not to exceed \$2,500.00. Which was received.

By the Clerk:

Letter dated October 1, 2012, from the Business Administrator recommending the award of a contract to Northeast Auto & Truck Parts, LLC, 976 Broadway, Bayonne, NJ, for the purchase of Automotive Parts & Accessories for the Department of Public Works for the period of September 25, 2012 through October 25, 2012, at a cost not to exceed \$50,000.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC

By the Clerk:

Letter dated September 28, 2012, from the Second Assistant City Attorney, to be reviewed by your Honorable Body, amending Chapter 5.08.100F entitled "License Transfers-Proximity to Existing Licensed Premises-Exceptions", specifically to relieve residential areas of noise, traffic and loitering, and to allow for transfers of existing licensed premises from residential zones to commercial and manufacturing zones and from within commercial and manufacturing zones.
Which was received.

By the Clerk:

Letter dated October 1, 2012, from the First Assistant City Attorney requesting that your Honorable Body consider introducing an ordinance to authorize a lease agreement with The Parking Authority of the City of Elizabeth, 233 Commerce Place, Elizabeth, NJ, for continued use as an off-street parking facility located at West Grand and Union Street for a minimum term of five (5) years at a fee of \$1.00 per year.
Which was received.

By the Clerk:

Letter dated October 2, 2012, from the Chief Financial Officer requesting authorization for the proper City officials to submit an application to the Local Finance Board to participate in the New Jersey Environmental Trust Financing Program for the City's Third Avenue Sewer Modification Project not to exceed \$2.6 million dollars.
Which was received.

By the Clerk:

Letter dated October 2, 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 2, 2012, from the Chief Financial Officer requesting City Council consider, in compliance with the SFY 2012 Appropriations Act (Best Practices Requirement), approval of all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:

Letter dated September 28, 2012, from the Director of Planning and Community Development requesting that your Honorable Body consider reallocating the unused funds from the Urban Enterprise Zone to the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program to the 2013/2014 Commercial District Security Program Year 18, totaling approximately \$149,000.00, due to the Liberty International Initiative not being able to expend the allocated funding on Program Initiatives and an extension is not being recommended, and for your Honorable Body to notify the Elizabeth Development Company (EDC) that the City will not extend the funding for the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program and to advise EDC to notify the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau of the decision.
Which was received.

By the Clerk:

Letter dated October 1, 2012, from the Director of Planning and Community Development requesting that your Honorable body introduce an ordinance amending the Durant Street Redevelopment Plan, which will replace the previous version of said plan in its entirety upon Planning Board approval.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 1, 2012, from the Director of Planning and Community Development requesting authorization to rescind the resolution adopted November 9, 2011, allocating additional CDBG funds to Raphael's Life House/Covenant House for a HVAC system and authorize reallocation of CDBG funds toward the cost of personnel for Raphael's Life House/Covenant House and extending the term to expend this funding to June 30, 2013, in the amount of \$10,000.00.
Which was received.

By the Clerk:

Letter dated October 1, 2012, from the Director of Planning and Community Development requesting that your Honorable Body designate and declare 827-907 and 829-961 Newark Avenue as an area in need of redevelopment, which was previously designated; however, due to both the passage of time and recent fire and demolition that has occurred, shall be specified as the Durant Redevelopment Area upon Planning Board approval.
Which was received.

By the Clerk:

Letter dated September 20, 2012, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A which are attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of \$5,215.32.
Which was received.

By the Clerk:

Letter dated September 27, 2012, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A which are attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of \$9,727.13.
Which was received.

By the Clerk:

Letter dated October 1, 2012, from the Director of Public Works recommending the award of a contract to Gen II Contracting Company, Inc., 395A Millstone Road, Clarksburg, NJ, for the roof replacement at Peterstown Community Center at a cost of \$296,630.00.
Which was received.

By the Clerk:

Letter dated October 2, 2012, from the Director of Public Works recommending the award of a contract to Tec-Con Contractors, Inc., 9 Dodd Street, East Orange, NJ, for the Midtown Train Station Area Streetscape at a cost of \$234,130.00.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated October 9, 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 5, 2012.
Which was received.

REPORTS OF CITY OFFICERS (Cont'd.)

By the Clerk:

Minutes: Fair Rental Housing Board meeting held June 20, 2012.
Which was received.

ORDINANCES ON FIRST READING

- 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.
- 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.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, OCTOBER 23, 2012, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4332 - Approve Payment In Lieu Of Taxes (PILOT) financial agreement for a long term tax exemption with E'port Family Homes Urban Renewal, L.P., for a new construction development located at 158-168 First Street 212-214 Third Street and 200-206 Third Street.

NEW BUSINESS

In compliance with SFY 2012 Appropriations Act (Best Practices Requirement)" City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Authorize the proper City officials to submit an application to the Local Finance Board to participate in the N.J. Environmental Trust Financing Program for the Third Avenue Sewer Modification Project in an amount not to exceed \$2,600,000.00.

Confirm the reappointment of Honorable Daniel J. Russell to serve as Temporary Judge of the Municipal Court for a term of one (1) year commencing November 1, 2012 through October 31, 2013, in an amount not to exceed \$60,000.00.

Authorize the proper City officials to execute an agreement with Union County College, 1033 Springfield Avenue, Cranford, to use O'Donnell Dempsey Senior Center and Peterstown Community Center to conduct L.I.F.E. Center Courses to be held on Tuesdays and Thursdays between September 5 and December 14, 2012.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to apply and accept a grant award in an amount not to exceed \$5,000.00 from the N.J. Department of Health, Hepatitis Inoculation Fund, for reimbursement of costs of Hepatitis B inoculations for emergency medical technicians, firefighters and police officers.

Authorize the award of a contract to Fanwood Crushed Stone Company, Division of Weldon Materials, Inc., 141 Central Avenue, Westfield, N.J., under the Union County Cooperative Purchasing Contract, for the purchase of road materials for the Department of Public Works for the period September 17, 2012 through September 17, 2014, in an amount not to exceed \$150,000.00.

Authorize the award of a contract to Maturano Recreation Company, c/o Gametime, P.O. Box 106, Spring Lake, N.J., for the purchase of playground equipment for the Peterstown Community Center, at a total cost of \$29,691.75.

Authorize the award of a contract to West Publishing Corporation, 610 Opperman Drive, Eagan, MN, for the purchase of On-line Legal Research Services for the Law Department and the Municipal Court Division, for the period September 25, 2012 to December 31, 2012, at a cost not to exceed \$10,000.00.

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, 2012 to October 1, 2013, at a annual premium of \$1,050.00.

Authorize the award of a contract to Capozzi Overhead Doors, Inc., 80 Howard Place, Nutley, N.J., under the Union County Cooperative Purchasing Contract, for the purchase of Door and Gate Systems Service – Overhead for various departments for the period July 6, 2012 through July 31, 2014, in an amount not to exceed \$120,000.00.

Amend a resolution adopted July 26, 2011, authorizing a contract with Discovery Benefits, to provide billing services and premium collection in connection with the COBRA mandate, specifically to change coverage term from November 1, 2012 to June 30, 2014, raising the cost not to exceed \$2,500.00.

Authorize the award of a contract to Northeast Auto & Truck Parts, LLC, 976 Broadway, Bayonne, N.J., for the purchase of automotive parts and accessories for the Department of Public Works for the period September 25, 2012 through October 25, 2012, at a cost not to exceed \$50,000.00.

Authorize an amendment to a resolution adopted April 28, 2009, granting Urban Enterprise Zone funds to the Liberty International Initiative of the Greater Newark Convention and Visitor Bureau Program (LII), specifically to reallocate unused funds in the approximate amount of \$149,000.00 from said program to the 2013/2014 Commercial District Security Program 18, to enable the City to continue the walking patrol in the business district and for the Elizabeth Development Company to advise LII, pursuant to the agreement, of the 30-day termination of the contract.

Rescind the resolution adopted November 9, 2011, allocating additional CDBG funds in the amount of \$10,000.00 to Rafael's Life House/Covenant House for an HVAC system and authorize the reallocation of said CDBG funds for personnel costs and extending the term to expend said funds to June 30, 2013.

Designate and declare 827-907 and 829-961 Newark Avenue as an area in need of redevelopment and specified as the Durant Redevelopment Area upon Planning Board approval.

NEW BUSINESS (Cont'd.)

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 \$5,215.32.

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 \$9,727.13.

Authorize the award of a contract to Gen II Contracting Company, Inc., 395A Millstone Road, Clarksburg, N.J., for the roof replacement at Peterstown Community Center at a cost of \$296,630.00.

Authorize the award of a contract to Tec-Con Contractors, Inc., 9 Dodd Street, East Orange, N.J., for the Midtown Train Station Area Streetscape at a cost of \$234,130.00.

Pay utility bills.

COMMENDATIONS

Vito Tropeano, UNICO "Citizen of the Year"

MEMORIALS

Rev. Cornelius Bartley, Sr.

ADJOURNMENT