

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, SEPTEMBER 13, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4743 - Authorize the establishment of a new Traffic Control Signal at North Broad Street and Westfield Avenue in accordance with the As-Built Signal Plan.
- ORD. NO. 4744 - Authorize the establishment of a four- ton weight limit for motor vehicles, except for pick-up and delivery, on Polonia Avenue, between Bayway Avenue and Myrtle Street.
- ORD. NO. 4745 - Authorize the establishment of a four- ton weight limit for motor vehicles, except for pick-up and delivery, on Ogden Street, between Bayway Avenue and Allen Street.
- ORD. NO. 4746 - Authorize the establishment of a four- ton weight limit for motor vehicles, except for pick-up and delivery, on Myrtle Street, between Pulaski Street and Route 1 & 9.
- ORD. NO. 4747 - Grant an encroachment permit to Cornerstone Environmental Group, LLC., 100 Crystal Run Road, Middletown, N.Y., to install monitoring wells within the public right-of-way on City-owned property on the southeast side of West End Avenue and the south side of Pennington Street.
- ORD. NO. 4748 - Grant an encroachment permit to YK Group Development Consulting, 212 Second Street, Lakewood, N.J., on behalf of Tricon Enterprises, Inc., Keyport, N.J., to install a temporary construction fence and Jersey barriers within the public right-of-way of East Jersey Street, Jacques Street, Reid Street and Lafayette Street during the demolition of the former Elizabeth General Hospital.
- ORD. NO. 4749 - Authorize the establishment of a Personalized Handicapped Parking Space for Hiram A. Gonzalez, 308 Spencer Street.
- ORD. NO. 4750 - Authorize the establishment of a Personalized Handicapped Parking Space for Anthony L. Opalach, 475 Fay Avenue.

PUBLIC HEARINGS (Cont'd)

THE MIDTOWN ELIZABETH SPECIAL IMPROVEMENT DISTRICT CALENDAR YEAR 2016 BUDGET IN THE AMOUNT OF \$237,000.00.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated August 11, 2016, from the Business Administrator requesting to waive the Residency Requirement for a period of one year for the Emergency Medical Technicians.
Which was received.

By the Clerk:

Letter dated August 12, 2016, from the Business Administrator recommending the award of a contract to Sherwin Williams Company, 101 Prospect Avenue, Cleveland, Ohio, for paint and related supplies for various departments for the period of July 31, 2016 through October 29, 2016 at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated August 25, 2016, from the Business Administrator recommending the award of contracts with National Office Furniture, Dealer of Record: BFI, 1610 Royal Street, Jasper, IN, for desks, conference tables and accessories at the cost of \$23,443.20; BFI, 10 Lanidex Center West, Parsippany, NJ, for a storage unit at the cost of \$1,801.44; Exemplis, c/o BFI, 6415 Katella Avenue, Cypress, CA, for desk chairs, side chairs, plastic stackable chairs and accessories at the cost of \$11,125.20 for the Mickey Walker Center.
Which was received.

By the Clerk:

Letter dated August 25, 2016, from the Business Administrator recommending the award of a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ, for the purchase of nine (9) 2017 Ford Interceptor SUV's as fleet replacements at the total cost of \$237,204.00.
Which was received.

By the Clerk:

Letter dated August 25, 2016, from the Business Administrator recommending the award of a contract to Route 23 Auto Mall, 1301 Rt. 23 South, Butler, NJ, for non-OEM auto parts and accessories for light duty vehicles including, but not limited to brakes, spark plugs and filters, for various departments for the period of July 28, 2016 through February 25, 2017 at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated August 30, 2016, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Dell, Inc., One Dell Way, RR2 8142, Round Rock, TX, for the purchase of Cloud Based Microsoft Office 365 Government G3 Software Subscriptions and Licenses for various offices at a cost of \$119,518.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated August 30, 2016, from the Business Administrator recommending the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, NJ, for non-OEM auto parts and accessories including, but not limited to brakes, spark plugs and filters, for light duty vehicles for various departments for the period of July 28, 2016 through February 25, 2017 at a cost not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated August 30, 2016, from the Business Administrator recommending the award of a contract to Buywise Auto Parts, 2087-2091 Springfield Avenue, Vauxhall, NJ, for non-OEM auto parts and accessories including, but not limited to brakes, gaskets and valves, for light duty vehicles for various departments for the period of July 28, 2016 through February 25, 2017 at a cost not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated August 30, 2016, from the Business Administrator recommending the award of a contract to Snap On Industrial, Division of IDSC Holdings, LLC, 21755 Network Place, Chicago, IL, for the purchase of automotive tools and equipment for the period of August 25, 2016 through July 12, 2017 at a cost not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated August 31, 2016, from the Business Administrator requesting authorization for a final premium adjustment in the total sum of \$12,739.00 regarding the resolution dated July 28, 2015, authorizing the renewal of the excess worker's compensation insurance policy with NY Marine & General Insurance Company, Oklahoma City, OK, as a result of an audit conducted by Regional Risk Managers, LLC. Which was received.

By the Clerk:

Letter dated September 2, 2016, from the Business Administrator recommending the award of a contract to Power Place, Inc., 319 Route 46 West, Rockaway, NJ, for the purchase of one (1) John Deere Quiktrac Mower with floating deck in the amount of \$6,239.22. Which was received.

By the Clerk:

Letter dated September 2, 2016, from the Business Administrator recommending the award of a contract to Power Place, Inc., 319 Route 46 West, Rockaway, NJ, for the purchase of one (1) John Deere 2997R 7 Gauge Side Discharge Deck/Ride On Mower in the amount of \$17,653.59. Which was received.

By the Clerk:

Letter dated September 2, 2016, from the City Attorney recommending the award of contracts for legal representation in connection with expungement petitions to Community Health Law Project, 65 Jefferson Avenue, Elizabeth, NJ, for eight (8) clients at a cost not to exceed \$11,440.00; Make the Road New Jersey, 42 Broad Street, Elizabeth, NJ, for four (4) clients at a cost not to exceed \$5,720.00 and Legal Services of New Jersey, 100 Metroplex Drive, Suite 402, P.O. Box 1357, Edison, NJ, for four (4) clients at a cost not to exceed \$5,720.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated August 16, 2016, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions for the Tax Year 2015 in the amount of \$1,500.00. Which was received.

By the Clerk:

Letter dated September 6, 2016, from the Chief Financial Officer advising that transfers for the 2016 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated September 6, 2016, from the Chief Financial Officer advising in compliance with the SFY 2016 Appropriations Act requires that your Honorable Body approve all payments related to accumulated/uncompensated absence benefits. Which was received.

By the Clerk:

Letter dated September 6, 2016, from the Chief Financial Officer advising that temporary emergency appropriations for the 2017 SFY Municipal and Sewer Utility budgets may be necessary. Which was received.

By the Clerk:

Letter dated September 6, 2016, from the Chief Financial Officer requesting that your Honorable Body consider the introduction and approval of the 2017 SFY Municipal and Sewer Utility Budgets. Which was received.

By the Clerk:

Letter dated August 29, 2016, from the Director of Planning and Community Development requesting to sell at Private Auction City-owned non-conforming real estate property no longer needed for public use to all adjoining property owners to be held on September 27, 2016 at 6:30 p.m. Which was received.

By the Clerk:

Letter dated September 2, 2016, from the Director of Planning and Community Development requesting that your Honorable Body consider approval for funding to Prestige Environmental, Inc., to complete remedial investigation work started at 200 South Second Street due to changes in the Master Plan, the zoning for this property will be used for residential instead of commercial requiring additional work to be performed at the total cost not to exceed \$86,526.00. Which was received.

By the Clerk:

Letter dated August 31, 2016, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Department of Community Affairs Sandy Recovery Division Non-Federal Cost Share Program CDBG disaster recovery funds not to exceed approximately \$125,000.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 2, 2016, from the Director of Public Works recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to provide civil engineering services in connection with the design and construction administration of the Morris Avenue Streetscape at a cost not to exceed \$49,740.00, plus reimbursables.
Which was received.

By the Clerk:

Letter dated September 2, 2016, from the Director of Public Works requesting approval of Change Order No. 1 Final for the contract awarded to Belmont Construction Corporation, 240 West Passaic Street, Suite 11, Maywood, NJ, for the Mickey Walker Recreation Center Renovations at an original cost of \$1,686,000.00, to provide further for additional work required to complete the renovations that were unknown at the time of design and bidding of the project at an additional cost of \$28,780.53, raising the contract amount to \$1,714,780.53.
Which was received.

By the Clerk:

Letter dated September 5, 2016, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of \$22,889.21.
Which was received.

By the Clerk:

Letter dated September 6, 2016, from the Director of Public Works requesting authorization for the proper City officials to execute a Memorandum of Understanding and an Indemnification Agreement, to allow the City of Elizabeth to participate in leaf disposal at the conservation center at a cost of \$2.00 per yard (loose) and \$4.00 per yard (compacted), not to exceed \$7,000.00.
Which was received.

By the Clerk:

Letter dated August 9, 2016, from the Police Director requesting the establishment handicapped parking spaces in front of the following premises: 755 Jefferson Avenue (personalized); 612 Salem Avenue, Apt. 10 (personalized); 631 Grier Avenue 2nd Floor (personalized); 111 Washington Avenue (personalized); 46 Sayre Street (personalized); 1081 Magnolia Avenue; 116 Washington Avenue; 311 Palmer Street; 322 Williamson Street, and the deletion: 1016 Flora Street.
Which was received.

By the Clerk:

Letter dated August 23, 2016, from the Police Director requesting to delete handicapped parking spaces from in front of the following premises: 1091 William Street; 238 Fulton Street; 331 Franklin Street; 1156 E. Broad Street; 86 Fourth Street; 859 Cross Avenue; 517 S. Fifth Street.
Which was received.

By the Clerk:

Letter dated August 25, 2016, from the Police Director requesting to amend the personalized handicapped parking space located at 23 Reid Street from Izalina Mariana to Sergio Rodrigues.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated August 15, 2016, from Freeholder Mirabella, County of Union, requesting that your Honorable Body consider declaring September 16, 2016 as POW/MIA Remembrance Day and extends an invitation to join in celebrating POW/MIA Remembrance Day Ceremony on Friday, September 16, 2016 at 11:15 a.m. in front of the Courthouse on Broad Street; in case of rain, ceremony will be held in the Rotunda, 1st floor of the Courthouse.
Which was received.

By the Clerk:

Letter dated August 3, 2016, from The Elizabeth African American Heritage Day Parade Committee, 900 Madison Avenue, Elizabeth, requesting to host, in conjunction with the City of Elizabeth, the African American Heritage Day Parade/Celebration to be held Sunday, September 18, 2016; parade will begin 2:00 p.m. at Union Square and conclude in front of City Hall.
Which was received.

By the Clerk:

Letter dated August 17, 2016, from the Columbus Parade Association of Union County “500th Inc., 1139 E. Jersey Street, Suite 206, Elizabeth, NJ, requesting that your Honorable Body declare October as “Italian American Heritage Month” and extends an invitation to share in this multi-cultural celebration to be held on Sunday, October 2, 2016, at Amici’s Ristorante, 1700 W. Elizabeth Avenue, Linden, NJ.
Which was received.

NONE.

REPORTS OF CITY OFFICERS

ORDINANCES ON FIRST READING

- ORD. NO. 4751 - Authorize the establishment of a personalized handicapped parking space for Hector L. Perez, 755 Jefferson Avenue.
- ORD. NO. 4752 - Authorize the establishment of a personalized handicapped parking space for Jasha N. Afre, 46 Sayre Street.
- ORD. NO. 4753 - Authorize the establishment of a personalized handicapped parking space for Salvador Santos, 111 Washington Avenue.
- ORD. NO. 4754 - Rescind Ordinance No. 4520, adopted November 25, 2014, which authorized the establishment of a personalized handicapped parking space for Tiffany Sanchez, 1091 William Street.
- ORD. NO. 4755 - Rescind Ordinance No. 3475, adopted November 26, 2002, which authorized the establishment of a personalized handicapped parking space for Nellie Otero, 238 Fulton Street.
- ORD. NO. 4756 - Rescind Ordinance No. 3623, adopted May 25, 2003, which authorized the establishment of a personalized handicapped parking space for Frederick J. Azura, 517 South Fifth Street.

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4757 - Authorize the establishment of a personalized handicapped parking space for Miguel A. Ascoy, 631 Grier Avenue.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, SEPTEMBER 27, 2016, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 4743 - Authorize the establishment of a new Traffic Control Signal at North Broad Street and Westfield Avenue in accordance with the As-Built Signal Plan.

ORD. NO. 4744 - Authorize the establishment of a four-ton weight limit for motor vehicles, except for pick-up and delivery, on Polonia Avenue, between Bayway Avenue and Myrtle Street.

ORD. NO. 4745 - Authorize the establishment of a four-ton weight limit for motor vehicles, except for pick-up and delivery, on Ogden Street, between Bayway Avenue and Allen Street.

ORD. NO. 4746 - Authorize the establishment of a four-ton weight limit for motor vehicles, except for pick-up and delivery, on Myrtle Street, between Pulaski Street and Route 1 & 9.

ORD. NO. 4747 - Grant an encroachment permit to Cornerstone Environmental Group, LLC., 100 Crystal Run Road, Middletown, N.Y., to install monitoring wells within the public right-of-way on City-owned property on the southeast side of West End Avenue and the south side of Pennington Street.

ORD. NO. 4748 - Grant an encroachment permit to YK Group Development Consulting, 212 Second Street, Lakewood, N.J., on behalf of Tricon Enterprises, Inc., Keyport, N.J., to install a temporary construction fence and Jersey barriers within the public right-of-way of East Jersey Street, Jacques Street, Reid Street and Lafayette Street during the demolition of the former Elizabeth General Hospital.

ORD. NO. 4749 - Authorize the establishment of a Personalized Handicapped Parking Space for Hiram A. Gonzalez, 308 Spencer Street.

ORD. NO. 4750 - Authorize the establishment of a Personalized Handicapped Parking Space for Anthony L. Opalach, 475 Fay Avenue.

NEW BUSINESS

Adopt the Midtown Elizabeth Special Improvement District Calendar Year 2016 budget in the amount of \$237,000.00.

NEW BUSINESS (Cont'd.)

Introduce and approve the Fiscal Year 2017 Municipal Budget in the amount of \$250,305,155.65; Fiscal Year 2017 Sewer Utility Budget in the amount of \$26,000,000.00, and Capital Budget in the amount of \$119,261,500.00.

(PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY EVENING, NOVEMBER 9, 2016.)

Authorize Temporary Emergency appropriations for the 2017 Fiscal Year Municipal and Sewer Utility Budgets in the amount of \$47,909,100.00.

In compliance with SFY 2016 Appropriations Act (Best Practices Requirement); City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Authorize the waiver of residency requirement for Emergency Medical Technicians assigned to the EMS Division of the Fire Department for a one year period.

Authorize the award of a contract to Sherwin Williams Company, 101 Prospect Avenue, Cleveland, Ohio, for the purchase of paint and related supplies for various departments for the period July 31, 2016 through October 29, 2016, at a cost not to exceed \$50,000.00.

Authorize the award of respective contracts to National Office Furniture, Dealer of Record: BFI, 1610 Royal Street, Jasper, IN, for the purchase of desks, conference tables and accessories at a cost of \$23,443.20; BFI, 10 Lanidex Center West, Parsippany, N.J., for a storage unit at a cost of \$1,801.44; Exemplis, c/o BFI, 6415 Katella Avenue, Cypress, CA, for chairs and accessories at a cost of \$11,125.20 for the Mickey Walker Center.

Authorize the award of a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, N.J., for the purchase of nine (9) 2017 Ford Interceptor SUV's as fleet replacements at a cost of \$237,204.00.

Authorize the award of a contract to Route 23 Auto Mall, 1301 Route 23 South, Butler, N.J., for non-OEM auto parts and accessories for light duty vehicles for various departments, for the period July 28, 2016 thru February 25, 2017, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Associated Auto Parts, 300 East Elizabeth Avenue, Linden, N.J., for non-OEM auto parts and accessories for light duty vehicles for various departments for the period July 28, 2016 through February 25, 2017, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to Buywise Auto Parts, 2087- 2091 Springfield Avenue, Vauxhall, N.J., for non-OEM auto parts and accessories for light duty vehicles for various departments for the period July 28, 2016 through February 25, 2017, at a cost not to exceed \$100,000.00.

Authorize the proper City officials to execute a contract with Dell, Inc., One Dell Way, Round Rock, Texas, for the purchase of Cloud-based Microsoft Office 365 Government G3 Software Subscriptions and Licenses for various offices, at a cost of \$119,518.00.

Authorize the award of a contract to Snap On Industrial, Division of IDSC Holdings, LLC, 21755 Network Place, Chicago, IL., for the purchase of automotive tools and equipment, for the period August 12, 2016 through July 12, 2017, at a cost not to exceed \$100,000.00.

NEW BUSINESS (Cont'd.)

Authorize the payment of a final premium adjustment for the Excess Workers Compensation Insurance Policy with NY Marine & General Insurance Company covering the period July 1, 2015 to July 1, 2016, in the total amount of \$12,739.00.

Authorize the award of a contract to Power Place, Inc., 319 Route 46 West, Rockaway, N.J., for the purchase of a John Deere Quiktrac Mower with floating deck in the amount of \$6,239.22.

Authorize the award of a contract to Power Place, Inc., 319 Route 46 West, Rockaway, N.J., for the purchase of a John Deere 2997R 7 Gauge Side Discharge Deck/Ride On Mower in the amount of \$17,653.59.

Authorize the award of respective contracts for legal representation in connection with expungement petitions to: Community Health Law Project, 65 Jefferson Avenue, Elizabeth, for eight (8) clients at a cost not to exceed \$11,440.00; Make the Road New Jersey, 42 Broad Street, Elizabeth, for four (4) clients at a cost not to exceed \$5,720.00, and Legal Services of New Jersey, 100 Metroplex Drive, Edison, N.J., for four (4) clients at a cost not to exceed \$5,720.00.

Authorize the Tax Collector to cancel the disallowed senior citizen deduction for Tax Year 2015, pursuant to a delineated list submitted August 16, 2016, in the total amount of \$1,500.00.

Authorize the private sale of City-owned non-conforming lots to adjoining property owners, in accordance to Conditions of Sale, to be held on September 27, 2016.

Authorize a contract amendment with Prestige Environmental, Inc., to complete remedial investigation work at 200 South Second Street due to changes in the Master Plan for said property to be used as residential instead of commercial, requiring additional work to be performed at a total cost not to exceed \$86,526.00.

Authorize the proper City officials to execute all appropriate documents for the Department of Community Affairs Sandy Recovery Division Non-Federal Cost Share Program CDBG disaster recovery funds in an amount not to exceed \$125,000.00.

Authorize the award of a contract to the T & M Associates, 11 Tindall Road, Middletown, N.J., to provide professional civil engineering services in connection with the design and construction administration of the Morris Avenue Streetscape at a cost not to exceed \$49,740.00 plus reimbursables.

Authorize Change Order No. 1 – Final to the contract awarded to Belmont Construction Corporation, Maywood, N.J, for renovations to the Mickey Walker Recreation Center at a cost of \$1,686,000.00, to provide for additional work not anticipated at an additional cost of \$28,780.53.

Authorize the proper City officials to execute a Memorandum of Understanding and an Indemnification Agreement with the County of Union to participate in leaf disposal at the Conservation Center at a cost of \$2.00 per yard (loose) and \$4.00 per yard (compacted) in an amount not to exceed \$7,000.00.

Establish liens for the removal and disposal of debris from said properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$22,889.21.

NEW BUSINESS (Cont'd.)

Establish a handicapped parking space in front of the premises located at 322 Williamson Street.

Establish a handicapped parking space in front of the premises located at 116 Washington Avenue.

Delete the following handicapped parking spaces from in front of the premises located at: 1016 Flora Street, 331 Franklin Street, 1156 East Broad Street, 86 Fourth Street, 859 Cross Street, 46 Sayre Street, 111 Washington Avenue.

Authorize settlement in the litigation matter of Padua vs. the City of Elizabeth, in the total amount of \$30,000.00.

Authorize settlement in the litigation matter of Precois and Mojica vs. the City of Elizabeth in the total amount of \$30,000.00.

Authorize settlement in the worker's compensation litigation matter of Reis vs. the City of Elizabeth in the total amount of \$33,507.00.

Authorize settlement in the worker's compensation litigation matter of Childers-Warren vs. the City of Elizabeth in the total amount of \$24,387.92.

Authorize settlement in the litigation matter of the City of Elizabeth vs. Joint Meeting of Essex and Union Counties in the total amount of \$250,000.00.

Permit the Elizabeth African American Heritage Day Parade Committee, 900 Madison Avenue, Elizabeth, in conjunction with the City of Elizabeth, to host their parade and music celebration to be held on Sunday, September 18, 2016, beginning at 2:00 p.m. at Union Square and concluding at City Hall.

Proclaim September 16, 2016 as POW/MIA Remembrance Day.

Pay utility bills.

COMMENDATIONS:

Dave Gibbons, President, Elberon (**Elizabeth Development Company**
Councilman Carlos Torres (Neighborhood Leaders Award
Seafrigo - (Neighborhood Investment Leader Award
Bank of America - (Community Partner Neighborhood Leader Award

Councilwoman Patricia Perkins-Auguste (Yvonne McCalla Foundation, Inc.
Duane Drew (Breast Cancer Awareness Scholarship
Robin Devonish (

MEMORIALS:

Cynthia Marie Cohen
Justo J. Martinez-Cruz

ADJOURNMENT