

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, OCTOBER 25, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4762 - An ordinance authorizing a guaranty of not exceeding \$3,000,000 aggregate principal amount of Project Parking Revenue Bonds, Series 2016 (Elizabethtown Plaza Redevelopment Project) of PACE QUALICB, Inc. for the purpose of providing additional security, approving the form of a subsidy agreement and appropriating \$3,000,000 and providing for the issuance of \$3,000,000 in bonds and notes of the City as a funding source and determining certain other matters in connection therewith.
- ORD. NO. 4763 - Amend 8.80.030 of the Code of the City of Elizabeth entitled "Vacant and Foreclosing Residential Properties", specifically to increase the annual registration fees.
- ORD, NO. 4764 - Amend Chapter 17 of the Code of the City of Elizabeth, entitled "Establishment of Zones," specifically to establish a new subsection, Chapter 17.52.065, entitled "Fees for Zoning Permits," establishing a new fee schedule.
- ORD. NO. 4766 - Authorize the establishment of a personalized handicapped parking space for Leland E. Allen, Sr., 308 Marshall Street.
- ORD. NO. 4767 - Authorize the establishment of a personalized handicapped parking space for Ricardo Robinson, 219 Marshall Street.
- ORD. NO. 4768 - Authorize the establishment of a personalized handicapped parking space for Gloria Sutton, 232 Lt. Glenn Zamorski Drive.
- ORD. NO. 4769 - Authorize the establishment of a personalized handicapped parking space for Jose Del Sol, 421 First Avenue.
- ORD. NO. 4770 - Authorize the establishment of a personalized handicapped parking space for Ana O. Garcia, 772 Bayway Avenue.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 17, 2016, from the Business Administrator requesting to amend the resolution adopted December 12, 2012, authorizing a Shared Services/ Intergovernmental Agreement with the County of Union to allow the City access on and use of the State of New Jersey's and Union County's Interoperable Communications System in compliance with the Federal Communications Commission's Narrow Banding Mandate, specifically to pay an annual \$30.00 user fee per radio to the New Jersey Office of Information Technology per the Interlocal Agreement with the County of Union for use of the Public Safety Interoperable Communications System. Which was received.

By the Clerk:

Letter dated October 17, 2016, from the Business Administrator recommending awarding a contract to Tri-Eagle Energy, P.O. Box 131615, Woodlands, Texas, at a rate of \$0.04799 per kilowatt hour for a 12-month term beginning on the June 2017 meter read date through the June 2018 meter read date. Which was received.

By the Clerk:

Letter dated October 17, 2016, from the Business Administrator requesting authorization for the proper City officials to execute a contract with Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, NJ, for professional services covering Fire, Police and City Employees for the period of September 1, 2016 through August 31, 2017 in an amount not to exceed \$95,000.00. Which was received.

By the Clerk:

Letter dated October 17, 2016, from the Business Administrator requesting authorization for the proper City officials to execute a new agreement with the Elizabeth Parking Authority, Commerce Place, Elizabeth, NJ, for the rental of twenty-five (25) parking spaces in Lot No. 6 and three hundred (300) parking spaces in Lot No. 2 at a rate of \$100.00 per parking space per month for a period of one year effective July 1, 2016 through June 30, 2017 at a fee of \$390,000.00, including an administrative fee of \$10,000.00; overall annual cost \$400,000.00. Which was received.

By the Clerk:

Letter dated October 18, 2016, from the Business Administrator requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Union County Senior Focus Program for capital improvements and/or equipment purchases that will improve or enhance existing programs and services offered by municipalities to its senior population in an amount not to exceed \$25,000.00. Which was received.

By the Clerk:

Letter dated October 18, 2016, from the City Attorney requesting that your Honorable Body consider a Second Amendment to Amended and Restated Redevelopment Agreement between the City and Waste Management of New Jersey Inc., to construct and operate the intermodal container facility and waterfront development permit, specifically for an extension of time to acquire the property until May 1, 2017. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 11, 2016, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit an overbilling of 2015 and 2016 Tax Years on the property located at 125 South Park Street in the total sum of \$13,121.52.
Which was received.

By the Clerk:

Letter dated October 18, 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 October 18, 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 October 18, 2016, from the Chief Financial Officer requesting that your Honorable Body consider the introduction of amendments to the 2017 SFY Budget at the Regular Meeting to be held on October 25, 2016, and that a public hearing on the amendments be scheduled for the Regular Meeting to be held on November 9, 2016, as well as, consider the adoption of the 2017 SFY Budget.
Which was received.

By the Clerk:

Letter dated October 18, 2016, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a capital ordinance that would authorize the installation of a new traffic light and associated road resurfacing at the intersection of Elizabeth Avenue and High Street/New Point Road in the amount of \$750,000.00; project is partially funded through New Jersey Department of Transportation 2016 Municipal Aid Program in the amount of \$346,282.00.
Which was received.

By the Clerk:

Letter dated October 18, 2016, from the Director of Health and Human Services requesting to establish Chapter 8.81 of the Code of the City of Elizabeth entitled: "Municipal Identification Card Program" for residents of the City of Elizabeth.
Which was received.

By the Clerk:

Letter dated October 18, 2016, from the Director of Health and Human Services requesting to amend Chapter 5.24 of the Code of the City of Elizabeth entitled: "Barbershops and Beauty Shops/Salons."
Which Was Referred To Council As A Whole.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 18, 2016, from the Director of Health and Human Services requesting that your Honorable Body consider an agreement between the City of Elizabeth, Department of Health and Human Services and the Town of Westfield and their contracting municipalities; Township of Union; City of Linden; Borough of Roselle; Township of Hillside; City of Rahway; Township of Scotch Plains; Winfield; Kenilworth Board of Health, Township of Clark Health Department agrees to pay the City \$150.00 per patient visit for services rendered at the Sexually Transmitted Disease Clinic payable upon receipt of a report containing each confirming case. Which was received.

By the Clerk:

Letter dated October 11, 2016, from the Director of Planning and Community Development requesting to rescind the resolution adopted June 23, 2015 authorizing a predevelopment loan for Y HOMES, Inc., for Community Housing Development Organization to determine the feasibility of developing 160 Madison Avenue in the amount of \$30,000.00; they have decided not to pursue the predevelopment of this property. Which was received.

By the Clerk:

Letter dated October 13, 2016, from the Director of Planning and Community Development requesting authorization for the Planning Board to conduct a study to determine if the Magnolia Avenue Redevelopment Area, specifically 854-910 Magnolia Avenue and 859-867 Magnolia Avenue is an area in need of redevelopment without the power of condemnation. Which was received.

By the Clerk:

Letter dated October 17, 2016, from the Director of Public Works recommending the award of a contract to Maser Consulting, P.A., 331 Newman Springs Road, Suite 203, Red Bank, NJ, to provide professional engineering services in connection with the concept plan and construction cost estimate for improvements to Trooper Thomas J. Hanratty Memorial Complex and Ira Powell, Sr. Little League Field at a lump sum not to exceed \$5,100.00 plus reimbursables for the concept plan and cost estimate preparation. Which was received.

By the Clerk:

Letter dated October 17, 2016, from the Director of Public Works recommending the award of a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, NJ, to provide civil engineering services in connection with the design and construction inspection of the Marciante-Millet-Jackson Park Bulkhead Rehabilitation at a cost not to exceed \$138,200.00 plus reimbursables. Which was received.

By the Clerk:

Letter dated October 17, 2016, from the Director of Public Works recommending the award of a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, NJ, to provide civil engineering services in connection with the design of improvements to the Municipal Marina at a cost not to exceed \$18,700.00 plus reimbursables. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 17, 2016, from the Director of Public Works requesting authorization for the proper City officials to accept and sign all appropriate documents for the Permanent PSE&G Aerial Utility Easement near South Second Street and bounded to the South by the Elizabeth River, a necessary part of the Bergen Linden Corridor Upgrade Project.
Which was received.

By the Clerk:

Letter dated October 17, 2016, from the Director of Public Works requesting that your Honorable Body consider supporting the County of Union's administration of the Kapkowski Road – North Avenue East Improvement Project, funded by a Federal Grant overseen by the New Jersey Department of Transportation and the New Jersey Transportation Planning Authority, for traffic signal and roadway improvements to five (5) existing antiquated signalized intersections and to improve visibility of motorists by installing new traffic signal poles and mast arms, etc.
Which was received.

By the Clerk:

Letter dated October 6, 2016, from the Planning Board recommending to amend Chapter 17.52.100, entitled "Fees for Professional Services-Deposits with Municipality-Escrow-Interest."
Which Was Referred To Council As A Whole.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

MOTION TO REMOVE FROM THE TABLE

- ORD. NO. 4765 - Amend Chapter 5.70.250 of the Code of the City of Elizabeth entitled "Rent Control and Stabilization," specifically to extend the expiration date to December 31, 2018.
- ORD. NO. 4775 - An ordinance authorizing the execution of permanent Public Service Electric and Gas Company aerial utility easements near South Second Street, bounded by the Elizabeth River, necessary for the Bergen Linden Corridor Upgrade Project.
- ORD. NO. 4776 - An ordinance to establish Chapter 8.81 of the Code of the City of Elizabeth, entitled "Municipal Identification Card Program," for residents of the City of Elizabeth.
- ORD. NO. 4778 - Authorize the establishment of a personalized handicapped parking space for Margherita DiCosmo, 844 Second Avenue.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD WEDNESDAY, NOVEMBER 9, 2016, AT 7:30 P.M.

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4777 - Capital Ordinance in the amount of \$750,000.00, authorizing the installation of a new traffic light and associated road resurfacing at the intersection of Elizabeth Avenue and High Street/New Point Road, said project partially funded through N.J. Department of Transportation 2016 Municipal Aid Program in the amount of \$346,282.00.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, NOVEMBER 22, 2016, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4762 - An ordinance authorizing a guaranty of not exceeding \$3,000,000 aggregate principal amount of Project Parking Revenue Bonds, Series 2016 (Elizabethtown Plaza Redevelopment Project) of PACE QUALICB, Inc. for the purpose of providing additional security, approving the form of a subsidy agreement and appropriating \$3,000,000 and providing for the issuance of \$3,000,000 in bonds and notes of the City as a funding source and determining certain other matters in connection therewith.
- ORD. NO. 4763 - Amend 8.80.030 of the Code of the City of Elizabeth entitled "Vacant and Foreclosing Residential Properties", specifically to increase the annual registration fees.
- ORD. NO. 4764 - Amend Chapter 17 of the Code of the City of Elizabeth, entitled "Establishment of Zones," specifically to establish a new subsection, Chapter 17.52.065, entitled "Fees for Zoning Permits," establishing a new fee schedule.
- ORD. NO. 4766 - Authorize the establishment of a personalized handicapped parking space for Leland E. Allen, Sr., 308 Marshall Street.
- ORD. NO. 4767 - Authorize the establishment of a personalized handicapped parking space for Ricardo Robinson, 219 Marshall Street.
- ORD. NO. 4768 - Authorize the establishment of a personalized handicapped parking space for Gloria Sutton, 232 Lt. Glenn Zamorski Drive.
- ORD. NO. 4769 - Authorize the establishment of a personalized handicapped parking space for Jose Del Sol, 421 First Avenue.
- ORD. NO. 4770 - Authorize the establishment of a personalized handicapped parking space for Ana O. Garcia, 772 Bayway Avenue.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2017 Capital Budget in the amount of \$750,000.00.

Introduce and approve Fiscal Year 2017 Budget Amendments. **(TO BE READ IN FULL)**

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

Amend the resolution adopted December 12, 2012, authorizing a Shared Services/Inter-governmental Agreement with the County of Union for access and use of State of New Jersey's and Union County's Interoperable Communications System in compliance with the Federal Communication's Narrow Banding Mandate, specifically to pay an annual \$30.00 user fee per radio to the N.J. Office of Information Technology.

Authorize the award of a contract, through the N.J. Sustainable Energy Joint Meeting (NJSEM), for the purchase of electricity to Tri-Eagle Energy, P.O. Box 131615, Woodlands, Texas, for the purchase of electricity for a twelve-month period beginning on the June 2017 meter read date through the June 2018 meter read date.

Authorize the award of a contract to Union Square Medical Associates, 824 Elizabeth Avenue, Elizabeth, to provide for professional medical services for City employees and the Police and Fire Departments, for the period September 1, 2016 through August 31, 2017, at a cost not to exceed \$95,000.00.

Authorize the execution of a new agreement with the Elizabeth Parking Authority for the rental of twenty-five (25) parking spaces in Lot #6 and three hundred (300) parking spaces in Lot #2 for one year effective July 1, 2016 through June 30, 2017 at a rate of \$100.00 per parking space per month, at a cost of \$32,500.00 or \$390,000.00 for one year, plus an administrative fee of \$10,000.00, for total amount of \$400,000.00.

Authorize the proper City officials to execute all necessary documents for the Union County Senior Focus Program in an amount not to exceed \$25,000.00 for capital improvements and/or equipment purchases that will improve/enhance existing programs and services offered by municipalities to its senior population.

Authorize the proper City officials to execute the second amendment to the Amended and Restated Redevelopment Agreement between the City and Waste Management of New Jersey, Inc., to construct and operate the intermodal container facility on Block 4, Lots 1468 and 1469, and waterfront development permit, specifically for an extension of time to acquire said property to May 1, 2017.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes for Tax Years 2015 and 2016, on the property located at 125 South Park Street, in the total amount of \$13,121.52.

Authorize the proper City officials to execute an Agreement between the City of Elizabeth, Department of Health and Human Services and the Town of Westfield and their contracting municipalities; Township of Union; City of Linden; Borough of Roselle; Hillside Township; City of Rahway; Scotch Plains Township; Winfield Township; Kenilworth Board of Health, and Clark Health Department for services rendered at the Sexually Transmitted Disease (STD) Clinic in Elizabeth, according to the terms of the agreement for services rendered payable upon receipt of a report confirming said service for the period January 1, 2017 to December 31, 2017.

NEW BUSINESS (Cont'd.)

Rescind the resolution adopted June 23, 2015, authorizing a Community Housing Development Organization (CHDO) Predevelopment loan in the amount of \$30,000.00 to Y HOMES, Inc., to develop property at 160 Madison Avenue into affordable housing.

Authorize the Planning Board to conduct a study to determine if 854-910 Magnolia Avenue and 859-867 Magnolia Avenue (Magnolia Avenue Redevelopment Area) is an area in need of redevelopment without the power of condemnation.

Authorize the award of a contract to Maser Consulting, P.A., 331 Newman Springs Road, Red Bank, N.J., to provide professional engineering services in connection with the concept plan and construction cost estimate for improvements to Trooper Thomas J. Hanratty Memorial Complex and Ira Powell, Sr., Little League Field, at a cost not to exceed \$5,100.00, plus reimbursables.

Authorize the award of a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, N.J., to provide civil engineering services in connection with the design and construction inspection of the Marciante-Millet-Jackson Park Bulkhead Rehabilitation, at a cost not to exceed \$138,200.00, plus reimbursables.

Authorize the award of a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, N.J., to provide civil engineering services in connection with the design of improvements to the Municipal Marina, at a cost not to exceed \$18,700.00 plus reimbursables.

Adopt a resolution supporting the County of Union's administration of the Kapkowski Road-North Avenue East Improvement Project funded by a Federal Grant overseen by the N.J. Department of Transportation and the N.J. Transportation Planning Authority for traffic signal and roadway improvements at listed intersections according to current Manual on Uniform Traffic Control Devices (MUTCD) standards.

Establish a handicapped parking space in front of the premises located at 612 Third Avenue.

Rescind a resolution adopted December 9, 2008, which established a handicapped parking space in front of the premises located at 844 Second Avenue, specifically to establish said parking space to a Personalized handicapped parking space.

Authorize settlement in the litigation matter of Diaz vs. the City of Elizabeth, in the total amount of \$10,580.00.

Pay Utility Bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS:

MEMORIALS:

Mother Shirley Ann Pinkney

ADJOURNMENT