

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, DECEMBER 13, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4781 - An ordinance to amend and replace Chapter 5.24 of the Code of the City of Elizabeth to be entitled "Barbershops and Beauty Salons/Shops and Nail Salons/Parlors."
- ORD. NO. 4785 - Amend Bond Ord. No. 4510, adopted November 12, 2014, providing for the construction of the Trumbull Street Flood Control Project in the amount of \$5,500,000.00, specifically to supplement said amount to \$6,500,000.00.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 21, 2016, from the Business Administrator requesting authorization for the issuance of insurance with Nautilus Insurance Company, 7233 E. Butherus Drive, Scottsdale, AZ, through agent-of-record, Offerstedt Insurance Agency, covering EMS Medical Director for the period of December 24, 2016 to December 24, 2017 at an annual premium of \$4,687.50.  
Which was received.

By the Clerk:

Letter dated November 21, 2016, from the Business Administrator requesting authorization for the proper City officials to issue a Fidelity Officials Bond covering Paul Lesniak, City Treasurer/Tax Collector with the Hartford Insurance Company, Hartford, CT, through agent-of-record, Hughes Plumer Associates, 20 West End Avenue, Somerville, NJ, for the period of December 1, 2016 to December 1, 2017 at an annual premium of \$1,750.00.  
Which was received.

By the Clerk:

Letter dated November 22, 2016, from the Business Administrator requesting authorization for the proper City officials to renew the insurance policy with Fidelity & Deposit Company of Maryland, a member of Zurich Financial Services Group, Zurich Towers, 1400 American Lane, Schaumburg, IL, covering the Fidelity Blanket Bond for Public Employees dishonesty for the period of January 1, 2017 to January 1, 2018 at an annual premium of \$3,620.23.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated December 1, 2016, from the Business Administrator recommending awarding a contract to La Voz, 1020 Kipling Road, Elizabeth, NJ, for the publishing of advertising for the period of December 1, 2016 through December 12, 2017 in an amount not to exceed \$30,000.00. Which was received.

By the Clerk:

Letter dated December 2, 2016, from the Business Administrator recommending awarding a contract to Maffey's Lock & Safe Co., Inc., 1172 East Grand Street, Elizabeth, NJ, for the purchase of Surveillance Equipment for the Police Department for the period of September 5, 2016 through September 4, 2018 at a cost not to exceed \$125,000.00. Which was received.

By the Clerk:

Letter dated December 2, 2016, from the Business Administrator recommending awarding a contract to Edmunds & Associates, Inc., 301 A Tilton Road, Northfield, NJ, for Software and Hardware Support for proprietary software for the period of January 1, 2017 through December 31, 2017 in the amount of \$33,285.00. Which was received.

By the Clerk:

Letter dated December 2, 2016, from the Business Administrator recommending awarding a contract to Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA, for the purchase of bulk rock salt for the Department of Public Works for the period of October 29, 2016 through October 28, 2017 at a cost not to exceed \$489,300.00. Which was received.

By the Clerk:

Letter dated December 6, 2016, from the Business Administrator requesting that your Honorable Body consider authorizing an Intergovernmental Agreement between the City of Elizabeth and the County of Union for the purpose of fiber technology to be used to create and maintain a "fiber ring" for the ability to transmit information throughout major governmental facilities at the county; and municipal levels, for the creation of virtual private networks; and for security cameras for the period of December 18, 2016 through December 17, 2021; City's share of maintenance costs in an amount not to exceed \$267,159.60. Which was received.

By the Clerk:

Letter dated December 5, 2016, from the First Assistant City Attorney requesting that your Honorable Body consider an ordinance to establish Article XI of the Code of the City of Elizabeth, entitled "Police Department Firearms Range Use by Retired Law Enforcement Officers." Which was received.

By the Clerk:

Letter dated December 6, 2016, from the First Assistant City Attorney, on behalf of Congressman Albio Sires, requesting that your Honorable Body consider extending the term of the lease agreement for 800-828 Anna Street, Elizabeth, for an additional two (2) years from January 3, 2017 through January 2, 2019, under the same terms and conditions. Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated November 15, 2016, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit the overbilling of taxes for the 2016 Tax Year to the owner of the property located at 622 Fulton Street in the total sum of \$3,706.71.  
Which was received.

By the Clerk:

Letter dated November 22, 2016, from the Chief Financial Officer requesting authorization for the Tax Collector to credit/refund a Disabled Deduction for the Tax Year 2016 to the owner of the property located at 500-504 Riverside Drive, Elizabeth, the total sum of \$250.00.  
Which was received.

By the Clerk:

Letter dated November 22, 2016, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit an overbilling of taxes for the 2015 & 2016 Tax Years to the owner of the property located at 755 South Broad Street, Elizabeth in the total sum of \$1,346.21 and to cancel/refund/credit an overbilling of taxes for the 2016 Tax Year to the owner of the property located at 865-867 Bayway Avenue in the total sum of \$1,026.71.  
Which was received.

By the Clerk:

Letter dated December 6, 2016, from the Chief Financial Officer advising that additional grants may be appropriated in the 2017 SFY Budget by budget amendments. (Chapter 159).  
Which was received.

By the Clerk:

Letter dated December 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 December 6, 2016, from the Chief Financial Officer requesting a Fiscal Year 2017 Dedication by Rider to the municipal budget for donations-acceptance of bequests and gifts from Waste Management Company for "Winter Fest Toy Give-A-Way."  
Which was received.

By the Clerk:

Letter dated December 6, 2016, from the Chief Financial Officer requesting that your Honorable Body consider an amendment to Ordinance No. 4348 that will establish the salary and cost sharing plan for State Health Benefits for the Mayor, City Council, and Directors for the period January 1, 2017 through December 31, 2020.  
Which was received.

By the Clerk

Letter dated December 6, 2016, from the Chief Financial Officer is requesting that your Honorable Body consider the Greater Elizabeth Tourism Improvement District 2017 Calendar Budget for introduction and approval in the amount of \$833,683.75.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated November 29, 2016, from the Director of Health and Human Services requesting that your Honorable Body consider authorizing the submission of an application, permission to accept the award and authorization for the proper City officials to sign all appropriate documents for the continuation of the Elizabeth Municipal Alliance for the period of July 1, 2017 to June 30, 2018 for \$75,854.00 in grant funds. Which was received.

By the Clerk:

Letter dated November 30, 2016 from the Director of Health and Human Services requesting that your Honorable Body consider authorizing the submission of and for the appropriate City officials to execute any documents pertaining to an agreement between the City of Elizabeth, Department of Health and Human Services and Saint Peter's University to identify the mutual responsibilities and expectations as it pertains to students conducting requisite field training. Which was received.

By the Clerk:

Letter dated December 2, 2016, from the Director of Health and Human Services recommending awarding a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, NJ for the performance of Senior Health Promotion/Risk Reduction Services for the period of January 1, 2017 through December 31, 2017 at a rate of \$83.00 per hour at a total cost not to exceed \$11,952.00 unless, further authorized by your Honorable Body. Which was received.

By the Clerk:

Letter dated December 2, 2016, from the Director of Health and Human Services recommending awarding a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, NJ, for the performance of Health Educator Services for the period of January 1, 2017 through December 31, 2017 at a rate of \$73.00 per hour at a cost not to exceed \$10,840.50, unless further authorized by your Honorable Body. Which was received.

By the Clerk:

Letter dated December 2, 2016, from the Director of Health and Human Services recommending entering into an agreement between the City of Elizabeth, Department of Health and Human Services, and the Elizabeth Board of Education to provide nursing services to 1,499 students enrolled in five (5) non-public schools in the City for the period of September 1, 2016 through June 30, 2017 to receive \$129,965.00. Which was received.

By the Clerk:

Letter dated November 30, 2016, from the Director of Planning & Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to postpone the second mortgage held by the City through the Elizabeth Home Improvement Program, Owner Occupied Program for the property located at 161 Race Street in the amount of \$23,934.00. Which was received.

By the Clerk:

Letter dated December 1, 2016, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$896.46. Which was received.

**PETITIONS, COMMUNICATIONS, ETC.**

By the Clerk:

Letter dated December 1, 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 \$7,293.82.  
Which was received.

By the Clerk:

Letter dated December 6, 2016, from the Director of Public Works recommending awarding a contract to Mott MacDonald, 111 Wood Avenue South, Iselin, NJ to provide engineering services in connection with the Lincoln Avenue Area Drainage Improvement Feasibility study on a time and material basis at a cost not to exceed \$135,600.00, plus reimbursables.  
Which was received.

By the Clerk:

Letter dated November 28, 2016, from the Police Director requesting to establish a Loading Zone in front of 88 West Grand Street, from 7:00 a.m. to 7:00 p.m., as per an agreement between the Parking Authority and Community Access Unlimited.  
Which was received.

By the Clerk:

Letter dated November 23, 2016, from the Police Director requesting to establish a "No Parking Anytime" between 415 and 417 John Street.  
Which was received.

By the Clerk:

Letter dated November 9, 2016, from the Police Director requesting to establish handicapped parking spaces in front of 332 Williamson Street; 111 Liberty Street; 336 S. Fifth Street; 541 Franklin Street; 238 E. Jersey Street; 68 Clover Street; 321 Court Street; 530 Linden Avenue; disapproved; 331 Pearl Street; deletions: 549 Third Avenue; 309 S. Seventh Street; 420 Livingston Street; 620 First Avenue; 112 Front Street; 612 Third Avenue; 164 Standish Street; 243 Fulton Street.  
Which was received.

By the Clerk:

Letter dated December 1, 2016, from the Police Director requesting to establish handicapped parking spaces in front of the premises located at 313 Livingston Street (personalized); 647 S. Park Street (personalized); 211 Florida Street (personalized); 254 Insee Place (personalized); 135 Madison Avenue (personalized); 626 Monroe Avenue (personalized); 830 Jackson Avenue (personalized); disapproved: 156 Elm Street.  
Which was received.

By the Clerk:

Letter dated December 1, 2016, from the Police Director requesting to establish handicapped parking spaces in front of the premises located at 921 Bond Street, 2<sup>ND</sup> Floor; 1056 Anna Street; 183 Elm Street; 620 Fourth Avenue; 1013 N. Broad Street, Apt 211; 313 S. Fifth Street; 673 Jefferson Avenue; 459 Fay Avenue; 446 Rosehill Place; 830 Grove Street; 522 Livingston Street; 113 Port Avenue; 454 Union Avenue.  
Which was received.

By the Clerk:

Letter dated December 1, 2016, from the Police Director requesting to delete handicapped parking spaces located in front of the premises located at 413 S. Broad Street; 448 Erico Avenue, 2<sup>nd</sup> Floor; 736 Eugenia Place; 90R Marshall Street; 510 Fourth Avenue; 224 Franklin Street.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 15, 2016, from Mobilitie, 3475 Piedmont Rd. NE, Suite 1000, Atlanta, GA, requesting to amend the resolution adopted June 28, 2016, authorizing and consenting for the proper City officials to enter into a Right-of-Way Agreement to install wire/wireless antennas and equipment on existing utility poles, specifically to include the attached list of sites and map to the City Clerk's Office. WHICH WAS REFERRED TO COUNCIL AS A WHOLE.

By the Clerk:

Letter dated November 8, 2016, from Mr. Osment Spencer, 351 S. Broad Street, Apt. 207, Elizabeth, NJ, requesting to be appointed and serve as a Constable in the City of Elizabeth. WHICH WAS REFERRED TO COUNCIL AS A WHOLE.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated November 14, 2016, from the City Treasurer submitting the City Treasurer's Report of Receipts and Disbursements for the month of August, 2016 and Statement of Bank Balances and Investments as of August 31, 2016. Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4786 - Amend Ordinance No. 4348 to establish the salary and cost sharing plan for State Health Benefits for the Mayor, Members of City Council and the Department Directors for the period January 1, 2017 to December 31, 2020.
- ORD. NO. 4787 - Amend Chapter 10.28.030, Schedule I, of the Code of the City of Elizabeth, entitled "No Parking All Times on Certain Streets," specifically to add 415 and 417 John Street.
- ORD. NO. 4788 Amend Chapter 2.56 to establish Article XI of the Code of the City of Elizabeth, entitled Police Department, Firearms Range Use by Retired Law Enforcement Officers.
- ORD. NO. 4789 Amend Ord. No. 4545, adopted February 10, 2015, authorizing a lease agreement for the rental of office space at the Steven Sampson Center, 800-828 Anna Street, for government constituent services in the 13<sup>th</sup> District, specifically to extend the term to January 3, 2017 through January 2, 2019 under the same terms and conditions.
- ORD. NO. 4790 Authorize the establishment of a personalized handicapped parking space for Sonia N. Alvarado, 211 Florida Street.
- ORD. NO. 4791 Authorize the establishment of a personalized handicapped parking space Frances M. Moret, 254 Inslee Place.

**ORDINANCES (Cont'd)**

- ORD. NO. 4792      Rescind Ordinance No. 4338, adopted November 13, 2012, which authorized the establishment of a personalized handicapped parking space for Jeremey Fuentes, 90R Marshall Street.
- ORD. NO. 4793      Rescind Ordinance No. 4739, adopted August 23, 2016, which authorized the establishment of a personalized handicapped parking space for Ricardo Morot Jr. 510 Fourth Avenue.
- ORD. NO. 4794      Rescind Ordinance No. 4716 adopted May 24, 2016, which authorized the establishment of a personalized handicapped parking space for Reinaldo Trujillo-Hernandez, 309 So. Seventh Street.
- ORD. NO. 4795      Rescind Ordinance No. 4308, adopted May 22, 2012, which authorized the establishment of a personalized handicapped parking space for Jorge Herrera, 420 Livingston Street. (to be a regular handicapped)
- ORD. NO. 4796      Rescind Ordinance No. 4504, adopted October 28, 2014, which authorized the establishment of a personalized handicapped parking space for Daysi Munoz-Denunez, 164 Standish Street.

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

**ORDINANCES ON FINAL PASSAGE**

- ORD. NO. 4781 -      An ordinance to amend and replace Chapter 5.24 of the Code of the City of Elizabeth to be entitled "Barbershops and Beauty Salons/Shops and Nail Salons/Parlors."
- ORD. NO. 4785 -      Amend Bond Ord. No. 4510, adopted November 12, 2014, providing for the construction of the Trumbull Street Flood Control Project in the amount of \$5,500,000.00, specifically to supplement said amount to \$6,500,000.00.

**NEW BUSINESS**

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

Introduce and approve the Greater Elizabeth Tourism Improvement District 2017 Budget in the amount of \$833,683,75.

**(PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY EVENING, DECEMBER 27, 2016.)**

Authorize a Dedication by Rider in the Fiscal Year 2017 budget for donations/ acceptance of bequests and gifts from Waste Management Company for "Winter Fest Toy Give-A-Way," as required by NJSA 40A:5-29.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Nautilus Insurance Company, 7233 East Butherus Drive, Scottsdale, AZ., through the agent of record, Otterstedt Insurance Agency, to provide insurance covering EMS Director, for the period December 24, 2016 to December 24, 2017 at an annual premium of \$4,687.50.

Authorize the award of a contract to Hartford Insurance Company, Hartford, CT., through the agent-of-record, Hughes-Plumer and Associates, for the renewal of the policy of insurance covering the Fidelity Officials Bond for City Treasurer/Tax Collector, Paul Lesniak, for the period December 1, 2016 to December 1, 2017 at an annual premium of \$1,750.00.

Authorize the award of a contract to Fidelity and Deposit Company of Maryland, a member of the Zurich Financial Services Group, 1400 American Lane, Schaumburg, IL., for the renewal of a policy of insurance covering the Fidelity Blanket Bond for public employees dishonesty for the period January 1, 2017 to January 1, 2018, at a cost of \$3,620.23.

Authorize the award of a contract to "La Voz", 1020 Kipling Road, Elizabeth, for the publishing of advertising for a one period of December 13, 2016 through December 12, 2017 at a cost not to exceed \$30,000.00.

Authorize the award of a contract to Maffey's Lock & Safe Company, Inc., 1172 East Grand Street, Elizabeth, N.J., for the purchase of surveillance equipment for the Police Department, for the period September 5, 2016 through September 4, 2018, at a cost not to exceed \$125,000.00.

Authorize the award of a contract to Edmunds and Associates, Inc., 301A Tilton Road, Northfield, N.J., for Software and Hardware Support for proprietary software for the period January 1, 2017 through December 31, 2017, in the amount of \$33,285.00.

Authorize the award of a contract to Atlantic Salt, Inc., 134 Middle Street, Lowell, MA., for the purchase of bulk rock salt for the Department of Public Works for the period October 29, 2016 through October 28, 2017, at a cost not to exceed \$489,300.00.

Authorize the proper City officials to enter into an Intergovernmental Agreement between the City of Elizabeth and the County of Union for fiber technology to create and maintain a "fiber ring" for transmittal of information throughout major governmental facilities at the county and municipal levels, the creation of virtual private network and security cameras for the period December 18, 2016 through December 17, 2021, with the City's share of maintenance costs in an amount not to exceed \$267,159.60.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes for Tax Year 2016, on the property located at 622 Fulton Street, in the total amount of \$3,706.71.

Authorize the Tax Collector to credit/refund a disability deduction for Tax Year 2016, on property located at 500-504 Riverside Drive in the total amount of \$250.00.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes for Tax Year 2015 and 2016, on property located at 755 South Broad Street in the total sum of \$1,346.21 and Tax Year 2016 on property located at 865 -867 Bayway Avenue in the total sum of \$1,026.71.

Authorize the proper City officials to execute all appropriate documents necessary for grant funds in the amount of \$75,854.00 for the continuation of the Elizabeth Municipal Alliance for the period July 1, 2017 to June 30, 2018.



NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute an agreement with Saint Peter's University, to identify mutual responsibilities and expectations as it pertains to students conducting requisite field training.

Authorize the award of a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, N.J., to administer Senior Health Promotion/Risk Reduction Services for the period January 1, 2017 through December 31, 2017, at a cost not to exceed \$11,952.80, unless further authorized by City Council.

Authorize the award of a contract to Visiting Nurse and Health Services, 354 Union Avenue, Elizabeth, N.J., to administer Health Educator Services for the period January 1, 2017 through December 31, 2017, at a cost not to exceed \$10,840.50, unless further authorized by City Council.

Authorize the proper City officials to execute an agreement between the City of the Elizabeth's Department of Health and Human Services and the Elizabeth Board of Education to provide nursing services for non-public schools for the period September 1, 2016 through June 30, 2017, at a cost payable to the City in the amount of \$129,965.00.

Authorize the postponement of an Owner-Occupied Program second mortgage held by the City on the property located at 161 Race Street in the amount of \$23,934.00.

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 \$896.46.

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 \$ 7,293.82.

Authorize the award of a contract to Mott MacDonald, 111 Wood Avenue South, Iselin, N.J., to provide professional engineering services in connection with the Lincoln Avenue Area Drainage Improvement Feasibility study on a time and material basis at cost not to exceed \$135,600.00, plus reimbursables.

Authorize the establishment of a Loading Zone, on behalf of Community Access Unlimited, 88 West Grand Street, from 7:00 a.m. to 7:00 p.m.

Establish a handicapped parking space in front of the premises located at 332 Williamson Street.

Establish a handicapped parking space in front of the premises located at 111 Liberty Street.

Establish a handicapped parking space in front of the premises located at 541 Franklin Street.

Establish a handicapped parking space in front of the premises located at 238 East Jersey Street.

Establish a handicapped parking space in front of the premises located at 68 Clover Street.

Establish a handicapped parking space in front of the premises located at 321 Court Street.

Establish a handicapped parking space in front of the premises located at 1056 Anna Street.

Establish a handicapped parking space in front of the premises located 183 Elm Street.

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

Establish a handicapped parking space in front of the premises located at 620 Fourth Avenue.

Establish a handicapped parking space in front of the premises located at 313 South Fifth Street.

Establish a handicapped parking space in front of the premises located at 522 Livingston Street.

Establish a handicapped parking space in front of the premises located at 113 Port Avenue.

Establish a handicapped parking space in front of the premises located at 454 Union Avenue.

Establish a handicapped parking space in front of the premises located at 420 Livingston Street.

Establish a handicapped parking space in front of the premises located at 446 Rosehill Place.

Establish a handicapped parking space in front of the premises located at 830 Grove Street.

Establish a handicapped parking space in front of the premises located at 530 Linden Avenue.

Establish a handicapped parking space in front of the premises located at 336 So. Fifth Street.

Establish a handicapped parking space in front of the premises located at 311 Palmer Street.

Delete the following handicapped parking spaces from in front of the premises located at: 413 South Broad Street, 448 Erico Avenue, 736 Eugenia Place, 243 Fulton Street, 620 First Avenue, 112 Front Street, 612 Third Avenue, 224 Franklin Street, 549 Third Avenue, 322 Williamson Street.

Appoint Mr. David Perez, 4 Lowden Street, Elizabeth, to serve as a Constable in and for the City of Elizabeth for a term of three (3) years.

Appoint Mr. Osment Spencer, 351 S. Broad Street, Apt. 207, Elizabeth, to serve as Constable in and for the City of Elizabeth for a term of three (3) years.

Authorize settlement in the worker's compensation litigation matter of Shannon vs. the City in the total amount of \$28,992.00.

Pay Utility Bills.

**COMMENDATIONS:**

**MEMORIALS:**

**ADJOURNMENT**