

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, NOVEMBER 24, 2015

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4640 - Amend Chapter 10.28.050, Schedule III, entitled "No Stopping or Standing," specifically to include the north side of West Grand Street, between Broad Street to Union Street.
- ORD. NO. 4641 - Amend Chapter 10.28.030, Schedule I, entitled "No Parking All Times on Certain Streets," specifically to include Dickenson Street, 211 feet on the northern curbline heading west from Jefferson Avenue and between 145 and 167 feet on the southern curbline from Jefferson Avenue.
- ORD. NO. 4642 - Grant an encroachment permit to Cornerstone Environmental Services, 100 Crystal Run Road, Middletown, N.Y., to perform environmental work consisting of two (2) groundwater monitoring wells within the public right-of-way along the east side of Bellevue Street.
- ORD. NO. 4643 - Grant an encroachment permit to Permit Expediting Services, 7 Lawrence Court, Old Tappan, N.J., on behalf of Santander Bank, to install handicapped accessibility improvements within the public right-of-way of 1 Union Square, aka 1-5 North High Street.
- ORD. NO. 4644 - Amend Ordinance No. 4613, adopted August 25, 2015, authorizing the establishment of a personalized handicapped parking space for Eneida Perez, 137 Washington Avenue, specifically to install said signage to 141 Washington Avenue.
- ORD. NO. 4645 - Authorize the establishment of a personalized handicapped parking space for Joaquim A. Moreira, 429 Livingston Street.
- ORD. NO. 4646 - Amend Chapter 17.36.110 of the Code of the City of Elizabeth, specifically to repeal and replace Paragraph D.
- ORD. NO. 4647 - Amend Chapter 17.40.040 of the Code of the City of Elizabeth, specifically to amend Subsection Table 1.

PUBLIC HEARINGS (Cont'd.)

FISCAL YEAR 2016 BUDGET AMENDMENTS. (TO BE READ IN FULL)

**FISCAL YEAR 2016 MUNICIPAL BUDGET IN THE AMOUNT OF \$239,962,150.84;
FISCAL YEAR 2016 SEWER UTILITY BUDGET IN THE AMOUNT OF \$29,000,000.00;
FISCAL YEAR 2016 CAPITAL BUDGET IN THE AMOUNT OF \$113,225,000.00.**

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 9, 2015, from the Assistant Business Administrator requesting that your Honorable Body consider entering into a lease agreement with Waste Management of New Jersey Inc., Corp. Real Estate Dept., 720 East Butterfield Road, Lombard, IL, for rental of land for road salt storage at 863-869 Flora Street for the period of October 1, 2015 to March 31, 2016 in the amount of \$2,187.50 per month. Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Assistant Business Administrator recommending the award of a contract to Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA for the purchasing of bulk rock salt for the Department of Public Works for the period of November 2, 2015 through October 28, 2016 at a cost not to exceed \$489,300.00. Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Assistant Business Administrator recommending the award of a contract to Cliffside Body, 130 Broad Avenue, Fairview, NJ, for the purchase of one (1) 2016 Stahl Challenger-ST Service Body for the 2016 Ford F350 truck in the amount of \$32,511.00. Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Assistant Business Administrator recommending the award of a contract to Ricoh Americas Corp., 5 Dedrick Place, West Caldwell, NJ, for new or replacement leases for the period of November 1, 2015 through December 31, 2015, and for the maintenance of owned photocopiers, to include parts, labor and supplies (including staples for the machines), for the period of November 1, 2015 through November 30, 2015, in the total amount not to exceed \$15,000.00. Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Assistant Business Administrator recommending the award of a contract to National Terminal Inc., 175 Orange Street, Newark, NJ, for the purchase of diesel fuel for the Public Works Marina for the period of November 1, 2015 through October 31, 2016, at a cost not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Assistant Business Administrator recommending the award of a contract to Chas. S. Winner, Inc., d/b/a Winner Ford, 250 Berlin Road, Cherry Hill, NJ, for the purchase of one (1) 2016 Ford 350 Four Wheel Drive Chassis Cab and Options at the cost of \$26,838.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 13, 2015, from the Assistant Business Administrator recommending the award of a contract to Newark Brush Company, 1 Silver Court, Springfield, NJ, for parts and repairs for Road Maintenance Equipment for various departments for the period of November 5, 2015 through January 29, 2017 at a cost not to exceed \$100,000.00.
Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Assistant Business Administrator requesting that your Honorable Body consider authorizing the issuance of insurance with Nautilus Insurance Company, 7233 E. Butherus Dr., Scottsdale, AZ, through agent-of-record, Otterstedt Insurance Agency, covering EMS Medical Director for the period October 1, 2015 to October 1, 2016 at an annual premium of \$4,687.50.
Which was received.

By the Clerk:

Letter dated November 9, 2015, from the City Attorney requesting that your Honorable Body consider authorizing the execution of a contract with the law firm of Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill for legal representation for In Rem Tax Foreclosures for the City for the period of November 27, 2015 through November 26, 2016, at a rate of \$500.00 per tax sale certificate, plus costs with a cap of \$50,000.00; in the event that the foreclosures become contested and are given a separate docket number, such legal representation will be billed at \$150.00 per hour plus costs.
Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel the disallowed senior citizen deduction in the amount of \$250.00 for the Tax Year 2014 for the property located at 345-347 Rahway Avenue.
Which was received.

By the Clerk:

Letter dated November 16, 2015, from the Chief Financial Officer requesting an ordinance approving the execution of a First Amendment to the Financial Agreement between the City of Elizabeth and Westminster Heights Urban Renewal, LLC, to remove Block 11, Lot 451C from the Tax Exempt Property subject to the Financial Agreement since it is no longer needed to complete the project.
Which was received.

By the Clerk:

Letter dated November 10, 2015, from the Fair Rental Housing Board advising that Maria Silva Santos has resigned as Commissioner for the Fair Rental Housing Board effective October 22, 2015 and is requesting that City Council appoint an Owner of a One or Two Family Home Representative to fill the vacancy.
Which was received.

By the Clerk:

Letter dated November 16, 2015, from the Planning and Community Development Director requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide U.S. Department of Housing & Urban Development (HUD) CD41 Community Development Block Grants Spending Plans for the period July 1, 2015 through June 30, 2016 as per Schedule B attached hereto totaling \$2,145,857.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 12, 2015, from the Public Works Director recommending the award of a contract to Picerno-Giordano Construction, LLC., 200 Market Street, Kenilworth, NJ, for the Jackson Park Renovation Project at a cost of \$1,264,681.00. Which was received.

By the Clerk:

Letter dated November 13, 2015, from the Public Works Director requesting authorization for the proper City officials to request the New Jersey Department of Transportation to grant the City of Elizabeth an extension of six (6) months on the approved allotment of \$374,790.00 for the 2014 Municipal Aid Program, to extend the award date from November 16, 2015 to May 16, 2016 for new traffic lights at East Jersey Street and Winfield Scott Plaza; Jackson Avenue and Monroe Avenue; design and bidding has been delayed by the ongoing construction of the new Academic High School at the intersection of East Jersey Street and Martin Luther King Jr. Plaza scheduled to be completed in May, 2016. Which was received.

By the Clerk:

Letter dated November 16, 2015, from the Public Works Director 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 \$546.28. Which was received.

By the Clerk:

Letter dated November 16, 2015, from the Public Works Director 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 \$6,941.78. Which was received.

By the Clerk:

Letter dated November 16, 2015, from the Public Works Director requesting approval of Change Order No. 1 for the contract awarded to Fai-Gon Electric, Inc., Piscataway, NJ, for Traffic Signal Improvements on Elizabeth Avenue at Jefferson Avenue; Elizabeth Avenue at Bridge Street – Winfield Scott Plaza at an original cost of \$886,474.00 to provide further for additional costs due to conflicts with underground utilities and basements extending under the sidewalks that were not known at the time of design and bid at an additional cost of \$93,482.58, thereby raising the contract to \$979,956.68. Which was received.

By the Clerk:

Letter dated November 4, 2015, from the Police Director requesting to establish handicapped parking spaces in front of the premises located at 324 John Street (personalized); 1033 Augusta Street, 2nd Flr., (personalized); 963 Lafayette Street, 3rd Flr.; 324 Murray Street; 163 Livingston Street, 2nd Flr.; 802 Second Avenue, 1st Flr. deletions: 330 S. Seventh Street; 322 Murray Street. Which was received.

By the Clerk:

Letter dated November 6, 2015, from The Elm Group, 345 Wall Street, Princeton, NJ, requesting an Encroachment Permit to perform environmental work consisting of two (2) groundwater monitoring wells within the right-of-way along the northerly side of Fairmount Avenue in the road in front of 849 and 901-913 Fairmount Avenue. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Minutes: Fair Rental Housing Board meeting held October 21, 2015.
Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4648 - An Ordinance approving the execution of a First Amendment to the Financial Agreement between the City of Elizabeth and Westminster Heights Urban Renewal, LLC, to remove Block 11, Lot 451C from the Tax Exempt Property, subject to the Financial Agreement.
- ORD. NO. 4649 - Authorize the execution of a lease agreement between the City of Elizabeth and Waste Management of New Jersey, Inc., 720 East Butterfield Road, Lombard, Illinois, for rental of land located at 863-869 Flora Street for road salt storage, for the period October 1, 2015 to March 31, 2016, in the amount of \$2,187.50 per month.
- ORD. NO. 4650 - Grant an encroachment permit to The Elm Group, 345 Wall Street, Princeton, N.J., on behalf of Burnham, LLC., to perform environmental work consisting of two (2) groundwater monitoring wells within the public right-of-way along the northerly side of Fairmount Avenue in front of 849 and 901-913 Fairmount Avenue.
- ORD. NO. 4651 - Authorize the establishment of a personalized handicapped parking space for George A. Chinsee, 48 Erie Street.
- ORD. NO. 4652 - Authorize the establishment of a personalized handicapped parking space for Charles C. Stewart, 1033 Augusta Street.
- ORD. NO. 4653 - Authorize the establishment of a personalized handicapped parking space for Anthony Correa, 532 Second Avenue.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE
HELD TUESDAY, DECEMBER 8, 2015, AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4640 - Amend Chapter 10.28.050, Schedule III, entitled "No Stopping or Standing," specifically to include the north side of West Grand Street, between Broad Street to Union Street.
- ORD. NO. 4641 - Amend Chapter 10.28.030, Schedule I, entitled "No Parking All Times on Certain Streets," specifically to include Dickenson Street, 211 feet on the northern curblin heading west from Jefferson Avenue and between 145 and 167 feet on the southern curblin from Jefferson Avenue.
- ORD. NO. 4642 - Grant an encroachment permit to Cornerstone Environmental Services, 100 Crystal Run Road, Middletown, N.Y., to perform environmental work consisting of two (2) groundwater monitoring wells within the public right-of-way along the east side of Bellevue Street.

ORDINANCES ON FINAL (Cont'd.)

- ORD. NO. 4643 - Grant an encroachment permit to Permit Expediting Services, 7 Lawrence Court, Old Tappan, N.J., on behalf of Santander Bank, to install handicapped accessibility improvements within the public right-of-way of 1 Union Square, aka 1-5 North High Street.
- ORD. NO. 4644 - Amend Ordinance No. 4613, adopted August 25, 2015, authorizing the establishment of a personalized handicapped parking space for Eneida Perez, 137 Washington Avenue, specifically to install said signage to 141 Washington Avenue.
- ORD. NO. 4645 - Authorize the establishment of a personalized handicapped parking space for Joaquim A. Moreira, 429 Livingston Street.
- ORD. NO. 4646 - Amend Chapter 17.36.110 of the Code of the City of Elizabeth, specifically to repeal and replace Paragraph D.
- ORD. NO. 4647 - Amend Chapter 17.40.040 of the Code of the City of Elizabeth, specifically to amend Subsection Table 1.

NEW BUSINESS

Adopt the Fiscal Year 2016 Municipal Budget amendments.

Authorize the City Clerk to read the Fiscal Year 2016 Municipal Budget by Title.

Adopt the Fiscal Year 2016 Municipal Budget, as amended, in the amount of \$239,962,150.84; Fiscal Year 2016 Sewer Utility Budget in the amount of \$29,000,000.00 and Capital Budget in the amount of \$113,225,000.00.

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 November 2, 2015 through October 28, 2016, at a cost not to exceed \$489,300.00.

Authorize the award of a contract to Cliffside Body, 130 Broad Avenue, Fairview, N.J., for the purchase of one (1) 2016 Stahl Challenger-ST Service Body for the 2016 Ford F350 truck, under the Morris County CO-OP, in the amount of \$32,511.00.

Authorize the award of a contract to Ricoh Americas Corporation, 5 Dedrick Place, West Caldwell, N.J., for new or replacement leases for photocopiers for the period November 1, 2015 through December 31, 2015, and for maintenance of owned copiers for the period November 1, 2015 through November 30, 2015, in the amount not to exceed \$15,000.00.

Authorize the award of a contract to National Terminal, Inc. 175 Orange Street, Newark, N.J., for the purchase of diesel fuel for the Public Works Marina for the period November 1, 2015 through October 31, 2016, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to Chas. S. Winner, Inc., d/b/a Winner Ford, 250 Berlin Road, Cherry Hill, N.J., for the purchase of one (1) 2016 Ford F350 4wd chassis cab and options for the Department of Public Works, at a total cost of \$26,838.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Newark Brush Company, 1 Silver Court, Springfield, N.J., for the purchase of parts and repairs for road maintenance equipment for various departments for the period November 5, 2015 through January 29, 2017, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to Nautilus Insurance Company, 7233 East Butherus Drive, Scottsdale, AZ., through the agent of record, Otterstedt Agency, to provide insurance covering EMS Director, for the period October 1, 2015 to October 1, 2016, at an annual premium of \$4,687.00.

Authorize the award of a contract to the law firm of Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi and Gill, for legal representation for In Rem tax foreclosures for the period November 27, 2015 through November 26, 2016, at a rate of \$500.00 per tax sale certificate, plus costs not to exceed \$50,000.00, and contested foreclosures will be billed at \$150.00 per hour plus costs.

Authorize the Tax Collector to cancel the disallowed senior citizen deduction for Tax Year 2014 on the property located at 345-347 Rahway Avenue in the amount of \$250.00.

Authorize the proper City officials to execute all necessary documents to provide U.S. Department of Housing & Urban Development (HUD) CD41 Community Development Grants Spending Plans, totaling \$2,145,857.00, for the period July 1, 2015 through June 30, 2016 as per Schedule B.

Authorize the award of a contract to Picerno-Giordano Construction, LLC., 200 Market Street, Kenilworth, N.J., for the Jackson Park Renovations Project at a cost of \$1,264,681.00.

Authorize the proper City officials to request the N.J. Department of Transportation to grant a six month extension to May 16, 2016, on the approved allotment of \$374,790.00 for the 2014 Municipal Aid Program grant for a new traffic light system at East Jersey Street and Winfield Scott Plaza, as well as at Jackson Avenue and Monroe Avenue, due to ongoing construction of the new Academic High School at the intersection of East Jersey Street.

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 \$546.28.

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 \$6,941.78.

Authorize Change Order No. 1 to the contract awarded to Fai-Gon Electric, Inc., Piscataway, N.J., for traffic signal improvements on Elizabeth Avenue at Jefferson Avenue and Elizabeth Avenue at Bridge Street and Winfield Scott Plaza, at a cost of \$886,474.10, specifically for final quantities adjustments, which represents as-built conditions to provide for additional costs in the amount of \$93,482.58 due to conflicts with underground utilities not anticipated at time of design.

Establish a handicapped parking space in front of the premises located at 226 Fulton Street.

Establish a handicapped parking space in front of the premises located at 912 Madison Avenue.

NEW BUSINESS (Cont'd.)

Establish a handicapped parking space in front of the premises located at 217 Niles Street.

Delete the following handicapped parking spaces from in front of the premises located at 330 South Seventh and 322 Murray Street.

Authorize settlement in the workers compensation litigation matter of Brooks vs. the City in the total amount of \$44,057.50.

Pay utility bills. *9/11 HEALTH BENEFITS for 1st Responders.*

Approve Bingo and Raffle licenses

COMMENDATIONS

Elizabeth Packers Flag Team, Champions, North Jersey Pop Warner Division I
Eastwyck Saints Midget Team, Champions, Garden State
Elizabeth High JV Soccer Team and Coach

MEMORIALS

~~Diame Buchshield~~ Brenda Busichio
Femi Brown
HERMINIO RODRIGUEZ
G. Colletti

ADJOURNMENT 8:40 p.m.