

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MAY 10, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4701 - An ordinance to establish Chapter 5.150 of the Code of the City of
(AS AMENDED) Elizabeth to regulate Transportation Network Company
Owner/Platforms, Transportation Network Company Drivers and
Transportation Network Company Vehicles.

ORD. NO. 4710 - An ordinance to negotiate and execute a contract for the sale of
326 Magnolia Avenue in the amount of \$42,500.00 and 339
Marshall Street in the amount of \$42,500.00 to Community Asset
Preservation Corporation, a New Jersey Non-profit Corporation, to
build/rehabilitate residential properties for resale.

ORD. NO. 4711 - Repeal Chapter 6.04.370 of the Code of the City of Elizabeth
entitled "Licensing of Pit Bull Dogs," which was adopted by
Ordinance No. 2165, dated January 24, 1989.

ORD. NO. 4712 - Authorize the establishment of a personalized handicapped parking
space for Alyenka P. Dey, 234 Pine Street.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 3, 2016, from the Assistant Business Administrator
recommending awarding a contract to Maffey's Security Group, 1172 East Grand Street,
Elizabeth, NJ, for the purchase of Locksmith Services and Locking Hardware for various
departments for the period of April 1, 2016 through April 1, 2018, at a cost not to exceed
\$150,000.00.
Which was received.

By the Clerk:

Letter dated April 29, 2016, from the Assistant Business Administrator requesting
authorization for the proper City officials to participate in a State Contract with Turn Out
Fire and Safety, Inc., 3468 Kennedy Boulevard, Jersey City, NJ, for Protective Gear for
the Fire Department for the period of April 7, 2016 through March 31, 2017 at a cost not
to exceed \$50,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 28, 2016, from the City Attorney requesting to execute a contract with the law firm of Greenbaum, Rowe, Smith & Davis, LLP, as Condemnation Counsel at a rate of \$175.00 per hour plus costs for the period of one (1) year from the date of the contract, in an amount not to exceed \$75,000.00. Which was received.

By the Clerk:

Letter dated May 3, 2016, from the Chief Financial Officer advising that additional grants may be appropriated in the 2016 SFY Budget by budget amendments. Which was received.

By the Clerk:

Letter dated May 3, 2016, from the Chief Financial Officer advising that 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 May 3, 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 May 3, 2016, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance to amend Ordinance No. 4527, adopted on December 23, 2014, in the amount of \$4.5 million, providing for the engineering and construction costs for the Progress Street Flood Control Project to an amount of \$7,950,000.00, and authorizing said amount in bonds or notes of the City of Elizabeth to finance the same. Which was received.

By the Clerk:

Letter dated April 21, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with Harbor Consultants, Inc., 320 North Avenue East, Cranford, NJ, for Planning and Engineering Services to the Planning and Zoning Boards and the Department of Planning and Community Development for the period of May 1, 2016 through April 30, 2017 at a total cost of \$75,000.00. Which was received.

By the Clerk:

Letter dated April 26, 2016, from the Director of Planning and Community Development requesting authorization for the Planning Board to prepare a new redevelopment study without condemnation powers for 1029-1061 Newark Avenue to determine if the parcel is an area in need of redevelopment and, if deemed in need of redevelopment, to prepare a new redevelopment plan without condemnation powers. Which was received.

By the Clerk:

Letter dated April 27, 2016, from the Director of Planning and Community Development requesting authorization to designate Engel Gardens, LLC, as Redeveloper of Midtown Parcel F (57-77 Murray Street) consistent with the 2006 Midtown Elizabeth Redevelopment Plan and authorize the proper City officials to negotiate and execute a Redevelopment Agreement. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 28, 2016, from the Director of Planning and Community Development requesting that your Honorable Body approve Urban Enterprise Zone Second Generation Funds for the Urban Enterprise Zone Financial Lending Programs – Phase 10, in the amount of \$1,719,032.05. Which was received.

By the Clerk:

Letter dated April 28, 2016, from the Director of Planning and Community Development requesting that your Honorable Body authorize utilizing Urban Enterprise Zone Assistance Funds for the Commercial District Security Program to provide for the continued funding for the walking police patrols in the various business districts throughout the City in the amount of \$260,249.60. Which was received.

By the Clerk:

Letter dated April 28, 2016, from the Director of Planning and Community Development requesting that your Honorable Body approve the 2017 Urban Enterprise Zone Administrative budget in the amount of \$361,776.69 from Urban Enterprise Zone Assistance Funds and authorization for the proper City officials to enter into an agreement with the Elizabeth Development Company for the administration of the Urban Enterprise Zone program, as well as the Urban Enterprise Zone Second Generation funds for FY 2016-2017, for the period July 1, 2016 through June 30, 2017. Which was received.

By the Clerk:

Letter dated May 2, 2016, from the Director of Planning and Community Development requesting authorization to extend the Environmental Due Diligence Review Period for the Midtown Redevelopment Agreement with Faros-MAS Elizabeth, LLC to August 30, 2016 due to scheduling issues with the vendors, the lengthy testing process, and the unforeseen testing results. Which was received.

By the Clerk:

Letter dated May 3, 2016, from the Director of Planning and Community Development requesting authorization for the submission of a funding application to the Federal Home Loan Bank under their Affordable Housing Program (AHP) to assist low and moderate income owner-occupied households to preserve and maintain their properties; also, authorization for the execution of all documents in relation to the award of such funds, from the Federal Home Loan Bank and authorize the expenditure of such funds pursuant to the terms of the agreement, and authorize the Mayor, or his successor to sign any and all appropriate documents necessary in connection therewith. Which was received.

By the Clerk:

Letter dated April 28, 2016, from the Director of Public Works recommending awarding a contract to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, NJ, to provide professional engineering services in connection with the preparation of a Long Term Control Plan in response to Surface Water Renewal Permit Action (Year 2). Which was received.

By the Clerk:

Letter dated April 29, 2016, from the Director of Public Works recommending awarding a contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, NJ, for the Kenah Field Improvements, at a cost of \$1,719,139.44. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 29, 2016, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Department of Transportation – 2016 Safe Routes to School Program, for an amount not to exceed \$450,000.00.
Which was received.

By the Clerk:

Letter dated May 2, 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 \$32,000.00 plus reimbursables.
Which was received.

By the Clerk:

Letter dated May 3, 2016, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Environmental Protection Recreational Trails Program for the extension of the Elizabeth River Trail – Phase 5 from Clifton Street to Pulaski Street for an amount not to exceed \$300,000.00.
Which was received.

By the Clerk:

Letter dated May 2, 2016, from the Fire Director requesting authorization for the proper City officials to apply, accept, and sign all appropriate documents for the U.S. Department of Homeland Security – FEMA – FY 2015 Assistance to Firefighters Fire Prevention and Safety Program for an amount not to exceed \$500,000.00.
Which was received.

By the Clerk:

Letter dated April 14, 2016, from the Police Director requesting to establish handicapped parking spaces in front of the following premises: 327 E. Jersey Street; 465 Third Avenue; 154 Smith Street (personalized); 733 Jersey Avenue; 1073 North Avenue; 523 Franklin Street #1; deletions: 214 Insee Place; 418 Washington Avenue; 1085 Fairmount Avenue; 341 Rosehill Place; 132 Washington Avenue; 215 Pine Street; 910 Adams Avenue; 22 ½ S. Reid Street; 63 Florida Street; 900 Second Avenue; 410 Livingston Street; 838 Martin Street; 311 Palmer Street; 750 Jefferson Avenue; 313 High Street.
Which was received.

By the Clerk:

Memo dated April 21, 2016, from the Traffic Division advising that “Child With Autism In Area” signage be established in the area of 643 Devine Street.
Which was received.

By the Clerk:

Letter dated May 2, 2016, from the Police Director requesting to establish handicapped parking spaces in front of the following premises: 408 Washington Avenue (personalized); 328 High Street (personalized); 601 Third Avenue (personalized); 35 Catherine Street (personalized); 154 Smith Street (personalized); 1035 Flora Street; 24 Christine Street; 847 Rebecca Place; 206 Fulton Street; 455 Marshall Street; 532 Fulton Street (personalized); 309 S. Seventh Street (personalized); 924 ½ E. Grand Street; deletions: 901 Flora Street, Apt. 2; 610 Court Street; 263 Orchard Street.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 27, 2016, from the Municipal Engineer requesting authorization for the proper City officials to enter into an Access Agreement with PSE&G to complete repairs to their 30-inch gas pipeline facilities as depicted on a plan entitled “Elizabeth River Crossing, 30” Crown Central Natural Gas Pipeline, Temporary Workspace Area Layout, Union County, New Jersey” on file in the Engineer’s Office. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

- ORD. NO. 4713 - Authorize the execution of a Site Access Agreement with Public Service Electric & Gas Company, 80 Park Place Plaza, Newark, N.J., to complete repairs to the 30 inch gas pipeline facilities on City property located at R200-R334 Third Avenue.
- ORD. NO. 4714 - Authorize the establishment of a personalized handicapped parking space for Joseph W. Addressa, 328 High Street.
- ORD. NO. 4715 - Authorize the establishment of a personalized handicapped parking space for Juan A. Delhaya, 154 Smith Street.
- ORD. NO. 4716 - Authorize the establishment of a personalized handicapped parking space for Reinaldo Trujillo-Hernandez, 309 South Seventh Street.
- ORD. NO. 4717 - Authorize the establishment of a personalized handicapped parking space for Mayda L. Maynaro, 532 Fulton Street.
- ORD. NO. 4718 - Rescind Ordinance No. 4365, adopted March 26, 2013, which authorized the establishment of a Personalized Parking Space for Leon Foster, 733 Jersey Avenue.
- ORD. NO. 4719 - Rescind Ordinance No. 4255, adopted October 25, 2011, which authorized the establishment of a Personalized Parking Space for Susan Sheehan, 1073 North Avenue
- ORD. NO. 4720 - Rescind Ordinance No. 4307, adopted May 22, 2012, which authorized the establishment of a Personalized Parking Space for Merici Selva, 523 Franklin Street.
- ORD. NO. 4721 - Rescind Ordinance No. 4301, adopted April 10, 2012, which authorized the establishment of a Personalized Parking Space for Jennifer L. Rosal, 900 Second Avenue.
- ORD. NO. 4722 - Rescind Ordinance No. 4389, adopted June 25, 2013, which authorized the establishment of a Personalized Parking Space for Altigraci N. Melo, 63 Florida Street.

ORDINANCES ON FIRST (Cont'd.)

- ORD. NO. 4723 - Rescind Ordinance No. 4410, adopted September 10, 2013, which authorized the establishment of a Personalized Parking Space for Hector L. Torres, 327 East Jersey Street.
- ORD. NO. 4724 - Rescind Ordinance No. 4413, adopted September 10, 2013, which authorized the establishment of a Personalized Parking Space for Agostina F. Almeida, 143 Inslee Street.
- ORD. NO. 4726 - Authorize the establishment of a personalized handicapped parking space for Jorge A. Navida, 408 Washington Avenue.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY AFTERNOON (YOUTH IN CITY GOVERNMENT DAY), MAY 24, 2016, AT 2:00 P.M.

- ORD. NO. 4725 - Amend Bond Ord. No. 4527, providing for engineering and construction costs for the Progress Street Flood Control Project and related expenses in the amount of \$4,500,000.00, specifically to appropriate \$7,950,000.00 and to authorize said amount in bonds or notes of the City to finance the same.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, JUNE 14, 2016, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4701 -
(AS AMENDED) An ordinance to establish Chapter 5.150 of the Code of the City of Elizabeth to regulate Transportation Network Company Owner/Platforms, Transportation Network Company Drivers and Transportation Network Company Vehicles.
- ORD. NO. 4710 - An ordinance to negotiate and execute a contract for the sale of 326 Magnolia Avenue in the amount of \$42,500.00 and 339 Marshall Street in the amount of \$42,500.00 to Community Asset Preservation Corporation, a New Jersey Non-profit Corporation, to build/rehabilitate residential properties for resale.
- ORD. NO. 4711 - Repeal Chapter 6.04.370 of the Code of the City of Elizabeth entitled "Licensing of Pit Bull Dogs," which was adopted by Ordinance No. 2165, dated January 24, 1989.
- ORD. NO. 4712 - Authorize the establishment of a personalized handicapped parking space for Aiyenka P. Dey, 234 Pine Street.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2016 Capital Budget in the amount of \$3,450,000.00.

Authorize transfers for the Fiscal Year 2016 Municipal and Sewer Utility Budgets in the amount of \$1,157,400.00,

Authorize the City Treasurer, on behalf of Dengel Enterprises, LLC, the successful bidder for Tax Sale Certificate Numbers 2011, 2012 and 2013 for the site located at South Front Street, to extend the date by which Final Judgment must be recorded to June 10, 2018.

Authorize the award of a contract to Maffey's Lock & Safe Company, Inc., 1172 East Grand Street, Elizabeth, N.J., for the purchase of locksmith services and locking hardware for various departments, under the Union County Cooperative Purchasing Contract, for the period April 1, 2016 through April 4, 2018, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to Turn Out Fire and Safety, Inc., 3468 Kennedy Boulevard, Jersey City, N.J., for protective gear for the Fire Department for the period April 7, 2016 through March 31, 2017, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to the law firm of Greenbaum, Rowe & Davis, LLP, 99 Wood Avenue South, Iselin, N.J., as Condemnation Counsel to acquire easements along the River Trail Phase IV Project for a one year period in an amount not to exceed \$75,000.00.

Authorize the proper City officials to enter into an agreement with Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to provide professional planning and engineering services to the Planning and Zoning Boards and the Department of Planning and Community Development for the period May 1, 2016 through April 30, 2017, at a cost of \$75,000.00.

Authorize the Planning Board to prepare a new redevelopment study without condemnation powers for 1029-1061 Newark Avenue to determine whether said area is in need of redevelopment and, if so, prepare a new redevelopment plan without the power of condemnation.

Authorize a resolution designating Engel Gardens, LLC, as the Redeveloper of Midtown Parcels F (57-77 Murray Street) consistent with the 2006 Midtown Elizabeth Redevelopment Plan and authorize the proper City officials to execute a Redevelopment Agreement.

Authorize the proper City officials to submit a proposal to the New Jersey Urban Enterprise Zone Authority for the use of Urban Enterprise Zone (UEZ) Second Generation Funds in the amount of \$1,719,032.05 for UEZ Financial Lending Programs – Phase X, for the period July 1, 2016 through June 30, 2017.

Authorize the proper City officials to submit a proposal to the New Jersey Urban Enterprise Zone Authority for the use of City of Elizabeth Zone Assistance Funds to provide funding in the amount of \$260,249.60, for the Commercial District Security Program to conduct walking police patrols throughout the business districts, with the City providing a 20% match in the amount of \$65,062.40, for a total project cost of \$325,312.00, for the period July 1, 2016 through June 30, 2017.

NEW BUSINESS (Cont'd.)

Authorize the approval of the Fiscal Year 2017 Urban Enterprise Zone (UEZ) Administrative Budget in anticipated UEZ Assistance funds in the amount of \$361,776.69, and enter into an agreement with the Elizabeth Development Company for the administration of the UEZ Program and the UEZ Second Generation Funds for the period July 1, 2016 through June 30, 2017.

Authorize the proper City officials to extend the Environmental Due Diligence Review Period for the Midtown Redevelopment Agreement between the City and Faros-MAS Elizabeth, LLC, to August 30, 2016, due to scheduling issues with vendors, lengthy testing process and results.

Authorize the proper City officials to submit a funding application to the Federal Home Loan Bank, under the Affordable Housing Program, to assist low and moderate income owner-occupied households to maintain their properties

Authorize the award of a contract to Hatch Mott MacDonald, 111 Wood Avenue South, Iselin, N.J., to provide professional engineering services on a time and material basis in connection with the preservation of a long term control plan in response to Surface Water Renewal Permit Action at a cost not to exceed \$964,200.00 plus reimbursables.

Authorize the award of a contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, N.J., for the Kenah Field improvements at a cost of \$1,719,139.44.

Authorize the proper City officials to execute appropriate documents for the New Jersey Department of Transportation – 2016 Safe Routes to School Program Grant in an amount not to exceed \$450,000.00 to upgrade traffic signals at the intersection of North Avenue and Madison Avenue and the intersection of North Avenue and Monroe Avenue.

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 \$32,000.00 plus reimbursables.

Authorize the proper City officials to execute all documents for the New Jersey Department of Environmental Protection, Recreational Trails Program, for the extension of the Elizabeth River Trail – Phase 5, from Clifton Street to Pulaski Street in an amount not to exceed \$300,000.00.

Authorize the proper City officials to execute all appropriate documents for the U.S. Department of Homeland Security - FEMA - FY 2015 Assistance to Firefighters Fire Prevention and Safety Program Grant in an amount not to exceed \$500,000.00.

Install "Autistic Child in Area" sign in the area of 643 Devine Street.

Establish a handicapped parking space in front of the premises located at 327 East Jersey Street.

Establish a handicapped parking space in front of the premises located at 733 Jersey Avenue.

Establish a handicapped parking space in front of the premises located at 1073 North Avenue.

Establish a handicapped parking space in front of the premises located at 523 Franklin Street.

NEW BUSINESS (Cont'd.)

- Establish a handicapped parking space in front of the premises located at 1035 Flora Street.
- Establish a handicapped parking space in front of the premises located at 847 Rebecca Place.
- Establish a handicapped parking space in front of the premises located at 206 Fulton Street.
- Establish a handicapped parking space in front of the premises located at 455 Marshall Street.
- Establish a handicapped parking space in front of the premises located at 465 Third Avenue.

Amend a resolution adopted October 13, 2015, establishing a handicapped parking space at 24 Christine Street, specifically to correct the measurements.

Delete the following handicapped parking spaces from in front of the premises located at: 328 High Street (now to be personalized), 154 Smith Street (now to be personalized), 900 Second Avenue, 901 Flora Street, 610 Court Street, 263 Orchard Street, 410 Livingston Street, 838 Martin Street, 311 Palmer Street, 314 ½ South Street, 750 Jefferson Avenue, 313 High Street, 418 Washington Avenue, 1085 Fairmount Avenue, 341 Rosehill Place, 132 Washington Avenue, 215 Pine Street, 910 Adams Avenue, 22 ½ South Reid Street.

Pay utility bills.

COMMENDATIONS:

Maria Contreras, 100th Birthday

MEMORIALS:

Lee Robinson

ADJOURNMENT