

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, DECEMBER 10, 2013

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4443 - Amend Chapter 10.08.020 of the Code of the City of Elizabeth, entitled "Stop Intersections Designated," specifically to add a three-way stop at the intersection of Fourth Street and Marshall Street.

THE ELIZABETH TOURISM IMPROVEMENT DISTRICT FISCAL YEAR 2013
(INTERIM 9/3/13 - 12/31/13) BUDGET IN THE AMOUNT OF \$50,000.00.

THE ELIZABETH TOURISM IMPROVEMENT DISTRICT FISCAL YEAR 2014
BUDGET IN THE AMOUNT OF \$450,000.00.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 25, 2013, from the Business Administrator requesting authorization for the proper City officials to obtain a policy with The Guardian Insurance, through its agent-of-record, Willis of New Jersey, Inc., 350 Mt. Kemble Avenue, P.O. Box 1969, Morristown, NJ, for the continuation of benefits for Group Life Insurance/Accidental Death and Dismemberment Program for active and retired employees at a lower rate for the term January 1, 2014 through December 31, 2017. Which was received.

By the Clerk:

Letter dated November 25, 2013, from the Business Administrator requesting authorization for the proper City officials to renew the policy of insurance with Eyemed, The Eye Care Plan of America, 4000 Luxottica Place, Mason, OH, for a vision care program covering the City of Elizabeth, Elizabeth Parking Authority, and Elizabeth Public Library employees for the period commencing January 1, 2014 through December 31, 2017. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated November 25, 2013, 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 at an annual premium of \$3,499.14. Which was received.

By the Clerk:

Letter dated November 26, 2013, from the Business Administrator recommending the award of a contract to Northeast Auto & Truck Parts, LLC, Division of Capital Supply, Inc., 976 Broadway, Bayonne, NJ, for the purchase of Automotive Parts and Accessories for the Department of Public Works for the period of November 25, 2013 through December 25, 2013 at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated November 27, 2013, from the Business Administrator recommending awarding a contract to V.E. Ralph & Sons, Inc., P.O. Box 633, 320 Schuyler Avenue, Kearny, NJ, to purchase Medical Supplies and Equipment, Health Education and Training for various departments, under the Middlesex Regional Education Services Commission Cooperative Pricing System, for the period of November 30, 2013 through December 14, 2014 at a cost not to exceed \$40,000.00. Which was received.

By the Clerk:

Letter dated November 27, 2013, from the Business Administrator recommending awarding 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, 2013 through October 31, 2014, at a cost not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated December 2, 2013, from the Business Administrator requesting authorization for the proper City officials to register members of the Elizabeth Fire Department for recertification courses in the area of CPR, First Responder and EMT refresher training and to utilize funds not to exceed \$65,000.00 for the continuity of recertification courses for the Elizabeth Fire Department. Which was received.

By the Clerk:

Letter dated December 2, 2013, from the Business Administrator recommending awarding a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, NJ for Cleaning Inspections, Monitoring of Oil/Water Separators, Above and Underground Tanks, at various locations and DEP Compliance for the period of December 1, 2013 through May 1, 2014 at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated December 2, 2013, from the Business Administrator requesting authorization for the proper City officials to accept and sign all appropriate documents for the Union County Open Space, Recreation & Historic Preservation, Preserve Union County Grant 2013 for improvements to the Elizabeth Public Library, as well as for the Elizabeth River Trail project, for an amount not to exceed \$125,000.00; matching funds are required for this grant. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated December 3, 2013, from the Chief Financial Officer advising that additional grants may be appropriated in the 2014 SFY Budget by budget amendments. Which was received.

By the Clerk:

Letter dated December 3, 2013, from the Chief Financial Officer recommending that your Honorable Body requests the Director of the Division of Local Finance to make the following changes in the 2014 Municipal Budget to account for the City's share (local share) of grants (Chapter 159) approved subsequent to the adopted budget: Matching Funds-City's Share from \$1,000,000.00 to \$982,800.00; Local Share: Greening Union County from -0- to \$17,200.00. Which was received.

By the Clerk:

Letter dated November 25, 2013, from the Director of Health and Human Services requesting to amend the resolution adopted August 28, 2012, for the continuation of the Elizabeth Municipal Alliance program for the sum of \$77,856.00, specifically to authorize the proper City officials to submit, accept and sign all appropriate documents for the extension of the 2013 grant term until June 30, 2014, in the amount of \$116,784.00, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding. Which was received.

By the Clerk:

Letter dated November 27, 2013, from the Director of Health and Human Services requesting authorization for the proper City officials to enter into an agreement with Kean University for the purpose of providing students eligible for the Federal Work-Study Program to perform work related duties at the S.O.A.R. program at no cost to the City. Which was received.

By the Clerk:

Letter dated December 2, 2013, from the Director of Public Works recommending the award of a contract to Simpson & Brown, Inc., 119 North Avenue West, Cranford, NJ, for the Elizabeth Municipal Marina Rehabilitation at a cost of \$2,334,890.96; ninety percent of the allowable construction costs will be reimbursed by FEMA. Which was received.

By the Clerk:

Letter dated December 2, 2013, from the Director of Public Works recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to provide environmental consulting engineering services for the remedial investigation and remediation program at various city owned facilities at a cost not to exceed \$1,124,500. Which was received.

By the Clerk:

Letter dated December 3, 2013, from the Director of Public Works recommending awarding a contract to Maser Consulting P.A., One River Centre – Building Two, 331 Newman Springs Road, Red Bank, NJ, to provide professional engineering services for the design and construction management for the Exleben Pool Renovation Project at a cost not to exceed \$288,600.00, plus reimbursable. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated December 3, 2013, from the Director of Public Works requesting approval of Contract Amendment No. 1- Final to the contract awarded to Hatch Mott MacDonald for the construction management services in connection with the Third Avenue Flood Control Project at an original cost of \$252,000.00, to provide additional professional engineering services at a cost of \$21,000.00 for construction management services for a total contract amount of \$273,000.00. Which was received.

By the Clerk:

Letter dated December 3, 2013, from the Director of Public Works requesting approval of Contract Amendment No. 1 for the contract awarded to Hatch Mott MacDonald to provide professional engineering services in connection with the Hurricane Sandy Disaster Recovery Public Assistance Program at an original cost of \$75,000.00 to provide additional professional engineering services on a time and material basis for actual time and expenses spent at a cost not to exceed \$120,000.00 plus reimbursable for a total amount of \$195,000.00; ninety percent of the allowable costs will be reimbursed by FEMA. Which was received.

By the Clerk:

Letter dated December 3, 2013, from the Director of Public Works requesting approval of Change Order No. 2 – Final which represents the final close-out for this project awarded to PM Construction Corp. for the Third Avenue Flood Control Project at an original cost of \$1,617,600.00, to provide further for the final quantities adjustments, which represents a decrease of \$23,309.36, for the final contract price of \$1,905,730.29. Which was received.

By the Clerk:

Letter dated November 30, 2013, from the Elizabethport Little League, 371 Dowd Avenue, Elizabeth, NJ, requesting permission to enter into a contract with Advanced Athletic Services improve the playability of the infield, pitcher's mound and home plate batter's/catcher's boxes and for the City to provide base clay; removal and disposal of excavated turf and old surplus clay; relocate existing sprinkler heads to new locations; supply and apply red brick dust for the warning track area; rebuild the rear boundary fence located in the left hand corner of the property. Which Was Referred To Council As A Whole.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated December 5, 2013, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, October 25, 2013. Which was received.

By the Clerk:

Letter dated December 5, 2013, from the Finance Department submitting a list of all bills, claims and vouchers which have been paid as of the close of business on Friday, November 27, 2013. Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 4444 - Amend Ord. No. 4436, authorizing No Parking: 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m., School Days, on the west side of Pennsylvania Avenue (School #51), (Chapter 10.40.090 of the Code of the City of Elizabeth), specifically to delete the hours 7:00 a.m. to 9:00 a.m..

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD MONDAY, DECEMBER 23, 2013, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 4443 - Amend Chapter 10.08.020 of the Code of the City of Elizabeth, entitled "Stop Intersections Designated," specifically to add a three-way stop at the intersection of Fourth Street and Marshall Street.

NEW BUSINESS

Suspension of the Rules:

Reappoint 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.

Support Senator Raymond R. Lesniak's efforts in adopting fair hiring policies to employment of people with criminal records by "Ban the Box" in the State of New Jersey

Adopt the Fiscal Year 2013 (Interim 9/3/13 – 12/31/13) Elizabeth Tourism Improvement District Budget in the amount of \$50,000.00.

Adopt the Fiscal Year 2014 Elizabeth Tourism Improvement District Budget in the amount of \$450,000.00.

Authorize an amendment to the Fiscal Year 2014 Budget to insert, as an Item of Revenue, a N.J. Department of Transportation Bike, Hike and Roll Throughway Extension Grant 2011 in the amount of \$290,000.00.

Authorize an amendment to the Fiscal Year 2014 Budget to insert, as an Item of Revenue, a N.J. Department of Health and Human Services and Elizabeth Board of Education Non-Public School Nursing Grant 2014 the amount of \$127,921.00.

Authorize an amendment to the Fiscal Year 2014 Budget to insert, as an Item of Revenue, a N.J. Department of Environmental Protection Recycling Tonnage Grant 2011 in the amount of \$97,486.96.

Authorize an amendment to the Fiscal Year 2014 Budget to insert, as an Item of Revenue, a County of Union Kids Recreation Trust 2013 in the amount of \$88,000.00.

Authorize an amendment to the Fiscal Year 2014 Budget to insert, as an Item of Revenue, a Union County Municipal Alliance 2014 Grant in the amount of \$38,928.00 (Local Share \$9,732.00).

Authorize an amendment to the Fiscal Year 2014 Budget to insert, as an Item of Revenue, a N.J. Division of Criminal Justice Body Armor 2013 Grant in the amount of \$37,032.83.

Authorize an amendment to the Fiscal Year 2014 Budget to insert, as an Item of Revenue, an Open Space Trust Fund Greening Union Grant 2014 in the amount of \$17,200.00 (Local Share \$17,200.00).

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to submit a request to the Director, Division of Local Finance, to make corrections in the City's 2014 Fiscal Year Municipal Budget to account for Change of Title or Text of Appropriation approved subsequent to the adopted budget.

Authorize the proper City officials to obtain a policy of insurance with The Guardian Insurance Company, through the agent-of-record, Willis of New Jersey, Inc., 350 Mt. Kemble Avenue, Morristown, N.J., to provide a Group Life Insurance/Accidental Death and Dismemberment Program for active and retired employees, for the period January 1, 2014 through December 31, 2017, the estimated amount to be expended covering the first year not to exceed \$300,000.00.

Authorize the award of a contract to Eyemed, The Eye Care Plan of America, 4000 Luxottica Place, Mason, OH, for the renewal of the Vision Care Program covering the City of Elizabeth, Elizabeth Parking Authority and Elizabeth Public Library employees for the period January 1, 2014 through December 31, 2017.

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, for the period January 1, 2014 to January 1, 2015, at a cost of \$3,499.14.

Authorize the award of a contract to Northeast Auto & Truck Parts, LLC, Division of Capital Supply, Inc., 976 Broadway, Bayonne, N.J., for the purchase of automotive parts and accessories for the Department of Public Works for the period November 25, 2013 through December 25, 2013, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to V.E. Ralph & Sons, Inc., P.O. Box 633, 320 Schuyler Avenue, Kearny N.J., for the purchase of medical supplies and equipment, Health Education and Training for various departments, under the Middlesex Regional Education Services Commission CO-OP, for the period November 30, 2013 through December 14, 2014, at a cost not to exceed \$40,000.00.

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, 2013 through October 31, 2014, at a cost not to exceed \$150,000.00.

Authorize the proper City officials to register members of the Elizabeth Fire Department to participate with Trinitas Regional Medical Center for recertification courses in CPR, First Responder and EMT refresher training in an amount not to exceed \$65,000.00.

Authorize the award of a contract to Independence Constructors, 1200 Route 22 East, Bridgewater, N.J., for cleaning, inspections, monitoring of oil/water separators and above and underground tanks at various locations and DEP compliance for the period December 1, 2013 through May 1, 2014, at a cost not to exceed \$50,000.00.

Authorize the proper City officials to execute all appropriate documents to the Union County Open Space, Recreation and Historic Preservation, Preserve Union County Grant 2013, in an amount not to exceed \$125,000.00, for improvements to the Elizabeth Public Library and the Elizabeth River Trail project.

Authorize the award of a contract to Louis Barbatto Landscaping, Inc., 1600 Railroad Avenue, Holbrook, N.Y., for the purchase two hundred (200) Honey Locust and Pin Oak trees to be planted throughout the City in residential areas, under the Union County CO-OP, at a total cost of \$34,400.00.

NEW BUSINESS (Cont'd.)

Amend a resolution adopted August 28, 2012, authorizing the continuation of the Elizabeth Municipal Alliance in the amount of \$77,856.00 for the period ending December 31, 2013, specifically to extend the term of the grant to June 30, 2014, in the amount of \$116,784.00.

Authorize the proper City officials to enter into an agreement with Kean University, 1000 Morris Avenue, Union, N.J., for providing eligible students for the Federal Work-Study Program to perform work-related duties at the S.O.A.R. Program, at no cost the City.

Authorize the award of a contract to Simpson & Brown, Inc., 119 North Avenue West, Cranford, N.J., for the Municipal Marina rehabilitation at a cost of \$2,334,890.44, with ninety per cent of the allowable construction costs reimbursed by FEMA.

Authorize the award of a contract to T & M Associates, 11 Tindall Road, Middleton, N.J., to provide environmental consulting engineering services for the remedial investigation and remediation program at various city-owned facilities at a cost not to exceed \$1,125,500.00.

Authorize the award of a contract to Maser Consulting, P.A., 331 Newman Springs Road, Red Bank, N.J., to provide professional engineering services for the design and construction management for the Exleben Pool Renovation Project at a cost not to exceed \$288,600.00, plus reimbursables.

Authorize Change Order No. 1 Final to the contract awarded to Hatch Mott MacDonald for construction management services in connection with the Third Avenue Flood Control Project at a cost of \$252,000.00, specifically to include unanticipated work required at an additional cost of \$21,000.00.

Authorize Contract Amendment No. 1 to the contract awarded to Hatch Mott MacDonald to provide professional engineering services in connection with the Hurricane Sandy Disaster Recovery Assistance Program at a cost of \$75,000.00, to provide additional engineering services for actual time and expenses at an additional cost of \$120,000.00, plus reimbursables, with ninety per cent of the allowable costs to be reimbursed by FEMA.

Authorize Change Order No. 2 – Final to the contract awarded to P.M. Construction Corporation for the Third Avenue Flood Control Project at a cost of \$1,617,600.00, specifically for final quantities adjustments, which represents a decrease of \$23,309.36 for the final contract price of \$1,905,730.29.

Authorize the proper City officials to enter into an agreement with the Elizabethport Little League, 371 Dowd Avenue, Elizabeth, for the renovation of the infield and repair damages to the batting cage area due to Hurricane Sandy at the Ira Powell Little League Field.

Authorize settlement in the workers compensation litigation matter of Alvarez vs. the City of Elizabeth, in the total amount of \$27,270.00.

Authorize settlement in the workers compensation litigation matter of Shannon vs. the City of Elizabeth, in the total amount of \$85,507.50.

Authorize settlement in the workers compensation litigation matter of Sutter, Jr., vs. the City of Elizabeth, in the total amount of \$34,111.95.

Pay Utility Bills.

COMMENDATIONS

Jerome Murphy, Washington Redskins
Muhammad Wilkerson, New York Jets

MEMORIALS

Robert A. Belmont

ADJOURNMENT