

YOUTH IN CITY GOVERNMENT DAY

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MAY 28, 2013

2:00 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4374 - Amend Chapter 5.100.220 of the Code of the City of Elizabeth, entitled "Regulation Governing Rates of (Taxicab) Fares," specifically to increase fares due to cost of fuel, insurance and car maintenance.
- ORD. NO. 4375 - Amend Chapter 5.112 of the Code of the City of Elizabeth, entitled "Travelling Shows and Kiddy Rides," specifically to establish Section 5.112.100, the exemption from the requirements of licensure of amusement/kiddy ride or kiddy ride operator licensed by the N.J. Department of Community Affairs, pursuant to N.J.A.C. 5:14a-1, et seq.
- ORD. NO. 4376 - Amend Chapter 7.52 of the Code of the City of Elizabeth, entitled "Retail Food Establishments," specifically to more accurately reflect business establishments operating within the City and the establishment of late fees and re-inspection surcharge.
- ORD. NO. 4377 - An ordinance approving the Financial Agreement with PennAve Urban Renewal, LLC., 715-733 Pennsylvania Avenue, Elizabeth, N.J., for a thirty years tax exemption for the construction of a six story residential building at said address and will provide an initial Annual Service Charge to the City in an approximate amount of \$200,000.00 compared to the current \$38,000.00.
- ORD. NO. 4378 - An ordinance approving the Financial Agreement with Parkers Walk Urban Renewal, LLC., 1970 Brunswick Avenue, Lawrenceville, N.J., for a thirty years tax exemption for the construction of eight buildings at 200 and 220 Parker Road and will provide an initial Annual Service Charge to the City in an amount that approximates current revenues.

PUBLIC HEARINGS (Cont'd.)

- ORD. NO. 4379 - An ordinance approving the Financial Agreement with Heritage Village at Westminster Urban Renewal, LLC., 1970 Brunswick Avenue, Lawrenceville, N.J., for a thirty years tax exemption for the construction of a four story building for senior citizens at 230 Parker Road and will provide an initial Annual Service Charge to the City in an amount that approximates current revenues.
- ORD. NO. 4380 An ordinance authorizing the execution of a Temporary Construction Easement and Access Agreement with the County of Union for the purpose of performing a geotechnical investigation to facilitate the design of the Midtown Area Western Interceptor Improvements for the installation and maintenance of combined sewers in Midtown.
- ORD. NO. 4381 - Grant an encroachment permit to Patock Construction Company, 43 Gilbert Street North, Tinton Falls, N.J., to install a temporary site security fence within the public right-of-ways of Martin Luther King, Jr. Plaza, East Jersey Street and Morrell Street during the construction of the new Elizabeth Academic High School.
- ORD. NO. 4382 - Authorize the establishment of a personalized handicapped parking space for Ana L. Huertas, 551 Maple Avenue.
- ORD. NO. 4383 - Rescind Ordinance No. 4364, adopted March 26, 2013, which authorized the establishment of a personalized handicapped parking space for Juan F. Navidad-Munoz, 83 Westfield Avenue and establish same as "reserved" space.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 13, 2013, from the Business Administrator recommending the award of a contract to Cherry Valley Tractor Sales, 35 Route 70 West, Marlton, N.J., for the purchase of parts and repairs for lawn and grounds equipment for the period of May 9, 2013 through June 28, 2013 at a cost not to exceed \$25,000.00. Which was received.

By the Clerk:

Letter dated May 13, 2013, from the Business Administrator recommending the award of a contract to Firefighter One Limited, 26 Gail Court, Suite 1, Sparta, N.J., for the purchase of SCBA parts for the Fire Department at a total cost of \$32,061.30. Which was received.

By the Clerk:

Letter dated May 17, 2013, from the Business Administrator requesting authorization for the proper City officials to enter into and participate in the Bergen County Co-Operative Pricing System at no fee to the City for the purchase of a stump cutter
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 17, 2013, from the Business Administrator requesting authorization for the renewal of insurance with Western World Insurance Company, 48 South Franklin Turnpike, Ramsey, N.J., through agent-of-record, Hughes-Plumer Associates, covering emergency medical malpractice liability insurance for the EMS employees for the period of June 15, 2013 to June 15, 2014 at an annual premium of \$7,850.00.
Which was received.

By the Clerk:

Letter dated May 17, 2013, from the Business Administrator recommending the award of a contract to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI, for the purchase of one (1) Pierce Manufacturing Model 222 Pierce Arrow XT Pumper with options for the Fire Department at a total cost of \$440,038.10.
Which was received.

By the Clerk:

Letter dated May 17, 2013, from the Business Administrator recommending the award of a contract to The Sherwin Williams Company, 101 Prospect Avenue, Cleveland, OH, for the purchase of traffic paint for curbs, streets and traffic lines for the period of May 16, 2013 through May 16, 2015 at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated May 20, 2013, from the Business Administrator recommending awarding contracts to Global, c/o BFI, 17 West Stow Road, P.O. Box 562, Marlton, NJ, in the amount of \$3,732.96 and Exemplis Corporation, c/o BFI, 6415 Katella Avenue, Cypress, CA, in the amount of \$1,614.00, for the purchase of furniture for the Police Department, totaling \$5,346.96.
Which was received.

By the Clerk:

Letter dated May 21, 2013, from the Business Administrator recommending the award of a contract Atlantic Tactical, Inc., 763 Corporate Circle, New Cumberland, PA, for the purchase thirty (30) LWRCI Model M6SLG Rifles and three (3) each model M6G Rifles for the Police Department in the amount of \$56,632.74.
Which was received.

By the Clerk:

Letter dated May 21, 2013, from the Chief Financial Officer advising that additional grants may be appropriated in the 2013 SFY Budget by budget amendments
Which was received.

By the Clerk:

Letter dated May 21, 2013, from the Chief Financial Officer advising that transfers for the 2013 SFY Municipal and Sewer Utility Budgets may be necessary.
Which was received.

By the Clerk:

Letter dated May 21, 2013, from the Chief Financial Officer recommending that your Honorable Body request the Director of the Division of Local Finance to make the following estimated corrections in the 2013 Municipal Budget to account for the City's local share of grants approved subsequent to the adopted budget: Matching Funds-City's Share from \$785,614.00 to \$766,150.00; Local Share: Municipal Alliance Grant from -0- to \$19,464.00.
Which was received.

PEITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 13, 2013, from the Acting Director of Neighborhood Services requesting authorization to have a lien placed against the property situated at 172 Reid Street, Elizabeth, for the demolition of said premises in the amount of \$19,800.00. Which was received.

By the Clerk:

Letter dated May 13, 2013, from the Acting Director of Neighborhood Services requesting authorization to have a lien placed against the property situated at 256 Second Street, Elizabeth for the demolition of said premises in the amount of \$23,800.00. Which was received.

By the Clerk:

Letter dated May 13, 2013, from the Director of Planning and Community Development requesting to amend the resolution adopted May 8, 2012, which approved a required "Resolution of Need" for E'Port Family Homes Urban Renewal L.P., specifically to reduce the number of units from 52 to 36 and to reduce the number of buildings from 3 to 1 on the property located at 158-168 First Street; eight (8) units will be dedicated as special needs housing for the homeless. Which was received.

By the Clerk:

Letter dated May 15, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to modify the Deferred Payment Loan, Rental Housing Program Loan to Y Homes, Inc, 135 Madison Avenue, Elizabeth and YMCA of Eastern Union County adopted March 8, 2011, at an original amount of \$779,867.00, specifically to increase the loan by \$198,781.80 to provide further for testing, removal and replacement of the stand pipe, as well as additional emergency lighting, elevator vent, etc. which combined with another modification, raises the amount to \$1,208,420.05. Which was received.

By the Clerk:

Letter dated May 19, 2013, from the Director of Planning and Community Development requesting authorization to utilize Urban Enterprise Zone Assistance Funds for the Commercial District Security Program to provide funding for the walking police patrols throughout the following business districts: Elizabeth Avenue, Broad Street, Morris Avenue, First/Third Streets, Bayway Avenue, Elmora Avenue and the Historic Central Railroad Station, additionally, an extra duty Police Supervisor will be utilized during peak shift hours to manage and oversee the various UEZ walking patrols for the period of July 1, 2013 through June 30, 2014 in the amount of \$260,249.60, with the City providing a 20% match in the amount of \$65,062.40, for a total project cost of \$325,312.00. Which was received.

By the Clerk:

Letter dated May 19, 2013, from the Director of Planning and Community Development requesting that your Honorable Body authorize the Urban Enterprise Zone Administration Budget in the amount of \$220,000.00 from UEZ Uncommitted Reserve Funds; in addition, grant authorization to enter into an agreement with the Elizabeth Development Company for the administration of the City of Elizabeth's Urban Enterprise Zone Program and the UEZ Second Generation Funds for the period of July 1, 2013 through June 30, 2014. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 19, 2013, from the Director of Planning and Community Development requesting authorization to utilize Urban Enterprise Zone Assistance Funds to fund the salaries and benefits of two (2) Police Officers assigned to duties exclusively within Elizabeth's Urban Enterprise Zone, which includes, but is not limited to, all of the City's business districts for the period of July 1, 2013 through June 30, 2014 in the amount of \$209,327.00, with the City providing a 20% match of funding in the amount of \$52,332.00, for a total project cost of \$261,659.00. Which was received.

By the Clerk:

Letter dated May 19, 2013, from the Director of Planning and Community Development requesting that your Honorable Body consider approving UEZ Second Generation Funds for the UEZ Financial Lending Programs – Phase VII for the period of July 1, 2013 through June 30, 2014 in the amount of \$1,456,064.00. Which was received.

By the Clerk:

Letter dated May 20, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to reprogram the unexpended balances to the Community Development Block Grant Holding Account, as listed on Schedule A attached hereto and made a part hereof, in the amount of \$3,384.66. Which was received.

By the Clerk:

Letter dated May 8, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the boarding up of said properties in the amount of \$3,667.30. Which was received.

By the Clerk:

Letter dated May 8, 2013, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of \$1,667.99. Which was received.

By the Clerk:

Letter dated May 15, 2013, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the U.S. Department of Transportation – 2013 National Infrastructure Investments TIGER Discretionary Grants; with anticipated funding, the City proposes the re-construction of fifty (50) traffic signal systems at intersections throughout the community for an amount not to exceed \$18,000,000.00. Which was received.

By the Clerk:

Letter dated May 17, 2013, from the Director of Public Works recommending the award of a contract to Applied Landscape Technologies, Inc., 145 River Road, Montville, NJ, for the renovations to Joseph A. O'Brien Playground in the amount of \$2,262,000.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 16, 2013, from the Police Director recommending the installation of a pickup /drop off sign in front of the premises located at 102-110 Third Street, from Monday through Friday 7:00 a.m. to 9:00 a.m. and from 2:00 p.m. to 4:00 p.m. Which was received.

By the Clerk:

Letter dated March 20, 2013, from the Morris Midtown Business Association and Coco Bongo Productions requesting permission to host the 10th Annual Colombian Independence Day Festival to be held on Sunday, July 21, 2013, on Morris Avenue, from Sayre Street to Julian Place, and Westfield Avenue, between North Broad Street and Harrison Street, from 12:00 noon to 9:00 p.m. with a rain date of July 28, or August 4, 2013.

Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated May 28, 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, May 24, 2013.

Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4385 - Authorize the establishment of a personalized handicapped parking space for Miriam Perez, 615 First Avenue.
- ORD. NO. 4386 - Authorize the establishment of a personalized handicapped parking space for Bryan Soto, 321 South Fifth Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, JUNE 11, 2013, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4374 - Amend Chapter 5.100.220 of the Code of the City of Elizabeth, entitled "Regulation Governing Rates of (Taxicab) Fares," specifically to increase fares due to cost of fuel, insurance and car maintenance.
- ORD. NO. 4375 - Amend Chapter 5.112 of the Code of the City of Elizabeth, entitled "Travelling Shows and Kiddy Rides," specifically to establish Section 5.112.100, the exemption from the requirements of licensure of amusement/kiddy ride or kiddy ride operator licensed by the N.J. Department of Community Affairs, pursuant to N.J.A.C. 5:14a-1, et seq.

ORDINANCES ON FINAL (Cont'd)

- ORD. NO. 4376 - Amend Chapter 7.52 of the Code of the City of Elizabeth, entitled "Retail Food Establishments," specifically to more accurately reflect business establishments operating within the City and the establishment of late fees and re-inspection surcharge.
- ORD. NO. 4377 - An ordinance approving the Financial Agreement with PennAve Urban Renewal, LLC., 715-733 Pennsylvania Avenue, Elizabeth, N.J., for a thirty years tax exemption for the construction of a six story residential building at said address and will provide an initial Annual Service Charge to the City in an approximate amount of \$200,000.00 compared to the current \$38,000.00.
- ORD. NO. 4378 - An ordinance approving the Financial Agreement with Parkers Walk Urban Renewal, LLC., 1970 Brunswick Avenue, Lawrenceville, N.J., for a thirty years tax exemption for the construction of eight buildings at 200 and 220 Parker Road and will provide an initial Annual Service Charge to the City in an amount that approximates current revenues.
- ORD. NO. 4379 - An ordinance approving the Financial Agreement with Heritage Village at Westminster Urban Renewal, LLC., 1970 Brunswick Avenue, Lawrenceville, N.J., for a thirty years tax exemption for the construction of a four story building for senior citizens at 230 Parker Road and will provide an initial Annual Service Charge to the City in an amount that approximates current revenues.
- ORD. NO. 4380 - An ordinance authorizing the execution of a Temporary Construction Easement and Access Agreement with the County of Union for the purpose of performing a geotechnical investigation to facilitate the design of the Midtown Area Western Interceptor Improvements for the installation and maintenance of combined sewers in Midtown.
- ORD. NO. 4381 - Grant an encroachment permit to Patock Construction Company, 43 Gilbert Street North, Tinton Falls, N.J., to install a temporary site security fence within the public right-of-ways of Martin Luther King, Jr. Plaza, East Jersey Street and Morrell Street during the construction of the new Elizabeth Academic High School.
- ORD. NO. 4382 - Authorize the establishment of a personalized handicapped parking space for Ana L. Huertas, 551 Maple Avenue.
- ORD. NO. 4383 - Rescind Ordinance No. 4364, adopted March 26, 2013, which authorized the establishment of a personalized handicapped parking space for Juan F. Navidad-Munoz, 83 Westfield Avenue and establish same as "reserved" space.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2013 Budget to insert, as an Item of Revenue, a Municipal Alliance Grant in the amount of \$77,856.00 (Local Share - \$19,464.00).

Authorize an amendment to the Fiscal Year 2013 Budget to insert, as an Item of Revenue, a Clean Communities Grant in the amount of \$155,789.22.

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 2013 Fiscal Year Municipal Budget to account for Change of Title or Text of Appropriation approved subsequent to the adopted budget.

Authorize the award of a contract to Cherry Valley Tractor Sales, 35 Route 70 West, Marlton, N.J., for the purchase of parts and repairs for lawn and grounds equipment for the period May 9, 2013 through June 28, 2013, at a cost not to exceed \$25,000.00.

Authorize the award of a contract to Firefighter One Limited, 26 Gail Court, Sparta, N.J., for the purchase of SCBA parts for the Fire Department, at a cost of \$32,061.30.

Authorize the proper City officials to enter into and participate in the Bergen County Cooperative Pricing System at no fee for the purchase of a stump cutter.

Authorize the renewal of a contract with Western World Insurance Company, 48 South Franklin Turnpike, Ramsey, N.J., through the agent-of-record, Hughes-Plumer and Associates, Somerville, N.J., covering emergency medical malpractice liability insurance for ambulance drivers and attendants for the period June 15, 2013 to June 15, 2014, at an annual premium of \$7,850.00.

Authorize the award of a contract to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI., for the purchase of one (1) Model 222 Pierce Arrow XT Pumper with options for the Fire Department, at a total cost of \$440,038.10.

Authorize the award of a contract to The Sherwin Williams Company, 101 Prospect Avenue, Cleveland, OH, for the purchase of traffic paint, under the Union County Co-Op, for the period May 16, 2013 through May 16, 2015, at a cost not to exceed \$50,000.00.

Authorize the award of respective contracts to Global, c/o BFI, 17 West Stow Road, Marlton, N.J., in the amount of \$3,732.96 and Exemplis Corporation, c/o BFI, 6415 Katella Avenue, Cypress, CA, in the amount of \$1,614.00, for the purchase of furniture for the Police Department, at a total cost of \$5,346.96.

Authorize the award of a contract to Atlantic Tactical, Inc., 763 Corporate Circle, New Cumberland, PA, for the purchase of thirty (30) LWRCI Model M6SLG rifles and three (3) Model M6G rifles for the Police Department, in the total amount of \$56,632.74.

Authorize an amendment to a resolution adopted May 8, 2012, approving a Resolution of Need for E'Port Family Homes Urban Renewal LP, to apply for financial assistance to the New Jersey Housing and Mortgage Finance Agency, specifically to reduce the number of units from fifty-two (52) to thirty-six (36) and reduce the number of buildings from three (3) to one (1) on the property located at 158-168 First Street, with eight (8) units dedicated as special needs housing for the homeless.

Authorize an amendment to a resolution adopted February 28, 2012, to modify the Rental Housing Program Deferred Payment loan to Y Homes, Inc., and YMCA of Eastern Union County, specifically to increase the loan an additional \$198,781.80 to provide for further rehabilitation of said project at 135 Madison Avenue, raising the amount to \$1,208,420.05.

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, 2013 through June 30, 2014.

NEW BUSINESS (Cont'd.)

Authorize the approval of the Fiscal Year 2014 Urban Enterprise Zone (UEZ) Administrative Budget in anticipated UEZ Assistance funds in the amount of \$220,000.00, 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, 2013 through June 30, 2014.

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 in the amount of \$209,327.00, to fund two (2) police officers' salaries and benefits for Police Security, with the City providing a 20% match in the amount of \$52,332.00, for a total project cost of \$520,284.00, for the period July 1, 2013 through July 30, 2014.

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 in the amount of \$1,456,064.00 for the Urban Enterprise Zone Second General Funds Financial Lending Programs – Phase VII, for the period July 1, 2013 through June 30, 2014.

Authorize the proper City officials to reprogram and transfer unexpended balances to the Community Development Block Grant holding account as listed on Schedule A, on file in the City Clerk's Office, in the amount of \$3,384.66.

Establish a lien on the property located at 172 Reid Street in the amount of \$19,800.00 for the demolition of said premises.

Establish a lien on the property located at 256 Second Street in the amount of \$23,800.00 for the demolition of said premises.

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 \$3,667.30.

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 \$1,667.99.

Authorize the proper City officials to execute all necessary documents for the New Jersey Department of Transportation - 2013 National Infrastructure Investments TIGER Discretionary Grants in an amount not to exceed \$18,000,000.00 for the reconstruction of fifty (50) traffic signal systems at intersections throughout the community.

Authorize the award of a contract to Applied Landscape Technologies, Inc., 145 River Road, Montville, N.J., for renovations to Joseph A. O'Brien Playground in the amount of \$2,262,000.00.

Authorize the establishment of a pick-up/drop off area in front of The Little Schoolhouse, 102-110 Third Street, Monday through Friday, between the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m.

Grant permission to the Morris Midtown Business Association, P.O. Box 443, Elizabeth, and Coco Bongo Productions to host their tenth annual Colombian Independence Day Festival on Sunday, July 21, 2013, on Morris Avenue, from Sayre Street to Julian Place, and Westfield Avenue, between North Broad Street and Harrison Street, from 12:00 noon to 9:00 p.m., with a rain date of July 28 or August 4, 2013.

Pay Utility Bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS

Bill Goldfischer, 89th birthday, and for making hundreds of Kosher meals daily for local seniors.

Rev.R. Lenton Buffalo, 25th Anniversary, Union Baptist Church
William Henry Best

MEMORIALS

Joseph Ucci, husband of Susan Ucci, Elizabeth Home Improvement
Maria DiPaola, aunt of Rocco DiPaola, Second Assistant City Attorney
Louise C. (Pruzinsky) Wallace
Paul Cuzzola
Oklahoma Tornado Victims

ADJOURNMENT