

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, JUNE 11, 2013

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4384 - Authorize a Bond Ordinance in the amount of \$500,000.00 with a down payment of \$25,000.00, for the purchase of a Fire Pumper for the Fire Department.
- 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.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 29, 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 May 21, 2013 through November 25, 2013, at a cost not to exceed \$150,000.00.
Which was received.

By the Clerk:

Letter dated May 31, 2013, from the Business Administrator requesting that City Council reject the sole bid received May 29, 2013, for the furnishing of two (2) 2013 or Current Model Year Chevrolet Suburban Fleet Commercial Package or equivalent for the Fire Department and authorize the Purchasing Agent to rebid with revised specifications.
Which was received.

By the Clerk:

Letter dated May 31, 2013, from the Business Administrator recommending the award of a contract to Continental Fire & Safety, Inc., 2740 Kuser Road, Hamilton, NJ, for 30 totes of Universal Gold Foam 1% - 3% AR-AFFF for the Fire Department in the amount of \$269,820.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated June 4, 2013, from the Chief Financial Officer requesting authorization for the Tax Collector to refund/cancel an over-billing of the 2011 and 2012 calendar year taxes on property located at 109 Fulton Street which was removed from the Exemption List in 2011 in the total sum of \$14,804.27. Which was received.

By the Clerk:

Letter dated June 5, 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 June 5, 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 June 5, 2013, from the Chief Financial Officer requesting that your Honorable Body introduce and approve the Elizabeth Avenue Special Improvement District 2014 Fiscal Budget in the amount of \$323,595.00. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer recommending Certification of the Preliminary 2014 State Fiscal Year Tax Levy in order that tax bills for the second half of calendar year 2013 are issued in a timely manner in accordance with state statutes. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting that your Honorable Body consider pre-qualifying Stack, Coolahan & Stack, LLC, 90 Hudson Street, Hoboken, NJ, as a prospective Appraiser to serve the City during the 2014 SFY. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting that your Honorable Body consider pre-qualifying Powell Capital Markets, Inc., 3 Becker Farm Road, Roseland, NJ; Acacia Financial Group, Inc., 13000 Lincoln Drive West, Marlton, NJ; NW Financial Group, LLC, 10 Exchange Place, 17th Floor, Jersey City, NJ; PFM Group, Princeton Metro Center III, 821 Alexander Road, Princeton, NJ, as prospective Financial Advisors to serve the City during the 2014 SFY. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting that your Honorable Body consider pre-qualifying Blau & Blau, Attorneys at Law, 223 Mountain Avenue, Springfield, NJ, and Florio & Kenny, LLP, Attorneys at Law, 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, NJ, as prospective Property Tax Attorneys to serve the City during the 2014 SFY. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting that your Honorable Body consider pre-qualifying Louis C. Mai, CPA & Associates, 6 Moonshadow Court, Kinnelon, NJ; Wiss & Company, 485C Route One South, Iselin, NJ, and Donohue, Gironda & Doria, 310 Broadway, Bayonne, NJ, as prospective Auditors to serve the City during the 2014 SFY. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting that your Honorable Body consider pre-qualifying DeCotris, FitzPatrick, & Cole LLP, Glenpoint Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, NJ, as prospective Bond Attorneys to serve the City during the 2014 SFY. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer advising that in compliance with the SFY 2013 Appropriations Act, your Honorable Body is required to approve all payments related to accumulated/uncompensated absence benefits. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting that your Honorable Body consider an ordinance to amend Chapters 13.16.130 (B) (2); 13.16.130 (B) (3) (a); 13.16.130 (B) (3) (b), and H of the code of the City of Elizabeth to increase the sewer rates in the City of Elizabeth and to augment the language thereof in order to avert a deficit that would adversely impact the City debt financing and State reporting requirements due to the decrease in revenue collections from the City's two largest Sewer Utility's customers; quarterly sewer bill for an average family of four will increase by \$15.00 to \$112.00. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel the tax lien records premiums that are in excess of five (5) years old; or on liens that are foreclosed, as listed on the attached schedule, totaling \$58,300.00 and the sum of \$58,300.00 be credited to Miscellaneous Revenue not anticipated. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel the following tax credits in the amount of \$109,917.20 as set forth in the attached schedule for tax years 2005 and the sum of \$109,917.20 be credited to Miscellaneous Revenue not anticipated. Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Chief Financial Officer requesting that City Council consider approving and accepting the State Fiscal Year 2012 Corrective Action Plan which covers all findings and recommendations in the 2012 State Fiscal Year Annual Audit Report. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated June 3, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with Jefferson Park Day Care Center, 485 Madison Avenue, Elizabeth, NJ, to provide CDBG 2012-2013 funds for the agency's wraparound-summer recreational/educational program for 3-4 year old children residing in the City of Elizabeth; term of the contract will extend from July 1, 2013 to September 30, 2013 at a cost of \$22,363.00.
Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Director of Planning and Community Development requesting of your Honorable Body to remove from the Table the request authorizing the proper City officials to execute an agreement between the City of Elizabeth and the Elizabeth Development Company (EDC) for the Brand New Day Renaissance Project, located at 170-176 First Street which will include 44 low-to-moderate income units for aged at-risk youth, which will be supervised 24 hours a day, and to extend the term to June 30, 2014 for proper completion of this project in the amount of \$126,050.00.
Which was received.

By the Clerk:

Letter dated June 5, 2013, from the Director of Planning and Community Development recommending the award of a contract to Excel Environmental Resources, LLC, 111 North Center Drive, North Brunswick, NJ, to serve as the Licensed Site Remediation Professional ("LSRP") and to perform a Phase 1 environmental investigation of 625 Pulaski Street (Bayway Polish National Home) for an amount not to exceed \$4,935.00, unless further authorized by your Honorable Body.
Which was received.

By the Clerk:

Letter dated May 29, 2013, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Union County Open Space, Recreation & Historic Preservation - Greening Union County Program for the purchase of two hundred (200) trees for an amount not to exceed \$50,000.00; with a 50% reimbursement of the total cost of the purchase from the County of Union.
Which was received.

By the Clerk:

Letter dated June 4, 2013, 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 \$8,729.39.
Which was received.

By the Clerk:

Letter dated June 4, 2013, from the Director of Public Works recommending the award of a contract to T & M Associates, Eleven Tindall Road, Middletown, NJ, to provide Civil Engineering and Environmental Engineering On-Call Services at a cost not to exceed \$95,000.00 plus reimbursable.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 28, 2013, from the Police Director requesting to establish a handicapped parking space in front of the premises located at 29 Second Street, 1st Floor: deletions: 20 Chilton Street, Apt 1F; 904 Third Avenue. Which was received.

By the Clerk:

Letter dated May 31, 2013, from the Police Director recommending the installation of a loading zone on the west side of Linden Avenue beginning 35 feet south of Elmora Avenue and continuing 53 feet south thereof. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated June 11, 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, June 7, 2013. Which was received.

By the Clerk:

Letter dated May 28, 2013, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and disbursements for the month of February, 2013, and Statement of Bank Balances and Investments as of February 28, 2013. Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4387 - An ordinance creating the Elizabeth Tourism Improvement District and designating the Elizabeth Destination Marketing Organization as the District Management Corporation.
- ORD. NO. 4388 - Amend Chapter 13.16.130 (B) 2; 13.16.130 (B) (3) (A); 13.16.130 (B) (3) (b) and H of the Code of the City of Elizabeth, entitled "Sewer Service System," specifically to increase sewer rates and augment the language thereof.
- ORD. NO. 4389 - Authorize the establishment of a personalized handicapped parking space for Altagraci N. Melo, 63 Florida Street.
- ORD. NO. 4390 - Authorize the establishment of a personalized handicapped parking space for Rashea Dozier-Acquaye, 451 Fulton Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, JUNE 25, 2013, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4384 - Authorize a Bond Ordinance in the amount of \$500,000.00 with a down payment of \$25,000.00, for the purchase of a Fire Pumper for the Fire Department.
- 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.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2013 Budget to insert, as an Item of Revenue, a N.J. Department of Health & Human Services and Elizabeth Board of Education Non-Public School Nursing Grant in the amount of \$109,130.00.

Authorize Fiscal Year 2013 Municipal and Sewer Utility Budget transfers in the amount of \$5,500.00.

Introduce and approve the Elizabeth Avenue Special Improvement District Fiscal Year 2014 Budget in the amount of \$323,595.00.

(PUBLIC HEARING AND FURTHER CONSIDERATION TO BE HELD TUESDAY EVENING, JUNE 25, 2013.)

Certify the Preliminary 2014 State Fiscal Year tax levy for the second half of Calendar Year 2013 in the amount of \$128,889,100.96.

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 May 21, 2013 through November 25, 2013, at a cost not to exceed \$150,000.00.

Reject the sole bid received on May 29, 2013, for furnishing two (2) 2013 or current model year Chevrolet Suburban Fleet Commercial Package or equivalent for the Fire Department and authorize the Purchasing Agent to rebid with revised specifications.

Authorize the award of a contract to Continental Fire and Safety, Inc., 2740 Kuser Road, Hamilton, N.J., for the purchase of thirty (30) totes of Universal Gold Foam for the Fire Department in the amount of \$269,820.00.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes on the property located at 109 Fulton Street for Tax Year 2011 and 2012, in the total amount of \$14,804.27.

Authorize the adoption of a resolution that would pre-qualify Stack, Coolahan & Stack, LLC., 90 Hudson Street, Hoboken, N.J., who submitted a Request for Qualifications as a prospective Appraiser to serve the City during the 2014 State Fiscal Year.

NEW BUSINESS (Cont'd.)

Authorize the adoption of a resolution that would pre-qualify Powell Capital Markets, Inc., 3 Becker Farm Road, Roseland, N.J.; Acacia Financial Group, Inc., 13000 Lincoln Drive West, Marlton, N.J.; NW Financial Group, LLC, 10 Exchange Place, Jersey City, N.J., and PFM Group, 821 Alexander Road, Princeton, N.J., who submitted a Request for Qualifications as prospective Financial Advisors to serve the City during the 2014 State Fiscal Year.

Authorize the adoption of a resolution that would pre-qualify Blau and Blau, Attorneys at Law, 223 Mountain Avenue, Springfield, N.J., and Florio and Kenny, LLP, Attorneys at Law, 5 Marine View Plaza, P.O. Box 771, Hoboken, N.J., who submitted a Request for Qualifications as prospective Property Tax Attorneys to serve the City during the 2014 State Fiscal Year.

Authorize the adoption of a resolution that would pre-qualify Louis C. Mai, CPA & Associates, 6 Moonshadow Court, Kinnelon, N.J., Wiss & Company, 485C Route One South, Iselin, N.J., and Donohue, Gironda & Doria, 310 Broadway, Bayonne, N.J., who submitted a Request for Qualifications as prospective Auditors to serve the City during the 2014 State Fiscal Year.

Authorize the adoption of a resolution that would pre-qualify DeCotiis, FitzPatrick and Cole, LLP, Glenpoint Center West, 500 Frank W. Burr Boulevard, Teaneck, N.J., who submitted a Request for Qualifications as prospective Bond Attorneys to serve the City during the 2014 State Fiscal Year.

In compliance with SFY 2013 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Authorize the City Treasurer to cancel tax lien records premiums in excess of five (5) years or liens that are foreclosed, totaling \$58,300.00 and said sum be credited to Miscellaneous Revenue Not Anticipated.

Authorize the City Treasurer to cancel outstanding and unclaimed tax credits for Tax Year 2005 in the total amount of \$109,917.20 and said sum be credited to Miscellaneous Revenue Not Anticipated.

Certify to the State of New Jersey Local Finance Board that each member of City Council has reviewed and is familiar with, as a minimum, the sections of the 2012 Annual Audit Report entitled: General Comments/Recommendations.

Authorize the proper City officials to execute a CDBG Agreement with Jefferson Park Day Care Center, 485 Madison Avenue, Elizabeth, for funds in the amount of \$22,363.00 to be used for the wraparound Summer Recreational/Educational Program for the period July 1, 2013 through September 30, 2013.

MOTION TO REMOVE FROM THE TABLE

Authorize the proper City officials to execute an agreement with the Elizabeth Development Company, 288 North Broad Street, Elizabeth, to provide funds to defray the costs associated with the predevelopment expenses of architectural and market study for Brand New Day Renaissance Project for the period July 1, 2012 to June 30, 2014, in the amount of \$126,050.00.

NEW BUSINESS (Cont'd.)

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 \$8,729.39.

Authorize the award of a contract to Excel Environmental Resources, Inc., 111 North Center Drive, North Brunswick, N.J., to serve as the Licensed Site Remediation Professional to perform environmental investigation of 925 Pulaski Street (Bayway Polish National Home) in an amount not to exceed \$4,935.00, unless further authorized by City Council.

Authorize the proper City officials to execute all appropriate documents for the Union County Open Space, Recreation and Historic Preservation – Greening Union County grant funds in an amount not to exceed \$50,000.00 for the purchase of two hundred (200) trees.

Authorize the award of a contract to the T & M Associates, 11 Tindall Road, Middleton, N.J., to provide professional civil engineering and environmental engineering on-call services, at a cost not to exceed \$95,000.00 plus reimbursables.

Authorize the establishment of a loading zone to be installed on the west side of Linden Avenue, beginning 35 feet south of Elmora Avenue and continuing 53 feet south thereof.

Establish a handicapped parking space in front of the premises located at 405 Elizabeth Avenue.

Delete the following handicapped parking spaces from in front of the premises located at: 30 Chilton Street and 904 Third Avenue.

Authorize settlement in the workers compensation litigation matter of O'Neill vs. the City of Elizabeth, in the total amount of \$62,500.00.

Adopt a resolution opposing the 7.5% tax levy increase (\$3,639,801.00) imposed upon the taxpayers of the City of Elizabeth by the Elizabeth Board of Education.

Pay Utility Bills

COMMENDATIONS

Reverend Krzysztof Szczotka, Pastor, St. Adalbert Church, 25th Anniversary

MEMORIALS

U.S. Senator Frank Lautenberg
Lucille Gardner

ADJOURNMENT