

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, SEPTEMBER 24, 2013

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4420 - Authorize the adoption of a Bond Ordinance in the amount of \$7,500,000.00 with a down payment of \$375,000.00, for anticipated costs of engineering and construction for an Emergency Maintenance contract for the Elizabeth River Flood Control Project.
- ORD. NO. 4421 - Authorize the adoption of a Bond Ordinance in the amount of \$3,200,000.00 with a down payment of \$160,000.00, for the construction of a new Fire House for Engine Company #6 at 472 Catherine Street.
- ORD. NO. 4422 - Authorize the adoption of a Bond Ordinance in the amount of \$20,000,000.00 for the reconstruction of the Elizabeth Waterfront, the Marina, the Recreation Pier, the Hike, Bike and Roll Throughway, Marciante-Millet-Jackson Park, with 90% reimbursement of eligible costs by FEMA.
- ORD. NO. 4423 - Authorize the adoption of a Bond Ordinance in the amount of \$1,600,000.00, with a down payment of \$80,000.00 and Green Acres grant funds of \$600,000.00, for the construction of the Elizabeth River Trail, Phase II.
- ORD. NO. 4424 - Authorize the adoption of a Bond Ordinance in the amount of \$800,000.00, with a down payment of \$40,000.00, providing for environmental engineering, compliance and remediation services for the demolition and/or soil removal and related work at various City-owned properties.
- ORD. NO. 4425 - Grant an encroachment permit to Verina Consulting Group, LLC., 220 Davidson Avenue, Somerset, N.J., on behalf of Centro Americano Auto Repair, to perform environmental remediation work to install a groundwater monitoring well in the public right-of-way along the west side of Fourth Avenue, between the street and sidewalk near 338 South Fifth Street.
- ORD. NO. 4426 - Establish Chapter 12.76 of the Code of the City of Elizabeth entitled "Construction, Installation and Maintenance of Solar Energy Stations."

PUBLIC HEARINGS (Cont'd.)

- ORD. NO. 4427 - Authorize the execution of a lease agreement between the City of Elizabeth and the Elizabeth Board of Education for the use of the City-owned property located at 630 South Street, as the Center for Infant Development, for the period October 1, 2013 to September 30, 2015, at an annual fee of \$1.00.
- ORD. NO. 4428 - Rescind Ordinance No. 4274, adopted January 10, 2012, which authorized the establishment of a personalized handicapped parking space for Jessica Borrello, 820 Garden Street, and establish same as a reserved handicapped parking space.
- ORD. NO. 4429 - Rescind Ordinance No. 4083, adopted November 10, 2009, which authorized the establishment of a personalized handicapped parking space for Fanny Panesso, 328 South Fifth Street.
- ORD. NO. 4430 - Authorize the establishment of a personalized handicapped parking space for Jose Cortes Cedeno, 601 Third Avenue.
- ORD. NO. 4431 - Approve the Plan of Approaches for the Goethals Bridge Replacement Project pursuant to N.J.S.A. 32:1-49.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 11, 2013, from the Business Administrator recommending the award of a contract to Firefighter One Limited, 26 Gail Court, Suite 1, Sparta, NJ, for the purchase of a Pass Device System for the Fire Department at a total cost of \$323,902.48.  
Which was received.

By the Clerk:

Letter dated September 11, 2013, from the Business Administrator recommending the award of a contract to Archonix Systems, LLC, 30 Lake Center Executive Park, 401 Route 73 North, Suite 104, Marlton, NJ, for maintenance and annual license for Police Computer Assisted Records Management and Dispatch System Software XMobile Clients for a period of one year in the amount of \$80,298.00.  
Which was received.

By the Clerk:

Letter dated September 11, 2013, from the Business Administrator recommending the award of a contract to Culinary Holdings, Inc., D/B/A Culinary Ventures Vending, 1835 Burnet Avenue, Union, NJ, for vending machine services at the Elizabeth Maintenance Facility and other public buildings for the period of August 26, 2013 through August 27, 2015, at no cost to the City in addition to Culinary Holdings, Inc. paying the City a commission under the Union County Cooperative Purchasing Contract.  
Which was received.

By the Clerk:

Letter dated September 12, 2013, from the Business Administrator, advising that being satisfied that an emergency did exist, recommends the award of a contract to Big Top Contractors, 31 Elliot Street, Avenel, NJ, for the immediate demolition of 213 Edgar Place, Elizabeth, NJ, in the amount of \$28,800.00.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated September 12, 2013, from the Business Administrator, advising that being satisfied that an emergency did exist, recommends the award of a contract to Doma Construction, Inc., 215 N. 12<sup>th</sup> Street, Newark, NJ, for the immediate demolition of 1037 William Street, Elizabeth, NJ, in the amount of \$12,500.00. Which was received.

By the Clerk:

Letter dated September 12, 2013, from the Business Administrator requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Department of Health Hepatitis Inoculation Fund to provide reimbursement to municipalities for Hepatitis B inoculation costs for Emergency Medical Technicians, Police Officers and Firefighters not to exceed \$5,000.00. Which was received.

By the Clerk:

Letter dated September 12, 2013, from the Business Administrator requesting that City Council reject the sole bid received on September 5, 2013, for the furnishing of two (2) 2013 Starfire Model S-4 Dual Engine Four Cubic Yard Broom Street Sweeper or equivalent for the Public Works Department and authorize the Purchasing Agent to re-advertise for same. Which was received.

By the Clerk:

Letter dated September 13, 2013, from the Business Administrator recommending the award of a contract to Ricoh USA, Inc., 19 Chapin Road, P.O. Box 2008, Pine Brook, NJ, for the payment of existing leased copiers under their state contract for the period of August 14, 2013 through August 31, 2014, and with Ricoh Americas Corp., 5 Dedrick Place, West Caldwell, NJ, for new or replacement leases under their state contract for the period of August 14, 2013 through June 30, 2014 in the total amount not to exceed \$75,000.00. Which was received.

By the Clerk:

Letter dated September 16, 2013, from the Business Administrator recommending the award of a contract to EFK Group LLC, 1027 S. Clinton Avenue, Trenton, NJ, to provide the Office of Youth Services program branding, video, website design and development in the total amount of \$35,450.00. Which was received.

By the Clerk:

Letter dated September 17, 2013, from the Business Administrator recommending the award of a contract to Broadview Networks, 800 Westchester Avenue, Rye Brook, NY, to serve as the provider of the City's voice, local and long distance telecom service for the period of October 1, 2013 through September 30, 2016 at a cost not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated September 16, 2013, from the City Attorney advising that agreements are required for the replacement of the existing Goethals Bridge that will be done in the City and for adjustments and relocations of water and sewer utility structures for the new bridge and requesting authorization for the proper City officials to execute a Memorandum of Agreement between the Port Authority of New York and New Jersey and the City of Elizabeth concerning the Goethals Bridge Replacement Project; the Master Utility Agreement between the Port Authority of New York and New Jersey, the

PETITIONS, COMMUNICATIONS, ETC.

City of Elizabeth and E'town Services; the Master Utility Agreement between the Port Authority of New York and New Jersey, the City of Elizabeth and New Jersey American Water Company, Inc., a/k/a Liberty Water Company, with such revisions as may be approved by the Director of Public Works and the City Attorney. Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated September 10, 2013, from the Chief Financial Officer requesting authorization for the City Treasurer to cancel checks in the amount of \$17,600.87, as set forth in the attached schedule and be credited to Miscellaneous Revenue Not Anticipated-Stale Dated Checks Cancelled and should any of these checks be presented for payment at a future date, the City Treasurer be authorized to issue a replacement check in the same amount and to charge the amount to the contingent account. Which was received.

By the Clerk:

Letter dated September 11, 2013, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel disallowed senior citizen deductions as a result of failure to file an Annual Post Tax Year Statement for the Tax Year 2012 as per delineated lists in the amount of \$7,250.00. Which was received.

By the Clerk:

Letter dated September 17, 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 September 17, 2013, from the Chief Financial Officer advising that temporary emergency appropriations for the 2014 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated September 17, 2013, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance in the amount of \$20,000,000.00 authorizing the reconstruction of the Elizabeth Waterfront due to Hurricane Sandy which damaged the Veterans Waterfront Park; the Marina; Recreation Pier; Hike, Bike, & Roll Throughway, Marciante-Millet-Jackson Park and the Atalanta Public Access Walkway with a down payment of \$1,000,000; City anticipates that FEMA will reimburse the City 90% of all eligible costs. Which was received.

By the Clerk:

Letter dated September 17, 2013, from the Chief Financial Officer requesting that your Honorable Body consider the approval of a bond ordinance in the amount of \$5,000,000.00 authorizing the renovation of the Exleben Pool with a down payment of \$250,000.00. Which was received.

By the Clerk:

Letter dated September 16, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute an agreement with the YMCA of Eastern Union County for services rendered at the City of Elizabeth's Financial Planning Day to be held Saturday, October 26, 2013 from 11:00 a.m. to 3:00 p.m. at the Elizabeth Branch located at 135 Madison Avenue at no charge

PETITIONS, COMMUNICATIONS, ETC.

to the City; however the City will incur the charges for light refreshments and manpower/equipment for the day.  
Which was received.

By the Clerk:

Letter dated September 4, 2013, from the Director of Public Works requesting authorization for the proper City officials to execute a Memorandum of Understanding and Indemnification Agreement, to allow the City of Elizabeth to participate in leaf disposal at the Conservation Center at a cost not to exceed \$7,000.00.  
Which was received.

By the Clerk:

Letter dated September 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 \$5,076.18.  
Which was received.

By the Clerk:

Letter dated September 10, 2013, from the Director of Public Works 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 \$1,664.62.  
Which was received.

By the Clerk:

Letter dated September 10, 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 \$5,162.34.  
Which was received.

By the Clerk:

Letter dated September 11, 2013, from the Director of Public Works recommending the award of a contract to Schifano Construction Corp., One Smalley Avenue, P.O. Box 288, Middlesex, NJ, for the milling and resurfacing of Florida Street, Geneva Street and Portions of Third Avenue and South Second Street at a cost of \$474,412.00.  
Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCES ON FIRST READING

ORD. NO. 4432 - Authorize the adoption of a Bond Ordinance in the amount of \$20,000,000.00 with a down payment of \$1,000,000.00 for the reconstruction of the Elizabeth Waterfront, the Marina, the Recreation Pier, the Hike, Bike and Roll Throughway, Marciante-Millet-Jackson Park, with 90% reimbursement of eligible costs by FEMA.

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4433 - Authorize the adoption of a Bond Ordinance in the amount of \$5,000,000.00 with a down payment of \$250,000.00, for the renovation of the Exleben Pool.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, OCTOBER 22, 2013, AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

ORD. NO. 4420 - Authorize the adoption of a Bond Ordinance in the amount of \$7,500,000.00 with a down payment of \$375,000.00, for anticipated costs of engineering and construction for an Emergency Maintenance contract for the Elizabeth River Flood Control Project.

ORD. NO. 4421 - Authorize the adoption of a Bond Ordinance in the amount of \$3,200,000.00 with a down payment of \$160,000.00, for the construction of a new Fire House for Engine Company #6 at 472 Catherine Street.

ORD. NO. 4422 - Authorize the adoption of a Bond Ordinance in the amount of \$20,000,000.00 for the reconstruction of the Elizabeth Waterfront, the Marina, the Recreation Pier, the Hike, Bike and Roll Throughway, Marciante-Millet-Jackson Park, with 90% reimbursement of eligible costs by FEMA.

ORD. NO. 4423 - Authorize the adoption of a Bond Ordinance in the amount of \$1,600,000.00, with a down payment of \$80,000.00 and Green Acres grant funds of \$600,000.00, for the construction of the Elizabeth River Trail, Phase II.

ORD. NO. 4424 - Authorize the adoption of a Bond Ordinance in the amount of \$800,000.00, with a down payment of \$40,000.00, providing for environmental engineering, compliance and remediation services for the demolition and/or soil removal and related work at various City-owned properties.

ORD. NO. 4425 - Grant an encroachment permit to Verina Consulting Group, LLC., 220 Davidson Avenue, Somerset, N.J., on behalf of Centro Americano Auto Repair, to perform environmental remediation work to install a groundwater monitoring well in the public right-of-way along the west side of Fourth Avenue, between the street and sidewalk near 338 South Fifth Street.

ORD. NO. 4426 - Establish Chapter 12.76 of the Code of the City of Elizabeth entitled "Construction, Installation and Maintenance of Solar Energy Stations."

ORD. NO. 4427 - Authorize the execution of a lease agreement between the City of Elizabeth and the Elizabeth Board of Education for the use of the City-owned property located at 630 South Street, as the Center for Infant Development, for the period October 1, 2013 to September 30, 2015, at an annual fee of \$1.00.

ORDINANCES ON FINAL (Cont'd.)

- ORD. NO. 4428 - Rescind Ordinance No. 4274, adopted January 10, 2012, which authorized the establishment of a personalized handicapped parking space for Jessica Borrello, 820 Garden Street, and establish same as a reserved handicapped parking space.
- ORD. NO. 4429 - Rescind Ordinance No. 4083, adopted November 10, 2009, which authorized the establishment of a personalized handicapped parking space for Fanny Panesso, 328 South Fifth Street.
- ORD. NO. 4430 - Authorize the establishment of a personalized handicapped parking space for Jose Cortes Cedeno, 601 Third Avenue.
- ORD. NO. 4431 - Approve the Plan of Approaches for the Goethals Bridge Replacement Project pursuant to N.J.S.A. 32:1-49.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2014 Capital budget in the amount of \$5,000,000.00.

Authorize Temporary Emergency appropriations for the 2014 Fiscal Year Municipal and Sewer Utility Budgets in the amount of \$45,809,960.07.

Authorize the award of a contract to Firefighter One Limited, 26 Gail Court, Sparta, N.J., for the purchase of a Pass Device Systems for the Fire Department at a cost of \$323,902.48.

Authorize the award of a contract to Archonix Systems, LLC., 401 Route 73 North, Marlton, N.J., for maintenance and annual license fees for Police Computer Assisted Records Management and Dispatch System Software XMobile Clients for a one year period at a cost of \$80,298.00.

Authorize the award of a contract to Culinary Holdings, Inc., d/b/a Culinary Ventures Vending, 1835 Burnet Avenue, Union, N.J., for vending machine services at the Elizabeth Maintenance Facility and other public buildings for the period August 26, 2013 through August 27, 2015, at no cost to the City and payment of a commission to the City under the Union County Co-Op.

Authorize the proper City officials to apply and accept a grant award in an amount not to exceed \$5,000.00 from the N.J. Department of Health, Hepatitis Inoculation Fund, for reimbursement of costs of Hepatitis B inoculations for emergency medical technicians, firefighters and police officers.

Reject the sole bid received on September 5, 2013, for furnishing two (2) 2013 Starfire Model S-4 Dual Engine Four Cubic Yard Broom Street Sweepers or equivalent for the Department of Public Service and authorize the Purchasing Agent to readvertise for same.

Authorize the award of respective contracts to Ricoh USA, Inc., 19 Chapin Road, Pine Brook, N.J., for the payment of existing leased copiers and Ricoh America's Corporation, 5 Dedrick Place, West Caldwell, N.J., for leasing of new and replacement copiers for the period August 14, 2013 through June 30, 2014, in the total amount not to exceed \$75,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to the EFK Group, LLC, 1027 South Clinton Avenue, Trenton, N.J., to provide the Office of Youth Services program branding, video website and development in the total amount of \$35,450.00.

Authorize the award of a contract to Broadway Networks, 800 Westchester Avenue, Rye Brook, N.Y., to serve as the provider of the City's voice, local and long distance telecom service for the period October 1, 2013 through September 30, 2016, at a cost not to exceed \$150,000.00.

Authorize the City Treasurer to cancel previous outstanding and unclaimed Payroll checks in the total amount of \$17,600.87 and credit same to Miscellaneous Revenue Not Anticipated and further authorize issuance of replacement checks to payees in the same amount and to charge the amount to the contingent account.

Authorize the Tax Collector to cancel disallowed senior citizen deductions for Tax Year 2012 due to failure to file an Annual Post Tax Year Statement pursuant to a delineated list submitted September 11, 2013, in the total amount of \$7,250.00.

Authorize the proper City officials to execute an agreement with the YMCA of Eastern Union County, Inc., (YMCA-EUC), 135 Madison Avenue, Elizabeth, for services to be rendered at the City's Financial Planning Day to be held Saturday, October 26, 2013, from 11:00 a.m. to 3:00 p.m., at no charge to the City.

Authorize the proper City officials to execute a Memorandum of Understanding and an Indemnification Agreement with the County of Union to participate in leaf disposal at the Conservation Center at a cost of \$2.00 per yard (loose) and \$4.00 per yard (compacted) at a cost not to exceed \$7,000.00.

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 \$1,664.62.

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 \$5,076.18.

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 \$5,162.34.

Authorize the award of a contract to Schifano Construction Corporation, One Smalley Avenue, Middlesex, N.J., for the milling and resurfacing of a portion of Florida Street, Geneva Street and portions of Third Avenue and South Second Street, at a cost of \$474,412.00.

Appoint Mr. Richard Reyes, 135 Port Avenue, Elizabeth, to serve as a Constable in and for the City of Elizabeth for a term of three (3) years.

Support Ballot Question #2 to raise New Jersey's minimum wage from \$7.25 to \$8.25 an hour.

Authorize settlement in the workers compensation litigation matter of Shannon vs. the City of Elizabeth, in the total amount of \$92,182.50.

Pay Utility Bills

Approve Bingo and Raffle licenses.



COMMENDATIONS

Elizabeth Chapter of UNICO, 50<sup>th</sup> Anniversary

MEMORIALS

ADJOURNMENT