

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, FEBRUARY 28, 2017

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4804 - Amend Chapter 2.92.060, Section A, of the Code of the City of Elizabeth, Entitled "City Contracts-Exceptions".
- ORD. NO. 4805 - Amend Chapter 10.28.030, Schedule I, of the Code of the City of Elizabeth, entitled "No Parking All Times on Certain Streets," specifically to include Third Avenue, both Sides, from South First to Butler Street; and specifically to include South First Street, both sides, from Elizabeth Avenue to Third Avenue.
- ORD. NO. 4806 Authorize the establishment of a personalized handicapped parking space for Celestina Bernaldo, 249 Pine Street.
- ORD. NO. 4807 Authorize the establishment of a personalized handicapped parking space for Reinaldo Trujillo-Hernandez, 575 Fourth Avenue.
- ORD. NO. 4808 Authorize the establishment of a personalized handicapped parking space for Hector S. Selva 523 Franklin Street.
- ORD. NO. 4809 Amend Ordinance No. 4353 as Codified in Chapter 10.16.010 of the Code of the City of Elizabeth "Four-Ton Weight Limit – Streets Affected" specifically to Add First Street, between Elizabeth Avenue and Slater Drive.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 17, 2017, from the Business Administrator recommending awarding a contract to Chas S. Winner, Inc., DBA/ Winner Ford, 250 Berlin Road, Cherry Hill, NJ for the purchase of one 2017 Ford 150 4x4 Crew Cab as a replacement to the Fire Department fleet at the total cost of \$29,420.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated February 17, 2017, from the Business Administrator requesting to amend the resolution adopted July 26, 2016 awarding a contract to DRS Imaging, 43 Fadem Road, Springfield, NJ for the purchase of document storage-scanning and cloud based storage of documents and other records in the amount of \$48,000.00, specifically to increase the amount of the contract by \$1,751.64; original amount was not sufficient to complete the workload provided to the vendor which will reflect a new total amount of \$49,751.64.

Which was received.

By the Clerk:

Letter dated February 21, 2017, from the Business Administrator requesting to amend the resolution adopted April 26, 2016 awarding a contract to Skylands Area Fire Equipment and Training for Protective Firefighter Clothing & Equipment at a cost not to exceed \$150,000.00, specifically to increase the original amount not to exceed \$225,000.00; additional funds are required for the purchase of extra clothing and equipment for newly hired firefighters.

Which was received.

By the Clerk:

Letter dated February 21, 2017, from the Business Administrator requesting authorization for the proper City officials to appoint, enter into and execute an agreement with the Law Firm of Lum, Drasco & Positan, LLC, 103 Eisenhower Parkway, Roseland, NJ to provide Employment Counsel Services for the City of Elizabeth for the period of February 15, 2017 through February 14, 2018 at a rate of \$175.00 per hour for attorneys, \$75.00 per hour for paralegals and \$25.00 per hour for secretarial overtime, if authorized by the City Attorney, for a total cap of \$60,000.00.

Which was received.

By the Clerk:

Letter dated February 21, 2017, from the Chief Financial Officer advising that additional grants may be appropriated in the 2017 SFY Budget by budget amendments (Chapter 159); County of Union, NJ, Municipal Alliance grant 2018 in the amount of \$75,854.00; local share \$18,963.00.

Which was received.

By the Clerk:

Letter dated February 21, 2017, 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 February 21, 2017, from the Chief Financial Officer recommending that your Honorable Body requests the Director of the Division of Local Finance to make the following estimated corrections in the 2017 Municipal Budget to account for the City's share of grants approved subsequent to the adopted budget; Matching Funds-City's Share from \$646,000.00 to \$627,037.00; Local Share: Union County Municipal Alliance 2018 from – 0 – to \$18,963.00.

Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated February 21, 2017, from the Chief Financial Officer advising that a resolution is required authorizing providing for a single and combined issue of General Improvement bonds and a Single and Combined issue of Sewer Utility Bonds; Authorizing the sale of \$20,000,000 principal amount of General Improvement Bonds, Series 2017 and \$6,380,000 principal amount of Sewer Utility Bonds, Series 2017; Authorizing advertisement of a Notice of Sale; Authorizing the Chief Financial Officer to sell and award the bonds; determining the form and other details of the bonds; and authorizing other matters relating thereto.  
Which was received.

By the Clerk:

Letter dated February 8, 2017, from the Director of Health and Human Services requesting to amend the resolution adopted December 13, 2016 authorizing an agreement with the Board of Education of the City of Elizabeth to provide nursing services to non-public schools in the amount of \$129,965.00, specifically to accept a correction in the entitlement amount by \$4,945.00, thereby raising the amount to \$134,910.00.  
Which was received.

By the Clerk:

Letter dated February 10, 2017, from the Director of Health and Human Services requesting permission to enter into a Memorandum of Agreement – Tenth Amendment with New Jersey Medical School Global Tuberculosis Institute @ Rutgers Biomedical and Health Sciences to provide diagnosis, treatment, monitoring, case management and field services for residents of Elizabeth with confirmed or suspect tuberculosis disease for the period of January 1, 2017 through December 31, 2017 in an amount not to exceed \$31,595.34.  
Which was received.

By the Clerk:

Letter dated February 6, 2017 from the Director of Planning & Community Development, requesting authorization for the proper City officials to reprogram the unexpended CDBG contract balance listed on Schedule A attached hereto to the CDBG Holding Account in the amount of \$10,000.00.  
Which was received.

By the Clerk:

Letter dated February 9, 2017, from the Director of Planning & Community Development requesting to amend the resolution adopted October 11, 2016 granting Groundwork Elizabeth \$25,000.00 for their Employment Training Program, specifically to award additional funds in the amount of \$10,000.00 from the CDBG Holding Account and to extend the expiration date to December 31, 2017, raising the amount of the grant to \$35,000.00.  
Which was received.

By the Clerk:

Letter dated February 21, 2017, from the Director of Planning & Community Development requesting permission to have a lien placed against the property located at 1028 Bond Street for the demolition of said property in the amount of \$14,650.00.  
Which was received.

By the Clerk:

Letter dated February 21, 2017, from the Director of Planning & Community Development requesting permission to have a lien placed against the property located at 444 Marshall Street for the demolition of said property in the amount of \$13,700.00.  
Which was received.

**PETITIONS, COMMUNICATIONS, ETC. (Cont'd)**

By the Clerk:

Letter dated March 21, 2017, from the Director of Planning & Community Development requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the New Jersey Economic Development Authority for grants from the Hazardous Discharge Site Remediation Fund for the investigation and cleanup of 221-231 Front Street; 59-81 Livingston Street; 74-82 Livingston Street; 237-247 Front Street in order to determine the extent of any hazardous substance or hazardous waste.  
Which was received.

By the Clerk:

Letter dated February 15, 2017, from the Director of Public Works recommending awarding a contract to Mott MacDonald, 27 Bleeker Street, Millburn, NJ for professional engineering services in connection with the review of sewer applications at no charge to the City.  
Which was received.

By the Clerk:

Letter dated February 17, 2017, from the Director of Public Works recommending awarding a contract to ANS Consultants, Inc., 4405 South Clinton Avenue, South Plainfield, NJ to provide material testing and inspection services on a time and material basis for actual time and expenses in connection with construction of the Police Headquarters Interior Renovations at a cost not to exceed \$7,500.00 plus reimbursables.  
Which was received.

By the Clerk:

Letter dated February 14, 2017, from the Police Director requesting to amend Chapter 10.28.050, Schedule III, No Stopping or Standing on Division Street on both sides from North Avenue East to Livingston Street and amend Chapter 10.28.040, Schedule II, entitled "No Parking Certain Hours," to delete Division Street.  
Which was received.

By the Clerk:

Letter dated February 17, 2017, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant program, United States Department of Justice, Memorandum of Understanding with the County of Union for Year 2012 to provide federal criminal justice funding in an amount not to exceed \$118,276.20.  
Which was received.

By the Clerk:

Letter dated February 16, 2017, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant program, United States Department of Justice, Memorandum of Understanding with the County of Union for Year 2013 to provide federal criminal justice funding in an amount not to exceed \$119,956.50.  
Which was received.

By the Clerk:

Letter dated February 16, 2017, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant program, United States Department of Justice, Memorandum of Understanding with the County of Union for Year 2014 to provide federal criminal justice funding in an amount not to exceed \$118,846.80.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated February 16, 2017, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant program, United States Department of Justice, Memorandum of Understanding with the County of Union for Year 2015 to provide federal criminal justice funding in an amount not to exceed \$95,779.80. Which was received.

By the Clerk:

Letter dated February 7, 2017, from the Police Director requesting to delete handicapped parking spaces from in front of the following premises: 1011 Flora Street; 411 Elizabeth Avenue. Which was received.

By the Clerk:

Letter dated February 17, 2017, from the Police Director requesting to delete handicapped parking spaces from in front of the following premises: 1043 Louisa Street #4; 440 Magie Avenue; 940 Sheridan Avenue; 145 Sayre Street; 553 Court Street; 212 Center Street; 970 A Grove Street; 137 Franklin Street. Which was received.

By the Clerk:

Letter dated February 7, 2017, from HC Equities, 515 Clifton Avenue, Lakewood, NJ requesting an Encroachment Permit for the erection of a temporary, multi-story scaffold, with pedestrian bridge within the sidewalk area of the public right-of-way for the purposes of exterior renovations to the building located at 1141 East Jersey Street for a period of 6 to 9 months. Which was received.

By the Clerk:

Memo dated February 17, 2017, from the City Engineer requesting authorization for the proper City officials to enter into an Access Agreement with the Joint Meeting of Essex and Union Counties to complete the surveys and test borings on City property necessary for the design of the flood mitigation project located at R529-615 South First Street and 417-429 South First Street. Which was received.

REPORTS OF CITY OFFICERS

NONE.

ORDINANCE ON FIRST READING

ORD. 4810 - Grant an encroachment permit to HC Equities, 515 Clifton Avenue, Lakewood, N.J., for the erection of a temporary, multi-story scaffold, with pedestrian bridge within the sidewalk area of the public right-of-way for the purposes of exterior renovations to the building at 1141 East Jersey Street.

ORD. 4811 - Amend Chapter 10.28.040, Schedule II, entitled "No Parking Certain Hours," to delete Division Street.

ORD. 4812 - Amend Chapter 10.28.050, Schedule III, entitled "No Stopping or Standing," specifically to include both sides of Division Street, between North Avenue East to Livingston Street.

ORDINANCES ON FIRST (Cont'd.)

- ORD. 4813 - Rescind Ordinance No. 4206 adopted March 22, 2011, which authorized the establishment of a personalized handicapped parking space for Pablo Casas, 1043 Louisa Street.
- ORD. 4814 - Rescind Ordinance No. 3613 adopted April 27, 2004, which authorized the establishment of a personalized handicapped parking space for Rosa C. Jovanovic, 440 Magie Avenue.
- ORD. 4815 - Rescind Ordinance No. 3900 adopted June 26, 2007, which authorized the establishment of a personalized handicapped parking space for Fernando Perez, 137 Franklin Street.
- ORD. 4816 - Rescind Ordinance No. 3987 adopted September 23, 2008, which authorized the establishment of a personalized handicapped parking space for Jose Miranda, 411 Elizabeth Avenue.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MARCH 14, 2017, AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4804 - Amend Chapter 2.92.060, Section A, of the Code of the City of Elizabeth, Entitled "City Contracts-Exceptions".
- ORD. NO. 4805 - Amend Chapter 10.28.030, Schedule I, of the Code of the City of Elizabeth, entitled "No Parking All Times on Certain Streets," specifically to include Third Avenue, both Sides, from South First to Butler Street; and specifically to include South First Street, both sides, from Elizabeth Avenue to Third Avenue.
- ORD. NO. 4806 - Authorize the establishment of a personalized handicapped parking space for Celestina Bernaldo, 249 Pine Street.
- ORD. NO. 4807 - Authorize the establishment of a personalized handicapped parking space for Reinaldo Trujillo-Hernandez, 575 Fourth Avenue.
- ORD. NO. 4808 - Authorize the establishment of a personalized handicapped parking space for Hector S. Selva 523 Franklin Street.
- ORD. NO. 4809 - Amend Ordinance No. 4353 as Codified in Chapter 10.16.010 of the Code of the City of Elizabeth "Four-Ton Weight Limit – Streets Affected" specifically to Add First Street, between Elizabeth Avenue and Slater Drive.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2017 Budget to insert, as an Item of Revenue, County of Union NJ Municipal Alliance Grant 2018 in the amount of \$75,854.00 -Local Share-\$18,963.00.

NEW BUSINESS (Cont'd.)

In compliance with SFY 2016 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Authorize the proper City officials to submit a request to the Director, Division of Local Finance, to make corrections in the City's 2017 Fiscal Year Municipal Budget to account for Change of Title or Text of Appropriation approved subsequent to the adopted budget; Matching Funds-City's Share from \$646,000.00 to \$627,037.00; Local Share: Union County Municipal Alliance 2018 from - 0 – to \$18,963.00.

Authorize a resolution providing for a single and combined issue of General Improvement bonds and a Single and Combined issue of Sewer Utility Bonds; Authorizing the sale of \$20,000,000 principal amount of Sewer Improvement Bonds, Series 2017 and \$6,380,000 principal amount of Sewer Utility Bonds, Series 2017; Authorizing advertisement of a Notice of Sale; Authorizing the Chief Financial Officer to sell and award the bonds; determining the form and other details of the bonds; and authorizing other matters relating thereto.

Authorize the proper City officials to execute an agreement with the law firm of Lum, Drasco and Positan, LLC., 103 Eisenhower Parkway, Roseland, N.J., to provide the City with Employment Counsel Services for the period February 15, 2017 through February 14, 2018, at a cost not to exceed \$60,000.00.

Authorize the award of a contract to Chas. S. Winner/Ford, 250 Berlin Road, Cherry Hill, N.J., for the purchase of one (1) 2017 Ford 150 4x4 Crew Cab, as a replacement, for the Fire Department, at a cost of \$29,420.00.

Amend resolution adopted July 26, 2016 with DRS Imaging, 43 Fadem Road, Springfield, N.J., for the purchase of storage-scanning and cloud based storage of documents and other records for the Bureau of Construction, in the amount of \$48,000.00, specifically to increase the amount of the contract by \$1,751.64, original amount was not sufficient to complete the workload, raising the amount of contract to \$49,751.64.

Amend resolution adopted April 26, 2016 with Skylands Area Fire Equipment and Training, 23 Hamburg Turnpike, Riverdale, N.J., for the purchase of protective firefighting clothing and equipment for the Fire Department, in the amount of \$150,000.00, specifically to increase the amount of contract by \$75,000.00, additional funds are required for additional equipment for new hires, raising the amount of contract to \$225,000.00.

Amend resolution adopted December 13, 2016, between the City of the Elizabeth's Department of Health and Human Services and the Elizabeth Board of Education to provide nursing services for (5) five non-public schools, in the amount of \$129,965.00, specifically to increase the amount of contract by \$4,945.00, correction in the entitlement amount, raising the amount to \$134,910.00.

Authorize the proper City officials to enter into a Memorandum of Agreement with the New Jersey Medical School Global Tuberculosis Institute at Rutgers Biomedical and Health Sciences to provide diagnosis, treatment, monitoring, case management and field services for City residents with confirmed or suspected of tuberculosis disease for the period January 1, 2017 through December 31, 2017, in an amount not to exceed \$31,595.34.

Authorize the proper City officials to reprogram outstanding Community Development Block Grant (CDBG) contract 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 \$10,000.00.

**NEW BUSINESS (Cont'd.)**

Amend resolution adopted October 11, 2016, between the City of Elizabeth and Groundwork Elizabeth, granting Groundwork Elizabeth \$25,000.00 for their Employment Training Program, specifically to award additional funds in the amount of \$10,000.00, from the Community Development Block Grant (CDBG) Holding Account, raising the amount of the grant to \$35,000.00 and extending the expiration date to December 31, 2017.

Establish a lien on the property located at 1028 Bond Street for the demolition of said property in the amount of \$14,650.00.

Establish a lien on the property located at 444 Marshall Street for the demolition of said property in the amount of \$13,700.00.

Authorize the proper City officials to execute all appropriate documents to the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for grants from the Hazardous Discharge Site Remediation Fund for the investigation and cleanup of 221-231 Front Street; 59-81 Livingston Street; 74-82 Livingston Street; 237-247 Front Street in order to determine the extent of any hazardous substance or hazardous waste.

Authorize the award of a contract to Mott MacDonald, 111 Wood Avenue South, Iselin, N.J., to provide professional engineering services in connection with the review of sewer applications for a one year period at no cost to City for said service.

Authorize the award of a contract to ANS Consultants, Inc., 4405 South Clinton Avenue, South Plainfield, N.J., to provide material testing and inspection services for actual time and expenses in connection with the construction of the Police Headquarters Interior Renovations, at a cost not to exceed \$7,500.00, plus reimbursables.

Authorize the proper City officials to execute all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant and execute a Memorandum of Understanding with the County of Union for the Year 2012 to provide Federal Criminal Justice funding in an amount not to exceed \$118,276.20.

Authorize the proper City officials to execute all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant and execute a Memorandum of Understanding with the County of Union for the Year 2013 to provide Federal Criminal Justice funding in an amount not to exceed \$119,956.50.

Authorize the proper City officials to execute all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant and execute a Memorandum of Understanding with the County of Union for the Year 2014 to provide Federal Criminal Justice funding in an amount not to exceed \$118,846.80.

Authorize the proper City officials to execute all appropriate documents for the Edward Byrne Memorial Justice Assistance Grant and execute a Memorandum of Understanding with the County of Union for the Year 2015 to provide Federal Criminal Justice funding in an amount not to exceed \$95,779.80.

Establish a handicapped parking space in front of the premises located at 159 Catherine Street.

Establish a handicapped parking space in front of the premises located at 633 Franklin Street.

Establish a handicapped parking space in front of the premises located at 661 Norwood Terrace.

**NEW BUSINESS (Cont'd.)**

Establish a handicapped parking space in front of the premises located at 570 Third Avenue.

Delete the following handicapped parking spaces from in front of the premises located at: 1043 Louisa Street; 1045 Louisa Street; 1011 Flora Street; 940 Sheridan Avenue; 145 Sayre Street; 553 Court Street; 212 Center Street; 970 A. Grove Street.

Authorize the proper City officials to execute a Site Access Agreement with the Joint Meeting of Essex and Union Counties to complete perform surveys and test borings on City properties associated with the Flood Mitigation Project located at R529-615 South First Street and 417-429 South First Street.

Authorize settlement in the litigation matter of Theodore vs. the City of Elizabeth, in the total amount of \$60,000.00.

Pay Utility Bills.

Approve Bingo and Raffle Licenses.

**COMMENDATIONS:**

Police Officer Lateef Banks  
Antoine Nelson  
Jamilie Cromartie  
Zuzy Martin Lynch

**MEMORIALS:**

Catherine Walls McRae  
Ernestine Gogliardo  
Klaus-Dieter Schleim  
Charlotte DeFilippo  
Jaime Fox  
Patricia Garner

**ADJOURNMENT**