

YOUTH IN CITY GOVERNMENT DAY

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MAY 23, 2017

2:00 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4845 - A Refunding Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for the refunding of certain General Improvement Bonds of the City and appropriating an amount not exceeding \$6,930,000 therefor and authorizing the issuance of not to exceed \$6,930,000 refunding Bonds of the City of Elizabeth for financing the cost thereof.

ORD. NO. 4846 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for improvements to Green Acres Park Elmora and appropriating \$2,600,000 therefore, and providing for the issuance of \$2,470,000 in Bonds or Notes of the City of Elizabeth to finance the same.

ORD. NO. 4850 - An Ordinance authorizing the purchase of properties located at 862 and 864 Anna Street, Elizabeth, New Jersey.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated May 15, 2017, from the Business Administrator recommending to renew the contract for the third year with Highway Service Corp., 548 Trumbull Street, Elizabeth, NJ for Police authorized towing and storage services for a period of one year commencing August 25, 2017 through August 24, 2018 under the same terms and conditions as the current contract.
Which was received.

By the Clerk:

Letter dated May 16, 2017, from the Business Administrator recommending to amend Ordinance No. 1747 establishing certain classified and unclassified positions in the City, as per the Schedule attached hereto.
Which was received.

By the Clerk:

Letter dated May 16, 2017, from the Business Administrator requesting to amend Chapter 2.56.110 (B), of the Code of the City of Elizabeth entitled: Table of Organization for Civilian Personnel of the Elizabeth Police Department.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated May 16, 2017, from the Business Administrator requesting to amend Chapter 2.60.090 (B), of the Code of the City of Elizabeth entitled: Table of Organization for Civilian Personnel of the Elizabeth Fire Department. Which was received.

By the Clerk:

Letter dated May 9, 2017, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel the disallowed senior citizen deduction for the Tax Year 2016 as per the delineated lists attached hereto in the amount of \$5,250.00. Which was received.

By the Clerk:

Letter dated May 16, 2017, from the Chief Financial Officer advising that additional grants may be appropriated in the 2017 SFY Budget by budget amendments (Chapter 159). Which was received.

By the Clerk:

Letter dated May 16, 2017, from the Chief Financial Officer advising 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 May 16, 2017, from the Chief Financial Officer advising that transfers for the 2017 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated May 16, 2017, from the Chief Financial Officer requesting that your Honorable Body consider authorizing from the New Jersey Environmental Infrastructure Trust a Construction Financing Program loan for the design and construction of the Trumbull Street Flood Control Project in an amount not to exceed \$6,500,000.00. Which was received.

By the Clerk:

Letter dated May 16, 2017, from the Chief Financial Officer requesting that your Honorable Body consider authorizing the refunding of the City's General Improvement Bonds, Series 2011 and providing for the form, maturities and other details of said bonds; authorizing a preliminary official statement and official statement; providing for the sale of the refunding bonds; and approving and authorizing the execution of and delivery by the city of a Continuing Disclosure Certificate, a Bond Purchase Agreement and an Escrow Deposit Agreement; generating a cost savings of over \$200,000.00 to the City over ten (10) years. Which was received.

By the Clerk:

Letter dated May 4, 2017, from the Director of Health and Human Services recommending awarding a contract to Anthony Tavormina, D.V.M., 444 North Broad Street, Elizabeth, NJ to provide Veterinarian Services for the period of June 1, 2017 through May 31, 2018, at a rate of \$50.00 per hour. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated May 12, 2017, from the Director of Planning and Community Development requesting that your Honorable Body consider submitting to the New Jersey Economic Development Authority (NJEDA) a resolution in support of Raymond & Flanigan's application to the NJEDA for the purchase and renovation of 999 IKEA Drive, Elizabeth to accommodate a retail showroom and a customer service center and they anticipate hiring eighty (80) full time employees.
Which was received.

By the Clerk:

Letter dated May 5, 2017, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the NJ Department of Transportation's Local Aid Infrastructure Fund FY 2017 to provide funds for implementing design and construction of the Jersey Gardens Boulevard West bridge, emergency replacement of stage 2 precast wall panels on mechanically stabilized earth walls 3 and 3A due to suspected failure of the steel anchor assemblage consisting of the coil loop and tie strips total grant amount not to exceed \$3,000,000.00.
Which was received.

By the Clerk:

Letter dated May 12, 2017, from the Director of Public Works requesting Change Order No. 1 – Final to the contract adopted February 14, 2017, with Empire Construction & Property Management Group, Inc., Middletown, NJ for the Municipal Marina Wave Screen repairs in the original amount of \$72,349.95; specifically, to furnish and replace six (6) additional underwater splice plates that were unknown during the design and bidding of the project and discovered during construction in the amount of \$13,603.05, raising the amount of the contract to \$85,953.00.
Which was received.

By the Clerk:

Letter dated May 12, 2017, from the Director of Public Works requesting authorization for the proper City officials to accept and sign all appropriate documents with PSE&G for the energy efficiency upgrades at Stephen Sampson Senior Center proposing to retrofit 291 florescent light fixtures with LED direct fit tubes and replace five (5) switches with occupancy sensors at a total project cost of \$37,385.84; City would be responsible for 30% or \$11,215.75.
Which was received.

By the Clerk:

Letter dated May 12, 2017, from the Director of Public Works requesting permission to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$1,969.67.
Which was received.

By the Clerk:

Letter dated May 12, 2017, from the Director of Public Works requesting permission 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 \$1,828.24.
Which was received.

By the Clerk:

Letter dated May 15, 2017, from the Director of Public Works requesting that your Honorable Body consider authorizing the acquisition of the property located at 368 Third Avenue for the Atlantic Street Stormwater Storage Tank project in the amount of \$305,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated May 2, 2017, from the Police Director requesting to amend Chapter 10.16 of the Code of the City of Elizabeth entitled: Weights and Limits, Four-Ton weight limit specifically, to include S. Fifth Street from Elizabeth Avenue to Fifth Avenue. Which was received.

By the Clerk:

Letter dated May 3, 2017, from the Police Director requesting to establish handicapped parking spaces in front of the following premises: 840 Pennington Street (personalized); 314 High Street, 2nd Flr., 43 Jacques Street; 335 Chilton Street; 553 Court Street; 856 Bond Street (personalized) deletions: 163 Livingston Street, 2nd Flr., 210 Spencer Street; 247 Fulton Street; 333 John Street, 2nd Flr., 570 Third Avenue. Which was received.

By the Clerk:

Letter dated May 4, 2017, from the Police Director advising that the following personalized handicapped parking spaces be rescinded and changed to a reserved handicapped parking space due to non-payment: 772 Bayway Avenue; 523 Franklin Street; 421 First Avenue; 329 Livingston Street. Which was received.

By the Clerk:

Letter dated May 8, 2017, from Norris McLaughlin & Marcus, P.A., Attorneys at Law, 400 Crossing Boulevard, Bridgewater, NJ, on behalf of Habitat for Humanity Greater Elizabeth Area, Inc., requesting that your Honorable Body consider accepting the return of 165 Catherine Street. Which was received.

By the Clerk:

Email dated May 1, 2017, from His Honor the Mayor, on behalf of Ms. Elsa Leistikow with the New Jersey League of Conservation Voters, requesting that your Honorable Body consider a resolution in support of energy efficiency projects and set a goal for renewable energy use. Which was received.

By the Clerk:

Letter dated May 12, 2017, from the Historic Midtown Elizabeth Special Improvement District (SID) is requesting to host their Annual Midtown Car and Bike Show in front of the City Hall steps and waive all fees. WHICH WAS REFERRED TO COUNCIL AS A WHOLE.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated May 9, 2017, from the City Treasurer submitting the City Treasurer's Report of Receipts and Disbursements for the month of January 2017 and Statement of Bank Balances and Investments as of January 31, 2017. Which was received.

ORDINANCE ON FIRST READING

- ORD. NO. 4853 - An Ordinance to amend Ordinance No. 1747 entitled an Ordinance to establish certain classified and unclassified positions in the City of Elizabeth and to set the annual compensation for said positions to be paid from April 1, 1984, except as otherwise provided, as provided by the Municipal Budget to be paid as other employees are paid and as provided on attached schedules.
- ORD. NO. 4854 - An Ordinance to amend Article II, Administration and Personnel, Chapter 2.56.110 (B), Civilian Personnel, of the Code of the City of Elizabeth specifically relating to the Table of Organization of the Elizabeth Police Department.
- ORD. NO. 4855 - An Ordinance to amend Article II, Administration and Personnel, Chapter 2.60.090 (A), Firefighting Personnel and Chapter 2.60.090 (B), Civilian Personnel of the Code of the City of Elizabeth, specifically relating to the Table of Organization of the Elizabeth Fire Department.
- ORD. NO. 4856 - An Ordinance to authorize the acquisition of property located at 368 Third Avenue, Elizabeth, New Jersey from Jose M. Vargas.
- ORD. NO. 4857 - An Ordinance accepting the donation of real property located at 165 Catherine Street, Elizabeth, New Jersey from the Habitat for Humanity Greater Elizabeth Area Inc.
- ORD. NO. 4858 - An Ordinance to amend Chapter 10.16.10 of the Code of the City of Elizabeth, entitled "Four-Ton Weight Limit – Streets Affected" specifically to add South Fifth Street, between Elizabeth Avenue and Fifth Avenue, except for pickup and delivery of materials on these streets.
- ORD. NO. 4859 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Katrina C. Cooper, 856 Bond Street.
- ORD. NO. 4860 - An Ordinance to rescind Ordinance No. 4592 adopted May 26, 2015, which authorized the establishment of a personalized handicapped parking space for Silvia Morales, 247 Fulton Street.
- ORD. NO. 4861 - An Ordinance to rescind Ordinance No. 4637 adopted October 27, 2015, which authorized the establishment of a personalized handicapped parking space for Rosa Guillen-Hernandez, 333 John Street, 2nd Floor.
- ORD. NO. 4862 - An Ordinance to rescind Ordinance No. 4770 adopted October 25, 2016, which authorized the establishment of a personalized handicapped parking space for Ana Garica, 772 Bayway.
- ORD. NO. 4863 - An Ordinance to rescind Ordinance No. 4808 adopted February 28, 2017, which authorized the establishment of a personalized handicapped parking space for Hector Selva, 523 Franklin Street.
- ORD. NO. 4864 - An Ordinance to rescind Ordinance No. 4769 adopted October 25, 2016, which authorized the establishment of a personalized handicapped parking space for Jose DelSol, 421 First Avenue.

ORDINANCES ON FIRST (Cont'd.)

ORD. NO. 4865 - An Ordinance to rescind Ordinance No. 4800 adopted February 14, 2017, which authorized the establishment of a personalized handicapped parking space for Elena Opizo, 329 Livingston Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, JUNE 13, 2017, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

ORD. NO. 4845 - A Refunding Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for the refunding of certain General Improvement Bonds of the City and appropriating an amount not exceeding \$6,930,000 therefor and authorizing the issuance of not to exceed \$6,930,000 refunding Bonds of the City of Elizabeth for financing the cost thereof.

ORD. NO. 4846 - A Bond Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for improvements to Green Acres Park Elmora and appropriating \$2,600,000 therefore, and providing for the issuance of \$2,470,000 in Bonds or Notes of the City of Elizabeth to finance the same.

ORD. NO. 4850 - An Ordinance authorizing the purchase of properties located at 862 and 864 Anna Street, Elizabeth, New Jersey.

NEW BUSINESS

Authorize an amendment to the 2017 Fiscal Year Capital Budget in the amount of \$2,470,000.00.

Authorize a resolution approving a \$6,500,000.00 Construction Financing Program Note, through the New Jersey Environmental Infrastructure Trust, for the City's Trumbull Street Flood Control Project.

Authorize a resolution providing for the issuance of General Improvement Refunding Bonds for the refunding of the City's General Improvement Bonds, Series 2011 and providing for the form, maturities and other details of said bonds; authorizing a preliminary official statement and an official statement; providing for the sale of refunding bonds; and approving and authorizing the execution and delivery by the City of a continuing disclosure certificate, a bond purchase agreement and an escrow deposit agreement.

Authorize the Tax Collector to cancel the disallowed senior citizen deduction for Tax Year 2016 pursuant to a delineated list submitted May 9, 2017, in the total amount of \$5,250.00.

Authorize the renewal of a contract with Highway Service Corporation, 548 Trumbull Street, Elizabeth, N.J., for Police Authorize towing and storage services, for a one (1) year period commencing August 25, 2017 through August 24, 2018, under the same terms and conditions as the current agreement.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Anthony Tavormina, D.V.M., 444 North Broad Street, Elizabeth, N.J., to provide Veterinarian Services for the period of June 1, 2017 through May 31, 2018, at a rate of \$50.00 per hour for a total cost not to exceed \$30,000.00.

Adopt a resolution of support for Raymour & Flanagan's application to the New Jersey Economic Development Authority (NJEDA) for financial assistance for the acquisition and renovation of real estate located at 999 IKEA Drive, Elizabeth, N.J., benefiting the City of Elizabeth and residents.

Authorize the proper City officials to execute all appropriate documents for the New Jersey Department of Transportation's "Jersey Gardens Boulevard Mechanically Stabilized Earth (MSE) Wall Replacement" from the Local Aid Infrastructure Fund Grant Program FY 2017 in an amount not to exceed \$3,000,000.00.

Authorize Change Order No. 1 – Final, awarded to Empire Construction & Property Management Group, Inc., 14 Grove Street, Middletown, N.J., in connection with the Municipal Marina wave screen repairs, in the amount of \$72,349.95, specifically for additional cost of furnishing and replacing six (6) underwater splice plates, in the amount of \$13,603.05, raising the amount of contract to \$85,953.00.

Authorize the proper City officials to accept and sign the installation and repayment agreement and all appropriate documents with PSE&G Direct Install Program for the energy efficiency upgrades at the Stephen Sampson Senior Center, 800-860 Anna Street, Elizabeth, N.J.

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 \$1,969.67.

Establish liens for the removal and disposal of debris from said properties listed on Schedule A on file in the City Clerk's Office in the total amount of \$ 1,828.24.

Establish a handicapped parking space in front of the premises located at 553 Court Street.

Establish a handicapped parking space in front of the premises located at 772 Bayway Avenue.

Establish a handicapped parking space in front of the premises located at 523 Franklin Street.

Establish a handicapped parking space in front of the premises located at 421 First Avenue.

Delete the following handicapped parking spaces from in front of the premises located at: 163 Livingston Street 2nd floor; 570 Third Avenue; 210 Spencer Street.

Adopt a resolution "In Support" the pursuit of all available energy efficiency projects where possible and will facilitate and incentivize greater clean energy investment in the community.

Authorize settlement in the worker's compensation litigation matter of Cavanaugh vs. the City in the total amount of \$23,231.88.

Pay Utility Bills

Approve Bingo and Raffle Licenses

COMMENDATIONS:

Police Detective Darin Williamson

)200 Club of Union County
) Valor Award

MEMORIALS:

Virginia Liotta
Leonardo Oliveri
John Jackson

ADJOURNMENT