

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, OCTOBER 24, 2017

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4852 - An Ordinance to designate Sabra Port Urban Renewal LLC, 45 Lafayette Drive, Livingston, New Jersey, as Redeveloper of 60-90 Broadway, 133-135 First Street, 59-81 Livingston Street, 120-134 Front Street, and 74-82 Livingston Street and authorize the proper City Officials to execute a Redevelopment Agreement with Sabra Port Urban Renewal LLC, which includes the transfer to Sabra Port Urban Renewal LLC.
- ORD. NO. 4923 - An Ordinance to amend Chapter 10.16.010 of the Code of the City of Elizabeth "Four – Ton Weight Limit - Streets Affected" specifically to Add William Street, from Madison Avenue to Spring Street (Route 1&9); Lafayette Street, from Madison Avenue to Spring Street (Route 1&9); and Boudinot Place, from Catherine Street to Spring Street (Route 1&9), except for the pickup and delivery of materials on these streets.
- ORD. NO. 4924 - An Ordinance to rescind Ordinance No. 4521, adopted on November 25, 2014, which authorized the establishment of a personalized handicapped parking space for Caridad Sanz-DeAguilera, 964 Dehart Place, Elizabeth, New Jersey.
- ORD. NO. 4925 - An Ordinance to rescind Ordinance No. 3484, adopted on December 23, 2002, which authorized the establishment of a personalized handicapped parking space for Willie Haymer, 157 Smith Street, Elizabeth, New Jersey.
- ORD. NO. 4926 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Denise Gonzalez, 628 Fourth Avenue, 2nd Floor, Elizabeth, New Jersey.
- ORD. NO. 4927 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Rolando Anderson, 429 Marshall Street, Elizabeth, New Jersey.
- ORD. NO. 4928 - An Ordinance to amend Chapter 10.44.010 of the Code of the City of Elizabeth entitled "Application Fee for Permits for Handicapped Parking Spaces", specifically to exempt Veterans who have been awarded the Purple Heart from the payment of an application fee and annual fee for personalized handicapped parking space.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated October 11, 2017, from the Business Administrator request that your Honorable Body consider the adoption of a resolution in support of the effort to urge our Legislature to reject Senate Bills No. 1045 and No. 1046 attached hereto and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public. Which was received.

By the Clerk:

Letter dated October 13, 2017, from the Business Administrator recommending awarding a contract to DFFLM, LLC, t/a Ditschman Flemington Ford, 215 US High 202, Flemington, NJ for the purchase of one (1) 2018 Ford F250 Crew Cab and one (1) 2018 Ford F-150 Super Cab as replacement vehicles at the total cost of \$75,464.00. Which was received.

By the Clerk:

Letter dated October 13, 2017, from the Business Administrator recommending awarding a contract to S & S Worldwide, 75 Mill Street, Colchester, Ct for the purchase of arts, crafts and games for youth groups and senior citizens for various departments for the period of October 5, 2017 through October 5, 2018 at a cost not to exceed \$35,000.00. Which was received.

By the Clerk:

Letter dated October 13, 2017, from the Business Administrator recommending awarding a contract to Maser Consulting, P.A., One River Centre -- Building Two, 331 Newman Springs Road, Suite 203, Red Bank, NJ to provide professional environmental engineering services in regard to operation procedures for Fred Exleben Pool, Mickey Walker Spray Park, Miller Evans Logan Spray Park and Jackson Spray Park for the Recreation Department in the amount of \$47,200.00 and to permit the proper City officials to execute any documents that may be required by the vendor. Which was received.

By the Clerk:

Letter dated October 16, 2017, from the Business Administrator recommending awarding a contract to Johnston Communications Voice and Data, 322 Belleville Tpke., North Arlington, NJ for the purchase of cameras, camera networking equipment and camera radio equipment for the period of October 13, 2017 through June 15, 2019 at a total cost of \$270,000.00. Which was received.

By the Clerk:

Letter dated October 16, 2017, from the Business Administrator recommending awarding a contract to Security Guard Inc., t/a Tri-County Security, 1142 Eat Chestnut Avenue, Suite A, Vineland, NJ for the furnishing of Security Guard services for the Department of Public works, Division of Public Buildings, Municipal Court and any other department requiring said service for a period of two (2) years in an amount not to exceed \$280,000.00. Which was received.

By the Clerk:

Letter dated October 16, 2017, from the Business Administrator recommending awarding a contract to Atlantic Uniform co., 468 Washington Avenue, Belleville, NJ for riot gear for the Police Department at the cost of \$10,230.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 5, 2017, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel/refund/credit the overbilling of taxes for the 2017 Tax Year on the property located at 154 Inslee Place the total sum of \$5,692.30; 132 Marshall Street the total sum of \$7,273.60; 537 Richmond Street the total sum of \$7,954.51 and 430-432 Morris Avenue for the 2016 and 2017 Tax Year the sum of \$15,711.84. Which was received.

By the Clerk:

Letter dated October 6, 2017, from the Chief Financial Officer request that Tax Sale Certificate No. 16-00060 on the property located at 331-333 S. Park Street be declared null and void and the amount sold, plus all subsequent taxes in the amount of \$3,279.28 accrued there, interest paid, fees of \$65.00 and Post Judgment Interest of \$8.69 totaling \$4,061.48 be refunded to the lien holder upon surrendering the original Tax Sale Certificate. Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer advising that temporary emergency appropriations for the 2018 SFY Municipal and Sewer Utility Budgets may be necessary. Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a bond ordinance authorizing improvements to Carteret Park for the cost of the playground, basketball court, and landscaping in the amount of \$1,600,000.00 with a down payment of \$80,000.00. Which was received.

By the Clerk:

Letter dated October 17, 2017 from the Chief Financial Officer request that your Honorable Body consider the approval of a bond ordinance authorizing drainage and improvements to Hanratty Field including kitchen repairs in the amount of \$1,100,000.00 with a down payment of \$55,000.00. Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a Sewer Utility bond ordinance for the Atlantic Street Flood Control Project Design phase in the amount of \$1 million. Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a Sewer Utility bond ordinance for various sewer capital projects as part of a long range plan to upgrade the City's aging sewer utility infrastructure in the amount not to exceed \$12 million. Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a capital surplus ordinance authorizing the installation of traffic lights and road resurfacing at the intersections of North Avenue and Madison Avenue in the amount of \$700,000; city anticipates a 2017 SFY Municipal Aid Grant in the amount of \$371,876.00 that would also be charged to this project. Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a capital surplus ordinance authorizing the Bike, Hike, & Roll Throughway Expansion at the Waterfront in the amount of \$500,000.00; city anticipates a Passaic River Grant in the amount of \$485,261.75 that would also be charged to this project.
Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a Capital Improvement Fund ordinance authorizing the acquisition of Public Works Equipment including four (4) International Dump Trucks with plows and spreaders; two (2) Garbage Trucks; three (3) Mason Dump Trucks with plows and spreaders; one (1) large Aerial Boom Truck as replacements in the amount of \$1,200,000.00.
Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a Capital Improvement Fund ordinance authorizing bleachers for the Ira Powell Memorial Field in the amount of \$300,000.00
Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Chief Financial Officer request that your Honorable Body consider the approval of a Capital Improvement Fund ordinance authorizing the acquisition of the Galluzzo property located at 502-506 Amboy Avenue in the amount of \$600,000.00.
Which was received.

By the Clerk:

Letter dated October 17, 2017, from the Director of Health and Human Services requesting permission to extend the agreement with the Elizabeth Board of Education and the Department of Health and Human Services, Office on Aging providing free cosmetology services to the Office on Aging participants for the period of January 1, 2018 through June 30, 2018.
Which was received.

By the Clerk:

Letter dated October 4, 2017, from the Director of Planning and Community Development request authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Deferred Payment loan, Owner-Occupied Basic Program, to the owners of the property located at 537-539 Muriel Parkway in an amount not to exceed \$16,000.00.
Which was received.

By the Clerk:

Letter dated October 13, 2017, from the Director of Planning and Community Development requesting authorization for the Planning Board to conduct a study to determine if 729-763 Meadow Street, 703 & R 703-727 Spring Street, 705-725 Spring Street, 902-940 North Avenue East, 850 North Avenue East, R 850- R 878 North Avenue East, 852-864 North Avenue East, 864-878 North Avenue East, 880 North Avenue East, 882-888 North Avenue East, 890-900 North Avenue East, 901-949 Woodruff Lane, 863-871 Woodruff Lane, and 873-889 Woodruff Lane are areas in need of redevelopment without the power of condemnation.
Which was received.

PETITIONS, COMMUNICATIONS, ETC. (Cont'd)

By the Clerk:

Letter dated October 16, 2017, 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 provide Community Development Block Grants and Emergency Solution Grants as per Schedule A attached hereto in the amount of \$2,358,316.00. Which was received.

By the Clerk:

Letter dated October 13, 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 \$1,205.59. Which was received.

By the Clerk:

Letter dated October 13, 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 \$13,818.98. Which was received.

By the Clerk:

Letter dated October 16, 2017, from the Director of Public Works requesting Contract Amendment No. 1 to the contract with Envar Services, Inc., 505 Milltown Road, North Brunswick, NJ to provide civil engineering services in connection with the design and construction inspection of the Marciante-Millet-Jackson Park Bulkhead Rehabilitation at a cost not to exceed \$138,200.00 specifically, to provide civil engineering services for additional revised detailed design including electrical and landscape restoration for the extension of the bulkhead replacement to include a tidelands grant application at an additional cost of \$26,800.00, raising the amount of the contract to \$165,000.00. Which was received.

By the Clerk:

Letter dated October 5, 2017, from the Police Director requesting to establish handicapped parking spaces in front of the premises located at 225 Clark Place, 2nd Floor, (personalized); deletions: 838 Cross Avenue, 409 S. Seventh Street. Which was received.

By the Clerk:

Email dated October 10, 2017, from Mr. Peter Thorwarth requests to donate funds to have a bench installed in the City of Elizabeth in honor of his father Mr. William Thorwarth who owned the 640 restaurant. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated September 21, 2017, from the City Treasurer submitting the City Treasurer's Report of Receipts and Disbursements for the month of July, 2017 and Statement of Bank Balances and Investments as of July 31, 2017. Which was received.

ORDINANCES ON FIRST READING

ORD. NO. 4929 - An Ordinance to rescind Ordinance No. 3998, adopted on October 28, 2008, which authorized the establishment of a personalized handicapped parking space for Rafael Lopez, 838 Cross Avenue, Elizabeth, New Jersey.

ORDINANCES ON FIRST (Cont'd.)

- ORD. NO. 4930 - An Ordinance to rescind Ordinance No. 4346, adopted on November 28, 2012, which authorized the establishment of a personalized handicapped parking space for Guiseppin Muscaritolo, 409 South Seventh Street, Elizabeth, New Jersey.
- ORD. NO. 4931 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Erasmo Martinez, 1027 Kilsyth Road, Elizabeth, New Jersey.
- ORD. NO. 4932 - An Ordinance to amend No. 4882, adopted on July 25, 2017, which authorized the establishment of a personalized handicapped parking space for Yoritza Carmona, 225 Clark Place, 2nd Fl., Elizabeth, New Jersey.
- ORD. NO. 4933 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for improvements to Carteret Park located in the City of Elizabeth and appropriating \$1,600,000.00 therefore, and providing for the issuance of \$1,520,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 4934 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey, providing for improvements to Hanratty Field, located in the City of Elizabeth, and appropriating \$1,100,000.00 therefor, and providing for the issuance of \$1,045,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 4935 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for the Engineering and Construction costs for the Atlantic Street Flood Control Project and related expenses in and by the City of Elizabeth, appropriating \$1,000,000.00 therefor and authorizing \$1,000,000.00 in Bonds or Notes of the City of Elizabeth to finance the same.
- ORD. NO. 4936 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey providing for Sewer System Capital repairs and appropriating \$12,000,000.00 therefor and authorizing the issuance of \$12,000,000.00 Bond or Notes of the City of Elizabeth to finance the cost thereof.
- ORD. NO. 4937 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$700,000.00 for the installation of traffic lights and road resurfacing in and for the City of Elizabeth, in the County of Union, New Jersey.
- ORD. NO. 4938 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$500,000.00 for the Bike, Hike and Roll Throughway Expansion in and for the City of Elizabeth, in the County of Union, New Jersey.
- ORD. NO. 4939 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$1,200,000.00 for the acquisition of equipment and vehicles for the Department of Public Works in and for the City of Elizabeth, in the County of Union, New Jersey.

ORDINANCES ON FIRST (Cont'd.)

- ORD. NO. 4940 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$300,000.00 for bleachers for the Ira Powell Memorial Field in and for the City of Elizabeth, in the County of Union, New Jersey.
- ORD. NO. 4941 - An Ordinance of the City of Elizabeth, in the County of Union, New Jersey, appropriating \$600,000.00 for the acquisition of 502-506 Amboy Avenue, Elizabeth, in the City of Elizabeth, in the County of Union, New Jersey.

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

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4852 - An Ordinance to designate Sabra Port Urban Renewal LLC, 45 Lafayette Drive, Livingston, New Jersey, as Redeveloper of 60-90 Broadway, 133-135 First Street, 59-81 Livingston Street, 120-134 Front Street, and 74-82 Livingston Street and authorize the proper City Officials to execute a Redevelopment Agreement with Sabra Port Urban Renewal LLC, which includes the transfer to Sabra Port Urban Renewal LLC.
- ORD. NO. 4923 - An Ordinance to amend Chapter 10.16.010 of the Code of the City of Elizabeth "Four –Ton Weight Limit - Streets Affected" specifically to Add William Street, from Madison Avenue to Spring Street (Route 1&9); Lafayette Street, from Madison Avenue to Spring Street (Route 1&9); and Boudinot Place, from Catherine Street to Spring Street (Route 1&9), except for the pickup and delivery of materials on these streets.
- ORD. NO. 4924 - An Ordinance to rescind Ordinance No. 4521, adopted on November 25, 2014, which authorized the establishment of a personalized handicapped parking space for Caridad Sanz-DeAguilera, 964 Dehart Place, Elizabeth, New Jersey.
- ORD. NO. 4925 - An Ordinance to rescind Ordinance No. 3484, adopted on December 23, 2002, which authorized the establishment of a personalized handicapped parking space for Willie Haymer, 157 Smith Street, Elizabeth, New Jersey.
- ORD. NO. 4926 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Denise Gonzalez, 628 Fourth Avenue, 2nd Floor, Elizabeth, New Jersey.
- ORD. NO. 4927 - An Ordinance to authorize the establishment of a personalized handicapped parking space for Rolando Anderson, 429 Marshall Street, Elizabeth, New Jersey.
- ORD. NO. 4928 - An Ordinance to amend Chapter 10.44.010 of the Code of the City of Elizabeth entitled "Application Fee for Permits for Handicapped Parking Spaces", specifically to exempt Veterans who have been awarded the Purple Heart from the payment of an application fee and annual fee for personalized handicapped parking space.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2018 Budget to insert, as an item of Revenue, additional grants in the amount of \$19,857,137.75.

Adopt a resolution in support of the effort strongly urging Legislature to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize Open Public Records Act (OPRA) and Open Public Meeting Act (OPMA) while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

Authorize the award of a contract to DFFLM, LLC, t/a Ditschman Flemington Ford, 215 U.S. Highway 202, Flemington, N.J., for the purchase of one (1) 2018 Ford F250 Crew Cab and one (1) 2018 Ford F-150 Super Cap, as replacement vehicles, at a cost not to exceed \$75,464.00.

Authorize the award of a contract to S&S Worldwide, 75 Mill Street, Colchester, CT, for the purchase of arts, crafts and games for youth groups and senior citizens for various Departments, for the period October 5, 2017 through October 5, 2018 at a cost not to exceed \$35,000.00.

Authorize the award of a contract and the proper City officials to execute any necessary documents to Maser Consulting, P.A., 331 Newman Springs Road, Red Bank, N.J, to provide Professional Engineering Services in connection with the Operation Procedures for the Fred Erleben Pool, Mickey Walker Spray Park, Miller Evans Logan Spray Park and Jackson Spray Park at a cost not to exceed \$47,200.00.

Authorize the award of a contract to Johnston Communications Voice and Data, 322 Belleville Turnpike, North Arlington, N.J., for the purchase of cameras, camera networking equipment and camera radio equipment, for the period October 13, 2017 through June 15, 2019, at a total cost of \$270,000.00.

Authorize the award of a contract to Security Guard, Inc., t/a Tri County Security, 1142 East Chestnut Avenue, Vineland, N.J., for the furnishing of Security Guard services for the Department of Public Works, the Division of Public Buildings, Municipal Court and any other departments requiring said service for a period of two years in an amount not to exceed \$280,000.00.

Authorize the award of a contract to Atlantic Uniform Co., 468 Washington Avenue, Belleville, N.J., for the purchase of riot gear, for the Police Department, at a cost not to exceed \$10,230.00.

Authorize the Tax Collector to cancel/refund/credit an overbilling of taxes for Tax Year 2017, on property located at 154 Inslee Place in the total sum of \$5,692.30; 132 Marshall Street in the total sum of \$7,273.60; 537 Richmond Street in the total sum of \$7,954.51, Tax Year 2016 and 2017 on property located at 430-432 Morris Avenue in the total sum of \$15,711.84.

Authorize the Tax Collector to refund \$4,061.48 to the lien holder, Almar, upon surrender of the original Tax Sale Certificate for the property located at 331-333 S. Park Street.

Authorize the proper City officials to execute all necessary documents to extend the agreement with the Department of Health and Human Services, through the Office on Aging and the Elizabeth Board of Education for students in the Cosmetology Program to provide free cosmetology services to the Office on Aging participants, for the period of January 1, 2018 through June 30, 2018.

Authorize the proper City officials to execute all necessary documents to provide a Deferred Payment Loan through the Owner-Occupied Basic Program for the property located at 537-539 Muriel Parkway, in the amount of \$16,000.00.

NEW BUSINESS (Cont'd.)

Authorize the Planning Board to conduct a study to determine if 729-763 Meadow Street, 703 & R 703-727 Spring Street, 705-725 Spring Street, 902-940 North Avenue East, 850 North Avenue East, R 850-R878 North Avenue East, 852-864 North Avenue East, 864-878 North Avenue East, 880 North Avenue East, 882-888 North Avenue East, 890-900 North Avenue East, 901-949 Woodruff Lane, 863-871 Woodruff Lane, and 873-889 Woodruff Lane are areas in need of redevelopment without the power of condemnation.

Authorize the proper City officials to execute any and all necessary documents and appropriate to provide Community Development Block Grant Funding (CDBG) CD-43 totaling \$2,175,384.00 and Emergency Solution Grants (ESG) totaling \$182,932.00 for the period July 1, 2017 through June 30, 2018 as per Schedule A.

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 \$1,122.27.

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 \$13,818.98.

Authorize Contract Amendment No. 1 awarded to Envar Services, Inc., 505 Milltown Road, North Brunswick, N.J., to provide civil engineering services in connection with the design and construction inspection of the Marciante-Millet-Jackson Park Bulkhead Rehabilitation Project, in the amount of \$138,200.00, specifically to increase the amount of contract by \$26,800.00, additional funds are required for revised detailed design including electrical and landscape restoration, at a cost not to exceed \$165,000.00

Authorize settlement in the litigation matter of Matos vs. the City of Elizabeth in the total amount of \$95,000.00.

Authorize settlement in the worker's compensation litigation matter of Rodriguez vs. the City in the total amount of \$20,250.00.

Pay Utility Bills

Approve Bingo and Raffle Licenses

COMMENDATIONS:

Iglesia Luterana Santa Isabel Lutheran Church

)Celebrating 500 Years of the
Lutheran Reformation

Pastor Orlando Reilly

)50 years Serving the Ministry

Angel Calderon

)Good Samaritan

Union County Police Sgt. Homero Antonio Almanzar

) Hispanic Law Enforcement

Elizabeth Department Fire Captain Luis Atienza

) Association of Union County

Martinho Perreira

) Honorees

Kim Nesbitt-Good

) Union County Father's Initiative

Honoree

MEMORIALS:

ADJOURNMENT