

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, MARCH 12, 2013

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

ORD. NO. 4360 - Amend Chapter 10.36.020 of the Code of the City of Elizabeth entitled "Designation of Meter Zones and Hours of Parking", specifically to amend, delete and/or add locations.

ORD. NO. 4361 - Amend Chapter 10.36.030, Schedule I, of the Code of the City of Elizabeth entitled "No Parking All Times On Certain Streets, specifically to add locations.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 25, 2013, from the Business Administrator recommending the award of a contract to Atlantic Detroit Diesel Allison, LLC, 33 Gregg Street, Lodi, NJ, for maintenance and repair, to include but not limited to motors and transmissions, for heavy duty Vehicles for various departments for the period of February 20, 2013 through February 28, 2014, at a cost not to exceed \$75,000.00.
Which was received.

By the Clerk:

Letter dated February 25, 2013, from the Business Administrator recommending the award of a contract to Air Brake & Equipment, 225 Route 22 West, Hillside, NJ, for maintenance and repair, to include but not limited to brakes and air systems for heavy duty vehicles for various departments for the period of February 20, 2013 through February 28, 2014, at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated February 26, 2013, from the Business Administrator recommending the award of a contract to J & M National Spring Co., 50 Branford Street, Newark, NJ, for maintenance and repair for heavy duty vehicles to include, but not limited to springs for various departments for the period of February 20, 2013 through February 28, 2014, at a cost not to exceed \$50,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 26, 2013, from the Business Administrator recommending the award of a contract to Campbell Freightliner, LLC, 145 Talmadge Road, Suite 8, P.O. Box 770, Edison, NJ, for maintenance and repair services for heavy duty vehicles, to include but not limited to fire pumps, water tanks and all related plumbing, structural damage to frames and bodies of fire trucks for the period of February 20, 2013 through February 28, 2014, at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated February 28, 2013, from the Business Administrator recommending the award of a contract to Route 23 Auto Mall, 1301 Rt. 23 South, Butler, NJ, for maintenance and repairs for heavy duty vehicles for various departments for the period of February 20, 2013 through February 28, 2014, at a cost not to exceed \$75,000.00. Which was received.

By the Clerk:

Letter dated March 1, 2013, from the Business Administrator recommending the award of a contract to Avaya Inc., 161 Cliveden Drive, Newtown, PA, for the purchase of telecommunications wired for various departments for the period of February 1, 2013 through February 1, 2014, at a cost not to exceed \$80,000.00. Which was received.

By the Clerk:

Letter dated March 1, 2013, from the Business Administrator recommending the award of a contract to National Office Furniture, c/o BFI, 1205 Kimball Boulevard, Jasper, IN, for the purchase of furniture at the Fire House located at 411 Irvington Avenue in the amount of \$7,159.20. Which was received.

By the Clerk:

Letter dated March 1, 2013, from the Business Administrator, advising that being satisfied that an emergency did exist, recommends the award of a contract to Rana Construction, Inc., P.O. Box 2700, Newark, NJ, or the immediate demolition of 172 Reid Street in the amount of \$19,800.00. Which was received.

By the Clerk:

Letter dated March 1, 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, to include but not limited to, brakes, filters and spark plugs for the Department of Public Works for the period of February 25, 2013 through March 25, 2013, at a cost not to exceed \$30,000.00. Which was received.

By the Clerk:

Letter dated March 1, 2013, from the Business Administrator requesting authorization for the Purchasing Agent to make the necessary arrangements to auction impounded property in the possession of the Elizabeth Police to be held by Propertyroom.Com, state pre-approved on-line auction site; the date of the sale will be set by the auction company and published in The Star Ledger, contingent upon approval of the use of Propertyroom.Com. Which was received.

PEITIONS, COMMUNICATIONS, ETC.

By the Clerk:

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

By the Clerk:

Letter dated March 5, 2013, from the Chief Financial Officer requesting that your Honorable Body consider authorizing a single and combined issue of General Obligation Bonds and an issue of Sewer Utility Bonds; authorizing the sale of \$14,763,000.00 principal amount of General Improvement Bonds, Series 2013, and \$12,000,000.00 principal amount of Sewer Utility Bonds, Series 2013; 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 15, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to execute any and all documents necessary to Discharge the City's first mortgage for the Owner Occupied Deferred Payment Loan Program and Cancellation of the Deed of Easement Restrictive Covenant for the property located at 632 Court Street in the amount of \$10,150.00. Which was received.

By the Clerk:

Letter dated February 20, 2013, 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 an Owner-Occupied Basic Program Deferred Payment Loan to the owner of the property located at 763 Thomas Street in an amount not to exceed \$15,000.00. Which was received.

By the Clerk:

Letter dated February 21, 2013, 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 postpone the City's mortgage from second to third position for the property located at 84-86 First Street in the amount of \$195,000.00. Which was received.

By the Clerk:

Letter dated March 1, 2013, from the Director of Planning and Community Development requesting an amendment to the resolution adopted September 11, 2012, between the Elizabeth Packers and the City for operating costs in the amount of \$7,000.00, specifically to extend the term of the contract from June 30, 2013 to December 31, 2013. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 1, 2013, from the Director of Planning and Community Development recommending awarding a contract to Prestige Environmental, Inc., 220 Davidson Avenue, Suite 307, Somerset, NJ, to serve as a Licensed Site Remediation Professional (LSRP) for the Midtown Redevelopment Area for the period of March 13, 2013 to March 12, 2014, at a total cost of \$175,000.00, unless further authorized by your Honorable Body, which shall be paid from the \$400,000.00 from the United States Environmental Protection Agency Grant. Which was received.

By the Clerk:

Letter dated March 1, 2013, from the Director of Public Works requesting authorization to have liens placed against the properties listed on Schedule A attached hereto and made a part hereof for the boarding up of said properties in the amount of \$1,780.57. Which was received.

By the Clerk:

Letter dated March 4, 2013, from the Director of Public Works recommending awarding a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, NJ, to provide civil engineering services on a time and material basis for actual time and expenses in connection with the Hurricane Sandy Damage Reconstruction along the Waterfront at a cost not to exceed \$657,000.00 plus reimbursables; fees are potentially reimbursable by FEMA at 75 percent of the final costs. Which was received.

By the Clerk:

Letter dated March 4, 2013, from the Director of Public Works requesting approval of Change Order No. 1 for the contract awarded to P.M. Construction Corp., for the Third Avenue Flood Control Project in the amount of \$1,617,600.00 to provide further to reduce the number of utility relocations; fill void beneath proposed pipe at sags in the existing pipe and the removal of wood planks beneath the existing sewer; test pits in excess of the Contract quantity required to field locate utilities; allowance for analysis, transportation and disposal of contaminated soil at an additional cost of \$311,439.65, raising the original contract amount to \$1,921,039.65. Which was received.

By the Clerk:

Letter dated March 4, 2013, from the Director of Public Works recommending awarding a contract to Netta Architects, 1084 Route 22 West, Mountainside, NJ to provide professional architectural services in connection with the Engine Company No. 6 Feasibility Study at a cost not to exceed \$10,500.00. Which was received.

By the Clerk:

Letter dated March 6, 2013, from the Director of Public Works requesting authorization to have liens placed against the properties listed on Schedule A attached hereto and made a part hereof for the removal and disposal of debris from said properties in the amount of \$2,388.29. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 1, 2013, from the Police Director recommending awarding a contract to: Mark Siegert, Ph.D, 75 Main Street, Suite 201, Millburn, NJ; Dr. John J. Shannon, Two Nawatam Way, Matawan, NJ; and Betty C. McClendon, PsyD, Comprehensive Psychological Services, PA, 623 Raritan Road, Clark, NJ to serve as Police Psychiatrists/Psychologists for the Elizabeth Police Department for the period of March 13, 2013 to March 12, 2014, at a cost not to exceed \$30,000.00 per doctor, unless further authorized by your Honorable Body. Which was received.

By the Clerk:

Letter dated March 4, 2013, from the Police Director requesting the establishment of reserved/personalized handicapped parking spaces and deletions at: 10 1/2 Boyle Place (personalized); 83 Westfield Avenue (personalized); 848 Martin Street (personalized); 733 Jersey Avenue (personalized); 155 Franklin Street; 818 Monroe Avenue; 30 Second Street; 229 S. Second Street; deletions at: 145 Smith Street; 441 Maple Avenue; 251 Pine Street; 517 Marshall Street; 618 S. Park Street; 21 S. Second Street. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated March 12, 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, March 8, 2013. Which was received.

By the Clerk:

Minutes: Fair Rental Housing Board meeting held January 16, 2013. Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4363 - Authorize the establishment of a personalized handicapped parking space for Anna Gorska, 10 ½ Boyle Place.
- ORD. NO. 4364 - Authorize the establishment of a personalized handicapped parking space for Juan F. Navidad-Munoz, 83 Westfield Avenue.
- ORD. NO. 4365 - Authorize the establishment of a personalized handicapped parking space for Leon Foster, 733 Jersey Avenue.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING
ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE
HELD TUESDAY, MARCH 26, 2013, AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4360 - Amend Chapter 10.36.020 of the Code of the City of Elizabeth entitled "Designation of Meter Zones and Hours of Parking", specifically to amend, delete and/or add locations.
- ORD. NO. 4361 - Amend Chapter 10.36.030, Schedule I, of the Code of the City of Elizabeth entitled "No Parking All Times On Certain Streets, specifically to add locations.

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2013 Budget to insert, as an item of Revenue, a N.J. Department of Community Affairs, NSB E'Port Scattered Sites 2013 Grant in the amount of \$1,500,000.00.

Authorize an amendment to the Fiscal Year 2013 Budget to insert, as an item of Revenue, a U.S. Department of Energy Solar Panel Grant in the amount of \$1,000,000.00.

Authorize an amendment to the Fiscal Year 2013 Budget to insert, as an item of Revenue, a N.J. Department of Health and Senior Services, Communicable Disease Grant in the amount of \$5,000.00.

In compliance with SFY 2012 Appropriations Act (Best Practices Requirement)" City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Authorize a resolution providing for a single and combined issue of General Obligation Bonds and an issue of Sewer Utility Bonds; authorizing the sale of \$14,763,000.00 principal amount of General Improvement Bonds, Series 2013 and \$12,000,000 principal amount of Sewer Utility Bonds , Series 2013; authorizing advertisement of a Notice of Sale; authorizing the Chief Financial Officer to sell and award the Bonds; determine the form and other details of the bonds, and authorize other matters relating thereto .

Authorize the award of a contract to Atlantic Detroit Diesel Allison, LLC., 33 Gregg Street, Lodi, N.J., for maintenance and repair for heavy duty vehicles for various departments for the period February 20, 2013 through February 28, 2014, at a cost not to exceed \$75,000.00.

Authorize the award of a contract to Air Brake & Equipment, 225 Route 22 West, Hillside, N.J., for maintenance and repair of heavy duty vehicles for various departments for the period February 20, 2013 through February 28, 2014, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to J & M National Spring Company, 50 Bradford Street, Newark, N.J., for maintenance and repair of heavy duty vehicles for various departments for the period February 20, 2013 through February 28, 2014, at a cost of not to exceed \$50,000.00.

Authorize the award of a contract to Campbell Freightliner, LLC, 145 Talmadge Road, Edison, N.J., for maintenance and repair of heavy duty vehicles to include plumbing, structural damage to frames and bodies of fire trucks for the period February 20, 2013 through February 28, 2014, at a cost not to exceed \$50,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Route 23 Auto Mall, 1301 Route 23 South, Butler, N.J., for maintenance and repair for heavy duty vehicles for various departments, for the period February 20, 2013 through February 28, 2014, at a cost not to exceed \$75,000.00.

Authorize the award of a contract to Avaya, Inc., 161 Cliveden Drive, Newton, PA, for the purchase of telecommunications wired for heavy duty vehicles for various departments for the period February 1, 2013 through February 1, 2014, at a cost not to exceed \$80,000.00.

Authorize the award of a contract to National Office Furniture, c/o BFI, 1205 Kimball Boulevard, Jasper, IN, for the purchase of furniture at the Fire House, located at 411 Irvington Avenue, in the amount of \$7,159.20.

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 February 25, 2013 through March 25, 2013, at a cost not to exceed \$30,000.00.

Permit the Purchasing Agent to make the necessary arrangements with Property Room.com to auction impounded property in the possession of the Elizabeth Police Department.

Authorize the proper City officials to execute all necessary documents to discharge an Owner-Occupied Basic-Deferred Payment Loan Program first mortgage held by the City on the property located at 632 Court Street and the cancellation of the Deed of Easement and Restrictive Covenant.

Authorize the proper City officials to execute all documents necessary to provide an Owner-Occupied Basic Deferred Payment Loan to Martha Hnedak, owner of the property located at 763 Thomas Street, in an amount not to exceed \$15,000.00.

Authorize the postponement of the City's second mortgage to third position held on the property located at 84-86 First Street, in the amount of \$195,000.00

Amend a resolution adopted September 11, 2012, authorizing an agreement between the City of Elizabeth and the Elizabeth Packers, Inc., to provide funds in the amount of \$7,000.00 for the period July 1, 2012 to June 30, 2013, specifically to extend the term of the contract to December 31, 2013.

Authorize the award of a contract to Prestige Environmental, Inc., 220 Davidson Avenue, Somerset, N.J., to serve as a Licensed Site Remediation Professional (LSRP) for the Midtown Redevelopment area for the period March 13, 2013 to March 12, 2014, at a cost of \$175,000.00, unless further authorized by City Council to be paid from the U.S. Environmental Protection Agency \$400,000 Grant.

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 \$1,780.57.

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 \$2,388.29.

Authorize the award of a contract to Envar Services, Inc., 505 Milltown Road, North Brunswick, N.J., to provide civil engineering services on a time and material basis in connection with the Hurricane Sandy Damage Reconstruction along the Waterfront at a cost not to exceed \$657,000.00, plus reimbursables by FEMA at 75% of the final costs.

NEW BUSINESS (Cont'd.)

Authorize Change Order No. 1 to the contract awarded to P.M. Construction Corporation for the Third Avenue Flood Control Project at a cost of \$1,617,600.00, specifically to include unanticipated work items required at an additional cost of \$311,439.65.

Authorize the award of a contract to Netta Architects, 25 Route 22 East, Springfield, N.J., to provide architectural services in connection with Engine Company No. 6 Feasibility Study, at a cost not to exceed \$10,500.00.

Authorize the award of respective contracts to Mark Siegert, Ph.D, 75 Main Street, Millburn; Dr. John J. Shannon, 2 Nawatam Way, Matawan, and Betty C. McClendon, PsyD, 623 Raritan Road, Clark, to serve as Psychiatrist/Psychologists for the Police Department, for the period March 13, 2013 to March 12, 2014, at a cost not to exceed \$30,000.00 per doctor, unless further authorized by City Council.

Establish a handicapped parking space in front of the premises located at 741 Murray Street.

Establish a handicapped parking space in front of the premises located at 542 Fulton Street.

Establish a handicapped parking space in front of the premises located at 233 Second Street.

Establish a handicapped parking space in front of the premises located at 108 Inslee Place.

Delete the following handicapped parking spaces from in front of the premises located at: 145 Smith Street; 441 Maple Avenue; 251 Pine Street; 517 Marshall Street; 618 South Park Street, and 21 South Second Street.

Authorize the approval of a Consent Judgment on behalf of the City and appropriate payment of \$95,000.00, representing the settlement funds in the litigation matter of New Jersey Department of Environmental Protection v. Occidental Chemical Corporation, et al.

Pay utility bills.

COMMENDATIONS

MEMORIALS

Jeremiah "Jerry" Murphy
Jennie C. Venturini
Mary Margaret Devanney, sister of Senator Raymond Lesniak

ADJOURNMENT