

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, JANUARY 22, 2013

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

NONE.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 3, 2013, from His Honor the Mayor advising, that subject to confirmation, he is making the following appointments: Chief Municipal Prosecutor, Norma M. Murgado, Esq.; Assistant Municipal Prosecutors: Ashton E. Thomas, Esq., Patricia A. Mack, Esq., Tangerla Mitchell Thomas, Esq.; Temporary Municipal Prosecutors: Robert Carroll, Esq., Suzette Cavadas, Esq., Lawrence M. Centanni, Esq., Kevin D. Harris, Esq., Anabela Dacruz-Melo, Esq., Annette Quijano, Esq., Christopher Howard, Esq., for a term of one year effective January 1, 2013.
Which was received.

By the Clerk:

Letter dated January 8, 2013, from His Honor the Mayor advising, that subject to the confirmation of your Honorable Body, he herewith re-appoints Roman A. Montes, Esq., 1126 Coolidge Road, Elizabeth, NJ, to serve as Presiding Judge of the Municipal Court for a term of three years, effective February 1, 2013.
Which was received.

By the Clerk:

Letter dated January 7, 2013, from the Business Administrator requesting authorization for the proper City officials to enter into and sign all necessary documents for an Intergovernmental Services Agreement with the City of Linden, NJ, for License Inspectors to provide assistance with inspection services for Taxicab and Limousine Enforcement for the period of December 15, 2012 through December 14, 2013 at a fee of \$10,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 10, 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 December 25, 2012 through January 25, 2013, at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated January 10, 2013, from the Business Administrator recommending the award of a contract to Triangle Communications, LLC, 2362 Waldheim Avenue, Scotch Plains, NJ, for the purchase of communications equipment for the Department of Public Works for the period of January 1, 2013 through December 31, 2013, at a cost not to exceed \$50,000.00.
Which was received.

By the Clerk:

Letter dated January 11, 2013, from the Business Administrator requesting authorization for the proper City officials to renew the policy of insurance with Admiral Insurance Company, 1255 Caldwell Road, Cherry Hill, NJ, through the agent-of-record Hughes-Plumer & Associates, Somerville, NJ, covering Public Officials and Employees Liability for the period of January 31, 2013 through January 31, 2014, at an annual premium of \$65,508.26.
Which was received.

By the Clerk:

Letter dated January 11, 2013, from the Business Administrator requesting authorization for the proper City officials to enter into and execute an Interlocal Agreement by and between the City of Elizabeth, New Jersey, and the Borough of Sea Bright, New Jersey, for the use of a Department of Public Works Dump Truck for the period of January 23, 2013 through January 22, 2014, at no cost to the Borough of Sea Bright; they will provide fuel and maintenance for the dump truck during the term of the agreement.
Which was received.

By the Clerk:

Letter dated January 11, 2013, from the Business Administrator recommending the award of a contract to Nickerson Corporation, 515 Union Avenue, Union Beach, NJ, for the purchase of lockers for the Police Department Swat, under the Middlesex Regional Educational Service Commission Cooperative Pricing System, in the amount of \$22,724.25.
Which was received.

By the Clerk:

Letter dated January 11, 2013, from the Business Administrator recommending the award of a contract to Daved Fire Systems, Inc., 307 W. Pleasantview Avenue, Hackensack, NJ, to purchase Fire Alarm Services for various departments, under the Union County Cooperative Purchasing Contract, for the period of September 29, 2012 through September 28, 2014, at a cost not to exceed \$100,000.00.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 11, 2013, from the Business Administrator recommending the award of a contract to Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE, for the purchase of two (2) 2013 Jeep Patriot 4 WD, 4DR Sport Vehicles for the Department of Recreation at an individual cost of \$18,879.00; totaling \$37,758.00. Which was received.

By the Clerk:

Letter dated January 11, 2013, from the Business Administrator recommending the award of a contract to Saf-Gard Safety Shoe Company, 1749 Grey Mill Drive, Pittsburgh, PA, for Safety Boots for the Public Works Department laborers, Recreation Department laborers and Health Department Dog Wardens, under the Morris County Co-Op Contract, for the period of January 1, 2013 through December 31, 2013, at a total cost not to exceed \$25,000.00. Which was received.

By the Clerk:

Letter dated January 14, 2013, from the Business Administrator recommending the award of a contract to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI, for one (1) Mobile Foam Support Delivery Unit and one (1) Chemical Agent Support Unit in the amount of \$1,641,828.00. Which was received.

By the Clerk:

Letter dated December 31, 2012, from the Chief Financial Officer requesting authorization for the Tax Collector to credit said individuals who are entitled to a Senior Citizen, Disability Deduction, and a Veteran Deduction for the 2012 Tax Year as per the delineated list, totaling \$2,500.00. Which was received.

By the Clerk:

Letter dated January 7, 2013, from the Chief Financial Officer requesting that your Honorable Body consider approval of the City's Tax Year 2013 Cash Management Plan for the period of January 1, 2013 through December 31, 2013. Which was received.

By the Clerk:

Letter dated January 7, 2013, from the Chief Financial Officer requesting authorization for the Tax Collector to accept payment of taxes without interest charges provided said payment is made within the tenth calendar day following the date upon which the same become payable, and fix the rate of interest to be charged for delinquent taxes. Which was received.

By the Clerk:

Letter dated January 10, 2013, from the Chief Financial Officer requesting authorization for the Tax Collector to refund/cancel an overbilling of the 2012 property taxes on the property located at 90-94 West Grand Street in the sum of \$5,795.84. Which was received.

By the Clerk:

Letter dated January 15, 2013, from the Chief Financial Officer advising that additional grants may be appropriated in the 2013 SFY Budget by budget amendments Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 15, 2013, from the Chief Financial Officer recommending that your Honorable Body consider the approval of a refunding bond ordinance for the General Obligations Refunding Bonds, Series 2005, not to exceed \$12,650,000.00. Which was received.

By the Clerk:

Letter dated January 10, 2013, from the Director of Planning and Community Development requesting an amendment to a resolution adopted December 26, 2012, which authorized a First Time Homebuyer loan to Julia Y. & Carlos J. Calligros to acquire 620 Chetwood Street, specifically to increase the period of affordability from five (5) years to ten (10) years in accordance with Home Program rules and regulations. Which was received.

By the Clerk:

Letter dated January 14, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into a CDBG Agreement with United Youth of New Jersey, 220 West Jersey Street, Elizabeth, NJ, to provide funds to administer the agency's after-school safe haven program for at-risk youngsters and for summer recreational trips for the period of January 1, 2013 through December 31, 2013, in the amount of \$17,000.00. Which was received.

By the Clerk:

Letter dated January 15, 2013, from the Director of Planning and Community Development requesting authorization for the proper City officials to enter into an agreement with Harbor Consultants, Inc., 320 North Avenue East, Cranford, NJ, for Planning and Engineering Services to the Planning and Zoning Boards, and the Department of Planning and Community Development for the period of December 27, 2012 through December 26, 2013 at a total cost of \$60,000.00. Which was received.

By the Clerk:

Letter dated January 4, 2013, from the Planning Board of the City of Elizabeth recommending that the Land Use Element of the Master Plan of the City of Elizabeth be amended to include the Revised Durant Street Redevelopment Plan. Which was received.

By the Clerk:

Letter dated January 3, 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 \$2,574.34. Which was received.

By the Clerk:

Letter dated January 14, 2013, from the Director of Public Works requesting authorization for the proper City officials to request the New Jersey Department of Transportation to grant the City of Elizabeth an extension of one (1) year, extending the award date for the Bike, Hike and Roll Throughway Extension, 2011 Bikeway Program from October 20, 2012 to October 20, 2013, due to the extraordinary effects of Hurricane Sandy. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 14, 2013, from the Director of Public Works requesting Contract Amendment No. 1 to the contract with CHA Consulting, Inc., to provide professional engineering services in connection with the design and construction management of the improvements to O'Brien Field in the amount of \$205,800.00, specifically for additional work related to soils, Licensed Site Remediation Professional (LSRP) and storm water design services at an additional cost not to exceed \$38,000.00, thereby raising the amount of the contract to \$243,800.00. Which was received.

By the Clerk:

Letter dated January 8, 2013, from the Fire Director requesting authorization for the proper City officials to apply, accept, and sign all appropriate documents for the U.S. Department of Homeland Security – FEMA - FY 2012 Assistance to Firefighters Fire Prevention and Safety Program to purchase code enforcement and education materials to assist in the implementation of juvenile fire prevention and overall safety programs in an amount not to exceed \$400,000.00 with a twenty percent match for fire departments that serve populations over 50,000. Which was received.

By the Clerk:

Letter dated January 11, 2013, from the Police Director recommending an amendment to Chapter 10.08, entitled: Stop Intersections, Yield Intersections, Through Streets and No Passing Zones; specifically to install a Multi Way Stop Sign at the intersection of Clarkson Avenue and Fillmore Street and Adams Avenue and Mary Street; also signage to prevent vehicles from blocking the intersection to be installed at S. Broad Street and Garden Street. Which was received.

By the Clerk:

Letter dated January 11, 2013, from the Police Director requesting permission to establish reserved and personalized handicapped parking spaces and deletions; 1051 Lafayette Street (personalized); 542 Richmond Street, 542 Fulton Street, 233 Second Street, 122 S. Park Street, 108 Inslie Place, 1047 Lafayette Street, 2nd Flr.; deletions: 919 Anna Street, 150 Grove Street, 918 Olive Street, 506 Fulton Street, 833 Allen Street. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated January 8, 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, January 4, 2013. Which was received.

By the Clerk:

Letter dated January 3, 2013, from the Chief Financial Officer submitting the City Treasurer's Report of Receipts and disbursements for the month of October, 2012, and Statement of Bank Balances and Investments as of October 30, 2012. Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4354 - Authorize a Refunding Bond Ordinance in an amount not to exceed \$12,650,000.00, for the refunding of certain General Improvement Bonds, Series 2005, of the City and authorizing the issuance of not to exceed \$12,650,000 refunding bonds of the City for financing the cost thereof.
- ORD. NO. 4355 - Authorize an amendment to Chapter 10.08.010 of the Code of the City of Elizabeth, entitled "Four Way Stop Intersections," specifically to add a multi-way stop at the intersection of Adams Avenue and Mary Street.
- ORD. NO. 4356 - Authorize an amendment to Chapter 10.08.020 of the Code of the City of Elizabeth, entitled "Stop Intersection Designated," specifically to add Clarkson Avenue and Fillmore Street.
- ORD. NO. 4357 - Amend Ord. No. 4340, adopted November 13, 2012, which authorized the establishment of a personalized handicapped parking space for Daniel M.. Bravo, 1051 Lafayette Street, specifically to revise the metes and bounds description.
- ORD. NO. 4358 - Rescind Ordinance No. 4273, adopted January 10, 2012, which authorized the establishment of a personalized handicapped parking space for Magdalena Gutierrez, 506 Fulton Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCE SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD WEDNESDAY, FEBRUARY 13, 2013, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

NONE.

NEW BUSINESS

- Confirm the appointment of Norma M. Murgado, Esq., to serve as Chief Municipal Prosecutor for a one year period, commencing January 1, 2013.
- Confirm the appointment of Ashton E. Thomas, Esq., to serve as Assistant Municipal Prosecutor for a one year period, commencing January 1, 2013.
- Confirm the appointment of Patricia A. Mack, Esq., to serve as Assistant Municipal Prosecutor for a one year period, commencing January 1, 2013.
- Confirm the appointment of Tangerla Mitchell Thomas, Esq., to serve as Assistant Municipal Prosecutor for a one year period, commencing January 1, 2013.
- Confirm the appointment of Robert C. Carroll, Esq., to serve as Temporary Municipal Prosecutor for a one year period, commencing January 1, 2013.

NEW BUSINESS (Cont'd.)

Confirm the appointment of Suzette Cavadas, Esq., to serve as Temporary Municipal Prosecutor for a one year period, commencing January 1, 2013.

Confirm the appointment of Lawrence M. Centanni, Esq., to serve as Temporary Municipal Prosecutor for a one year period, commencing January 1, 2013.

Confirm the appointment of Kevin D. Harris, Esq., to serve as Temporary Municipal Prosecutor for a one year period, commencing January 1, 2013.

Confirm the appointment of Anabela Dacruz-Melo, Esq., to serve as Temporary Municipal Prosecutor for a one year period, commencing January 1, 2013.

Confirm the appointment of Annette Quijano, Esq., to serve as Temporary Municipal Prosecutor for a one year period, commencing January 1, 2013.

Confirm the appointment of Christopher Howard, Esq., to serve as Temporary Municipal Prosecutor for a one year period, commencing January 1, 2013.

Confirm the reappointment of Honorable Roman A. Montes, 1126 Coolidge Road, Elizabeth, to serve as Presiding Judge of the Municipal Court for a term of three (3) years, effective February 1, 2013

Authorize the proper City officials to execute an Intergovernmental Services Agreement between the City of Linden and City of Elizabeth for License Inspectors to provide inspection services for taxicab and limousine enforcement for the period December 15, 2012 to December 14, 2013, at a fee of \$10,000.00.

Authorize the award of a contract to Northeast Auto & Truck Parts, LLC, 976 Broadway, Bayonne, N.J., for the purchase of automotive parts and accessories for the Department of Public Works for the period December 25, 2012 through January 25, 2013, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Triangle Communications, 2362 Waldheim Avenue, Scotch Plains, N.J., for the purchase of communication equipment for the Department of Public Works, under the Morris County Cooperative Pricing System, for the period January 1, 2013 through December 31, 2013, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Admiral Insurance Company, 1255 Caldwell Road, Cherry Hill, N.J., through the agent of record, Hughes-Plumer and Associates, to renew a policy of insurance covering Public Officials and Employees Liability, for the period January 31, 2013 to January 31, 2014, at an annual premium of \$65,508.26.

Authorize the proper City officials to execute an Interlocal Services Agreement with the Borough of Sea Bright for the use of a Public Works dump truck for the period January 23, 2013 through January 22, 2014, at no cost to the Borough of Sea Bright.

Authorize the award of a contract to Nickerson Corporation, 515 Union Avenue, Union Beach, N.J., for the purchase of lockers for the Police Department SWAT, under the Middlesex Regional Educational Service Commission Cooperative Pricing System, at a cost not to exceed \$22,724.25.

Authorize the award of a contract to Daved Fire Systems, Inc., 307 W. Pleasantview Avenue, Hackensack, N.J., for the purchase of Fire Alarm Services for various departments, under the Union County Cooperative Purchasing Contract, for the period September 29, 2012 through September 28, 2014, at a cost not to exceed \$100,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE, for the purchase of two (2) 2013 Jeep Patriot 4 WD, 4DR Sport vehicles for the Department of Recreation, at a total cost of \$37,879.00.

Authorize the award of a contract to Saf-Gard Safety Shoe Company, 1749 Grey Mill Drive, Pittsburgh, PA., for the purchase of safety boots for City of Elizabeth laborers, under the Morris County Co-Op, for the period January 1, 2013 through December 31, 2013, in an amount not to exceed \$25,000.00.

Authorize the award of a contract to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, WI., for the purchase of one (1) Mobile Foam Support Delivery Unit and one (1) Chemical Agent Support Unit for the Fire Department, in the total amount of \$1,641,828.00.

Authorize the Tax Collector to credit senior citizen, disability and/or veteran tax deductions for the Tax Year 2012, pursuant to a delineated list submitted December 31, 2012, in the total amount of \$2,500.00.

Approve the Cash Management Plan of the City of Elizabeth for the period January 1, 2013 through December 31, 2013.

Authorize the Tax Collector to establish regulations for the payment of taxes and to fix the rate of interest to be charged for delinquent taxes pursuant to NJSA 54-4-67.

Authorize the Tax Collector to cancel/refund an overbilling of taxes on the property located at 90-94 West Grand Street for Tax Year 2012, in the total amount of \$5,795.84.

Amend a resolution adopted December 26, 2012, which authorized a First Time Homebuyer Program loan on the property located at 620 Chetwood Street in the amount of \$19,695.00, specifically to increase the period of affordability from five years to ten years in accordance with Home Program regulations.

Authorize the proper City officials to execute a CDBG agreement with the United Youth of New Jersey, Inc., 220 West Jersey Street, Elizabeth, to provide funds in the amount of \$17,000.00 to administer the agency's after-school safe haven programs and summer recreational trips for the period January 1, 2013 through December 31, 2013.

Authorize the award of a contract to Harbor Consultants, Inc., 320 North Avenue East, Cranford, N.J., to provide professional planning and engineering services to the Planning and Zoning Boards and the Department of Planning and Community Development for the period December 27, 2012 through December 26, 2013, at a cost of \$60,000.00.

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 \$2,574.34.

Authorize the proper City officials to request the New Jersey Department of Transportation to grant a one year extension to October 20, 2013 for the Bikeway Grant Program for the Bike, Hike and Roll Throughway Extension due to the effects of Hurricane Sandy.

Authorize Contract Amendment No. 1 to CHA Consulting, Inc., for the design and construction management of the improvements to the O'Brien Field at a cost not to exceed \$205,800.00, specifically for additional work to control flooding and disposal of soil at a cost not to exceed \$38,000.00, raising the amount of the contract to \$243,800.00.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute all appropriate documents for a U.S. Department of Homeland Security – FEMA - FY 2012 Assistance to Firefighters Fire Prevention and Safety Program Grant for the purchase of code enforcement and educational material for the implementation of juvenile fire prevention and safety programs in an amount not to exceed \$400,000.00 with a twenty per cent match for fire departments serving populations over 50,000.

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

Establish a handicapped parking space in front of the premises located at 122 South Park Street.

Establish a handicapped parking space in front of the premises located at 1047 Lafayette Street.

Delete the following handicapped parking spaces from in front of the premises located at: 919 Anna Street; 918 Olive Street, and 833 Allen Street.

Authorize settlement in the workers compensation litigation matter of Guarino vs. the City of Elizabeth, in the total amount of \$15,000.00.

Commemorate January 21, 2013, as the 28th Anniversary honoring the life of Rev. Dr. Martin Luther King, Jr., at the CEA Church of God, 67 Prince Street, Elizabeth, at 10:00 a.m.

Pay utility bills.

Approve Bingo and Raffle licenses.

COMMENDATIONS

MEMORIALS

Ms. Rose Orsi

ADJOURNMENT