

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, APRIL 12, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4694 - An ordinance approving a policy prohibiting discrimination and harassment in the workplace.
- ORD. NO. 4695 - An ordinance to amend Chapter 17.036.010 of the Code of the City of Elizabeth entitled "Establishment of Zones," as recommended by the Planning Board.
- ORD. NO. 4696 - An ordinance to amend the Elizabethport Waterfront Redevelopment Plan, as recommended by the Planning Board, to permit apartment homes to be constructed along Pine Street and Front Street.
- ORD. NO. 4697 - An ordinance to amend the existing Midtown Elizabeth Redevelopment/Rehabilitation Plan, as recommended by the Planning Board, to permit hotel units as an expressly permitted use.
- ORD. NO. 4698 - Authorize the establishment of a personalized handicapped parking space for Walker P. Spicer, 627 Franklin Street.
- ORD. NO. 4699 - Rescind Ordinance No. 3665, adopted October 26, 2004, which authorized the establishment of a Personalized Parking Space for Barbara Villegas-Gomez, 531 Marshall Street.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 1, 2016, from the Assistant Business Administrator recommending the award of a contract to FleetCor Technologies Operating Company, L.L.C., d/b/a Fuelman, 445 Triangle Parkway, Suite 400, Norcross, GA, for the furnishing of Motor Fuel Usage and Billing System for various departments for a period of two years in an amount not to exceed \$1,900,000.00.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 1, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to participate in a State Contract with SHI International, 290 Davidson Avenue, Somerset, NJ, for the purchase of Maintenance of Lawsoft, Police Computer Aided Dispatch (CAD) Records Management System (RMS) Software, GIS/AVL Mobile and Mapping System for the Police Department at a total cost of \$76,201.46.  
Which was received.

By the Clerk:

Letter dated April 1, 2016, from the Assistant Business Administrator recommending awarding respective contracts to Navy Veteran Printing Corp., 506 Elizabeth Avenue, Elizabeth, NJ and Logomania Inc., 110 ½ Erie Street, Jersey City, NJ, for the furnishing of printing services from the date of the award through February 8, 2018, in an amount not to exceed \$20,000.00 per year for both vendors combined.  
Which was received.

By the Clerk:

Letter dated April 4, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to enter into agreements for professional on-call traffic engineering services for the City of Elizabeth with T & M Associates, 11 Tindall Road, Middletown, NJ, in an amount not to exceed \$45,000.00 and to Klein Traffic Consulting, LLC, 156 Walker Road, West Orange, NJ, in an amount not to exceed \$15,000.00 for the period of April 10, 2016 through April 9, 2017.  
Which was received.

By the Clerk:

Letter dated April 4, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to participate in a State Contract with Patrol PC, 344 John Dietsch Blvd., Units 1 & 2, North Attleboro, MA, for six (6) computers and accessories for police patrol cars at a cost of \$34,962.00.  
Which was received.

By the Clerk:

Letter dated April 4, 2016, from the Assistant Business Administrator recommending awarding respective contracts to W.B. Mason Co., 535 Secaucus Road, Secaucus, NJ for purchasing general office supplies, including toner and cartridges, and The Office Concepts Group, 301 Greenwood Avenue, Midland Park, NJ, for the purchase of furniture, accessories and electronics for all departments and divisions, through the Somerset County Co-Op, for the period of April 1, 2016 through February 22, 2017 at a cost not to exceed \$250,000.00.  
Which was received.

By the Clerk:

Letter dated March 22, 2016, from the City Attorney requesting to amend the resolution adopted on February 23, 2016, authorizing the settlement of the Worker's Compensation matter Nicole Matos v. City of Elizabeth in the amount of \$11,440.50, specifically to reflect the corrected settlement amount which is \$11,682.74.  
Which was received.

By the Clerk:

Letter dated March 31, 2016, from the City Attorney pursuant to the request of City Council enclosed is a draft ordinance regulating TNC companies (Uber) for your review.  
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 14, 2016, from the Chief Financial Officer requesting authorization for the Tax Collector to cancel the remaining tax principal balance on State of New Jersey property located at 616-624 Trenton Avenue in the amount of \$6,330.98 for the 2013 tax year.  
Which was received.

By the Clerk:

Letter dated April 5, 2016, from the Chief Financial Officer advising that additional grants may be appropriated in the 2016 SFY Budget by budget amendments.  
Which was received.

By the Clerk:

Letter dated April 5, 2016, 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 April 5, 2016, from the Chief Financial Officer reporting the results of the recent sale on March 23, 2016 of \$13,020,000 Bond Anticipation Notes, Series 2016, consisting of \$3,550,000 Sewer Utility Bond Anticipation Notes and \$9,470,000 General Capital Bond Anticipation Notes (BANS and \$600,000 Special Emergency Notes (Taxable), Series 2016 (SENS)).  
Which was received.

By the Clerk:

Letter dated April 5, 2016, from the Chief Financial Officer reporting the results of the recent sale on March 30, 2016 of \$650,000 Sewer Utility Bond Anticipation Notes, Series 2016.  
Which was received.

By the Clerk:

Letter dated April 5, 2016, from the Chief Financial Officer requesting a Fiscal Year 2016 Dedication by Rider to the municipal budget for donations-acceptance of bequests and gifts from the Donations Fund Bank to provide for "Get Fit Day: For All Ages".  
Which was received.

By the Clerk:

Letter dated April 5, 2016, from the Chief Financial Officer recommending the tax abatement property located at 620 First Avenue be returned to the tax rolls pursuant to City Council approval.  
Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated April 5, 2016, from the Chief Financial Officer recommending the tax abatement property located at 600 Fulton Street be returned to the tax rolls pursuant to City Council approval.  
Which Was Referred To Council As A Whole.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 5, 2016, from the Chief Financial Officer advising, that in compliance with the SFY 2016 Appropriations Act, requires that your Honorable Body discuss the City's completed 2016 SFY "Best Practices" Inventory at a public meeting; the City Clerk will complete the 2016 SFY "Best Practices" Public Meeting Certification Form and submit same to the Department of Community Affairs for the City to receive 100% of State Aid. Which was received.

By the Clerk:

Letter dated March 29, 2016, from the City Treasurer, on behalf of Dengel Enterprises, LLC, the successful bidder for the Tax Sale Certificates for the properties located at 45 PT 57 S. Front Street, 23-43 S. Front Street, and PT 57-63 S. Front Street is requesting authorization to extend the date by which Final Judgment must be recorded to June 10, 2018. Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated March 23, 2016, from the Municipal Clerk reporting the results of the sale of city-owned property held on March 22, 2016 and authorize acceptance of said bids. Which was received.

By the Clerk:

Letter dated April 5, 2016, from the Director of Health and Human Services requesting that City Council consider authorizing the submission and acceptance of funds, if awarded, from the Office of Minority Health for the Re-entry Community Linkage Grant in the amount of \$375,000 a year for five years to establish a Health and Social Network for clients who are ages 18 to 26 returning from jail; not prison. Which was received.

By the Clerk:

Letter dated April 5, 2016, from the Director of Health and Human Services requesting to amend Chapter 6.04 entitled "Dogs and Other Animals", specifically to establish regulations on the tethering of animals and prohibitions on leaving animals outdoors in certain circumstances. Which was received.

By the Clerk:

Letter dated March 18, 2016, from the Rent Regulation Representative of the Fair Rental Housing Board requesting that your Honorable Body consider the approval of the transfer of Mariver Arcure from Landlord or Managers for Residential Dwellings to Owner of One or Two Family Homes and Jose Nunes from Alternate Landlord or Manager for Residential Dwellings to Landlord Representative. Which was received.

By the Clerk:

Letter dated April 4, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to extend the contract to August 31, 2016 with Prestige Environmental, Inc., Somerset, NJ to assess the quality of soil and groundwater to facilitate construction of a firehouse at 661-663 South Broad Street in an amount not to exceed \$14,545.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated March 31, 2016, from the Director of Public Works recommending awarding a contract to Zuccaro, Inc., 248 Alberta Drive, Saddle Brook, NJ, for the traffic signal improvements on East Jersey Street at Madison Avenue and Anna Street at Jackson Avenue and Monroe Avenue at a cost of \$894,938.00. Which was received.

By the Clerk:

Letter dated March 22, 2016, from the Director of Recreation requesting the authorization from your Honorable Body to accept a donation from the Trust for Public Land to install a Fitness Zone at Carteret Park. Which was received.

By the Clerk:

Letter dated March 15, 2016, from the Police Director requesting the deletion of handicapped parking spaces from in front of: 475 Walnut Street; 43 Atlantic Street; 565 Pennsylvania Avenue; 844 Livingston Street and 450 Third Avenue. Which was received.

By the Clerk:

Letter dated March 23, 2016, from the Police Director requesting the establishment of handicapped parking spaces in front of 121 Franklin Street (personalized); 623 Franklin Street; deletions: 850 Martin Street; 146 Franklin Street; 441 A Livingston Street; 17 Sayre Street, 1030 Sheridan Avenue. Which was received.

By the Clerk:

Letter dated March 31, 2016, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Click It or Ticket 2016 Statewide Seat Belt Enforcement Mobilization Grant from May 23, 2016 through June 5, 2016 in the amount of \$5,000. Which was received.

By the Clerk:

Letter dated April 4, 2016, from the City Engineer, on behalf of Torcon, Inc., 328 Newman Springs Road, Red Bank, NJ, requesting an Encroachment Permit to install a temporary construction fence and pedestrian detour signage within the right-of-way of Pulaski Street, Clifton Street and Cole Place. Which was received.

By the Clerk:

Letter dated March 15, 2016, from the Peruvians for Progress, Inc., 846 Elizabeth Avenue, Elizabeth, NJ, requesting permission to host a Peruvian festival to be held on Sunday, July 24, 2016, from 12:00 p.m. to 8:00 p.m.; rain date Sunday, August 14, 2016 from First Street and Elizabeth Avenue to Front Street and Marshall Street, and Veterans Memorial Park; waive all licensing fees. Which was received.

By the Clerk:

Minutes: Fair Rental Housing Board meeting held February 17, 2016. Which was received.

REPORTS OF CITY OFFICERS

ORDINANCES ON FIRST READING

- ORD. NO. 4700 - An ordinance to amend Chapter 6.04 of the Code of the City of Elizabeth entitled "Dogs and Other Animals," specifically to establish regulations on the tethering of animals and prohibitions on leaving animals outdoors in certain circumstances.
- ORD. NO. 4701 - An ordinance to establish Chapter 5.150 of the Code of the City of Elizabeth to regulate Transportation Network Company Owner/Platforms, Transportation Network Company Drivers and Transportation Network Company Vehicles.
- ORD. NO. 4702 - Grant an encroachment permit to Torcon, Inc., 328 Newman Springs Road, Red Bank, N.J., to install a temporary construction fence and pedestrian detour signage within the public right-of-way of Pulaski Street, Clifton Street and Cole Place.
- ORD. NO. 4703 - Authorize the establishment of a personalized handicapped parking space for Hilda M. Cajacuri, 231 Niles Street.
- ORD. NO. 4704 - Authorize the establishment of a personalized handicapped parking space for Miguélina Chavez, 121 Franklin Street.
- ORD. NO. 4705 - Rescind Ordinance No. 3420, adopted May 28, 2002, which authorized the establishment of a Personalized Parking Space for Charles Thomas, 565 Pennsylvania Avenue.
- ORD. NO. 4706 - Rescind Ordinance No. 3593, adopted February 10, 2004, which authorized the establishment of a Personalized Parking Space for Willie Sizemore, 844 Livingston Street.
- ORD. NO. 4707 - Rescind Ordinance No. 3789, adopted February 14, 2006, which authorized the establishment of a Personalized Parking Space for Digna Manjarres, 450 Third Avenue.
- ORD. NO. 4708 - Rescind Ordinance No. 4611, adopted August 25, 2015, which authorized the establishment of a Personalized Parking Space for Ruben Hernandez, 850 Martin Street.
- ORD. NO. 4709 - Rescind Ordinance No. 3729, adopted October 26, 2004, which authorized the establishment of a Personalized Parking Space for Doris E. Polewczak, 146 Franklin Street.

**PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, APRIL 26, 2016, AT 7:30 P.M.**

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4694 - An ordinance approving a policy prohibiting discrimination and harassment in the workplace.
- ORD. NO. 4695 - An ordinance to amend Chapter 17.036.010 of the Code of the City of Elizabeth entitled "Establishment of Zones," as recommended by the Planning Board.

ORDINANCES ON FINAL (Cont'd.)

- ORD. NO. 4696 - An ordinance to amend the Elizabethport Waterfront Redevelopment Plan, as recommended by the Planning Board, to permit apartment homes to be constructed along Pine Street and Front Street.
- ORD. NO. 4697 - An ordinance to amend the existing Midtown Elizabeth Redevelopment/Rehabilitation Plan, as recommended by the Planning Board, to permit hotel units as an expressly permitted use.
- ORD. NO. 4698 - Authorize the establishment of a personalized handicapped parking space for Walker P. Spicer, 627 Franklin Street.
- ORD. NO. 4699 - Rescind Ordinance No. 3665, adopted October 26, 2004, which authorized the establishment of a Personalized Parking Space for Barbara Villegas-Gomez, 531 Marshall Street.

NEW BUSINESS

Authorize a Dedication by Rider in the Fiscal Year 2016 budget for donations/acceptance of bequests and gifts to provide for "Get Fit Day: For All Ages," as required by NJSA 40A:5-29.

Authorize City Council to submit the completed "Best Practices" Public Meeting Certification to the Department of Community Affairs that they have reviewed and discussed the 2016 SFY "Best Practices" Inventory at a public meeting in compliance with SFY 2016 Appropriation Act in order to receive 100% State Aid.

Authorize the award of a contract to FleetCor Technologies Operating Company, LLC., d/b/a Fuelman, 445 Triangle Parkway, Norcross, GA., for the furnishing of Motor Fuel Usage and Billing System for various departments for a two year period, in an amount not to exceed \$1,900,000.00.

Authorize the award of a contract to SHI International, 290 Davidson Avenue, Somerset, N.J., for the purchase of maintenance of Lawsoft, Computer Aided Dispatch (CAD) Records Management System (RMS) Software, GIS/AVL Mobile and Mapping System for the Police Department at a total cost of \$76,201.46.

Authorize the award of respective contracts to Logomania, Inc., 110 ½ Erie Street, Jersey City, N.J., and Navy Veteran Printing Company, 506 Elizabeth Avenue, Elizabeth, N.J., for the furnishing of printing services for various departments for a period of two years in an amount not to exceed \$20,000.00 per year for both vendors.

Authorize the award of a contract to T & M Associates, 11 Tindall Road, Middletown, N.J., to provide "On Call" traffic engineering services for the period April 10, 2016 to April 9, 2017, in an amount not to exceed \$45,000.00.

Authorize the award of a contract to Klein Traffic Consulting, LLC, 156 Walker Road, West Orange, N.J., to provide "On Call" traffic engineering services for the period April 10, 2016 to April 9, 2017 in an amount not to exceed \$15,000.00.

Authorize the award of a contract to Patrol PC, 344 John Dietsch Boulevard, North Attleboro, MA., for six (6) computers and accessories for police patrol cars at a cost of \$34,962.00.

NEW BUSINESS (Cont'd.)

Authorize the award of respective contracts to W.B. Mason, Inc., 535 Secaucus Road, Secaucus, N.J., for the purchase of general office supplies and to The Office Concepts Group, 301 Greenwood Avenue, Midland Park, N.J, for the purchase of furniture, accessories and electronics for all departments, under the Somerset County CO-OP, for the period April 1, 2016 through February 22, 2017, at a cost not to exceed \$250,000.00.

Amend a resolution adopted February 23, 2016, authorizing settlement in the workers compensation litigation matter of Matos vs. the City in the amount of \$11,440.00, specifically to reflect the corrected settlement amount as \$11,682.74.

Authorize the Tax Collector to cancel the remaining tax principal balance on State of New Jersey property located at 616-624 Trenton Avenue in the amount of \$6,330.98 for Tax Year 2013.

Accept a bid in the amount of \$57,000.00 offered by R G Portfolio 3 at a public auction held March 22, 2016, for the purchase of City-owned property at 217 Third Street.

Accept bids offered by Soca Development at a public auction held March 22, 2016, for the purchase of the following City-owned properties:

<u>Bid</u>	<u>Property</u>
\$40,000	414 Livingston Street
\$10,000	120 Broadway
\$37,000	960 William Street
\$54,000	450 East Jersey Street
\$62,000	325 South Park Street
\$58,000	327 South Park Street

Accept bids offered by Nelson Francisco, A N & P Homes, LLC, at a public auction held March 22, 2016, for the purchase of the following City-owned properties:

<u>Bid</u>	<u>Property</u>
\$40,000	452 Fulton Street
\$44,000	900 Bond Street
\$55,000	1030 Bond Street
\$46,000	542 South Park Street
\$20,000	632 Trumbull Street
\$67,000	874 Flora Street

Accept a bid in the amount of \$35,000.00 offered by Tyshawn Jones at a public auction held March 22, 2016, for the purchase of City-owned property at 622 Fulton Street.

Accept a bid in the amount of \$8,000.00 offered by Delio Anorin at a public auction held March 22, 2016, for the purchase of City-owned property at 600 Livingston Street.

Accept a bid in the amount of \$7,000.00 offered by Tarek A. Attia at a public auction held March 22, 2016, for the purchase of City-owned property at 179 Spring Street.

Accept a bid in the amount of \$7,000.00 offered by Serca Corporate Development, Sergio Sousa and Carla Pereira at a public auction held March 22, 2016, for the purchase of City-owned property at 1034 William Street.



NEW BUSINESS (Cont'd.)

Accept bids offered by Brian Azevedo and Manuel Costa, at a public auction held March 22, 2016, for the purchase of the following City-owned properties:

<u>Bid</u>	<u>Property</u>
\$74,000	1173 Chestnut Street
\$48,000	1011 East Grand Street

Accept a bid in the amount of \$600.00 offered by Maria Ruiz at a public auction held March 22, 2016, for the purchase of City-owned property at PT 348 Murray Street.

Accept a bid in the amount of \$50,000.00 offered by Alberto Goncalves, 648 Marshall Street, LLC., at a public auction held March 22, 2016, for the purchase of City-owned property at 648 Marshall Street.

Accept a bid in the amount of \$37,000.00 offered by Alberto Goncalves, 1115 Magnolia Avenue, LLC., at a public auction held March 22, 2016, for the purchase of City-owned property at 1115 Magnolia Avenue.

Accept a bid in the amount of \$125,000.00 offered by CMS Construction at a public auction held March 22, 2016, for the purchase of City-owned property at 597 Monroe Avenue.

Authorize the proper City officials to submit and accept funds from the Office of Minority Health for a Re-entry Community Linkage Grant in the amount of \$375,000.00 a year for five (5) years, to establish a Health and Social Network for clients, ages 18 to 26, returning from jail and not prison.

Authorize the proper City officials to extend the contract with Prestige Environmental, Inc., to assess the quality of soil and groundwater at 661-663 South Broad Street in an amount not to exceed \$14,545.00, to August 31, 2016.

Authorize the award of a contract to Zuccaro, Inc., 248 Alberta Drive, Saddle Brook, N.J., for traffic signal improvements on East Jersey Street at Madison Avenue and Anna Street at Jackson Avenue and Monroe Avenue, at a cost not to exceed \$894,938.00.

Approve the transfer of Ms. Mariver Arcure , 207 Shelley Avenue, Elizabeth, currently serving as Landlord/Manager for Residential Dwellings, to Owner of One/Two Family Homes and Jose Nunes, 1127 Harding Road, Elizabeth, from Alternate Landlord/Manager for Residential Dwellings to Landlord Representative on the Fair Rental Housing Board.

Authorize the acceptance, as a donation from the Trust for Public Land, to install a Fitness Zone at Carteret Park.

Authorize the proper City officials to execute appropriate documents for the New Jersey Department of Law and Public Safety, Highway Traffic Safety, for the Click It or Ticket 2016 Statewide Seat Belt Enforcement Mobilization Grant from May 23, 2016 through June 5, 2016, in the amount of \$5,000.00.

Establish a handicapped parking space in front of the premises located at 623 Franklin Street.

Establish a handicapped parking space in front of the premises located at 163 Livingston Street.

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

Establish a handicapped parking space in front of the premises located at 136 Franklin Street.

Establish a handicapped parking space in front of the premises located at 23 DeHart Place.

Delete the following handicapped parking spaces from in front of the premises located at: 475 Walnut Street, 43 Atlantic Street, 441A Livingston Street, 17 Sayre Street, 1030 Sheridan Avenue and 121 Franklin Street (now to be personalized).

Designate May 24, 2016 as Youth In City Government Day and appoint Councilman Frank J. Cuesta as Chairman of said affair.

Declare April , 2016 as National Autism Awareness Month.

Permit the Peruvians for Progress, Inc., 846 Elizabeth Avenue, Elizabeth, to host a Peruvian Festival on Sunday, July 24, 2016, from 12:00 noon to 8:00 p.m., (rain date Sunday, August 14, 2016) on First Street and Elizabeth Avenue to Front Street and Marshall Street and at the Veterans Memorial Park, with all licensing fees waived.

Pay Utility Bills.

**COMMENDATIONS:**

Christina McNeill, 100<sup>th</sup> Birthday

Lillian Weston Bialock, 90<sup>th</sup> Birthday

William Shamar Garner, Senior, Patrick School, Outstanding Youth Award, Boys and Girls Clubs of Union County

Illiana Chavez, Program for Autism

Richard Stenke, PBA President ( Jingle Bell Run for  
Joseph McDonough, PBA Treasurer ( for Specialized Hospital Benefit  
Ina Perez, Dare Officer ( )  
Detective Paul Pasternak ( )

John Moretti ( )  
Amilcar Colon ( Elizabeth Promise  
Carlos Gonzalez ( )

The Animal Shelter Division

**MEMORIALS:**

**ADJOURNMENT**