

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, APRIL 26, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- 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 Miguelina 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.

PUBLIC HEARINGS (Cont'd)

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.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 12, 2016, from the Assistant Business Administrator recommending awarding a contract to Weldon Materials, Inc., 141 Central Avenue, Westfield, NJ, for the purchase of Road Materials including, but not limited to asphalt, stone, and salt, for the period of April 11, 2016 through April 11, 2017, at a cost not to exceed \$100,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to participate in a State Contract with Turn Out Fire and Safety, Inc., 3468 Kennedy Boulevard, Jersey City, NJ for Protective Clothing and Equipment for the Fire Department and Ambulance Service Bureau for the period of April 7, 2016 through March 31, 2017, at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to participate in a State Contract with Firefighter One, LLC., 26 Gail Court, Suite 1, Sparta, NJ, for Protective Clothing and Equipment for the Fire Department and Ambulance Service Bureau for the period of April 7, 2016 through March 31, 2017, at a cost not to exceed \$60,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to participate in a State Contract with Skylands Area Fire Equipment and Training, 23 Hamburg Turnpike., Suite A, Riverdale, NJ, for Firefighter Protective Clothing and Equipment for the Fire Department for the period of April 1, 2016 through March 31, 2017 at a cost not to exceed \$150,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2016, from the Assistant Business Administrator recommending awarding a contract to Thomson Reuters, a Division of West Publishing Corp., 610 Opperman Drive, Eagan, MN, for the purchase of Web Based Data Access Services for the Law Department and Municipal Court Division for the period of April 1, 2016 through March 31, 2018, at a cost not to exceed \$20,000.00. Which was received.

By the Clerk:

Letter dated April 13, 2016, from the Assistant Business Administrator recommending awarding a contract to Cleveland Auto & Tire Co., 462 Third Avenue, Elizabeth, NJ, for Tires, Tubes and Services for Public Works, Police and Fire Department vehicles for the period of April 11, 2016 through March 31, 2017 at a cost not to exceed \$250,000.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 13, 2016, from the Assistant Business Administrator recommending awarding a contract to Office Solutions, Inc., 217 Mount Horeb Road, Warren, NJ, for the purchase of Telecommunications Equipment Wired for various departments for the period of April 1, 2016 through March 31, 2017, at a cost not to exceed \$50,000.00. Which was received.

By the Clerk:

Letter dated April 14, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to award a contract to South Jersey Energy, 1 North Whitehorse Pike, Hammonton, NJ, for the Large Power and Lighting Service at a rate of \$0.056990 per kilowatt hour and General Lighting Power at a rate of \$0.058900 per kilowatt hour for a 24-month period beginning on the June 2016 meter read date through the June 2018 meter read date. Which was received.

By the Clerk:

Letter dated April 14, 2016, from the Assistant Business Administrator requesting permission for the Purchasing Agent to reject the sole bid received on March 2, 2016, from The Rodgers Group for the retention of consulting services to assist in securing the State Association of Chiefs of Police Re-Accreditation for the Elizabeth Police Department; the Police Director has chosen to abandon this project due to the performance of these services in accordance with N.J.S.A. 40A:11-13.2(c). Which was received.

By the Clerk:

Letter dated April 14, 2016, from the Assistant Business Administrator advising that being satisfied that an emergency did exist, recommends the award of a contract to Big Top Contractors, Inc., 31 Elliot Street, Avenel, NJ, for the demolition of 638 and 640 Fulton Street in the amount of \$30,700.00. Which was received.

By the Clerk:

Letter dated April 18, 2016, from the Assistant Business Administrator recommending awarding a contract to Gila, LLC., d/b/a Municipal Services Bureau, 8325 Tuscan Way, Bldg. 4, Austin, TX, for the furnishing of credit card/electronic payment services for the City of Elizabeth for the Municipal Court Division for a period of two years from the date of execution of the contract with an option to renew for a single three-year period under the same terms and conditions in an amount not to exceed \$60,000.00. Which was received.

By the Clerk:

Letter dated April 19, 2016, from the Assistant Business Administrator recommending awarding a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ, for the purchase of two (2) 2016 Ford Focus SE's, as replacement vehicles for the Traffic Division's Parking Violations Officers, through the Cranford Cooperative Pricing Council Contract, at a cost of \$31,346.00. Which was received.

By the Clerk:

Letter dated April 19, 2016, from the Assistant Business Administrator recommending awarding a contract to Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE, for the purchase of five (5) 2017 Ford Fusion Sedans as replacement vehicles for the Police Department Detective Bureau at the total cost of \$88,725.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 11, 2016, from the Chief Financial Officer requesting authorization for the Tax Collector to issue an appropriate duplicate tax sale certificate covering the premises commonly known and referred to as Lot 255 in Block 04 (27 Boyle Place).
Which was received.

By the Clerk:

Letter dated April 19, 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 19, 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 19, 2016, from the Chief Financial Officer requesting that your Honorable Body consider authorizing providing for the refunding of a portion of the City's General Improvement Bonds, Series 2006 and General Improvement Bonds, Series 2008 and providing for the Forms, Maturities and other details of said bonds; authorizing a preliminary official statement and official statement; providing for the sale of the refunding bonds; and approving and authorizing the execution and delivery by the City of a Continuing Disclosure Certificate, a Bond Purchase Agreement and an Escrow Deposit Agreement.
Which was received.

By the Clerk:

Letter dated April 19, 2016, from the Director of Health and Human Services requesting to repeal Chapter 6.04.370, entitled "Licensing of Pit Bull Dogs".
Which was received.

By the Clerk:

Letter dated April 6, 2016, from the Director of Planning and Community Development requesting authorization to have a lien placed against the property located at 640 Fulton Street for the demolition of said premises due to a fire in the amount of \$15,700.00.
Which was received.

By the Clerk:

Letter dated April 6, 2016, from the Director of Planning and Community Development requesting authorization to have a lien placed against the property located at 638 Fulton Street for the demolition of said premises due to a fire in the amount of \$15,000.00.
Which was received.

By the Clerk:

Letter dated April 13, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to sell 326 Magnolia Avenue for \$42,500.00 and 339 Marshall Street for \$42,500.00 to Community Asset Preservation Corporation, A New Jersey Non-Profit Corporation, for the purpose of building or rehabilitating residential property for resale.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 14, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to negotiate and execute a voluntary collection agreement contract with AirBNB, Inc., 888 Brannan Street, 4th Floor, San Francisco, CA, to collect the Hotel Occupancy Tax for all bookings made within the City of Elizabeth for short term residential housing rentals by homeowners. Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated April 14, 2016, from the Director of Planning and Community Development requesting that your Honorable Body consider amending Chapter 17.36 of the Code of the City of Elizabeth, specifically to authorize short term residential housing rentals and eliminating Schedule III, Conditional Uses, Section A, "Rooming Houses", as a permitted use in the City of Elizabeth. Which Was Referred To Council As A Whole.

By the Clerk:

Letter dated April 15, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to reprogram the unexpended CDBG contract balances to the CDBG holding account as indicated on the Schedule A attached hereto in the amount of \$13,503.47. Which was received.

By the Clerk:

Letter dated April 15, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to amend the CD-41 contract with United Youth (Fitness and LEAP Programs), specifically to extend the contract period to December 30, 2016. Which was received.

By the Clerk:

Letter dated April 15, 2016, from the Director of Planning and Community Development requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the U.S. Department of Housing & Urban Development (HUD) for Community Development Block Grant, Emergency Solutions Grant and HOME Program CD-42 funding for Fiscal Year 2016-2017. Which was received.

By the Clerk:

Letter dated April 7, 2016, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the boarding up of said properties in the amount of \$273.91. Which was received.

By the Clerk:

Letter dated April 7, 2016, from the Director of Public Works requesting authorization 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 \$2,017.58. Which was received.

By the Clerk:

Letter dated April 18, 2016, from the Director of Public Works requesting authorization to have liens placed against properties listed on Schedule A attached hereto for the removal and disposal of debris from said properties in the amount of \$1,347.81. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated April 13, 2016, from the Director of Public Works requesting authorization for Pasquale Vella, the City of Elizabeth Recycling Coordinator, to endorse the submission of the recycling tonnage grant application to the NJ Department of Environmental Protection. Which was received.

By the Clerk:

Letter dated April 6, 2016, from the Police Director requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the N.J. Department of Law and Public Safety, Highway Traffic Safety State Pedestrian Safety Enforcement and Education Fund 2017 for the period of July 1, 2016 through May 31, 2017 for an amount not to exceed \$20,000.00. Which was received.

By the Clerk:

Letter dated April 6, 2016, from the Peruvians for Progress, Inc., 846 Elizabeth Avenue, Elizabeth, NJ, requesting permission to have a Flag Raising Ceremony in front of City Hall at 5:00 p.m. on Friday, July 22, 2016; Sunday, July 24, 2016 host a parade; rename Elizabeth Avenue for the week of July 22 through July 29, 2016 as “Avenida Peru”; paint traffic lines red-white-red on Elizabeth Avenue. Which was received.

By the Clerk:

Letter dated April 14, 2016, from Elizabeth Destination Marketing Organization is requesting to host the Elizabeth City Showcase Event to be held on Wednesday, May 4, 2016, at Veteran’s Memorial Park; waive all fees. Which was received.

By the Clerk:

Letter dated April 14, 2016, from The Elizabeth Policemen’s Benevolent Association Local #4, One Police Plaza, Room B-12, Elizabeth, NJ requesting that your Honorable Body consider placing a vanity street sign “Final Salute Plaza; In Honor of Those Who Have Served” on Commerce Place in honor of those who have made the ultimate sacrifice as well as honor those who have served the City of Elizabeth’s Police Department; to be dedicated to the members on Wednesday, May 13, 2016. Which was received.

By the Clerk:

Letter dated April 19, 2016, from the Frank O. Mazza Civic Association, 630 Third Avenue, Elizabeth, NJ, requesting permission to host a small festival on July 21, 2016 through July 24, 2016 from 6:30 p.m. to 10:45 p.m., except Sunday, July 24, from 4:00 p.m. to 9:00 p.m.; waive all fees. Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Letter dated April 6, 2016, from the City Treasurer submitting the City Treasurer’s Report of Receipts and Disbursements for the month of December, 2015 and Statement of Bank Balances and Investments as of December 31, 2015. Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4710 - An ordinance to negotiate and execute a contract for the sale of 326 Magnolia Avenue in the amount of \$42,500.00 and 339 Marshall Street in the amount of \$42,500.00 to Community Asset Preservation Corporation, a New Jersey Non-profit Corporation, to build/rehabilitate residential properties for resale.
- ORD. NO. 4711 - Repeal Chapter 6.04.370 of the Code of the City of Elizabeth entitled "Licensing of Pit Bull Dogs," which was adopted by Ordinance No. 2165, dated January 24, 1989.
- ORD. NO. 4712 - Authorize the establishment of a personalized handicapped parking space for Alyenka P. Dey, 234 Pine Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MAY 10, 2016, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- 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 Miguelina 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.

ORDINANCES ON FINAL (Cont'd.)

- 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.

NEW BUSINESS

Authorize a resolution providing for the refunding of a portion of the City's General Improvement Bonds, Series 2006, and General Improvement Bonds, Series 2008, and providing for the Forms, Maturities and other details of said Bonds; authorizing a Preliminary Official Statement and Official Statement; providing for the sale of the Refunding Bonds; and approving and authorizing the Execution and Delivery by the City of a Continuing Disclosure Certificate, a Bond Purchase Agreement and an Escrow Deposit Agreement.

Authorize the award of a contract to Weldon Materials, Inc., 141 Central Avenue, Westfield, N.J., for the purchase of road materials for the Department of Public Works for the period April 11, 2016 through April 11, 2017, at a cost not to exceed \$100,000.00.

Authorize the award of a contract to Firefighter One, LLC, 26 Gail Court, Sparta, N.J., for the purchase of protective clothing and equipment for the Fire Department and Ambulance Service Bureau for the period April 7, 2016 through March 31, 2017, at a cost not to exceed \$60,000.00.

Authorize the award of a contract to Turn Out Fire and Safety, Inc., 3468 Kennedy Boulevard, Jersey City, N.J., for the purchase of protective clothing and equipment for the Fire Department for the period April 7, 2016 through March 31, 2017, at a cost not to exceed \$50,000.00.

Authorize the award of a contract to Skylands Area Fire Equipment and Training, 23 Hamburg Turnpike, Riverdale, N.J., for the purchase of protective firefighting clothing and equipment for the Fire Department for the period April 1, 2016 through March 31, 2017, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to Thomson Reuters, a Division of West Publishing Corporation, 610 Opperman Drive, Eagan, MN, for the purchase of Web-based Data Access Services for the Law Department and the Municipal Court Division, for the period April 1, 2016 through March 31, 2018, at a cost not to exceed \$20,000.00.

Authorize the award of a contract to Cleveland Auto and Tire Company, 462 Third Avenue, Elizabeth, N.J., for the purchase of tires, tubes and services for the Departments of Public Works, Police and Fire vehicles for the period April 11, 2016 through March 31, 2017, at a cost not to exceed \$250,000.00.

Authorize the award of a contract to Office Solutions, Inc., 217 Mount Horeb Road, Warren, N.J., for the purchase of telecommunications equipment wired for various departments for the period April 1, 2016 through March 31, 2017, at a cost not to exceed \$50,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract, through the N.J. Sustainable Energy Joint Meeting (NJSEM), for the purchase of electricity to South Jersey Energy, 1 North Whitehorse Pike, Hammonton, N.J for the purchase of Large Power and Lighting Service (LPLS) and for General Lighting Power (GLP) for a twenty-four month period beginning on the June 2016 meter read date through the June 2018 meter read date.

Authorize the award of a contract to Gila, LLC., d/b/a Municipal Services Bureau, 8325 Tuscan Way, Austin, Texas, for the furnishing of credit card/debit card payment service for Municipal Court fines for a two year period with an option to renew for a single three year period under the same terms in an amount not to exceed \$60,000.00.

Authorize the award of a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, N.J., for the purchase of two (2) 2016 Ford Focus SE's, as replacement vehicles for the Traffic Division of the Police Department, through the Cranford Cooperative Pricing Council, at a cost of \$31,346.00.

Authorize the award of a contract to Hertrich Fleet Services, Inc., 1427 Bay Road, Milford, DE, for the purchase of five (5) 2017 Ford Fusion Sedans as replacement vehicles for the Police Department Detective Bureau at a total cost of \$88,725.00.

Authorize the Tax Collector to issue a Duplicate Tax Sale Certificate to US Bank Cust BV001 Trust & Crdtrs covering premises commonly known as Block 04 Lot 255 (27 Boyle Place).

Authorize the proper City officials to reprogram and transfer unexpended balances to the Community Development Block Grant holding account, as listed on Schedule A on file in the City Clerk's Office in the amount of \$13,503.47.

Authorize an amendment to a CD-41 contract with United Youth of New Jersey, Inc., (Fitness and LEAP Programs), specifically to extend the term of the contract to December 30, 2016.

Authorize the proper City officials to submit an application to the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grants; Emergency Solutions Grants and HOME Program CD-42 funding for Fiscal Year 2016-2017.

Establish a lien on the property located at 640 Fulton Street for the demolition of said property in the amount of \$15,700.00.

Establish a lien on the property located at 638 Fulton Street for the demolition of said property in the amount of \$15,000.00 due to a fire.

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 \$273.91.

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 \$2,017.58.

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 \$1,347.81.

Authorize Pasquale Vella, Recycling Coordinator, to endorse the submission of the Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection.

NEW BUSINESS (Cont'd.)

Establish a handicapped parking space in front of the premises located at 852 Livingston Street.

Authorize the proper City officials to execute appropriate documents for the New Jersey Department of Law and Public Safety, Highway Traffic Safety, for the State Pedestrian Safety Enforcement and Education Fund 2017 for the period July 1, 2016 through May 31, 2017, in an amount not to exceed \$20,000.00.

Permit the Elizabeth Policemen's Benevolent Association, Local #4, One Police Plaza, Elizabeth, N.J., to have a vanity street sign, "Final Salute Plaza, In Honor of Those Who Have Served," placed at Commerce Place, to be dedicated on Wednesday, May 13, 2016.

Permit the Peruvians for Progress, Inc., 846 Elizabeth Avenue, Elizabeth, to have a flag raising ceremony in front of City Hall on Friday, July 22, 2016 at 5:00 p.m.; host a parade on Sunday, July 24, 2016; rename Elizabeth Avenue to "Avenida Peru" the week of July 22 through July 29, 2016, and paint traffic lines red-white-red on Elizabeth Avenue.

Permit the Elizabeth Destination Marketing Organization, 456 North Broad Street, Elizabeth, N.J., to host an Elizabeth City Showcase Event to be held on Wednesday, May 4, 2016, at Veteran's Memorial Park, with all licensing fees waived.

Permit the Frank O. Mazza Civic Association, 630 Third Avenue, Elizabeth, N.J., to host the Ninth Annual St. Vito Festival/Peterstown Cultural Festival, on July 21 through 24, 2016, from 6:30 p.m. to 10:45 p.m., with all licensing fees waived.

Pay utility bills.

Approve Bingo and Raffle licenses

COMMENDATIONS:

Sgt. Mayor Hassana Pretlow

MEMORIALS:

Francesco Guarraci

ADJOURNMENT