

Official Agenda

CITY COUNCIL - ELIZABETH, N. J.

REGULAR MEETING - TUESDAY, FEBRUARY 9, 2016

7:30 P. M.

AGENDA

ROLL CALL.

PRAYER AND PLEDGE OF ALLEGIANCE TO THE FLAG.

PUBLIC SPEAKING.

PUBLIC HEARINGS

- ORD. NO. 4663 - Bond Ordinance in the amount of \$2,000,000.00 with a down payment of \$100,000.00, for the construction of Phase III of the Elizabeth River Trail from South Street to Clifton Street.
- ORD. NO. 4664 - Bond ordinance in the amount of \$2,800,000.00 providing for the cost of development of the City's Combined Sewer Overflow Long Term Control Plan as required by the N.J. Department of Environmental Protection.
- ORD. NO. 4665 - Bond ordinance in the amount of \$5,000,000.00 providing for the cost of the City's Elizabeth River Flood Control Upgrades.
- ORD. NO. 4666 - Amend Chapter 5.70.230 of the Code of the City of Elizabeth, entitled "Violations and Penalties," specifically to increase the minimum General Penalty Provision to \$200.00 and the maximum General Penalty Provision to \$2,000.00.
- ORD. NO. 4667 - Authorize the establishment of a personalized handicapped parking space for Olivia Brown, 445 Catherine Street.
- ORD. NO. 4668 - Authorize the establishment of a personalized handicapped parking space for Margarita Obando, 744 Jackson Avenue.
- ORD. NO. 4669 - Authorize the establishment of a personalized handicapped parking space for Maria C. Lopes, 942 Jackson Avenue.
- ORD. NO. 4670 - Authorize the establishment of a personalized handicapped parking space for Juanita Baskerville Walke, 1079 William Street.
- ORD. NO. 4671 - Authorize the establishment of a personalized handicapped parking space for Jose A. Mojica, Jr., 338 Loomis Street.
- ORD. NO. 4672 - Rescind Ordinance No. 4081, adopted November 10, 2009, which authorized the establishment of a Personalized Handicapped Parking Space for Azor Sneed, 1015 Bond Street.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 28, 2016, from the Assistant Business Administrator recommending awarding respective contracts to Envelopes and Printed Products, Inc., 135 Fairview Avenue, Prospect Park, NJ, and Ridgewood Press, Inc., T/A Ridgewood Press, 609 Franklin Turnpike, Ridgewood, NJ, for the furnishing of printing services for a period of two years from the date of the award; contracts are to be combined in an amount not to exceed \$55,000.00; however, the numerous items for which the City did not receive a responsible bid, the Assistant Business Administrator is requesting authorization for the Purchasing Agent to re-advertise for all of the items that did not receive a responsible bid with revised specifications. Which was received.

By the Clerk:

Letter dated January 28, 2016, from the Assistant Business Administrator requesting authorization for the proper City officials to renew an agreement with the Assembly of God Portuguese Ministry of Elizabeth, Inc., 1123-1131 Dickinson Street, Elizabeth, NJ, for the use of the Church's parking lot by City employees during normal business hours for a period of two years, commencing September 1, 2015 through August 31, 2017 at a nominal fee of \$1.00 per year. Which was received.

By the Clerk:

Letter dated January 28, 2016, from the Assistant 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 and Recreation Department laborers and Health Department dog wardens for the period of January 1, 2016 through December 31, 2016 at a total cost not to exceed \$25,000.00, under the Morris County Co-op. Which was received.

By the Clerk:

Letter dated January 28, 2016, from the Assistant Business Administrator recommending the award of a contract to Triangle Communications, LLC, 236 Waldheim Avenue, Scotch Plains, NJ, for the purchase of Computer Parts for Police Vehicles for the period of January 1, 2016 through December 31, 2016 at a cost not to exceed \$150,000.00, under the Morris County Co-Op. Which was received.

By the Clerk:

Letter dated January 29, 2016, from the Assistant Business Administrator recommending the award of a contract to V. E. Ralph & Sons, Inc., P.O. Box 633, 320 Schuyler Avenue, Kearny, NJ, to purchase Medical Supplies and Equipment, Health Education & Training for various departments for the period of January 16, 2016 through January 16, 2017 at a cost not to exceed \$40,000.00, under the Middlesex Regional Education Services Commission Cooperative Pricing System. Which was received.

By the Clerk:

Letter dated February 1, 2016, from the Assistant Business Administrator recommending the award of a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, NJ, for the purchase of one (1) 2016 Ford Explorer as an addition to the Police Department Fleet through the Highway Safety Fund Grant at the total cost of \$26,008.00. Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated February 1, 2016, from the Assistant Business Administrator recommending the award of a contract to Spruce Industries, 759 E. Linden Avenue, Rahway, NJ, for the purchase of Janitorial Supplies for various departments for the period of January 22, 2016 through January 21, 2017 at a cost not to exceed \$75,000.00.
Which was received.

By the Clerk:

Letter dated January 28, 2016, from the Second Assistant City Attorney requesting to rescind the resolution adopted January 26, 2016, authorizing the execution of a Lease Agreement with Temple Community Development Corporation to provide daycare and child care services and consider an ordinance authorizing the proper City officials to execute the lease agreement.
Which was received.

By the Clerk:

Letter dated February 2, 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 February 2, 2016, from the Chief Financial Officer advising that in compliance with the SFY 2016 Appropriations Act requires your Honorable Body approve all payments related to accumulated/uncompensated absence benefits.
Which was received.

By the Clerk:

Letter dated February 2, 2016, from the Chief Financial Officer requesting an ordinance to approve the application and financial agreement with ERG Elizabeth Urban Renewal, LLC, 633 Division Street, Elizabeth, NJ, who will construct a new 90,000 square foot warehouse building and other improvements, buildings or structures to be occupied by Pilot Freight Services and one or more other tenants with attended parking at 854 Julia Street.
Which was received.

By the Clerk:

Letter dated January 19, 2016, from the Chief Financial Officer requiring that all members of the governing body have familiarized themselves with the contents of the Annual Audit and have reviewed, at a minimum, the sections of the annual audit entitled "General Comments and Recommendations".
Which was received.

By the Clerk:

Letter dated February 2, 2016, from the Chief Financial Officer advising that in compliance with the SFY 2016 Appropriations Act requiring your Honorable Body review the City's Quarterly Budget Revenues and Appropriations for the 2016 SFY 2nd quarter ending December, 2016.
Which was received.

By the Clerk:

Letter dated February 2, 2016, from the Chief Financial Officer requesting that your Honorable Body consider the introduction and approval of the Greater Elizabeth Tourism Improvement District 2016 Calendar Budget in the amount of \$828,419.46.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 18, 2016, from the Director of Planning & Community Development requesting to rescind the resolution adopted January 12, 2016 for the determination of need for the E'port Family Homes Urban Renewal, L.P., project due to the developer's decision not to pursue the funding from NJ Housing and Mortgage Finance Agency.
Which was received.

By the Clerk:

Letter dated January 25, 2016, from the Director of Planning & Community Development requesting that your Honorable Body adopt the Baker Center Redevelopment Study as a Condemnation Redevelopment Area for 829-961 Newark Avenue (11-847); 827-907 Newark Avenue (11-847A); 1001-1013 Newark Avenue (11-848); 1015-1027 Newark Avenue (11-849); and 1029-1061 Newark Avenue (11-850).
Which was received.

By the Clerk:

Letter dated January 25, 2016, from the Director of Planning & Community Development requesting authorization for the Planning Board to prepare a redevelopment plan for 829-961 Newark Avenue (11-847); 827-907 Newark Avenue (11-847A); 1001-1013 Newark Avenue (11-848); 1015-1027 Newark Avenue (11-849); and 1029-1061 Newark Avenue (11-850).
Which was received.

By the Clerk:

Letter dated January 25, 2016, from the Director of Planning & Community Development requesting that your Honorable Body consider the South Second Street Redevelopment Study as a Condemnation Redevelopment Area for 200-238 South Second Street (Block 2 Lot 943).
Which was received.

By the Clerk:

Letter dated January 25, 2016, from the Director of Planning & Community Development requesting authorization for the Planning Board to prepare a Redevelopment Plan for 200-238 South Second Street (Block 2 Lot 943).
Which was received.

By the Clerk:

Letter dated January 26, 2016, from the Director of Planning & Community Development requesting to amend Chapter 8.80.030 of the Code of the City of Elizabeth entitled, "Vacant and Foreclosing Residential Properties", specifically to allow the collection of the registration fee from governmental authorities such as Fannie Mae and HUD.
Which was received.

By the Clerk:

Letter dated January 27, 2016, from the Director of Planning & Community Development requesting authorization for the proper City officials to enter into a contract with Prestige Environmental, Inc., Somerset, NJ, to perform environmental site assessment at 661-663 South Broad Street (Block 4 Lot 1412) for acquisition of this property for the Fire Department.
Which was received.

PETITIONS, COMMUNICATIONS, ETC.

By the Clerk:

Letter dated January 29, 2016, from the Director of Planning & Community Development requesting authorization for the proper City officials to execute any and all documents necessary and appropriate to provide a Rental Housing Program Deferred Payment Loan for the property located at 171-177 First Street for rehabilitation of 2 units in a 16 unit building in the amount of \$40,000.00.
Which was received.

By the Clerk:

Letter dated January 29, 2016, from the Director of Planning & Community Development requesting authorization to have a lien placed against the property located at 1035 Magnolia Avenue for the demolition of said property in the amount of \$30,000.00.
Which was received.

By the Clerk:

Letter dated January 21, 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 \$2,552.94.
Which was received.

By the Clerk:

Letter dated January 28, 2016, from the Director of Public Works requesting authorization for the proper City officials to apply, accept and sign all appropriate documents for the Hazard Mitigation Grant Program in the amount of \$832,620.00; the Federal share which the City will be receiving is \$250,000.00 to install a permanent natural gas-powered generator to supply emergency backup power to the Elizabeth Police Headquarters.
Which was received.

By the Clerk:

Letter dated February 1, 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 \$1,382.39.
Which was received.

By the Clerk:

Letter dated February 1, 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 \$692.24.
Which was received.

By the Clerk:

Letter dated February 1, 2016, from the Director of Public Works recommending the award of a contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, NJ in connection with the construction of the Miller Evans Logan Spray Park Project at a cost of \$1,652,476.25.
Which was received.

By the Clerk:

Letter dated January 20, 2016, from the Police Director requesting the installation of Stop Signs and replacement of pavement markings on Summit Road at the intersection of Colonia Road; Baldwin Place at the intersection of Princeton Road; and Byron Avenue at the intersection of Keats Avenue.
Which was received.

REPORTS OF CITY OFFICERS

By the Clerk:

Minutes: Fair Rental Housing Board meeting held December 16, 2015.
Which was received.

ORDINANCES ON FIRST READING

- ORD. NO. 4673 - Authorize the renewal of a lease agreement between the City of Elizabeth and the Assembly of God Portuguese Ministry of Elizabeth, Inc., 1123-1131 Dickinson Street, for rental of the parking lot adjacent to the church for use by City employees during regular business hours for the period September 1, 2015 to August 31, 2017, at a fee of \$1.00 per year.
- ORD. NO. 4674 - Authorize the execution of a lease agreement between the City of Elizabeth and the Temple Community Development Corporation, 630 South Street, Elizabeth, to provide daycare and child care services to Elizabeth residents with a specific focus for Elizabeth High School students in need of child care to complete their education for a period of three (3) years, commencing April 1, 2016, at a cost of \$1.00 per year.
- TABLED*
- ORD. NO. 4675 - Amend Chapter 8.80.030 of the Code of the City of Elizabeth entitled "Vacant and Foreclosing Residential Properties", specifically to allow the collection of the registration fee from governmental authorities, such as Fannie Mae and HUD.
- ORD. NO. 4676 - An ordinance approving the application and Financial Agreement with ERG Elizabeth Urban Renewal, LLC., 633 Division Street, Elizabeth, N.J., for a thirty years tax abatement (PILOT) to construct a warehouse and other improvements/buildings or structures at 854 Julia Street to be occupied by Pilot Freight Services and other tenants with attended parking.
- ORD. NO. 4677 - Amend Chapter 10.40.020 of the Code of the City of Elizabeth, entitled "No Parking of Certain Vehicles from 6:00 p.m. to 9:00 a.m. – Exceptions," specifically to increase the penalty to one hundred (\$100.00) dollars.
- ORD. NO. 4678 - Amend Chapter 10.40 of the Code of the City of Elizabeth, entitled "Parking Restrictions on Trucks, Buses and Commercial Vehicles," specifically to establish a penalty provision, Section 110, entitled "Violations and Penalties," to provide for a penalty fee of one hundred fifty (\$150.00) dollars for violation of Chapters 10.40.060 through 10.40.100.
- ORD. NO. 4679 - Amend Chapter 10.08.020 of the Code of the City of Elizabeth, entitled "Stop Intersections Designated," specifically to add stop intersections and replacement of pavement markings at the following locations: Summit Road at the intersection of Colonia Road; Baldwin Place at the intersection of Princeton Road and Byron Avenue at the intersection of Keats Avenue

ORDINANCES ON FIRST (Cont'd.)

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, FEBRUARY 23, 2016, AT 7:30 P.M.

- ORD. NO. 4680 - Bond ordinance in the amount of \$6,000,000.00 with a down payment of \$300,000.00, for the resurfacing of various streets.
- ORD. NO. 4681 - Bond ordinance in the amount of \$3,500,000.00 with a down payment of \$175,000.00, providing for the cost of interior alterations and repurposing of space to house the Police ID and Records Bureau.
- ORD. NO. 4682 - Bond ordinance in the amount of \$1,000,000.00 with a down payment of \$50,000.00, for installation of traffic lights and road resurfacing at the intersection of Elizabeth Avenue at South Street and Jacques Street.

PUBLIC HEARING AND FURTHER CONSIDERATION OF THE FOREGOING ORDINANCES SHALL TAKE PLACE AT THE CITY COUNCIL MEETING TO BE HELD TUESDAY, MARCH 8, 2016, AT 7:30 P.M.

ORDINANCES ON FINAL PASSAGE

- ORD. NO. 4666 - Amend Chapter 5.70.230 of the Code of the City of Elizabeth, entitled "Violations and Penalties," specifically to increase the minimum General Penalty Provision to \$200.00 and the maximum General Penalty Provision to \$2,000.00.
- ORD. NO. 4667 - Authorize the establishment of a personalized handicapped parking space for Olivia Brown, 445 Catherine Street.
- ORD. NO. 4668 - Authorize the establishment of a personalized handicapped parking space for Margarita Obando, 744 Jackson Avenue.
- ORD. NO. 4669 - Authorize the establishment of a personalized handicapped parking space for Maria C. Lopes, 942 Jackson Avenue.
- ORD. NO. 4670 - Authorize the establishment of a personalized handicapped parking space for Juanita Baskerville Walke, 1079 William Street.
- ORD. NO. 4671 - Authorize the establishment of a personalized handicapped parking space for Jose A. Mojica, Jr., 338 Loomis Street.
- ORD. NO. 4672 - Rescind Ordinance No. 4081, adopted November 10, 2009, which authorized the establishment of a Personalized Handicapped Parking Space for Azor Sneed, 1015 Bond Street.

*Under Suspension:
ORD. 4683 - PFC Urban Renewal LLC
Gap Abatement*

NEW BUSINESS

Authorize an amendment to the Fiscal Year 2016 Capital Budget in the amount of \$10,500,000.00.

Authorize an amendment to the Fiscal Year 2016 Budget to insert, as an Item of Revenue, a N.J. Department of Health and Human Services and Elizabeth Board of Education Non-Public School Nursing Grant in the amount of \$148,230.00.

Authorize an amendment to the Fiscal Year 2016 Budget to insert, as an Item of Revenue, a N.J. Department of Law and Public Safety, Edward Byrne Memorial Assistance Grant 2014 in the amount of \$118,846.80.

Authorize an amendment to the Fiscal Year 2016 Budget to insert, as an Item of Revenue, a N.J. Department of Environmental Protection Recycling Tonnage Grant in the amount of \$66,623.39.

In compliance with SFY 2016 Appropriations Act (Best Practices Requirement), City Council is requested to approve all payments related to accumulated/uncompensated absence benefits.

Certify to the State of New Jersey Local Finance Board that each member of City Council has reviewed and is familiar with, as a minimum, the sections of the 2015 Annual Audit Report entitled: General Comments and Recommendations.

In compliance with the SFY 2016 Appropriations Act, City Council is requested to review the Quarterly 2016 SFY Budget Revenues and Appropriations ending December 31, 2015.

Introduce and approve the Greater Elizabeth Tourism Improvement District Calendar Year 2016 Budget in the amount of \$828,419.46.

(PUBLIC HEARING TO BE HELD TUESDAY, FEBRUARY 23, 2016.)

Authorize the award of respective contracts to Envelopes and Products, Inc., 135 Fairview Avenue, Prospect Park, N.J., and Ridgewood Press, Inc., t/a Ridgewood Press, 609 Franklin Turnpike, Ridgewood, N.J., for the furnishing of printing services for various departments for a period of two years in an amount not to exceed \$55,000.00 per year for listed vendors and authorize the Purchasing Agent to re-advertise for items which did not receive responsible bids with revised specifications.

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 laborers and dog wardens, under the Morris County Co-Op, for the period January 1, 2016 through December 31, 2016, in an amount not to exceed \$25,000.00.

Authorize the award of a contract to Triangle Communications, 236 Waldheim Avenue, Scotch Plains, N.J., for the purchase of computer parts for police vehicles, under the Morris County Co-Op, for the period January 1, 2016 through December 31, 2016, at a cost not to exceed \$150,000.00.

Authorize the award of a contract to V.E. Ralph & Sons, Inc., P.O. Box 633, 320 Schuyler Avenue, Kearny N.J., for the purchase of medical supplies and equipment, Health Education and Training for various departments, under the Middlesex Regional Education Services Commission CO-OP, for the period January 16, 2016 through January 16, 2017, at a cost not to exceed \$40,000.00.

NEW BUSINESS (Cont'd.)

Authorize the award of a contract to Beyer Ford, 170 Ridgedale Avenue, Morristown, N.J., for the purchase of one (1) 2016 Ford Explorer as an addition to the Police Department fleet through the Highway Safety Fund Grant at a cost of \$26,008.00.

Authorize the award of a contract to Spruce Industries, 759 East Linden Avenue, Rahway, N.J., for the purchase of janitorial supplies for various departments, through the Middlesex Regional Educational Services Commission CO-OP, for the period January 22, 2016 through January 21, 2017, at a cost not to exceed \$75,000.00.

Rescind the resolution adopted January 12, 2016, authorizing a Resolution of Need for E'Port Family Homes Urban Renewal, LP, for financial assistance from the New Jersey Housing and Mortgage Finance Agency to construct three (3) new apartment buildings, due to the developer's decision not to pursue the funding.

Adopt a resolution acknowledging receipt and adoption of the Baker Center Redevelopment study, establishing 829-961 Newark Avenue; 827-907 Newark Avenue; 1001-1013 Newark Avenue; 1015-1027 Newark Avenue and 1029-1061 Newark Avenue as a condemnation redevelopment area.

Authorize the Planning Board to prepare a redevelopment plan for parcels 829-961 Newark Avenue; 827-907 Newark Avenue; 1001-1013 Newark Avenue; 1015-1027 Newark Avenue and 1029-1061 Newark Avenue.

Adopt a resolution acknowledging receipt and adoption of the South Second Street Redevelopment study, establishing 200-238 South Second Street as a condemnation redevelopment area.

Authorize the Planning Board to prepare a redevelopment plan for parcel 200-238 South Second Street as a condemnation redevelopment area.

Authorize the proper City officials to enter into a contract with Prestige Environmental, Inc., 220 Davidson Avenue, Somerset, N.J., to perform the environmental site assessment at 661-663 South Broad Street for acquisition of said property for the Fire Department.

Authorize the proper City officials to execute all necessary documents to provide a Rental Housing Program Deferred Payment loan to Magill Real Estate Holdings, LLC, 806 East Jersey Street, Elizabeth, N.J., for the rehabilitation of two (2) units in a sixteen (16) unit building located at 171-177 First Street, in the amount of \$40,000.00.

Establish a lien on the property located at 1035 Magnolia Avenue for the demolition of said property in the amount of \$30,000.00.

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 \$2,552.94.

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 \$692.24.

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 \$1,382.39.

NEW BUSINESS (Cont'd.)

Authorize the proper City officials to execute all appropriate documents for the Hazard Mitigation Grant Program in the amount of \$832,620.00 (Federal Share - \$250,000.00) to install a permanent natural gas-powered generator to supply emergency backup power to the Elizabeth Police Headquarters.

Authorize the award of a contract to CMS Construction, Inc., 152 Sherman Avenue, Newark, N.J., for the construction of the Miller Evans Logan Spray Park at a cost of \$1,652,476.25.

Establish a handicapped parking space in front of the premises located at 109 Franklin Street.

Establish a handicapped parking space in front of the premises located at 465 Henry Street.

Rename the Waterfront Field at 171 Front Street to Todd Bowles Waterfront Sports Complex.

Authorize settlement in the workers compensation litigation matter of Berghoefer vs. the City in the total amount of \$17,500.00.

Authorize settlement in the workers compensation litigation matter of Scaturro vs. the City in the total amount of \$33,507.00.

Pay utility bills.

COMMENDATIONS:

Vaughn Lee, "Legendary Cutmaster Cool V", Elizabeth High School graduate,
Outstanding musical and entertainment accomplishments

MEMORIALS:

Onelda Salerno
George W. Harrell, III
Ozell Kornegay

ADJOURNMENT 9:05 P.M.